Fishing in Troubled Waters

Impact evaluation of conflict transformation projects on security and justice in Sri Lanka

Tarja Meijs

Fishing in Troubled Waters

Explanation of the title:

The title of this thesis has a threefold meaning. It refers to two different explanations of the first meaning of the saying 'fish in troubled waters', as well as to the comparison of the saying with the old Sri Lankan custom of stilt fishing.

Firstly, the saying *'fish in troubled waters',* indicates that someone is involving themselves in a dangerous situation in order to personally gain from this (Cambridge Dictionary 2014). This saying is often used in comparison with governments and politicians that use dangerous situation and misfortune of others to gain personal advantage. This thesis will show that both the Sri Lankan government and the Liberation Tigers of Tamil Eelam rendered themselves guilty of this behaviour during the war.

Secondly, the Longman Dictionary of English Idioms (1990) notes that the saying of '*fish in troubled waters'* indicates wrestling with a difficult problem. In this instance, this saying applies to the numerous NGOs' conflict transformation projects that try to establish more justice and security in the Sri Lankan society. Although it is hard for these NGOs to address structural problems and to evaluate the impact of their projects, these NGOs struggle to create positive impacts with their work. Consequently, they are *'fishing in troubled waters'*.

The third explanation of the thesis title lies within the comparison of the saying to an old Sri Lankan custom, namely the dying tradition of stilt fishing. This specific fishing technique, during which the fisherman sits on a cross bar tied to a vertical pole that has been pushed into the coral reefs, is a unique method to overcome the breaking of a wave (Garratt 1989). As stilt fishing has become a symbol of Sri Lanka, it has been portrayed on the covers of several tourist guides as well as on this thesis, the tradition becomes a metaphor for the ability of Sri Lankans to overcome any troubled waters.

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Abstract

Over the past decade, numerous conflict transformation organisations have emerged, which aim to protect the civilians from conflict and to establish a more secure and just environment in (post) conflict areas. Despite many efforts, the extend of the impact of these organisations' projects remains unclear. Do these projects really contribute significantly to more peaceful, just and safe communities? How do these projects affect the beneficiaries? In order to know if conflict transformation projects really contribute to more security and justice, it is important to evaluate their impact. By gaining knowledge and understanding of the projects' effects, negative outcomes can be prevented in the future. Furthermore, impact evaluation can improve the legitimacy and credibility of conflict resolution work.

This thesis will focus on the question *"To what extend do, in the case of Sri Lanka, NGO conflict transformation projects for fragile states contribute to more security and justice?"* By use of an impact evaluation framework, projects concerning security and justice will be evaluated in order to see if these projects in Sri Lanka have contributed to a safer and secure environment. In order to achieve this goal, this thesis will use a case study to evaluate the impact of two projects in Sri Lanka from the Dutch relief organisation Cordaid.

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List of acronyms

ADB – Asian Development Bank
CBO – Community-Based Organisation
CID – Criminal Investigation Department
CORDAID – Catholic Organisation for Relief and Development AID
CPA – Centre of Policy Alternatives
CPI – Corruption Perception Index
GCP - General
HHR – Home for Human Rights
LLRC – Lessons Learnt and Reconciliation Commission
LTTE – Liberation Tigers of Tamil Eelam
MRGI – Minority Rights Group International
NGO – Non-Governmental Organisation
ODA – Official Development Assistance
OHCHR – Office of the High Commissioner for Human Rights
PTA – Prevention of Terrorism Act
SHG – Self-Help group
UN – United Nations
UNDP – United Nations Development Programme
UNESC – United Nations Economic and Social Council
UNHCR – United Nations High Commissioner for Refugees
UNHRC - United Nations Human Rights Committee
UNODC – United Nations Office on Drugs and Crime
UNSG – United Nations Secretary-General
USCIRF – United States Commission on International Religious Freedom

Acknowledgements

While I was trying to unravel the true impact of Cordaid's conflict transformation projects in Ski Lanka, I began to realise that this research was part of my personal quest. It had become part of a personal quest, which eventually had made me decide to enrol in the master Conflict Studies. During my bachelor Development Studies, strong pessimism with regards to the true sense of development aid had taken part of me. The internships that I did during my bachelor studies underlined and strengthened this growing pessimism. In Indonesia, I interned at a small grass-root NGO, which helped people on a very small scale. It was due to this small-scaliness, that no structural changes were brought forth in society. It also has to be stressed that the organisation was also struggling to cope with the corrupted government, which took advantage of the organisation's good intentions. Therefore, after these experiences, I chose an internship with a large organisation that was working on a national campaign to reduce and create awareness on HIV and aids in Kenya. However, it was during this internship that my pessimism skyrocketed. Piles of money from USAID were pumped into this campaign and, according to my view, it was totally useless. The organisation operated far from effective and the message barely seemed to get to the people living in the slums. These people saw a quick way to earn money (as economic opportunities are very rare and the circumstances in the slums are ghastly, who can blame them?) and took advantage of the badly operated and controlled campaign. These experiences drove me to choose the master of Conflict Studies, as governments in (post)-conflict countries are often not capable to provide for basic needs, they are often part of the problem. NGOs are therefore one of the few institution where people can go to who have lost so much during the war. And now, my subject of my master thesis happened to fall upon impact evaluation of NGOs that work in conflict affected areas. Together with my intern supervisor at Cordaid, we decided on this subject as Cordaid was struggling to obtain data on the impact of their projects. A coincidence? Maybe, but also a further step in my search for my personal quest.

Although my pessimism has grown over the years, I still remember why I wanted to study Development Studies in the first place. As a young - and somewhat naïve - adolescent it astonished me that so much harm and injustice was part of this world. I truly wanted to help at least a few people to make their world more righteous and worth living in. It has always felt unfair that I was born here, in the Netherlands, and that I have truly everything and nothing to be miserable about. When I was about fourteen years of age, it hit me and I started to see all the things I took for granted. I have a loving family, a peaceful existence, I could go to school, travel, could speak my mind and express whatever beliefs and thoughts I have. It came to me, that so many people in this same world do not have all this. I felt as if my life was picked out of a big pile of lottery tickets and I won the jackpot The least I could do was share my jackpot with others in this world.

My first interest in Development Studies was triggered by my grandpa. Although I never knew him, he was there in the stories of my family. My grandpa was the founder of Fair Trade Original, or Stichting S.O.S. (Steun Ontwikkelings Streken), as it was called back then. The roots of my family in the Development Cooperation have formed me and therefore, first of all, I want to thank my grandpa Paul Meijs for all his efforts in the past as well as for his inspiration and genes.

Secondly, I have to thank all the people who took part in my research. It was so wonderful and so heart-warming to experience their openness and willingness to talk to me on such difficult subjects. I will never forget their hospitality.They were so kind, even though they had had to endure such difficult things in life.

Furthermore, my thanks goes to Hetty Burgman, my internship supervisor, who threw me in

1. Introduction

1.1 Introduction: impact evaluation of projects in conflict-affected settings

International interventions in foreign conflicts are a hot topic, as hundreds of millions of dollars are being spent each year and channelled towards peacebuilding, stability, and economic development activities in conflict-affected areas. In 2011, 1.5 billion people lived in conflict-affected and fragile states (World Bank 2011, 2) and US$50 billion, 38 percent of all the official development assistance (ODA), went to fragile states in 2010 (OECD 2013, 43). This, while many of these intervention strategies are based on weak evidence of their effects on society and long-term prospects of peace (Andersen et al. 2014).

Since the end of the Cold War, there has been an emergence of civil society organisations, non-governmental organisations (NGOs), agencies of the United Nations and regional organisations, which have increasingly intervened in conflict areas (Anderson and Olson 2003). Despite this increased focus on fragile states, settings where conflict and fragility are present remain major development challenges of our time. According to the Development Assistance Committee, no fragile state has yet reached any of the Millennium Development Goals (DAC 2012, 3). This shows that results are difficult to achieve and sustain. Therefore, it is important to deliver better results in situations of conflict and fragility. In order to do this, we need to improve the general understanding of the impacts and the effectiveness of programmes and projects in conflict and fragile areas.

Throughout the past decades, there have been many complex emergencies, wars and post-conflict reconstruction challenges. Sri Lanka, Sudan, Haiti, Rwanda, Mozambique, Congo, Somalia, Guatemala, are only a few examples and some of these countries had to cope with major failures of the international response. These failures contributed to the realisation that conventional development approaches are not the way to go and are sometimes even counter-productive in conflict-affected areas. Consequently, this therefore led to post-conflict approaches, which would address the root causes of conflict and which integrated peacebuilding, reconstruction, conflict management, and conflict prevention (Menkhaus 2004).

In order to deliver better results in conflict-affected areas, there have been numerous attempts to understand the dynamics of conflict and the transition towards peace, which led to an increase in policy documents and academic research on state fragility, conflict and peacebuilding since the beginning of the 1990s. In 1992, the concept of peacebuilding was first introduced to the UN by former UN Secretary-General Boutros Boutros-Ghali in his report 'An agenda for peace'. He described peacebuilding as the action to identify structures and to support structures in order to strengthen and solidify peace as to secure that a country will not relapse into conflict. Over the years, many others have contributed to and elaborated on this definition (to name a few: UN 2000; UN 2009; UN 2010; UN 2012; OECD 2007; International Dialogue on Peacebuilding and Statebuilding 2012; Sandole et al. 2009). Under this new concept, the peacebuilding missions were integrated into a variety of international actors, such as national relief and development organisations, NGOs and international financial institutions. In the academic research, this new concept of peacebuilding, introduced by the UN, was frequently debated.

This increase in civil society organisations and international NGOs was visible in Sri Lanka from the 1980s onwards, with the start of the civil war. While the development aid in Sri Lanka was modest before the 1980s, this changed dramatically in the 80s and 90s (Bastian 2003). It is hard to determine the actual number of NGOs active at that time, but estimations that were made in the 1990s vary from 20,000 to 50,000 NGOs and Community-Based Organisations (CBOs) in Sri Lanka. This number even grew after the tsunami that hit Sri Lanka in 2004 (Wickramashinge 2006).

However, this increase is in contrast to the limited knowledge of their impact on the ground, as these NGOs wrestle with evaluating their projects' impact. It is important to improve the understanding of the impact of these interventions in order to improve the conflict transformation practices (Scherrer 2012).

Although there is little knowledge about the impact of peacebuilding and conflict transformation projects, there has been an increasing concern about the true impact of projects on society and long-term prospects of peace. Therefore, over the recent years, several studies and analyses on the systematic use of evaluations were conducted. Paffenholz and Reychler (2007) discuss evaluation methods for conflict zones, as do Church and Shouldice (2002), and Diehl and Druckman (2010). It is important to note that all these studies provide a more general introduction to evaluation, which does not provide a clear framework or method on how to evaluate the true impact of peacebuilding and conflict transformation projects. Paffenholz (2011) even argues that the knowledge on *'evaluation in peacebuilding is suffering from a lack of sound methodological debate on how best to evaluate policy and operational initiatives in complex conflict contexts'*. The current available guidance is based on an introduction into what evaluation entails rather than a true guidance for evaluators (Paffenholz 2011, 1). This shows that the debate on concrete methodologies for impact evaluation of conflict transformation practices is still in its early phase. This thesis aims to contribute to this debate in order to gain a better understanding of impact evaluation methodologies.

1.2 Introduction into the case of Sri Lanka

Sri Lanka has faced a harsh civil war that lasted over 25 years. In May 2009, the war came to an end when the Liberation Tigers of Tamil Eelam (LTTE) were defeated by the Sri Lankan armed forces. The conflict was a product of long-standing tensions between Sri Lanka's majority, Sinhalese, and minority, Tamils, who were repressed by the government. This repression resulted in the establishment of the LTTE, a militant violent organisation that fought for an independent state for all Tamils. The civil war broke out when a series of attacks by the LTTE against Sri Lankan policemen resulted in the death of 13 Sinhalese policemen in July 1983. Mobs of Sinhalese civilians, supported by their government, went out to the streets and attacked Tamil civilians. From then onwards, the twenty-five years during civil war led to seventy or eighty thousand deaths on both sides. The government repression of Tamil aspirations was matched with ruthless tactics of the LTTE, which included suicide bombing of civilian targets. In addition, the LTTE controlled large parts of northern and eastern Sri Lanka for many years. The last phase of the war was characterized by a large intensification of violence, as the Sri Lankan government deployed an intense and heavy military force against the controlled areas. In this process, the government forces attacked civilians and hospitals and denied food and medicines to the population in the LTTE controlled areas. In turn, the LTTE refused to let civilians leave the controlled areas to the safe-areas that were deployed by the government. This resulted in many injuries, the death of thousands of civilians and hundreds of thousands displaced people. In this last brutal phase, nearly the whole LTTE leadership was killed. International organisations and non-governmental organisations (NGOs) had little to no access to the conflict zone during this phase. After the defeat of the LTTE, the government took international credit for its success in defeating a terrorist organisation (Ratner 2012). NGOs and other organisations finally had access to the severe conflict-affected areas and during the years following the defeat of the LTTE, many NGOs started implementing projects in Sri Lanka in order to sustain

peace and create a more just and secure environment. However, how do we know that all these conflict transformation efforts have really contributed to more peace, security, and justice? This is an interesting question, as there is little research on the impact of these projects.

This thesis will evaluate two case studies from projects in Sri Lanka from the Dutch Relief Organisation Cordaid, in order to evaluate if NGO conflict transformation projects contribute to more security and justice.

1.3 Research question and sub-questions

The objective of this research is to evaluate the impact of conflict transformation projects from NGOs. By setting up an impact evaluation framework, connected to the topics of security and justice, this thesis will analyse if conflict transformation projects have possibly contributed to more secure and safe societies. This will be done by use of the case study Sri Lanka, in which two projects from Cordaid in Sri Lanka will be evaluated. My research question will therefore be:

To what extend do, in the case of Sri Lanka, NGO conflict transformation projects for fragile states contribute to more security and justice?

Sub-questions

1. What is impact evaluation?
2. What does security and justice entail with regard to conflict transformation?
3. How is impact on security and justice measured?
4. What is the historical overview and what are the causes of the conflict in Sri Lanka?
5. What changes were visible concerning security and justice before and during the project intervention?
6. Can these changes be attributed to the project intervention?

1.4 Relevance

Societal relevance

Investigating the impact of projects from NGOs that focus on issues of security and justice is relevant in several ways. First of all, the trend that was visible after the Cold War, from the 1990s onwards, of an increase in NGOs that implement projects on conflict transformation in fragile states, has made it highly important to know the impact of the projects of all these NGOs. The increase was triggered during the 1990s, as NGOs were found to have a closer connection to the realities on-the-ground and were considered to be able to deliver aid considerably cheaper than states or governmental organisations, which caused the increase. At the time the United Nations were founded in 1945, there were 2,865 international NGOs. In 1990 this number had increased to 13,591 (Yearbook of International Organisations 1990-91) and it was estimated at 35,000 in 2009 (Lewis and Kanji 2009). Despite this increase, the knowledge on the true impact of these interventions remains scarce. One reason is that evaluating impact is very difficult, time-consuming and costs money that NGOs rather want to spent on their project intervention. Another reason is that it remains a hard task to attribute certain changes in a society to the project intervention, as many other factors may play a role in these visible changes (Walton 2012). But, nevertheless, impact evaluation should be one of the priorities for NGOs and other conflict transformation organisations, because it can provide

information on the real impact of an intervention. If a project does not have the wanted effect or no effect at all, it is important to know this in order to prevent other interventions from being implemented that will also not contribute. Therefore, the societal relevance of this thesis lies within providing information and awareness of the impact that conflict transformation projects can have. This is valuable and relevant for the individuals, households and communities that are reached with these projects. In addition, it is highly important to gain understanding of the effects and consequences that a project or intervention can have, as well positively as negatively. By gaining knowledge and understanding of these effects, negative outcomes can be prevented.

Furthermore, impact evaluation may legitimise or undermine the credibility of conflict resolution work. Which may, in the case of legitimisation, secure conflict resolution ideas and approaches as main approaches to be used by international organisations (Church and Shouldice 2002).

