Protecting and assisting outside the 1951 convention: Refugee experiences and implications for Sri Lanka

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• Sri Lanka context: migration history, south India, multi ethnic, middle income country

• Geo political aspects: location, island, no shared boarders, larger neighbours, non aligned but influenced by events/actions of neighbours

• Uniqueness for small country: migration lab, refugee producing, receiving, transit, and internal displacement location

• Not signed the 1951 convention and protocols, decision based on needs, risks, and benefits, resource constraints and not a priority, neighbours had not also signed and not wanting to set a precedent

• Implications hazy, refugees not a serious problem in numerical terms, needs by IDPs far larger and their concerns pressing
• Government together with UNHCR and other agencies providing protection to:

  Refugees: small numbers (around 1500), easy access to country, increasing trend now, Christian sect from Pakistan, supported by Church groups, long processing time/HCR lacking capacity

Returning refugees: from India (hosting around 130,000), post conflict, high numbers of returns in 2009/2010, currently reducing numbers, poor livelihoods confidence, beneficiaries assessing complex options

IDP resettlements: 30 year war, over a million displaced at various times, includes Tsunami and development displacements, mega resettlement projects, large humanitarian and development sector with multiple UN, NGO and other donors for protection & assistance
• Refugee protection cont.
  Diaspora: over 500,000, mainly from conflict, includes economic migrants, mainly in Canada and Europe

  Human smuggling/trafficking: to Canada, Europe, and Australia, mostly due to poverty or other marginalization (or looking for a better life), criminal pipeline existing from war period

• Protection frameworks: not a signatory, informal systems & methods in place, UNHCR operating with loose (extended) mandate and conducting RSD

• Government open to visitors/outsiders, providing 30 day entry visa normal, relaxed immigration as wanting to promote tourism
• Protection regimes:
  
  Large number of Ministries/departments/field administrators specialized in assistance to vulnerable communities (IDPs)

  Large and effective international humanitarian system in operation including civil/advocacy society

  Guiding Principles on IDPs used in various forms and levels

  National Involuntary Resettlement Policy available (mostly for DID purposes)

  Draft resettlement policy for conflict IDPs

  Individual and Inter Agency guidelines

  No domestic laws on refugees
• Current refugee situation: ambiguous and unpredictable as numbers increasing, government monitoring situation

• Conclusion: different model in South countries, open doors, easy access for refugees and migrants, follow up not up to par, west having different model, restricted access/closed borders but high level of follow-up protection