Last, it investigates the impact of a project, which can be helpful for organisations that are interested in how to evaluate impact of their projects. More concrete, this research is relevant for Cordaid, as I will evaluate two projects from Cordaid in Sri Lanka. Cordaid is struggling with how to evaluate impact of their projects, especially their projects that target issues of security and justice. With this research I can provide insights on the impact that projects in Sri Lanka have had and with this, provide recommendations and knowledge on how to evaluate their impact of different projects.

Scientific relevance

This research is scientifically relevant in a threefold way, as it will make a theoretical contribution, a methodological contribution, and an empirical contribution.

The knowledge, literature, and methodologies on impact evaluation on peacebuilding and conflict transformation projects are still in its early phase. The current available literature and guidance for evaluators does not provide a clear framework or method, but can be seen as a general introduction to evaluation (Paffenholz 2011). From the theoretical point, the central question of this thesis, *to what extend do conflict transformation projects from NGOs in fragile states contribute to more security and justice?,* is a very relevant one as its answer will contribute to the understanding of how to assess impact of conflict transformation projects concerning security and justice. This research will explore multiple scientific corners, such as theories on causes of conflict and theories on security and justice and will connect this to the theories on impact evaluation. Indicators on security and justice are there and are being used by international organisations and governments, but the array of all these indicators is so rich, that it often becomes confusing (Harvard Kennedy School 2008). This thesis therefore explores the array of these indicators and finds the common ground of all these different indicator sets of different organisations. This will enable a clear framework, that can be used as an easy tool to measure the situation concerning security and justice in society.

This thesis will explore the theories on impact evaluation, causes of conflict, and security and justice and will link these to a framework that will enable measuring the impact of projects on security and justice. As the methodological knowledge of impact evaluation on conflict resolution projects is still in an early phase, it is important that more research should be conducted on these grounds. The framework that will be set up in this thesis will therefore contribute to the methodological knowledge on impact evaluation, as this framework will be put to the test during this research, both in a quantitative as qualitative manner.

The empirical relevance of this research lies within the qualitative field research (in-depth

interviews) that will be conducted in Sri Lanka. First, a quantitative research will be conducted concerning security and justice issues in Sri Lanka over the past twelve years. These gathered quantitative data will be elaborated with empirical findings in the field, which will give a broad view on issues of security and justice in Sri Lanka.

1.5 Structure of this thesis

This thesis emerged from out the need to improve the quality of impact evaluations of interventions from NGOs in settings of conflict and fragility. The available scientific knowledge on these matters is limited and in need of more research and methodological insights. In order to find an answer to the research question of this thesis, *to what extend do, in the case of Sri Lanka, NGO conflict transformation projects for fragile states contribute to more security and justice?,* the structure of this thesis will follow the sub-questions:

1. What is impact evaluation?
2. What does security and justice entail with regard to conflict transformation?
3. How is impact on security and justice measured?
4. What changes were visible concerning security and justice before and during the project intervention?
5. Can these changes be attributed to the project intervention?

Chapter 2 begins by outlining the theoretical knowledge on impact evaluation. It provides a methodological overview of what evaluation entails and how impact can be assessed. This will therefore answer the first sub-question '*what is impact evaluation'.* Furthermore, this chapter will outline the methods that have been used for this thesis research. It gives a broad overview of how data and information has been gathered and researched has been conducted.

In chapter 3, the theory on conflict transformation will be explained, using the concepts of security and justice. This chapter will answer the second sub-question of '*what does security and justice entail in regard to conflict transformation'.*

The fourth chapter will present a methodological framework that will be used to measure impact on security and justice concerning conflict transformation projects. This chapter will elaborate on the earlier explained concepts of security and justice in order to connect indicators that will enable the assessment of the situation in a country. This chapter will answer the third sub-question of '*how do you measure impact on security and justice'.*

Chapter 5 of this thesis will provide a historical overview of the conflict in Sri Lanka. Because this thesis will assess the impact of two conflict transformation projects in Sri Lanka, it is important to have a good understanding of the context.

In chapter 6, the methodological framework that is presented in chapter 4, will be applied to the case of Sri Lanka. The indicators of the methodological framework concerning security and justice will be answered in a twofold way. Firstly, a quantitative analysis will be used, in which data has been gathered from different institutes and databases concerning the situation in Sri Lanka over past thirteen years. Secondly, a qualitative method will be used, in which 35 interviews have been conducted amongst the people responsible for the implementation and beneficiaries of the projects in Sri Lanka and with experts on the situation in Sri Lanka. This analysis will answer the fifth sub-question '*what changes were visible concerning security and justice before and during the project intervention'*

Chapter 7 will evaluate which issues the project interventions have target and how this was perceived by the people responsible for the implementation of the project, the beneficiaries of the projects, and by independent experts. This will be done with use of the qualitative interviews that have been conducted. It will assess the project interventions on the different indicators that are set in the methodological framework that is presented in chapter 4. This will enable the answering of sub-question 6 *'can these changes be attributed to the project intervention'*.

Chapter 8 will provide the conclusion of this thesis, which will answer the research question *To what extend do, in the case of Sri Lanka, NGO conflict transformation projects for fragile states contribute to more security and justice?*.

In the figure below the structure of this thesis is visualised. Every balloon represents one chapter and the arrows explain how the chapters correlate. In the balloons, the sub-questions are added which will lead to the answer of the research question of this thesis.

Figure 1. Structure of this thesis
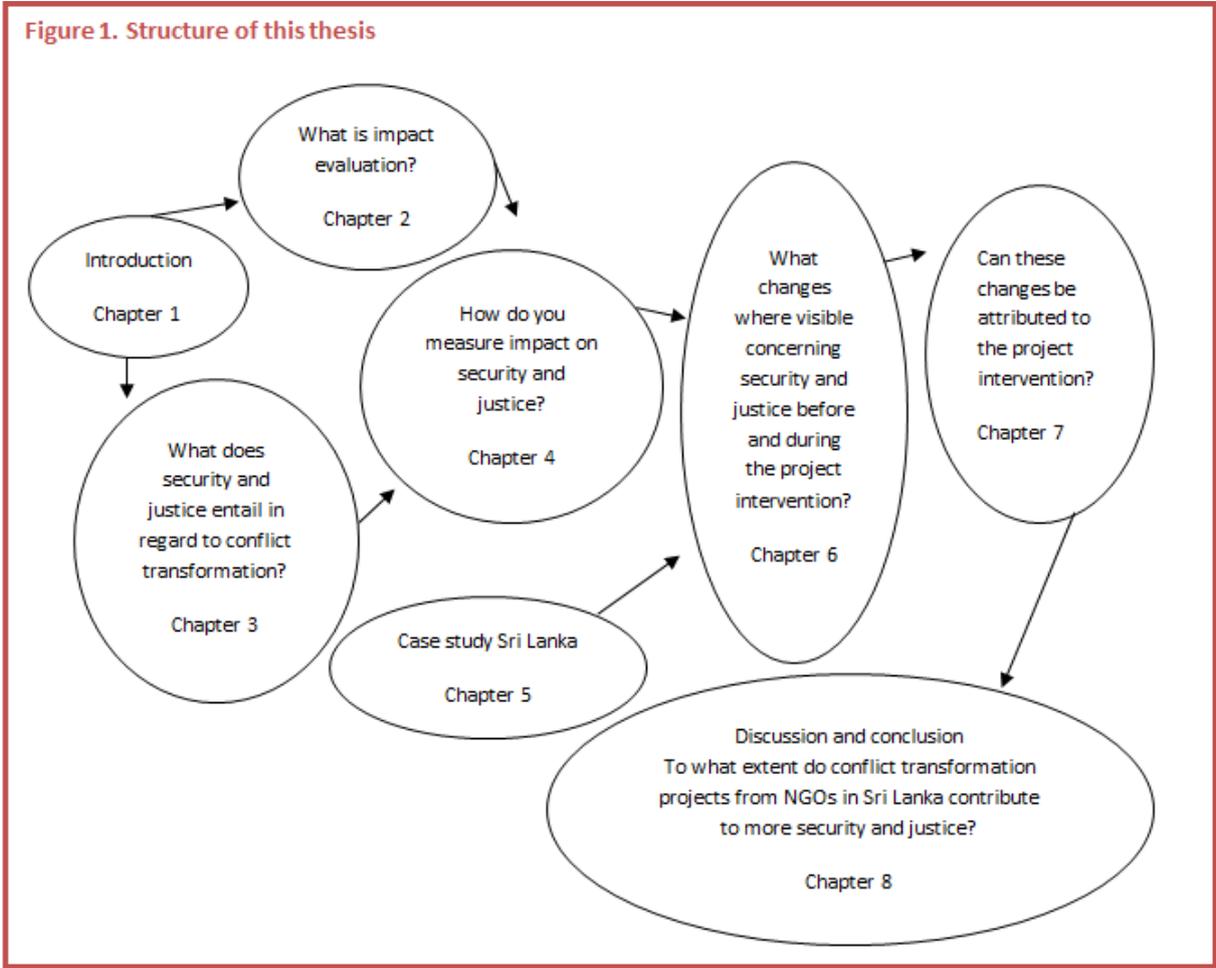
2. Methodology

The focus of this thesis is on impact evaluation. Impact evaluation is a methodology that has been used in this thesis to evaluate the impact of conflict transformation projects in fragile states. Therefore, firstly, this chapter will explain the concept of impact evaluation and how this methodology has been used in this thesis. Secondly, other methods that have been used in this thesis will be explained, such as literature study and qualitative and quantitative data study. Thirdly, the sampling, legitimacy, reliability, validity, and analyses that have been used during this research will be explained.

2.1 Impact Evaluation

A comprehensive evaluation can be divided into different methods, which include monitoring, process evaluation, cost-benefit evaluation, and impact evaluation. While monitoring will help to clarify if a project is being implemented as planned, process evaluation focuses on how the program operates and on the problems in service delivery. The cost-benefit evaluation evaluates the project costs and the impact evaluation is concerned with effects that the project has had on individuals, institutions, and communities and whether these effects can be attributed to the project intervention. Impact evaluation also determines the unintended (positive or negative) consequences the project has had on the beneficiaries (Baker 2000). I will shortly explain monitoring and (process) evaluation and then explain impact evaluation in order to clearly define the differences. Within this thesis I will focus on impact evaluation and will set up an impact evaluation framework that can be used to analyse projects and interventions.

The Development Assistance Committee (DAC 2012, 12) describes **evaluation** as a "*systematic and objective assessment of an on-going or completed project, programme or policy, its design, implementation and results"*. Therefore, the "*aim is to determine the relevance and fulfilment of objectives, development efficiency, effectiveness, impact and sustainability"*. **Monitoring** functions as a systematic collection of data on specific indicators. An indicator, in this sense, is a measure that helps 'answer the question of how much, or whether, progress is being made towards a certain objective' (Handbook of democracy and Governance Program Indicators 1998). Indicators can help to give grip on measuring progress towards issues of the level of violence in a society, or assuring equal access to justice etc. (Vera Institute of Justice 2003). The process of monitoring will keep management and stakeholders up to date about the progress and achievements of the objectives. The United Nation Development Program (UNDP 2009) explains that the key distinction between monitoring and evaluation is that evaluations are done independently and provide managers and staff with an objective assessment that can tell if they are on track or not. In addition, evaluations have a more elaborate procedure, design, and methodology and involve a more extensive analysis. However, the objectives of monitoring and evaluation are similar as they both provide information that will help in decision making processes, improving performances, and achieving the planned objectives.

Impact evaluation differs from other forms of monitoring and evaluation, as it evaluates the effectiveness of an intervention on final outcomes, rather than the project outputs or the process of the project implementation. Project impact evaluation evaluates if the intervention had a positive, negative or no effect on individuals, households or communities. Furthermore it makes clear if this effect can be attributed to the concerned intervention. Therefore impact evaluation looks at the project results on a higher level, trying to evaluate possible effects of the project or intervention

(ADB 2006). Figure 2 clarifies the distinction between monitoring, evaluation, and impact evaluation in the different steps of the project or intervention process.

Figure 2. Project monitoring and evaluation
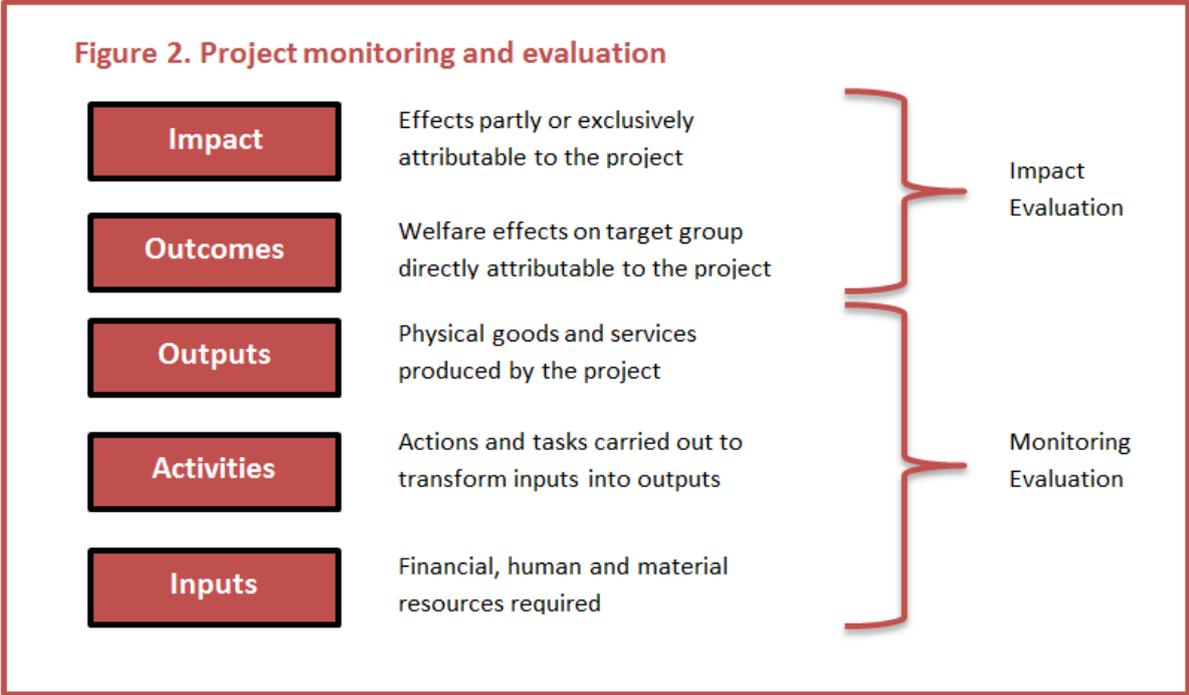
Information drawn from ADB 2006

2.2 How to measure impact

In order to evaluate impact, a counterfactual analysis can be used. This means that the effect of a specific project will be compared with counterfactual outcomes, meaning the hypothetical outcomes that would have prevailed in the absence of the project or intervention (ADB 2006). In order to evaluate what would have happened if the project had never taken place, it is necessary to net out the effect of the intervention from other factors. To establish the counterfactual, a comparison group or control group can be determined. This are groups that are selected from the same population as the treatment group (the individuals who have received the intervention) and should resemble the treatment group as good as possible (Baker 2000). This; however, is a difficult task, as two groups can only be similar in a general sense. Another method is comparing 'before' and 'after', using the same group of individuals, by conducting a baseline-study before the intervention will take place. Hereby the temporal change in outcome of this group can be observed.

If baseline data is not available, as the project is already implemented, another method has to be used to construct the baseline data. Even when a project is underway or already completed, it may still be possible to design and carry out a decent impact evaluation. This can be done by assessing what changes have occurred along the way. Firstly, in order to recreate a baseline, data from secondary resources can be evaluated concerning the situation before the intervention. Secondly, this data should also be evaluated in the current situation. Then, by use of qualitative methods, such as interviews with people involved with the implementation of the project, beneficiaries, and experts on the subject, it is possible to attribute possible found changes to the project intervention (World Bank 2013).

If you want to evaluate a project, the main question is the effects the intervention has had

on the goal variables (in this case on security and justice). Measuring the extent to which or if these goals are achieved, is the first step. The second step is the legitimisation of this to the intervention. With this we try to make a distinction between the arrows in figure 3, this will break up the effects of the intervention on the goal variables and the changes in the goal variables that are caused by other effects (Swanborn 1999).

Figure 3. Impact evaluation

Intervention		Goal variables
Context variables		Side effects
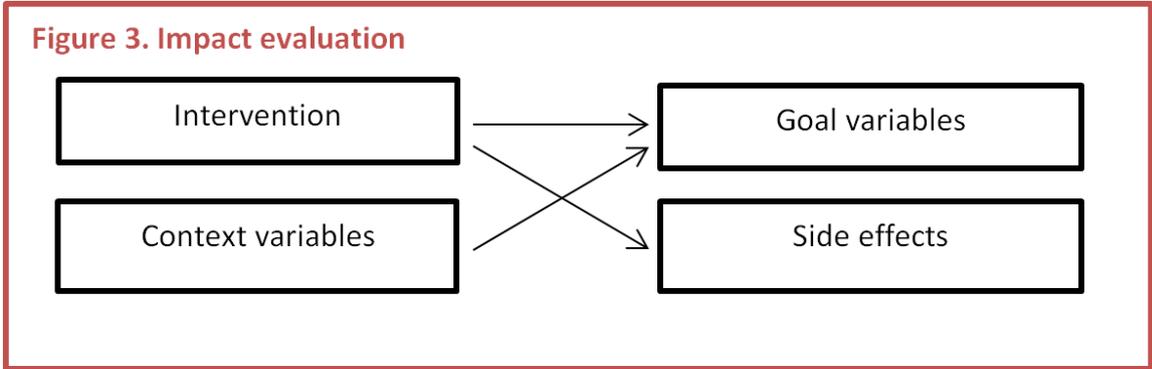
Information drawn from Swanborn (1999)

The design that can be used to measure the impact of a project starts with the X on a horizontal time-axis, which represents the intervention. Observations of characteristics that are being influenced by X, are represented as O. With this we have to measure the situation before the intervention and after the intervention. Figure 4 shows this design with for and after measurements. With this design we can measure if a change appeared on the variable(s) (Swanborn 1999).

Figure 4. Impact evaluation with baseline and after measurement

O1   X   O2
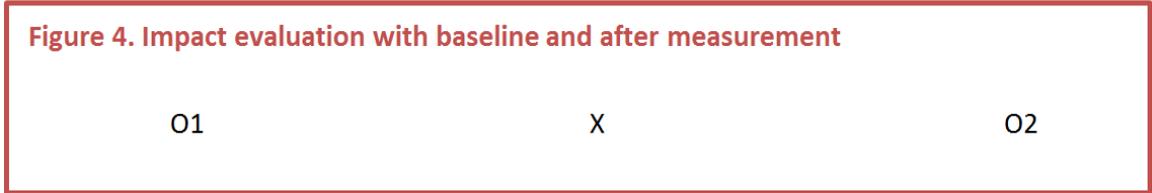
Information drawn from Swanborn (1999)

However, with this design we only measure the changes before and after a project. In order to legitimize if these changes can be attributed to the intervention, we will add an extra observation point on the horizontal time-axis. This point in time will be connected to a point that is relevant to the context. Trends in changes that were already visible before the start of the intervention become apparent. Therefore, we can see if the already visible trend before the intervention changed after the intervention. Figure 5 will show this design (Swanborn 1999).

Figure 5. Impact evaluation with for, baseline and after measurement

O1   O2   O3
                   < - - - - - - - - -X- - - - - - - - - >
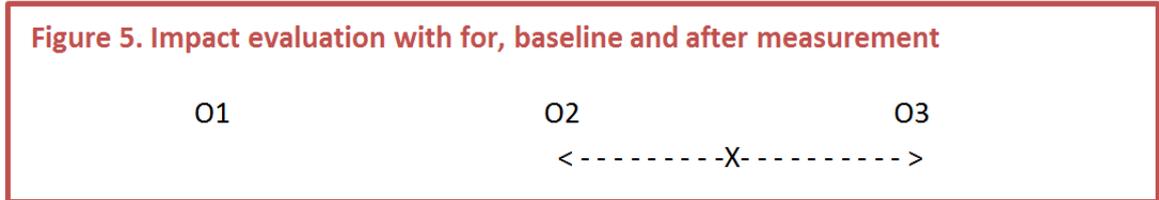
Information drawn from Swanborn (1999)

In this thesis these three observation points in time will be measured. In order to do so, goal variables have to be set. An impact evaluation framework will be set up, making use of indicators that are connected to the concepts of security and justice. The three observation points that have

been selected, are 2002 (O1) before the project intervention, 2011 (O2) at the start of the intervention, and 2013/2014 (O3) at the end of the intervention. By using these observation points, the trend on the different indicators will become visible before the intervention and during the intervention, in which impact can be attributed to these found changes.

2.3 Methods

To answer the research question, three different research strategies have been used. The first research strategy is a literature study, the second a quantitative data study, and the third a qualitative empirical study, making use of in-depth interviews.

2.3.1 Literature study

The literature study can be explained as a desk research. Verschuren and Doorewaard (2010, 194) define desk research as "*a research strategy in which the researcher…uses* [empirical] *material produced by others"*. The focus has been on a literature study aimed at a thorough assessment of a number of scientific studies through qualitative content analysis. During this research, the literature focused on the central concepts of security and justice in fragile states within the context of impact evaluation of conflict transformation projects from NGOs. The thorough literature study resulted in the impact evaluation framework of security and justice. This framework was derived from the literature, in order to arrive at a set of indicators that will be able to measure the situation concerning security and justice in a country. This framework was then used as a measuring tool during the quantitative and qualitative studies explained in the next paragraphs.

2.3.2 Quantitative data study

The second used method is a data study, using data from existing databases. The goal of this method was to sketch the situation on security and justice in Sri Lanka in the past. Because this situation is in the past, existing material has to be used, in order to be able to say something about the situation from 2002 till 2011, before the project interventions (Baarda 2009, 73). The data has been retrieved from the databases that focus on the different indicators on security and justice set out in the impact evaluation framework (table 1). These indicators are gathered from data of large organisations and institutes that have measured data throughout the years. The data was drawn from sources such as the Human Rights Watch, The Vision of Humanity, World Watch Institute, The Human Development Report from the UNDP, the international Centre for Prison Studies, the European Institute of Crime Prevention and Control, and the Corruption Perception Index. The table of indicators that has been set up from out the literature (in table 1), has been used to measure the situation in Sri Lanka from 2002 until now. By using this twelve year time period, trends concerning security and justice during the civil war, at the end of the civil war, and the current post-conflict situation six years after the civil war become apparent. The quantitative data gathered from databases, has been elaborated with data from the qualitative empirical field study, explained in the next paragraph.

2.3.3 Qualitative empirical field study

In this research, two single case studies have been used, namely two conflict transformation projects from Home for Human Rights (HHR) and Caritas, which were financed by Cordaid. From these two case studies a qualitative empirical field study has been conducted, making use of in-depth

interviews.

There are different ways in which qualitative interviews can be conducted. The main difference lies within the structuring process of the interview before hand. This structuring consists of four elements, namely the content of the questions, the manner in which the questions are asked, the order in which they are asked and the possible answers. These elements are at the core of the three categories of interviews, namely a structured interview, a semi-structured interview, and an unstructured interview. While all four elements fixed during a structured interview, a semi-structured interview consists of a number of fixed elements; an unstructured interview does not include fixed elements (Boeije and 't Hart 2007, 274-275).

During the research process for this thesis, the semi-structured interview technique has been used with help of an interview-guide. An interview-guide is a detailed preparation that consists of possible questions and formulation of questions (Heldens en Reysoo 2005). The interview-guides that have been used during the research are added in the appendix A, B and C. These interview-guides were used as a guide, meaning that the interview was not fixed, so that an open conversation took shape in which people openly told their ideas and opinions on different subjects.

The qualitative data has been collected through in-depth interviews with people involved in the implementation of the projects, recipients of the projects, and experts on the subject. These in-depth interviews visualise the goals the project targeted. Furthermore, the found changes concerning security and justice from the data study will be added along with the data retrieved from the interviews. With these found changes, the possible found impact of the project interventions can be explained.

2.3.4 Sampling

As a research intern at Cordaid, I was in a good position to investigate the two selected projects in Sri Lanka. Therefore, I conducted in-depth interviews with people involved in the implementation of the projects, the recipients of the projects, and experts on Sri Lanka. This final group consisted of political activists, academics, people from the Sri Lankan government, and other NGO workers. The target that I set and achieved, was to interview at least eight employees of HHR and eight employees of Caritas, eight beneficiaries from HHR and eight from Caritas and eight experts. The first informants were searched via the network that I created during my internship at Cordaid. Other interviewees were searched during my stay in Sri Lanka and during my visits to the two organisations Home for Human Rights and Caritas. During my stay in Sri Lanka, from the 29th of September 2013 until the 7th of December 2013, I conducted 35 in-depth interviews. The next table (1) will show the overview of conducted interviews. All the dates of the interviews and the names of respondents have been added in appendix D.

Table 1. Conducted interviews

	Organisation	Beneficiaries
HHR	9 people, 7 interviews (two interviews with two people)	8 people, 7 interviews (one interview with two people)
Caritas	11 people, 7 interviews (one interview with two people and one interview with four people)	89 people (in 8 focus groups of an average of eleven people)
Independent Experts	8 people, 5 interviews (one interview with three people)	

2.3.5 Methods per sub-question

The aim of different sub-questions is to examine if the projects of Cordaid in Sri Lanka have contributed to a positive change in security and justice in society. The answers to the first four sub-questions (what is impact evaluation? What does security and justice entail in regard to conflict transformation? How is security and justice measured? And what is the historical overview and causes of the conflict in Sri Lanka?) were found in theoretical literature. The fifth sub-question (what changes were visible concerning security and justice before and during the project intervention?) have been answered with use of a literature study a data study and with use of data gathered from in-depth interviews. The sixth and final sub-question has been answered with use of a literature study and a qualitative research of in-depth interviews with people responsible for the implementation of the projects, recipients of the projects, and experts on the context of this case study.

Table 2: Methods per sub-question

	Literature	Data Study	In-depth interviews
Q1	X		
Q2	X		
Q3	X		
Q4	X		
Q5	X	X	X
Q6	X		X

2.4 Legitimacy, reliability and validity of gathered data

In order to sketch the situation in Sri Lanka concerning security and justice over the time period from 2002 until 2013, the data has firstly been retrieved from databases that focus on the different indicators on security and justice set out in the impact evaluation framework. Secondly, information regarding these indicators has been retrieved from out the literature, and finally, the qualitative data gathered from the empirical research in Sri Lanka is integrated, in order to create full triangulation and a broad view concerning the security and justice situation in Sri Lanka. The analysis of the case studies has been done with use of a set of data and research methods consisting of the conducted in-depth interviews and content analysis of reports and documents from the organisations HHR and Caritas. This enabled 'the triangulation of methods' and the advantage of this is that one can compare the outcomes of the different methods used and analyse the validity of the obtained data (Verschuren and Doorewaard 2010, 179). The data that was found during the data study of different databases has been used in the in-depth interviews, asking the respondents in the interviews about the same domains of security and justice. This also enabled data triangulation, as the found data from the databases could be compared to the data gathered from the interviews (Baarda 2009, 74).

In qualitative research, such as in-depth interviews, legitimacy of the data collection plays an important role. In order to guard the instrumental validity of the interviews, the abstract concepts of security and justice were only addressed indirectly in order to avoid socially desirable answers (Baarda 2009, 75). As it is preferable to do research in the natural situation and interview people in an environment in which they feel safe, respondents were observed and interviewed in their habitat for the purpose of this research. This has increased the ecological validity of the research, as the situation in which the research is done is the natural situation and reality (76). Furthermore reliability

of the found data plays a role, especially with qualitative research, as this can easily become subjective. Reliability means the degree to which found data is independent from coincidence (77). This has been guarded by interviewing three groups of respondents, firstly the people involved with the implementation of the projects, secondly the recipients of the projects, and thirdly experts who have knowledge on the situation in Sri Lanka and can analyse if certain found changes in society concerning security and justice can be attributed to other variables instead of the projects.

2.5 Analysis

There are two analyses that have been done in this research. The first one is the analysis of the data from the indicators on security and justice (table 1) during three different time phases. This was a quantitative analysis on the statistics concerning security and justice in the three different time periods and a qualitative analyses of the conducted in-depth interviews. With the quantitative analysis of the statistics, the framework of indicators on security and justice has been used and for every indicator the three time phases have been explained and in several cases been put into a graph. The analysis of the qualitative interviews started with coding. The codes that have been used are based on the theoretical impact evaluation framework, which lists the different indicators on security and justice. This coding is a systematic technique that determines the presence of certain words or concepts in any kind of recorded human communication (Busch et al. 2012; Babbie 2001). The researcher quantifies and analyses if the concepts are present, what they mean and how they are related. Content analysis has six stages (Audience Dialogue 2012):

1. Selecting content for the analysis (in this case the gathered interviews).
2. Selecting the unit of analysis (in this case transcripts from interviews).
3. Preparing the content for coding (in this case that means making the transcripts ready for analysis by preparing them in a computer program, 'Atlas.ti').
4. Coding the content (according to the indicators of table 1).
5. Counting and weighing (this means counting the characteristics in the documents concerning the indicators and levels).
6. Drawing conclusions.

These six stages are used in this research in order to analyse the qualitative data from the conducted interviews.

3. Theory of conflict transformation

There are many factors that influence conflict and when violence occurs, this can be attributed to many different causes of conflict. A lot of NGOs aim to reduce the causes of conflict and seek to move from negative peace towards positive peace. With their conflict transformation projects, they therefore target the root causes that underlay conflict. The causes of conflict can be seen through the aspects of security and justice, as conflict appears when people feel that some kind of injustice affects their lives and they decide to act upon this injustice. In order to move towards peace, there is a need for well-being and security (Lederach 1997). In this chapter the causes of conflict will be described and how these are connected to the issues of security and justice. Furthermore, the concepts of security and justice will be elaborated on.

3.1 Conflict theory

In order to evaluate the impact of conflict transformation projects in (post) conflict areas, we should begin with understanding what causes conflict. Different theories and theoretical debates on conflict will be explained in order to give a better understanding of conflict and war. Firstly, theories of conflict will be explained from the macro-level and then secondly the micro-level. The macro-level can also be seen as the political-institutional level and explains why states and groups engage in civil war. The micro-level looks at the level of why individuals engage in violence. As both macro-level and micro-level influence the causes of war, it is important to understand them both in order to comprehend that the combination of these levels contributes to the outbreak of violence. In order to address these causes of conflict and to transform the conflict, peace needs to be sustained. Peace is embedded in justice which emphasizes right relationships and social structures that respect human rights. Thirdly, the theories on the life-cycle of conflict will be explained, as this will provide insights into the different phases of conflict and how conflict transformation projects from NGOs try to break this cycle in order to move towards peace.

3.1.1 Political-institutional level

On the macro-level of why states and groups engage in violence, different explanations should be taken into account. Kaldor (2001) has made a distinction between old wars and new wars, taking the Cold War as the line separating these wars from each other. During the 1980s and 1990s, a new type of organized violence developed, which we can describe as "new" wars. The new wars have a goal of identity politics, in which they claim power on the basis of a particular identity. In one sense, all wars involve a clash of identities. However, while in old wars this notion was linked to the interest of a state and ideas about how society should be organized, new wars are a throwback to the past and to a resurgence of ancient hatreds. The speed of political mobilization is increased by the use of electronic media, such as television, radio or videos (Kaldor 2001, 1-5). In new wars, different strategies are used to mobilize civilians, such as guerrilla warfare and counterinsurgency. The guerrilla warfare aims to capture hearts and minds and the counterinsurgency techniques aim to sow fear and hatred and to control the population by getting rid of every one of a different identity. In this way they reinforce and create a climate of insecurity and suspicion (Kaldor 2001, 7-9).

Allen (1999) states that civil wars in the 80s and 90s were characterised by violence that is directed at civilians. Violence had taken appalling, barbarous forms, and the state initiated or sponsored the violence and warfare that was accompanied by opportunistic looting. The reason for these changes in the features of war are linked to state politics. Firstly, to the desire to retain power

and to do anything to achieve this, even using violence and war. Secondly, ethnic consciousness, organisation, and conflict are promoted in extreme fashion. Associated with this may be racist ideologies, often disseminated by radio and newspapers, which are being used to justify or excuse state policies or asset seizure, ethnic cleansing, and genocide. Thirdly, violence becomes endemic and intensified (Allen 1999). Furthermore, the nature of political coalitions underlying state support determines the extent of conflict. If the political structure is limiting collective actors and is therefore less tolerant of policies that are disadvantageous to them, peaceful bargains are less likely to appear. Politics based on ethnicity are less likely to achieve peaceful bargains and more likely to collapse into violence (Di John 2008). Aggressive responses tend to occur only when the angered person sees an attackable object or person that he associates with the source of frustration (Gurr 1970, 34). Therefore, war is a complex phenomenon that is generated by a number of historical, socio-political, and cultural factors. These factors come to serve as a template for mass violence within a certain context of historical and socio-political change. In order to generate conflict behaviour, these socio-political changes must be accompanied by a violent ideology (Hinton 1998). Furthermore, causes of conflict must be understood in relation to violence already embedded within society (Richards 2005).

The conflict theory on the political-institutional level explains that there are different strategies that are being used in order to sow fear and hatred and to capture the hearts and minds of individuals. These techniques create a climate of insecurity. Furthermore, in conflict the political structure often narrows collective actors and is intolerant of policies that disadvantage them. In this case, the political structure does not follow just and fair policies and systems that contribute to a climate of injustice.

3.1.2 Individual level

On the micro-level of why individuals engage in violence, Gurr (1970) argues that grievances arising from relative deprivation motivate individuals to rebel and use violence. He explains relative deprivation as the perception of discrepancy that people have between their value expectations and their value capabilities. Value expectations are goods and conditions of life that people believe they are entitled to, and value capabilities are goods and conditions they think they are capable of getting and keeping. Gurr (1970) explains that there are three different sorts of values, namely welfare values, power values, and interpersonal values. If a discrepancy occurs between expectations and capabilities, it can contribute to violent action. Power values can be explained as the extent to which men can influence actions of others (Gurr 1970, 25).

Relative deprivation refers to the social relations within which economic inequality is embedded (Cramer 2003, 401-403). Inequality is an important factor in violent conflict, but can only be seen in terms were the economy is internally related to the social and the political (Cramer 2003, 406-408). This can be seen as horizontal inequality, which measures differences in access to resources between groups. Ethnic identity must be taken into account, as it facilitates collective action (Mancini 2010, 106-110). If there is a high degree in horizontal inequality, it can cause conflict between ethnic groups. In other words, inequality and grievances arising from relative deprivation can cause conflict, as people feel that some kind of injustice affects their lives and they decide to act upon this.

Collier and Hoeffler (2004) argue that rebellion does not always arise from grievances, but should be explained from the dimension of greed. Rebellion can be seen as an industry in which profits are gained from looting. If profitable opportunities arise from atypical circumstances, such as war, this can generate more rebellion and conflict. These opportunities can refer to opportunities for

financing rebellion, in which there are three common sources, namely extortion of natural resources, subventions from hostile governments, and donations from diasporas. Furthermore, opportunities may arise if there are atypically low costs, such as the money recruits receive for joining. If the money they can earn with a normal day job is much lower than joining the rebellion, this will create opportunities. Also, if the conflict-specific capital, such as military equipment, is unusually cheap this can cause more rebellion. Another example is if the government military is atypically weak this may lead to greed and more rebellion.

Some economists have adopted the analytic distinction between "justice-seeking" and "loot-seeking" civil wars. Old civil wars are considered to be political and associated with "noble" causes, such as social change. In contrast, new civil wars are considered to be merely criminal and motivated by private gain, greed, and looting. While some scholars go so far as to argue that new civil wars lack any purpose entirely, other researchers, who have studied new civil wars, have found rebel motivations that go beyond mere banditry. Rebels appear to have sophisticated political understandings of their own participation and the motivation of modern rebel leaders is based on rule, rather than looting. Numerous studies have concluded that men in combat are motivated by group pressure. Doctrinal appeal does not lie at the heart of the conversion process, but most people become attached to the doctrines far after their conversion. The process of joining and conversion are rooted in network dynamics, especially friendship and kin ties. The individual motivations are often based on local and personal conflicts, rather than impersonal grievances (Kalyvas 2001, 99-118).

To understand why individuals participate in mass violence, we have to look at the emotional, psychological, and social forces that drive civilians. The first important step for people to participate in mass violence is the dehumanisation of the enemy by referring to them as animals or diseases in order to make civilians forget their similarities with their enemies. In addition, people respond to authority and have the strong need to be obedient. If an authorial figure says something is true or ok, individuals are more likely to except this without questioning it. What has an even stronger influence is peer pressure and group loyalty. The creation of a killing group will create peer pressure and loyalty and it goes hand in glove with de-individualization and the diffusion of responsibility. "*We were obeying orders, we had no choice and, anyway, everybody else was doing it too*" (Slim 2008, 222). Another important step is the need to enter an "altered state" through drugs, alcohol, religious ritual, dressing up and by taking on different names and personas. If this altered state is reached, it is a case of repetition, as the first time is the worst time, and by repetition we get familiar with it and it becomes easier. War draws on long traditions of commonplace violence; on the sustained agony of injustice, the pain of murdered relatives or comrades, the thirst for revenge, feelings of deep humiliation, and just sheer pain. All these individual and combined experiences can drive individuals to kill. Especially leaders know that hatred is a universal feeling which can be politically exploited to the point of making people kill. Once a war is over, people have the ability of innate denial. As a matter of fact, humans are capable of feeling that they have not really killed others at all (Slim 2008).

Although there are different explanations of why individuals engage in violence, feelings of injustice often contribute to this. These feelings of injustice derive from grievances from relative deprivation, inequality, humiliation, discrimination or anger and pain because of murdered relatives and friends.

3.1.3 Lifecycle of conflict

Johan Galtung (1996, 71-72; 2000, 1) explains that there is a lifecycle of conflict, which can be seen as something organic. Conflict appears, reaches an emotional and violent climax, fades away and disappears, before, in many cases, it reappears again. Individuals and groups (such as nations and states) have goals that may be incompatible with each other and exclude one another. When this incompatibility of goals appears a *contradiction* is born, in which any actor or party with unrealized goals may become frustrated. This frustration may lead to aggression, an inward *attitude* of hatred and distrust, or an outward *behaviour* of physical and/or verbal violence. This hatred and violence may be directed toward the individual or groups standing in the way of their goal and can thus breed a spiral of counter-violence of defence and revenge. As conflict has many actors, many goals and many issues, it is a complex notion of many interacting causes.

Figure 6: Lifecycle of conflict

Drawn from Galtung 1996, 71; 2000, 1
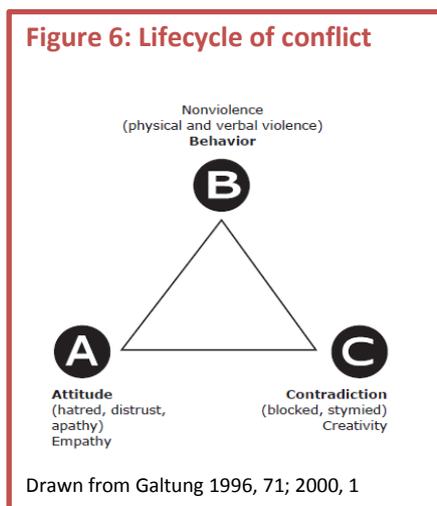
Galtung (2000) explains that violence can be seen in three time phases that are distinguished between two important events, namely the outbreak of violence and the cessation of violence (the cease-fire). The task is to transform the conflict upwards, in order to find positive goals for all parties and ways to combine them and make concessions without turning to violence. Galtung suggests that there are different aspects to violence, such as violent cultures that justify violence, violent structures of repression, exploitation and alienation, and violent actors that are attracted by violence in order to gain power. These different aspects need to be addressed in the phase before violence and the phase after violence. In the phase after violence, conflict transformation is needed. It is important to address issues, such as trauma, as the relief that violence has ended, may make people blind to the cultures, structures, and actors that may have become more violent. This is a very difficult task that begins with rehabilitation of trauma and collective sorrow, rebuilding and reconstruction after the violence, reconciliation to solve the conflict and finally resolution that will help solve the underlying original conflicts (Galtung 2000, 4-9).

The phase after violence can be linked to the concepts of negative and positive peace, also explained by Galtung (1964; 1969; 1996). Firstly Galtung explains two different situations, one being 'general and complete war' (GCW) and the other 'general and complete peace' (GCP). To come closer to GCP, he explains the headings of negative and positive peace policies. Some people perceive peace as the reduction of violence, or the 'general and complete disarmament'. Galtung explains that the mere reduction of violence will only contribute to negative peace, which means that there is no direct violence, but there may be indirect, structural, and cultural violence. Therefore, positive peace should be addressed after direct violence. This means: human integration by improving contact

through exchange, improving communication, changing the economic order of society, institutional fusion with police forces, courts and governments that attend the needs of all citizens. It is not only important to understand under what conditions peace may be achieved, but also to know under what conditions men may be willing to adopt such means (Galtung 1964, 3). Peace is therefore connected to reducing violence and avoiding violence, this does not only mean the direct act of violence, but can also be linked to the indirect notion of violence. Violence therefore means the existence of something that can be hurt or harmed and can suffer and feel misery. This suffering refers to the body and mind that can experience physical and mental violence. Mental violence refers in that sense to feelings of insecurity. On the other side of this feeling of suffering, is the feeling of bliss that comes to body and mind, which can be seen as 'positive peace'. Indirect violence comes from the social structure between humans, sets of humans (societies) and sets of societies. This structural, indirect violence may refer to the inner violence that comes out of the personality of humans as well as to the outer structural violence connected to politics and economics. The latter may refer to repression, exploitation, and corruption. They all work on the body and mind, but are not necessarily intended. Behind all of this is cultural violence, which is connected to symbols, in religion and ideology, in language and art, in science and law, in media and education. The function of cultural violence is the legitimisation of direct and structural violence (Galtung 1996, 2).

Lederach (1997) explains that peacebuilding involves a wide range of activities that precede and follow peace accords. These activities include, but are not limited, to processes, approaches and stages that are needed to transform conflict into peaceful relationships. These relationships are built through reconciliation, which exists out of four concepts, namely truth, mercy, justice, and peace. Peace refers to the need for independence, well-being and security. Conflict appears when people feel that some kind of injustice affects their lives and they decide to act upon this injustice. In this sense, conflict moves away from un-peaceful relationships towards peaceful relationships (Lederach 1997). Peace is therefore embedded in justice which emphasizes right relationships and social structures that respect human rights. Conflict transformation consists of a process in which violence is reduced and justice increased in the direct interaction and social structures of human relationships and the goals include structural, personal, relational, and cultural changes (Lederach 2003).

3.2 Security

The concept of security can be addressed as a political process or as a subjective definition. At first, security was seen as a political process in which it referred to threats to a state and conflict between states, but in the 1990s a shift occurred in which security also emphasised the importance on the individual level. These two concepts will be elaborated in this paragraph.

The political process refers to security on the institutional level, on this level Buzan et. al (1998) refer to security as ultimately a political process. With this explanation, security can be linked to institutionalism and the concept of governance. The concept of governance has had a rise since the end of the cold war. Governance and 'good governance' have been important concepts in the development discourse and agendas. There have been many publications by scholars and organisations on the concept of good governance in order to use it as guidance for global problem solving (Weiss 2010). Definitions on the concept defer from organisation to organisation. The Commission on Global Governance (1995) defines it as *'the sum of the many ways individuals and institutions, public and private, manage their common affairs. It is the continuing process through which conflicting or diverse interests may be accommodated and co-operative action may be taken.' (2).* The World Bank (1994) defines it as the manner in which power is exercised in the management

of a country's economic and social resources. With this they identify three aspects of governance, namely the form of political regime, the process by which authority is exercised and the capacity of governments to design, implement, and discharge (xiv). The UNDP (1997) defines governance as the exercise of economic, political, and administrative authority to manage a country's affairs at all levels. This consists out of mechanisms, processes, and institutions through which citizens and groups articulate their interests, exercise their legal rights, meet their obligations, and mediate their differences (2-3). The International Institute of Administrative Sciences (1996) adds to these concepts and notes that it is a broader notion than government, as it involves interaction between the formal institutions and those of civil society (6).

In 1994, the UNDP defined human security as new concept of security in their development report. This report stated that the concept of security had been shaped too long as a conflict between states and threats to a country's border, in which the means of protecting this security was by taking arms. The concept of security, however, is much more than conflict between states, as it also has to account for security on the individual level. Therefore security "*means safety from the constant threats of hunger, disease, crime and repression. It also means protection from sudden and hurtful disruptions in the pattern of our daily lives-whether in our homes, in our jobs, in our communities or in our environment*" (UNDP 1994, 3). The report specifies human security into seven elements: economic security, food security, health security, environmental security, personal security, community security, and political security. The last three elements account for physical safety from things such as torture, war, criminal attacks, domestic violence etc., survival of traditional cultures and ethnic groups as well as physical security of these groups and enjoyment of civil and political rights, and freedom from political oppression (UNDP 1994). Jorge Nef (1999) elaborates on these elements and explains the element of social security, meaning the freedom from discrimination, based on gender, ethnicity or social status. Furthermore he describes political security as the right to representation, autonomy, and participation. This includes legal-juridical security, meaning individual and collective access to justice and protection from abuse (25). On the individual level, the Oxford English Dictionary (2013) describes security as 'the state of being free from danger or threat; (…) the state of feeling safe, stable, and free from fear or anxiety' and thus refers to security as a subjective "feeling". This can refer to violations of human rights, intolerance, marginalisation, inequality, discrimination, and distrust (Tadjbakhsh and Chenoy 2007, 10).

3.3 Justice

As Adam Smith already noted in 1759, the term 'justice' has several different meanings. Thomas Hobbes (1651) firstly explained the theory of social contract. Social contact is an occurrence in which individuals come together in order to cede their individual rights only if others will do the same. These actions of individuals would in their turn facilitate the establishment of the state, a sovereign entity that establishes and regulates laws and social interactions. This establishment of the state only works if the institutional arrangements for the society could be identified as just. However, these institutions depend on non-institutional features, such as actual behaviours of people and their social interactions. A hypothetical 'social contract' is created, which proposes the alternative for an otherwise chaotic society. Therefore, a 'just' society can only be accomplished with the occurrence of individuals that come together and stand up for their rights, in order to take part in the establishment of their rights through institutionalisation (Sen 2009).

John Rawls (1971), another important scholar in the theory of justice, describes that society is well-ordered when it is not only designed to advances the good of its members, but when it is also

effectively regulated by a public conception of justice. Therefore, a whole society should accept and know that others accept the same principles of justice and the basic social institutions satisfy these principles. In his theory of justice, Rawls describes social justice as the basic structure of society in which major social institutions distribute fundamental rights and duties. This begins with the establishment of the first principles of a conception of justice, before a constitution and a legislature are capable and willing to enact laws according to these principles. Its members are autonomous and the obligations they recognize are self-imposed (Rawls 1971).

The concepts of security and justice are intertwined with the concepts of Rule of Law, Human Rights and Governance. The following fragment will indicate this close connection:

The Secretary General has stated, "For the United Nations, the rule of law refers to a principle of governance in which all persons, institutions and entities, public and private, including the State itself, are accountable to laws that are publicly promulgated, equally enforced and independently adjudicated, and which are consistent with international human rights norms and standards" (UN 2004). *The United Nations has therefore explicitly linked the concept of 'rule of law' – of which justice and security are a part – with international standards and norms in human rights*
– UNODC 2013, 8

The concept of governance has already been explained in the section on security, however, in regard to this fragment, the concepts of Human Rights and Rule of Law will be elaborated on.

While human rights are considered to be universal rights, they are not timeless or unchanging but historical and change with time. Human rights are rights that every human is entitled to have. It is a social practice that comes to term because we are human and is implemented by particular types of mechanisms (Donnelly 2013). The Universal Declaration of Human Rights was first adopted by the UN on the 10th of December 1948. The document was adopted as, after the second World War, the international community vowed to never let such atrocities happen again. Also, with this, the Commission on Human Rights was established. The Universal Declaration of Human Rights consists out of 30 articles, which begin with *"All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood" (UN 1948, 71).* Other articles in the declaration recognise that everyone has the right to life, liberty and security, that no one shall be held in slavery or shall be subjected to torture, that every person has a right of recognition before the law without discrimination and that everyone has the right to freedom, thought and religion (UN 1948). It is important to note that the Universal Declaration of Human Rights is a declaration and not an international law. When there is conflict, human rights are bound to be violated (Galtung 2010).

The Rule of Law is explained in the Oxford English Dictionary (2014), as *"the authority and influence of law in society, esp. when viewed as a constraint on individual and institutional behaviour; (hence) the principle whereby all members of a society (including those in government) are considered equally subject to publicly disclosed legal codes and processes".* According to the United Nations Security Council (2004), the rule of law *"refers to a principle of governance in which all persons, institutions and entities, public and private, including the State itself, are accountable to laws that are publicly promulgated, equally enforced and independently adjudicated, and which are consistent with international human rights norms and standards. It requires, as well, measures to ensure adherence to the principles of supremacy of law, equality before the law, accountability to the law, fairness in the application of the law, separation of powers, participation in decision-making,*

legal certainty, avoidance of arbitrariness and procedural and legal transparency" (4). With these two definitions it becomes clear that the Rule of Law can be seen through the domains of access to justice and the quality of service.

3.4 Conclusion

The causes of conflict can be seen through different aspects. It can be seen out of the macro-level of how and why states and groups engage in violence and out of the micro-level of why individuals engage in violence. These two levels interact and both influence the outbreak of violence. Grievances can trigger violence, as can greed, or horizontal inequality, and when an incompatibility of goals occurs, this can lead to frustration and aggression. Besides these causes, actors may use different means to mobilize groups of people, such as guerrilla warfare, counterinsurgency techniques, by use of radio, newspaper and other media, by de-humanising the enemy, using authority, peer pressure or group loyalty. While all these aspects play a role in what causes conflict, conflict can be seen in different ways, as it can refer to direct violence and to structural and cultural violence. If direct violence has declined in society, this does not mean that there is no violence at all. There can be the notion of structural and cultural violence which can refer to repression, exploitation, and corruption. When direct violence has ended, but there still is structural and cultural violence, this means that there is negative peace. In order to transform conflict, positive peace needs to be created in which all violence is reduced in society, even structural and cultural. This positive peace is embedded in justice and refers to the need for security, independence, and well-being. In order to move away from un-peaceful relationships towards peaceful relationships, justice and security need to be increased.

The concepts of security and justice can also be seen out of a political-institutional (macro-) level and out of an individual (micro-) level. The individual level refers to safety from threats and freedom from discrimination, the right to representation and individual and collective access to justice and protection from abuse. On the individual level, security and justice refer to subjective feelings of safety, safety from human rights violations, intolerance, marginalisation and distrust. Therefore on the individual level the concepts of human rights and trust are important. On the political-institutional level security and justice refer to the political process and the concepts of rule of law and governance. Governance can be seen as mechanisms, processes, and institutions through which citizens and groups articulate their interests, exercise their legal rights and obligate and mediate their differences. The concept of rule of law refers to the authority and influence of law in society. All members of society are equally subjected to legal laws and processes, even members of the government and the judicial body should be an independent organ, in which there is accountability to the law, fairness and legal certainty.

4. Impact Evaluation Framework on Security and Justice

In the previous chapter it became clear that conflict can be seen out of the aspects of security and justice and that security and justice can be explained on an individual level and a political-institutional level. On the individual level, the concepts of security and justice can be explained out of the domains of human rights and trust and the political-institutional level can be explained out of the domains of human rights, rule of law and governance. In this chapter we will move towards a framework that can tell the situation in a country concerning security and justice. This framework will be separated into an individual and political-institutional level and will be divided into the different domains that explain security and justice. The domains in this framework will then be divided into different indicators which will be drawn from the literature. In the next sub-paragraph, the selected indicators per domains will be explained.

4.1 Selecting methodology of domains and indicators

For this framework different indicator sets have been examined that measure security and justice and the four domains of human rights, trust, rule of law and governance. This has been done in order to create a framework that integrates the most important elements of security and justice. When searching for indicator sets that focus on security and justice, human rights, trust, rule of law and governance, the indicator sets from the La Salle Institute of Governance (2003), the World Justice Project (2010), the UN (2011), the UNODC (2013), the Geneva Declaration (2011) and the Vera Institute of Justice (2008) were the only sets found. These indicator sets have been examined. All the topics of these indicator sets have been assessed and compared to one another, to see which indicators return in different sets and are therefore important indicators to integrate in this framework. This close examination has led to the indicator framework. In table 3, the different topics of the indicator sets have been worked out.

Table 3. Domains of indicator sets per organisation

La Salle Institute of Governance	World Justice Project	UN	UNODC	Geneva Declaration	Vera Institute of Justice
Human rights law	Limited government powers	Effectiveness	Gender equality	Feelings of safety and equality	Feelings of safety
Quality of service of justice sector	Absence of corruption	Public confidence	Good governance/ corruption	Trust	Access to justice
Access to justice	Order and security	Integrity and accountability	Capacity of security, police and justice institutions	Corruption	Public confidence
Legal awareness	Fundamental rights	Transparency	Trust	Quality of service	Quality of service of justice sector
Capacity and effectiveness of judicial body	Open government	Treatment of vulnerable groups	Access to justice	Satisfaction with police, government and judicial sector	Circumstances in prison
	Effective regulatory enforcement	Capacity	Quality of service		Attention towards grievances process
	Access to Civil Justice				Situation regarding non-state justice institutions
	Effective criminal justice				
	Informal justice				

🟡 = Human Rights 🔴 = Trust 🟢 = Rule of Law 🔵 = Governance

When looking at the different topics that are used in the indicator sets, the domains of human rights, trust, rule of law and governance come to surface. The topic of human rights returns in the indicator set of the La Salle Institute of Justice Governance (2003) and the World Justice Project (2010). Human rights can be related to feelings of discrimination and freedom of belief and religion. This can be seen in the indicator set of the UN (2011) in the topic of treatment of vulnerable groups. Furthermore it can be seen in the topic of feelings of safety and equality from the Geneva Declaration (2011) and the Vera Institute of Justice (2003). The topic of trust also rises to surface in the different indicator sets. This can be seen in the indicator set of the UN (2011), as one of its topics is public confidence. Also in the set from the UNODC (2013) and the Geneva Declaration (2011). And last, it returns in the indicator set of the Vera Institute of Justice (2003) under the topic of public confidence. Another topic that comes up is that of Rule of Law. This returns in different indicator sets under the fields of access to justice and quality of service. Quality of service can directly be seen in the sets of the La Salle Institute of Governance (2003), the UNODC (2013), the Geneva Declaration (2011) and the Vera Institute of Justice (2003). Furthermore, indirectly, it is visible in the indicator sets of the La Salle Institute of Governance (2003), the World Justice project (2010) and the UN (2011) under the topic of effectiveness. Last, the topic of Governance returns in the indicator sets. In the indicator set of the World Justice Project (2010) this can be seen in the topics of limited government power, absence of corruption and open government. In the indicator set of the UNODC (2013) it emerges in the topic of good governance/corruption, so does the topic of corruption return in the indicator set of the Geneva Declaration (2011). With the assessment of the different indicator sets, it becomes clear that different indicators are connected to the domains of human rights, trust, rule of law and governance.

There are, however, some topics that arise in the different indicator sets that will not be integrated into the framework. These topics are capacity, legal awareness, gender equality, circumstances in prison, situation regarding non-state institutions and attention towards the grievances process. From all these topics, only the topic of capacity returns in the different indicator sets of the La Salle Institute of Governance (2003), the UN (2011) and the UNODC (2013). The other topics only come forward in one of the six indicator sets, which implies that they may be less important. The reason why capacity isn't chosen in this framework is because capacity can refer to different things. In the examined indicator sets it refers to capacity of the government or capacity of the judicial body. In that sense, this is also integrated into the concept of quality of service of the judicial body, related to rule of law, and in the concept of governance, which will be integrated into the framework. Thus, the direct notion of capacity isn't integrated in the framework, but it is indirectly integrated under the domains of rule of law and governance.

In the next section, the four domains of human rights, trust, rule of law and governance will be explained and the indicators that are selected per domain.

4.2 Human Rights

The first domain as well on the individual level as the political-institutional level is that of human rights. The La Salle Institute of Governance (2003) has made a big array of indicators on security and justice that begins with the notion of human rights. They use the following indicators; are human rights and civil liberties explicitly identified and guaranteed in the constitution? and what international human rights instruments are adhered to? The World Justice Project (2010) has set up a rule of law index, which also captures security and justice in society. In their index, one of their domains consists out of fundamental human rights. In this domain the following indicators are used; equal treatment and absence of discrimination, freedom of opinion and expression and freedom of belief and religion. Furthermore, the UN (2011, 6) integrates human rights in the following indicator; assess whether police violates human rights or abuses their power. All these different indicators from these indicator sets have been integrated into this framework. This will be further explained in the next paragraphs.

On the individual level the first indicator on the domain of human rights, will be the 'situation considering freedom of belief and religion' and in that sense the situation as perceived by the citizens. And the second indicator will be 'feelings of discrimination, marginalisation and inequality'. These have both been extracted from the indicator set of the World Justice Project (2010), as explained above.

On the political-institutional level of the domain of human rights, the first indicator is that of 'human rights violation by government officials'. This indicator is selected, because it shows the political-institutional willingness to protect civilians from human rights violations. If there are many human rights violations by government officials, this shows that there is a culture of structural violence towards citizens. This indicator was extracted from the indicator set of the UN (2011). The second indicator will be 'laws used to legitimise violations of human rights'. Because it is important and significant to see which laws are used to legitimise violations of human rights. This indicator is derived from the indicator set of the La Salle Institute of Governance (2003). The last indicator that is connected to the domain of human rights on the political-institutional level is the 'situation considering the freedom of the press'. This because it will show how free a country is regarding freedom of expression and it will show possible political terror. This indicator was derived from the indicator set of the World Justice Project (2010).

4.3 Trust

The second and last domain on the individual level is that of trust. The United Nations Office on Drugs and Crime (UNODC 2013) has listed a set of indicators on security and justice. Within this set of indicators the concept of trust returns multiple times; percentage of trust in police, percentage of confidence in courts and percentage of the population that feels safe in their own neighbourhood. Also, the UN (2011) released a report on Rule of Law indicators, that incorporated public confidence in the government, police and judiciary body. Furthermore, the dimension of trust returns in indicators set by the Geneva Declaration (2011); percentage of people who feel unsafe, percentage of people that feel satisfied with the police and percentage of people who believe the courts contribute to community safety. It also returns in the indicator set of the Vera Institute of Justice (2003) as the proportion of public satisfaction with the police (13). Considering that the dimension of trust returns in many sets of indicators by different organisations, it is implemented into this

framework, with the following indicators; 'proportion of public satisfaction with national government', satisfaction with judiciary body' and 'trust in people'. These three indicators will show the situation regarding the feelings of civilians towards trust in government, judiciary and other civilians in their society. Distrust on these indicators will mean that there is a higher feeling of insecurity in society.

4.4 Rule of Law

The domain of Rule of Law is the second domain on the political-institutional level and is separated into two sub-domains of Quality of Service and Access to Justice.

The sub-domain of quality of service refers to the quality of service of the judicial body and of the policing mechanisms. It has been acknowledged that procedural fairness is an important dimension regarding the quality of service, as people believe that fair procedures and fair treatment such as respect and neutrality, produces fair outcomes. There are four expectations that are connected to this notion of procedural fairness, namely the tone of voice that is used, neutrality (unbiased decisions), respectful treatment and trustworthy authorities (Burke and Leben 2007). With this knowledge, the first indicator of the sub-domain of quality of service is that of procedural fairness, regarding the judicial body and the policing mechanisms. Another important indicator of the quality of service of the judicial system, is that of 'independency of the judicial body'. This domain returns in many indicator sets of security and justice. The World Justice Project (2010) refers to this indicator as the *"informal justice is impartial and free of improper influence" (31),* the UN (2011) also sets out the importance of integrity and independence of the judiciary, the La Salle Institute of Governance (2003) refers to this matter in their indicator set as the presence of an independently functioning judiciary (17) and the Vera Institute of Justice (2003) refers to this as the judiciary is perceived as independent (9). Therefore integrated into this framework is the indicator of 'independency of the judicial body' as the second indicator of quality of service on the political-institutional level. The third and last indicator on this sub-domain is the 'effectiveness of the judiciary body'. This indicator is selected because there is a possibility that there are many cases that are filed, but that the effectiveness of the handling time of these cases is abominable. The UNODC World Justice Project (2010) also integrates this indicator in her set, as does the La Salle Institute of Governance (2003) and this indicator has been derived from these indicator sets.

The second sub-domain of Rule of Law is that of Access to Justice. Access to justice is a highly used concept in conflict transformation, so states the UNDP, that in the absence of access to justice, people will be unable to exercise their rights. The rule of law is in this case the foundation for both justice and security (UNDP 2014). The first indicator on this domain is that of 'access to legal representation'. The UN (2011, 49-50) also has an emphasis on access to justice in their indicator set and refers to this with indicators such as 'availability of free legal assistance' and 'access to effective legal resources'. The La Salle Institute of Governance (2003) also emphasises on the importance of access to justice and asks questions such as 'what factors prevent people from accessing the judicial system?' and 'what costs are incurred in accessing the judicial system?' (30). The Vera Institute of Justice (2003, 25) incorporates this domain under indicators of limited number of hurdles in order to reach justice system and no bribes that have to be paid before service will be provided. With the indicator in this framework, 'access to legal representation', it will be evaluated how easily all civilians have access to the judicial system and if they are helped at all. The second indicator on this domain is that of 'accessibility of legal and court information in own language'. The UN (2011, 49)

recognises the importance of legal representation in own language and sets indicators such as availability of interpreters. The La Salle Institute of Governance (2003, 25) also recognises this important factor of access to justice, as does the Vera Institute of Justice (2003, 67). With regard to this indicator it becomes clear if certain ethnicities with other languages are being discriminated within the judicial system because of lack of information in their own language.

4.5 Governance

The first indicator of the domain of governance is 'functioning of the government', this indicator shows the qualitative assessment of whether freely elected representatives determine government policy (Economist Intelligence Unit 2013). With this indicator it becomes clear if the government is freely elected and functions according to all interests of all citizens. The second indicator that is selected for this last domain is 'level of political terror', which measures levels of political violence and terror, such as threatening's, state-sanctioned torture, killings, political imprisonment and disappearances (Vision of Humanity 2013). This indicator was derived from the indicator set of the World Justice Project (2010, 46). The last indicator that is selected for the domain of governance, is that of 'level of corruption'. This is an important indicator which is being used as a measurement of security and justice by numerous organisations. The World Justice Project (2010, 31) has integrated this indicator under 'the absence of corruption' and the UNODC (2013, 36-37) has integrated this in its indicator set as, the percentage of bribes that are being paid to security, police and justice officials. This last indicator will show if corruption is high in society, if this is the case, people who don't have the right connections or money to pay bribes, will feel frustrated, because injustice has come upon them.

In Table 4 all the explained domains, sub-domains and indicators are represented in an overview.

Table 4. Indicator framework on security and justice

Domain Level	Domain	Sub-domain	Indicators
Individual level	Human rights		▪ Situation considering freedom of belief and religion ▪ Feelings of discrimination, marginalisation and inequality
	Trust		▪ Proportion of public satisfaction with national government ▪ Satisfaction with judiciary body ▪ Trust in people
Political-Institutional level	Human Rights		▪ Human rights violations by government officials ▪ Laws used to legitimise violations of human rights ▪ Situation considering freedom of the press
	Rule of Law	Quality of service	▪ Procedural fairness (tone of voice, neutrality, respect and trustworthiness) ▪ Independency of the judiciary body ▪ Effectiveness of Judiciary body
		Access to justice	▪ Access to legal representation ▪ Accessibility of legal and court information in own language
	Governance		▪ Functioning of the government ▪ Level of political terror ▪ Level of corruption

5. Case study, Sri Lanka

This chapter will provide a historical overview of Sri Lanka, to gain more insights into the conflict and the causes of the conflict. After this, this chapter will elaborate on the two projects that Cordaid financed, which have been chosen to evaluate on impact.

5.1 History of Sri Lanka

Map 1. Map of Sri Lanka

Sri Lanka has a long history that dates back far before Christ. There are many different ethnicities, but the majority group is that of Sinhalese and the second ethnicity in the country is that of the Tamils. Around the 5th century before Christ, many settlers arrived to Sri Lanka in numerous clans and tribes, the most powerful of whom were the Sinhalese. They, presumable, arrived from North India to Sri Lanka and established powerful kingdoms of Kotte and Kanda and Buddhism was introduced by the Sinhalese in Sri Lanka around the 2nd century before Christ. The tamils migrated much later from South India to Sri Lanka around the 5th century after Christ. In the 11th century they established a kingdom around Jaffna in the North of Sri Lanka (Silva 1981). Although these populations are now reffered to as Sinhalese and Tamil, in that time these people lived their lives as components of local or regional socialpolitical complexes rather than as ethnic Sinhalese or Tamils, as they are concieved today. During centuries these kingdoms lived together sometimes in peace,

sometimes in war. In 1505 the Portugeuse occupied Sri Lanka, or Ceylon as it was called then, till 1658. After this it became under governance of the Verenigde Oost-Indische Compagnie (the VOC), a private Dutch trading company, till 1796 in which Britain took over the colony. They occupied the whole country and established a intensive infrastructure and educational system. During their rule, they placed the minorities of Tamil in positions of power, in order to control the majority of Sinhalese. In the 19th and 20th century Indian Tamils were sent from South India to the central highlands in Sri Lanka to work on coffee, tea and rubber plantations. Other Indian tamils migrated on their own to Sri Lanka as merchants or other service providers. In 1948 Ceylon became independent from Britain. After independence, many government jobs and civil service jobs were held by Tamils, which ended soon, when the Sinhalese became the majority in parliament (Tambiah 1986). Solomon Bandaranaike became prime minister of Ceylon and proclaimed the Sinhalese language as the national language. After this, tensions became manifest as the Tamil population, which had a different language, cultural and historical background and where mostly Hindu instead of Buddhist, felt marginalised and deprived. In 1958 riots broke out when a pogrom led by a Buddhist monk resulted in the hunt for Tamils, who had, in his words, invaded the Sinhalese traditional homelands. Four days after the riots had started, the prime minister finally came on the radio and pointed to the unexplained death of a Sinhalese businessman, which seemed to weigh more heavily on his concience than the hundreds of Tamils who where burnt, mutilated, raped and killed. This was a blow to the face for the Tamil community, feeling unrecognized (Sivanandan 1984). After pressure from the Tamil community, president Bandaranaike accepted the Tamil language in some areas and because of this was killed in 1959 by a Sinhalese extremist Buddhist monk. After this, his wife took place as prime minister of the country and proclaimed Sri Lanka as the new name (Tambiah 1986). In 1972 a new constitution was introduced which registered Sri Lanka as a Buddhist state with Sinhala as its official language. A press bill followed, which brought the press under government control (Sivanandan 1984). Mrs Bandaranaike brought the Tamils to their knees, when she used the language provision to remove and exclude Tamils from the police, army, courts and government services and requiring Tamil students to score higher marks than their Sinhalese counterparts to enter university (Sivanandan 2010). In the table (5) below, you can see the percentage of ethnic groups in Sri Lanka in 1981 (Tambiah 1986).

The "Ethnic" Composition of Sri Lanka

Major ethnic group	Percentage	Number
Sinhalese	74.0	10,985,000
Tamil	18.2	2,687,000
Sri Lankan Tamils	12.6	
Indian Tamils	5.6	
Muslim	7.4	1,056,972
Others	0.4	59,400
Total population: 14,850,000		

SOURCE: 1981 Census of Population.

In 1974, the Tamils held a congress in Jaffna to celebrate their Tamil language and culture. The police charged tear gas and baton into the crowd, under the pretext of an unwarranted public meeting, killing nine people. Out of frustration and repression, the Liberation Tigers of Tamil Eelam (LTTE) was founded in 1976 by Prabhakaran, which campaigned for an independent state in the north of Sri Lanka for Tamil people. The LTTE became a separatist militant organisation, which adopted violent measures in reaching its goal of an independent state. In 1977, the UNP came into power in parliament, and within two weeks of taking office, the government stood by and watched while its police burnt down the Jaffna market, because they were refused free entrance in the city's carnival. The anti-Tamil violence was taken up by Sinhalese mobs and spread across the country, the police doing nothing, only fuelling the rumours. The pogroms of 1977 and the detentions and torture that followed, had only increased the militancy of the Tamil youth (Sivanandan 1984). In 1983 an ambush of the LTTE killed 13 Sri Lankan army soldiers, which was the latest of a string of Tamil rebel attacks which targeted Sinhalese policemen. In response to this, riots broke out, known as Black July, in which mobs of Sinhalese people went out to the streets and killed Tamil civilians. This was the start of a civil war between the government of Sri Lanka and the militant organisation of LTTE, which lasted 25 years. The LTTE controlled and occupied many regions in the North and East of the country and the Sri Lankan government fought back to regain control (Ratner 2012). The LTTE also fought against other Tamil militant groups, eliminating them to gain full power (Obeyesekere 2011). In 2002 a Norwegian-mediated ceasefire was signed by both parties, but fighting continued. From the start of the war in 1985, till 2006, there were four rounds of peace talks, which were all unsuccessful. In 2009, under the presidency of Rajapaksa, the Sri Lanka Armed Forces defeated the LTTE in May and re-established control over the whole country. The last phase of the war was characterized by a large intensification of violence, as the Sri Lankan government deployed an intense and heavy military force against the controlled areas. In this process, the government forces attacked civilians and hospitals and denied food and medicines to the population in the LTTE controlled areas. The LTTE in their turn refused to let civilians leave the controlled areas to the safe-areas that were deployed by the government (Ratner 2012). This last phase lasted from January to May 2009 and the Sri Lankan government bombarded the LTTE. The LTTE took civilians with them and used them as human shields. Tamils that were running from the advancing government, were trapped with the LTTE and those who would escape and tell of their hiding, would get picked up by the LTTE and their children would be recruited (Obeyesekere 2011). This last phase resulted in many injuries, the death of

thousands of civilians and hundreds of thousands displaced people. In this last brutal phase, nearly the whole LTTE leadership was killed (Ratner 2012) and according to the Expert Panel convened by the UN Secretary General Ban Ki-moon, 40.000 Tamil civilians also lost their lives.

5.2 Cordaid

In this thesis, the Catholic relief organisation Cordaid will be used as a case study, which projects concerning security and justice in Sri Lanka will be evaluated according to the impact evaluation framework. Cordaid is a Dutch Non-governmental organisation. They have worked for almost a century within fragile countries trying to create sustainable development and an opportunity to rise out of the conflict trap that these countries are in. They work with over 800 local partners and are deeply rooted in the areas in which they operate.

5.2.1 Projects in Sri Lanka

Cordaid has had over 50 projects in Sri Lanka since 2006 which targeted many different goals. There have been 17 projects that targeted conflict transformation and issues on security and justice. Two of these projects were selected for this thesis to evaluate on impact. These projects were chosen as they both only target issues on security and justice and because they have been implemented for over two years. The projects will be explained here and which indicators they have tried to target.

HHR
The first project targets issues on justice on both the institutional level as the individual level and was started on the first of January 2011 and ended on the 31st of December 2013. Because, after the civil war the Judicial system in Sri Lanka did not always guard civil, political and human rights of all the civilians of Sri Lanka, this project was set up. In cooperation with the organisation Home for Human Rights (HHR), this project works on the juridical representation of victims of violence, power abuse, repression, abuse and torture etc. This is done by evaluating submitted cases and according to these findings, giving policy recommendations for law and legislation. Furthermore, rights educations were given to different groups in society. In the project there is a special programme that guards and improves women's rights. HHR is a big organisation headquartered in Colombo, with different branch offices spread over Sri Lanka. In Colombo their project is mainly focussed on the national judicial system geared to improving issues on security and justice within this system. Within this thesis, the project conducted in Colombo and in other regions from HHR, will be evaluated on impact.

The indicators of the indicator framework on security and justice that HHR has targeted in their project are shown in table 6.

Table 6. Targeted indicators by HHR

Domain Level	Domain	Sub-domain	Indicators
Individual level	Human rights		▪ Situation considering freedom of belief and religion ▪ Feelings of discrimination, marginalisation and inequality
	Trust		▪ Proportion of public satisfaction with national government ▪ Satisfaction with judiciary body ▪ Trust in people
Political-Institutional level	Human Rights		▪ Human rights violations by government officials ▪ Laws used to legitimise violations of human rights ▪ Situation considering freedom of the press
	Rule of Law	Quality of service	▪ Procedural fairness (tone of voice, neutrality, respect and trustworthiness) ▪ Independency of the judiciary body ▪ Effectiveness of Judiciary body
		Access to justice	▪ Access to legal representation ▪ Accessibility of legal and court information in own language
	Governance		▪ Functioning of the government ▪ Level of political terror ▪ Level of corruption

●= directly targeted ●= indirectly targeted

HHR has directly targeted some indicators from the indicator framework on security and justice. The indicators that HHR has directly targeted with their project are satisfaction with judiciary body, laws used to legitimise violations of human rights, procedural fairness, independency of the judiciary body, effectiveness of judiciary body, access to legal representation and accessibility of legal and court information in own language. These indicators were directly targeted because HHR provides legal representation in own language and makes policy recommendations in order to improve laws and the effectiveness of the judiciary body. The indicators that HHR has indirectly targeted are situation considering freedom of belief and religion, feelings of discrimination, marginalisation and inequality, human rights violations by government officials, situation considering freedom of the press, functioning of the government, level of political terror and level of corruption. These indicators can be seen as indirectly targeted, because they are not the immediate set targets of HHR, but are targeted with their wide help in legal representation. All the legal cases that HHR sets up and handles also target issues on freedom of belief and religion, inter-group tolerance, discrimination, human rights violations by government officials and freedom of the press. With their legal representation on these matters, HHR also tries to influence the current functioning of the government and tries to constrain the political terror and corruption.

SEDEC, Caritas Sri Lanka

The second selected project also addresses the individual and political level on issues of security and justice and was started on the first of September 2011 and ended on the 31st of December 2013. This project is in cooperation with SEDEC, Caritas Sri Lanka. The project aims to create an environment where human rights are respected and minority groups of Tamils and Muslims are accepted in society. This is done by schooling the staff of 13 diocesan in conflict resolution and in individual rights

of human beings. Also, trainings and education on human rights will be given to people in government functions on the province and national level and trainings will be given to religious leaders. Furthermore, they will provide legal aid and legal consultations to those in need.

The indicators of the indicator framework on security and justice that Caritas has targeted in their project are shown in table 7.

Table 7. Targeted indicators by Caritas

Domain Level	Domain	Sub-domain	Indicators
Individual level	Human rights		▪ Situation considering freedom of belief and religion ▪ Feelings of discrimination, marginalisation and inequality
	Trust		▪ Proportion of public satisfaction with national government ▪ Satisfaction with judiciary body ▪ Trust in people
Political-Institutional level	Human Rights		▪ Human rights violations by government officials ▪ Laws used to legitimise violations of human rights ▪ Situation considering freedom of the press
	Rule of Law	Quality of service	▪ Procedural fairness (tone of voice, neutrality, respect and trustworthiness) ▪ Independency of the judiciary body ▪ Effectiveness of Judiciary body
		Access to justice	▪ Access to legal representation ▪ Accessibility of legal and court information in own language
	Governance		▪ Functioning of the government ▪ Level of political terror ▪ Level of corruption

●= directly targeted ●= indirectly targeted

The indicators that Caritas has directly targeted are situation considering freedom of belief and religion, feelings of discrimination, marginalisation and inequality, trust in people, human rights violations by government officials and access to legal representation. In their proposal Caritas targets to build a just society in which the rights of all persons are valued and respected. They do this with human rights awareness programs with marginalised people, police officers and local politicians. They give workshops to inter-religious groups and leaders, have advocacy programs and legal aid and legal consultations. With their work on these matters they indirectly target the indicators of laws used to legitimize violations of human rights, functioning of the government, level of political terror and level of corruption. They target these indicators with their advocacy programs in which they try to change the current functioning of the government. Also they document violations of human rights by government officials in order to report them to other organisations such as the UN and the Human Rights Watch.

6. Security and Justice in Sri Lanka

In this chapter, the situation in Sri Lanka concerning issues on security and justice will be drawn over a time period from 2002 till 2014, with a focus on 2011, when the project interventions started. This will be done, with use of the indicator framework on security and justice, that was set up in chapter 4, and shown below. According to all these indicators, the trend in Sri Lanka will be outlined, in order to attribute certain changes in this trend to the project interventions (which will be done in the next chapter, 7). Firstly, the findings on the individual level per indicator will be explained, and secondly the findings on the political-institutional level. This chapter will give answer to the sub-question 'What changes were visible concerning security and justice before and during the project intervention?'.

Table 4. Indicator framework on security and justice

Domain Level	Domain	Sub-domain	Indicators
Individual level	Human rights		▪ Situation considering freedom of belief and religion ▪ Feelings of discrimination, marginalisation and inequality
	Trust		▪ Proportion of public satisfaction with national government ▪ Satisfaction with judiciary body ▪ Trust in people
Political-Institutional level	Human Rights		▪ Human rights violations by government officials ▪ Laws used to legitimise violations of human rights ▪ Situation considering freedom of the press
	Rule of Law	Quality of service	▪ Procedural fairness (tone of voice, neutrality, respect and trustworthiness) ▪ Independency of the judiciary body ▪ Effectiveness of Judiciary body
		Access to justice	▪ Access to legal representation ▪ Accessibility of legal and court information in own language
	Governance		▪ Functioning of the government ▪ Level of political terror ▪ Level of corruption

6.1 Findings on the individual level

The indicator framework on security and justice is connected to indicators that can be related to structural and cultural violence in society, as explained earlier in chapter 4. This, because Sri Lanka is a post-war country and because direct violence has likely declined after the war. Before moving towards the indicator framework and the situation in Sri Lanka on these indicators, the battle related deaths in Sri Lanka will be shown over the time period from 2002 till 2013. This in order to show that the direct violence in Sri Lanka has declined after the end of the war in 2009. According to the Uppsala department of peace and conflict research (2013), the battle related deaths in Sri Lanka were estimated at 1,137 in 2001, 1,887 in 2007, 8,162 in 2009 and not more than 25 in 2011 and 2013. The Uppsala department of peace and conflict research defines battle related deaths as deaths that occur in what can be described as "normal" warfare involving the armed forces of the warring

parties. This includes battlefield fighting, guerrilla activities, bombardments etc., and collateral damage in the form of civilians killed in crossfire, indiscriminate bombings etc. are included. Therefore, the estimates of the Uppsala department of peace and conflict research accounts for all deaths, military as well as civilian.

Chart 1: Battle related deaths in Sri Lanka
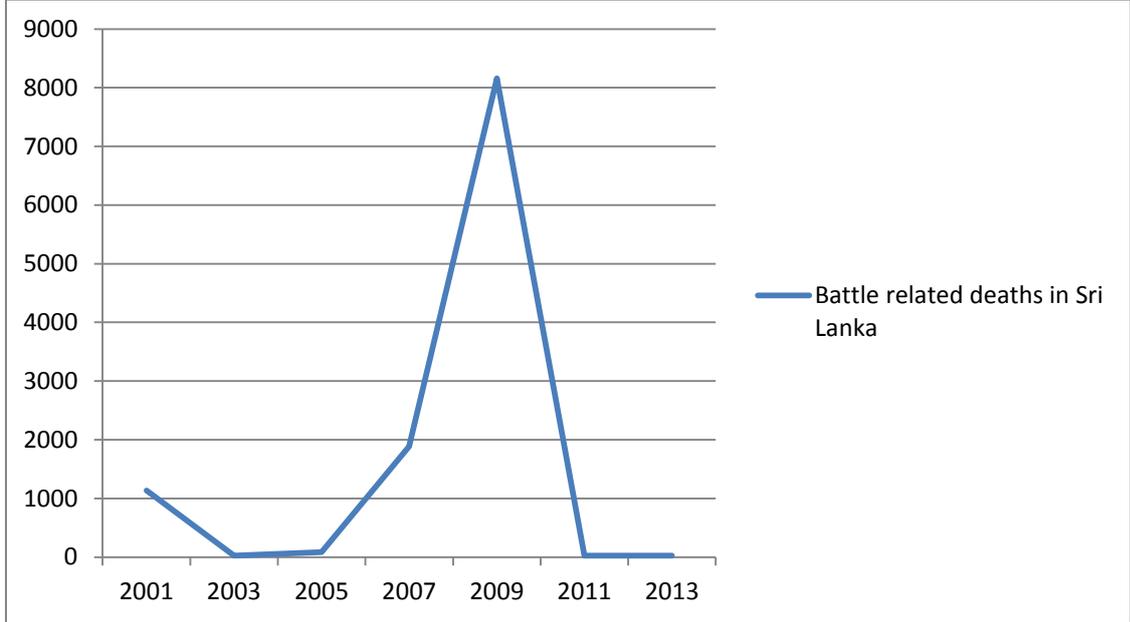
Chart 2 shows that after 2005 the war intensified and caused more deaths, with a peak in 2009, at the end of the war. After the end of the war, the battle related death heavily decreased, causing not more than 25 deaths a year (Uppsala department of peace and conflict research 2013). This indeed shows, that at the end of the war the direct violence in Sri Lanka has heavily declined.

In the next sections the situation in Sri Lanka per indicator on security and justice will be set out.

7.1.1 Human rights

Indicator: Situation considering freedom of belief and religion

From 2002 till 2014, the situation considering freedom of belief and religion has not changed. During that decade there has always been an atmosphere of religion tension, especially between the Buddhist community and the Christian community.

In 2002 the situation considering freedom of belief and religion in Sri Lanka was a growing concern among international organisations. Religious tensions were increasing, especially between the Buddhist community and the Christian community. Sri Lankan Buddhist, but also Hindu, felt that 'Christian fundamentalists' had arrived in the country and were improperly converting people. In response to these complaints the Presidential Commission on Buddha Sasana was established. This commission investigated this proselytising behaviour of Christian religious groups. According to the UN these investigations however, provided more justification for religious intolerance (UNESC 2005). In 2005, the number of attacks that targeted churches, ministers and other religious minorities increased. From 2004 till 2005 around 140 churches were forced to close or were attacked, intimidated or harassed (USCIRF 2005).

At the beginning of the project intervention in 2011, the situation considering freedom of belief and religion did not change from the situation from 2002 till then. Still there were many tensions and recorded attacks against churches and ministers (Freedom House 2011).

At the end of the intervention in 2013, the situation in Sri Lanka concerning freedom of belief remained the same. In a report from the Foreign and Commonwealth Office (2013) they noted that attacks against Muslims and Christians continued. An example of this, is the Bodu Bala Sena, which is a Sinhalese Buddhist National organisation that organises campaigns against the countries Christian and Muslim minority groups, which has assumed ties with the ruling Rajapaksa elites (BBC 2013). This organisation has been responsible for many attacks on religious places of Christians and Muslims after the end of the war. A recent attack was on Sunday 12th of January 2014, when two churches in Hikkaduwa were attacked by a 300-strong mob of Buddhist monks (The Island 2014; Sri Lanka Guardian 2014; AsiaNews 2014). *"These kind of attacks are fuelling a climate of religious intolerance towards minorities, boosted by growing Buddhist nationalism among Sri Lanka's majority Sinhala" (AsiaNews, January 14 2014).* Bodu Bala Sena yield for a government that will remain Sinhala Buddhist, as Sri Lanka is a Sinhala country. They argue that other values will ultimately kill the Sinhala race. In 2013 and 2014 there have been 350 documented incidents against Muslims and 150 against Christians. The attacks include vandalism, hate speech, harassment and seizure of property (OHCHR 2014). In September of 2013 Navi Pillay reported to the UNHRC that the Sri Lankan government remains protecting extremist groups such as the Buda Bala Sena (Human Rights Council 2013). Furthermore, recently (2nd of July 2014) UN human rights experts have called upon the Sri Lankan government to do more to rein in hate speech. On the 15th of June 2014, de Bodu Bala Sena organised a large protest rally in Aluthgama, which resulted in inter-communal violence. During this protest, four people died and 80 people were injured. According to these experts, Mr. Heiner Bielefeldt, Special Rapporteur on freedom of religion or belief, Special Rapporteur on minority issues Rita Izsak and Mr. Christof Heyns Special Rapporteur on extrajudicial, summary or arbitrary executions, this violence is fuelled by an atmosphere of impunity and there is an inadequate response from the police or the judiciary body to these matters. Extremist groups such as the Bodu Bala Sena, spread fear among the community. UN experts say that they spread rumours and make falls allegations that Buddha statues are being bulldozed by religious minorities and that Christians are forcibly converting the youth. These statements lead to a climate of fear among the Sinhala community (UN 2014).

This atmosphere of impunity and fear becomes clear when talking to Sri Lankan people. Out of eighteen interviews conducted with non-Sinhalese people, fifteen of them say that they do not always feel free to practice their religion. It becomes clear that many Buddhist temples are being built in the North and East of the country and that the Tamils, Christians and Muslims in those areas feel that this is provoking and that the government is forcing the Sinhala religion on them. Also, seven of these respondents say that they have been stopped at least once by the police when they were on their way to the temple. In an interview with Luxihan[1], a Tamil who lives near Batticaloa, he points out that *'we are often held back by the army and questioned where we go. In the past they even refused to let us go to our temple. So yes, sometimes I feel restricted in practicing my religion'* (Luxihan, interview 8th of November 2013). In an interview with Bart Klem, an independent expert on conflict in Sri Lanka, he explains that the Tamils have become second-rate citizens. But that Muslims

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[1] All names of informants have been changed throughout this thesis to protect their privacy, any resemblances to actual persons are purely coincidental

have become the biggest enemy now and that this is only getting worse. The Buddhist monuments that have been built in the North are creating even more friction and humiliation (Klem, interview 13th of March 2014).

Indicator: Feelings of discrimination, marginalisation and inequality

The indicator of feelings of discrimination, marginalisation and inequality overlaps with the previous indicator of freedom of belief and religion. There is however a difference, as this indicator does not only look at religion, but at all kinds of discrimination. Statistical data on this indicator is scarce, as no sufficient research on these matters has been conducted. Therefore this indicator will be evaluated by a literature study and through the data gathered during the qualitative field study.

In Sri Lanka, the causes of the war are linked to feelings of discrimination and marginalisation. The social exclusion of the Tamil minority through the 1956 official language act (which declared Sinhalese as the only official language of Sri Lanka) and the 1972 constitution (which gave Buddhism 'foremost status' in the country) contributed to feelings of discrimination, marginalisation and inequality of the Tamil population (World Development Report 2011). Although the constitution was changed with the thirteenth amendment in 1987, making Sinhala and Tamil the official languages of Sri Lanka and English the linking language between them, feelings of discrimination kept existing among the minority populations of Tamil and Muslim. After the war in 2009, the Tamils and Muslims, living in the north and east of Sri Lanka, still face harsh conditions and economic marginalisation. Militarism remains prevalent (Minority Rights Group International 2011, 3). The economic marginalisation becomes clear in an interview with Fr. Sesanayake from Caritas. He tells that the government is not giving any job opportunities for the youth of the North. The roads are being rebuild in the North, but instead of getting employment from the North to build the roads, the employment was get from the Sinhalese South community (Sesanayake, interview 15th of October 2013). When talking to Tamil and Muslim people of the North and East about their feelings of discrimination and marginalisation, the problem concerning militarisation becomes clear. Out of these 22 interviews, ten people tell that they often get questioned and stopped by the military and some even tell that the Criminal Investigation Department (CID) comes to their homes to question them. In an interview with a group of people that live in the Nayalady village in Jaffna, a man says that *'the police sometimes questions us about our whereabouts. This is only because we are Tamil and have lived here during the war. They want to make sure we are not LTTE supporters. I don't think that Sinhalese will be questioned about their whereabouts'* (Nayalady village, Interview 15th of October 2013). The Minority Rights Group International interviewed Tamils and Muslims in the north and east. In their report they state the concerns of these minority groups and the feelings of discrimination and marginalisation. The people interviewed express their concerns towards the Rajapaksa government, as they feel that the government is trying to create a Sinhala Buddhist hegemonic state. This can be seen in the proliferation of Buddhist religious symbols in minority-populated areas, the weakening of Tamil and Muslim political parties and the clampdown on minority politics, media and civil society. Although development projects are set up in the north and east, in which the government states they are keen to ensure that the Tamil and Muslim communities will gain as much from it as the Sinhalese community, the civil society minority groups that were interviewed remain concerned. They argue that it is not benefiting all levels of society, that it is very prone to corruption and that minorities are still being isolated. Furthermore, the government still did not acknowledge the legitimate minority grievances that led to the conflict. The

conflict was won by the government under the rhetoric of it being 'a war on terror', thereby excusing the government from acknowledgement of discrimination and marginalisation of the minority group it fought. This still feeds grievances of the minority groups and feelings of discrimination and marginalisation remain present (Minority Rights Group International 2011, 7). In an interview with Fr. Cooray from Caritas Killinochchi he expresses his concerns towards the problems of discrimination. *'For the Tamil there are a lot of human rights violations, such as land ownership, damages, lost lives, and there is no grievances relief, no compensation. There is no way to pass this'.* (Cooray, interview 18th of October 2013).

On the indicator of feelings of discrimination, marginalisation and inequality we can see that the situation has not gotten better over the last decade. The war began because of feelings of marginalisation, because the Tamil population felt unrecognised. During the war these feelings only prevailed and grew stronger. At the end of the war and at the start of the intervention from HHR and Caritas in 2011, these feelings were still not recognised and there was no room for grievances, which is still the current situation.

7.1.2 Trust

The domain of trust is the last domain on the individual level. It is connected to the indicators of proportion of satisfaction with the government, trust in other people and satisfaction with judiciary body.

Indicator: proportion of public satisfaction with national government

The Centre of Policy Alternatives has done research on the level of trust towards the government. In the tables below we can see this trust in 2011, when the interventions from HHR and Caritas started. In 2011, 53,6 percent of the interviewed people answered that they have some trust in the national government. Remarkable however is that 25,8 percent of the Sinhala answered that they had a great deal of trust in the national government, next to only 7,4 percent of the Tamils. 23,4 percent of the Tamils answered that they had no trust in the national government.

Table 8. Trust in institutions

Institution	Level of trust	Sinhala	Tamil	Up country Tamil	Muslim
Central/ National government	Great deal of trust	25.8	7.4	13.8	10.1
	Some trust	55.3	53.7	48.6	56.8
	No trust	8.1	23.2	14.7	17.6
	Don't know/ Not sure	10.9	15.8	22.9	15.5
Provincial government	Great deal of trust	13.2	6.6	10.0	4.7
	Some trust	55.1	54.4	53.6	57.7
	No trust	15.1	20.3	16.4	23.5
	Don't know/ Not sure	16.7	18.7	20.0	14.1

Drawn from Centre for Policy Alternatives (2011)

Other statistical data on the indicator of trust in the national government is scarce, as no clear year to year research has been done on this matter. So the trust in the national government during the wartime before 2009 cannot be put in numbers. In an interview with Suvik Herath, a human rights

activist, he explains that the trust in the national government has declined even more after the war. This because '*during the war it was only against the LTTE/Tamils, they were the enemy, and now all groups who are critical against the government are targeted and have become the new enemy'.* (Herath, interview 9th of October 2013). In 27 interviews, out of 35 interviews conducted from the 4th of October 2013 till the 13th of March 2014 with employees from HHR and Caritas and with people from the Tamil and Muslim community, the question was asked if they had trust in their national government. From all these 27 interviews, everyone expressed that their trust towards the national government is very low. There was no one in all the conducted interviews that said that the trust in the national government was getting better. In five interviews they expressed that the trust has remained the same over the last decade and in six interviews they expressed that the trust got worse. In three of these interviews, people even explained that the trust of the Sinhala community is a perceived trust, as people of the Sinhala community are afraid to express their real feelings because of indoctrination. '*The Sinhalese people do trust the national government, but this is also because of doctrine by the government. I think most people are more suspicious towards the government than that they fully have trust in the national government'* (Hiroshan, Philip, Nidun and Chris, interview 31st of October 2013). *'The trust for the government is not real, most people fear the government'* (Habithan and Raaj, interview 31st of October 2013).

Although the trend concerning trust in the national government is hard to set, because statistical data on this ground is not available, when interviewing Sri Lankan people, all of them express that their trust in the national government is very low. None of these people tell that the trust has got better over the last years. This implies that the trend in trust in the national government has not gone up from 2002 until now.

Indicator: Satisfaction with judiciary body

As year to year data on the indicator of satisfaction with judiciary body is missing, this indicator will be answered through the qualitative data gathered out of 35 interviews. In an interview with employees from the Human Rights Commission in Trincomalee, Sri Lanka, they explain that many people fear to make complaints or take legal action. This because often complaints are against government officials and people fear that they will get followed by the CID and will get threatened. Even the Human Rights Commission has trouble getting complaints in writing, *'not many people agree on this because they are scared'* (Interview 12th of November 2013). This indicates that the trust towards the judiciary body is low under the Muslim and Tamil community, as the high fear causes that people don't dare to take legal action. In another interview with a lawyer from HHR in Colombo, he explains that even in prison people are afraid to file cases. There is a prison in the South of Sri Lanka, called Boosa, where mostly people are retained under the Prevention of Terrorism Act (P.T.A.). Especially in this prison people have underwent inhumane treatment and their trust in the judiciary body is so low that many of them don't want legal help or want to file a case (Paarventhan, interview 10th of October 2013).

During the war, the LTTE had a completely functioning judicial system in their controlled areas that dated back to the early nineties when their first civil codes were enacted. In 2006 this judicial system existed out of a legal code, a college of law, district courts, two high courts in Kilinochchi and Mullaitivu, a court of appeal in Kilinochchi and an supreme court. It handled cases such as treason, arson, murder and rape. In that time it was known that among the Tamil population many sought help with the Tamil Eelam courts rather than the Sri Lankan courts. Among this

population, there was a great deal of trust, as judges were perceived as professionals and the courts as legitimate (Stokke 2006). After the end of the war in 2009, these well-functioning Tamil Eelam judicial institutions were removed as once. With this, the trust that the North-eastern population had built in these institutions, was also discarded. After the war, new trust had to be built in the Sri Lankan courts and this remains a difficult task especially among the Tamil community. Although this trust had to be rebuilt and has dropped after the removal of the Tamil Eelam judicial institutions, in the last two years, the trust seems to have improved a bit. In an interview with Fr. Fonseca from Caritas, he explains that people are learning more and have become more aware of their legal rights in the last few years. People know that they can approach the Human Rights Commission and do this more often now (Fonseca, interview 5th of November 2013). Also in an interview with Habithan and Raaj from Caritas they explain that people seek help more often now and that they have regained some trust in the judiciary body (Interview 31st of October 2013).

To conclude, it becomes clear that the trust among the Tamil population in the judiciary institutions has declined after the end of the war in 2009, because the Tamil Eelam institutions were removed. People are still afraid to file cases against government officials because they get threatened. But nevertheless, in the last few years after the war, there seems to be a little improvement in the trust towards the judiciary institutions as people have become more aware in where they can go to for help.

Indicator: Trust in people

The Human Development Report (2013) stated that in Sri Lanka in 2011, 17% of the questioned population answered "yes" when asked if they trusted other people, this in comparison with the Netherlands where 46% answered yes. Other statistical data on the years before and after 2011 are however not available. But out of interviews, a trend becomes visible. In 28 interviews, people where asked if the trust in people in Sri Lanka has improved, remained the same or got worse over the last decade. In eighteen of these interviews people say that the trust towards other people has not improved. In thirteen of these interviews people explain that it has remained the same, and in the other five interviews they say it has got worse. For instance, Fr. Cooray from Caritas, but also Senni a lawyer from HHR, explain that the trust has not improved over the years (Cooray, interview 18th of October 2013 and Senni, interview 17th of October 2013). And in an interview with Bart Klem, he tells that there is still little trust in society. Even the trust within the Tamil community is low. The LTTE has influenced this during the war and has caused this to reach rock-bottom. Within the Muslim community there is more trust towards each other and also within the Sinhalese community the trust is higher because the end of the war was a freedom turning-point. But even here there are taboos and difficulties as also the Sinhalese community copes with grievances that declines the trust in each other (Klem, interview 13th of March 2014). In the other ten remaining interviews however, people say that this trust is getting a bit better over time. People from the Ampalkulam village in Kilinochchi tell that *'initially we don't trust Sri Lankan, but our mind has changed a little now the war is finished'* (Interview 18th of October 2013). Also, Paarventhan, a lawyer from HHR, explains that the trust is getting a bit better in the last years after the end of the war. '*Yes I do think that Sri Lankan people trust each other. During the war time there was a lack of trust, because people were afraid of the war and the tigers, but now the trust is returning in society'* (Paarventhan, interview 10th of October 2013).

Figure 7. Trust in people

Question: Has trust towards people remained the same, improved or got worse over the last decade?

- Same
- Worse
- Better

55%
15%
30%
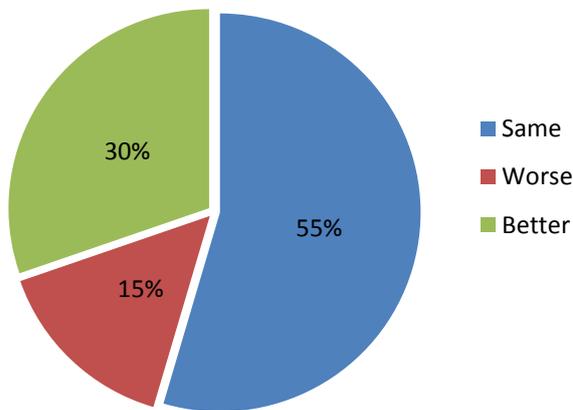
In figure 7, it becomes clear that 70% of the interviewed people (55% plus 15%) don't feel that the trust in society has improved over the last decade, the other 30% however explains that the trust has improved a little in the last few years after the end of the war.

6.2 Findings on the political – institutional level

7.2.1 Human Rights

Indicator: human rights violations by government officials

During the war there were many human rights violations by government officials. In the world report in 2002 from the Human Rights Watch, they explain that the government security forces, but also the paramilitaries of the LTTE, have been responsible for many disappearances, torture, killings and harassment. These high violations of human rights remain prevalent till the end of the war in 2009 (Human Rights Watch 2005; 2007; 2009). In 2009 these violations increased tremendously with the last brutal phase of the civil war. In this year even more than 10,000 people who were suspected of LTTE involvement or sympathies, were detained by security forces, which went against humanitarian law (Human Rights Watch 2010). After the end of the war the human rights violations by government officials declined, but there are still many violations present and in the last five years this has not declined (Human Rights Watch 2011; 2012; 2013).

Organisations such as the Human Rights Watch and Amnesty International record numerous human rights violations by government officials every year. These violations consist out of threatening, arbitrary arrest and detention and censorship of media. A Human Rights Watch report in February 2013 stated that security forces have been using rape and other forms of sexual violence to torture suspected members or supporters of the LTTE. This sexual violence continuous to the present. These violations by government officials come forward in several interviews. So tells Fr. Gamage that '*since the end of the war the government feels like they can do anything. They are*

monitoring everything and everyone and using harassment' (Gamage, interview 1st of November 2013). And Suvik Herath explains that '*numerically the number has gone down, but it has not completely finished. You have to see it in perspective, in the new post-war time that we are now living in. New violations are taking shape, recently Sinhalese people were killed in the South by police officers, because they were protesting for drinking water'* (Herath, interview 9th of October 2013). This incident that Suvik Herath tells about, took place on August 1st, 2013. On that day local residents at Weliweriya were demonstrating for clean water and soldiers fired at them (Human Rights Watch 2013). Furthermore Suvik Herath explains that the government has a way to attack people in the media in order to make society belief that they are traitors. He, as a human rights activist, has received numerous threats and many family and friends belief that he is a traitor to the country, this because he was blackened in the media. In another interview with Senni, a lawyer in Jaffna, he tells that now after the recent elections in the North, Tamil National Alliance (TNA) supporters are being threatened (Senni, interview 17th of October 2013). On the 22nd of September 2013, the TNA won the provincial council elections with 30 out of 38 seats. Right after this victory, however, people did not feel free to celebrate because the army was watching them (BBC 2013). In an interview with Pakiyarajah, a man living in Jaffna, he told me that they have bombed grenades towards his house, because he was helping and supporting the TNA. He was threatened by the army and police (Pakiyarajah, interview 17th of October 2013). This all indicates that there are still violations by government officials taking place.

With the reports from the Human Rights Watch, Amnesty International and the conducted interviews in Sri Lanka, it becomes clear that the human rights violations by government officials were high during the war, with an drastic increase at the end of the war in 2009. After the war the violations declined and became less than during the war. But from 2009 till now, still many violations are recorded and this number has not seemed to decline in the last five years.

Indicator: Laws used to legitimise violations of human rights

This part will be conducted from out literature on the laws that are implemented in Sri Lanka that legitimise violations of human rights and the way these laws are used and utilised.

The Lessons Learnt and Reconciliation Commission (LLRC), was a commission of inquiry appointed by Sri Lankan president Rajapaksa in May 2010. This commission was set up to investigate the facts and figures concerning the 26-year long civil war and with this, the lessons that should be learnt from this in order to prevent any recurrence and to be able to make institutional and legislative measures. After 18 months, the commission submitted a report to the president in November of 2011 and this report was made public in December 2011. Both the Liberation Tigers of Tamil Eelam (LTTE) as the Sri Lankan government have been accused of committing war crimes and human rights violations in the final stage of the war. In March 2011, the UN set up an expert panel, commissioned by Ban Ki-moon, who found credible allegations on both sides.

"The Panel's determination of credible allegations reveals a very different version of the final stages of the war than that maintained to this day by the Government of Sri Lanka. The Government says it pursued a "humanitarian rescue operation" with a policy of "zero civilian casualties". In stark contrast, the Panel found credible allegations, which if proven, indicate that a wide range of serious violations of international humanitarian law and international human rights law were committed both by the Government of Sri Lanka and the LTTE, some of which would amount to war crimes and crimes against humanity. Indeed, the conduct of

the war represented a grave assault on the entire regime of international law designed to protect individual dignity during both war and peace" (UNSG's Panel of Experts 2011, II).

The LLRC, however stated that the Sri Lankan military didn't deliberately target civilians, but that the LTTE did repeatedly violate international humanitarian law. The LLRC commission did receive eyewitness information that showed government troops executing suspected Tamil rebels, but still the investigation and the Sri Lankan government denies that government troops killed civilians (AlJazeera 2011). The commission was therefore heavily criticised by international human rights groups, the UN Secretary General's panel of experts and others, because of the limited mandate and lack of independence, as members were appointed by the government. Amnesty International stated that *"former officials who have publicly defended the Sri Lankan government against allegations of war crimes serve on the commission"* (BBC 2010).

A law implemented in Sri Lanka, is the Prevention of Terrorism Act (PTA) that was implemented in 1978 by the Sri Lankan government to provide the police with powers to search, arrest and detain suspects. It was initially set up as an temporary law, but was made permanent in 1982. Ever since it was enacted, it attracted universal condemnation as it is inconsistent with contemporary human rights standards and permits and encourages the violation of fundamental rights that are otherwise protected by the Constitution of Sri Lanka (Centre for Policy Alternatives 2013). Even today, four years after the defeat of the LTTE, the Act is still intact and there were even regulations added that allows the government to keep captured separatist fighters in detention without trial (Aljazeera 2011). In May 2013, the authorities detained Muslim opposition politician Azad Salley under the PTA for warning about the dangers of fanning ethnic hatred. The Act continues to be used to detain individuals for long periods without charge or trial (Human Rights Watch 2013). In an interview with Gajenranatan, a lawyer of HHR in Colombo, he explains that if someone gets arrested under the P.T.A., the prisoner is first detained for three months and this can be extended six times. This means that there is a maximum of eigtheen months that someone can be put into prison with no trial. Then, within these 18 months, they try to get a confession out of them, even with use of torture (Interview 7th of October 2013). Suvik Herath also tells that the P.T.A. is used by the government to discriminate and violate human rights. He says that the P.T.A is vague in its descriptions which makes it easy to use as a discriminative tool (Interview 9th of October 2013)

Recently, a new media code was proposed by the Sri Lankan government (on the 17th of June 2013) that would apply to print and electronic media, including internet. The minister of mass media and information stated that the code is intended to create salutary media culture in the country. The code consists out of 13 types of substantive speech that would be prohibited from publication, such as offends that are against expectations of the public, morality of the country, or that tend to lower the standards of public taste and morality. Also prohibited would be any content that contains material against the integrity of the executive, judiciary and legislative. This last one could imply that material that bares criticism of the government is illegal. Human Rights Watch (2013) states that this code could be part of a sustained campaign to control the media. The code is not yet implemented, or accepted by the parliament, but it sketches the current situation concerning free press and the humanitarian right to free speech in Sri Lanka.

Furthermore, on the 22nd of January of 2013, there was a law passed that allows the police to hold a suspect for up to 48 hours without a warrant or trial, this was earlier 24 hours. The police's record of impunity may indicate that this will cause more violations of human rights, as threatening methodologies and torture can be used upon the arrested person (Globalpost 2013). In an interview

with Faruq and Famira, two lawyers in Batticaloa, they also express their concerns towards this arbitraty arrest (Interview 6th of November 2013).

Another law that is used to legitimise violations of human rights is the Land Acquisition Act. This act was enacted in 1950 and is still misused by the government for political and private gains. In an interview with Paarventhan, he points out that rightful land of the Tamils are used by the army under the rule that it serves public use (Interview 17th of October 2013). *'a lot of land of the Tamil population has been taken under the Land Accusation Act. This is often used by military. In court they then say that it is used for public purpose'* (In an interview with Janisha, 7th of October 2013).

When looking at all these laws that are used to legitimise violations of human rights, it becomes clear that none of the laws that have exist for more than over a decade have been changed or dismissed, but that even new laws have been implemented in the recent past. This indicates that the situation on this indicator has gotten worse in Sri Lanka.

Indicator: Situation considering freedom of the press

The freedom of the press indicator is measured by Reporters Without Borders (2013), with the Press Freedom Index. This index is drawn every year by asking journalists, researchers and legal experts to answer 50 questions about the whole range of press freedom violations such as murders, arrests of journalists, censorship, pressure, punishment of press law offences, regulation of media etc. This is than combined into a score from 0 – 100, where a lower score indicates a higher degree of press freedom. In Sri Lanka this score was 15.75 in 2002, raised till 33.25 in 2005, then increased towards 78.00 in 2008, 87.50 in 2011 and then decreased again in 2013 till 56.59.

Chart 2: Press freedom in Sri Lanka
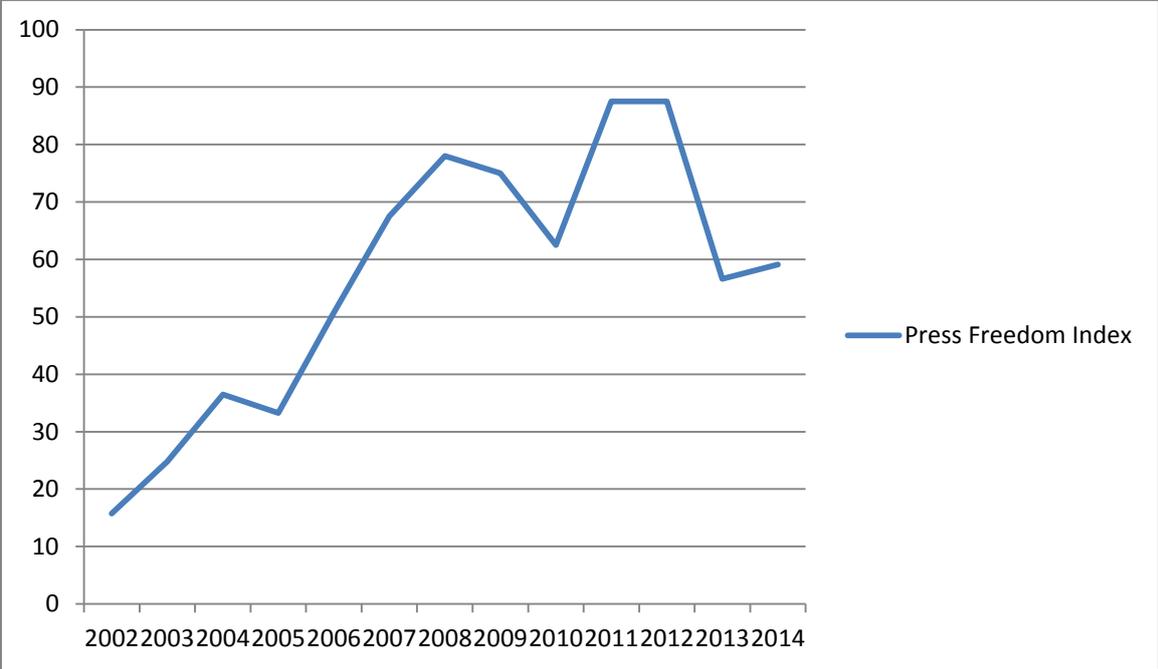
Chart 2 indicates that overall from 2002 till 2013, the press freedom decreased. Where in 2002 it scored 15.75, this increased towards 78.00 in 2008 and even 87.50 in 2011 and 2012. The higher the score gets, the lower the press freedom is. But there seems to be an increase in press freedom from 2012 till 2013 (dropped from 87.50 till 56.59), but this decreased again towards 59.13 in 2014. But overall, the data shows that during the war, at the end of the war and in the current post-conflict

situation, the press freedom has decreased.

During interviews conducted in Sri Lanka, everyone answered that the freedom of the media and press has declined over the years. Fr. Cooray tells that *'the press is not free. They are paying money to journalists and very few writers dare to write against the government. This has gotten worse in the last 10 years'* (Cooray, interview 18th of October 2013). Also Pujitha explains that '*there is no freedom of the press. The government is controlling all the papers and journalists who do speak their minds are threatened, harassed and chased out of the country'* (Pujitha, interview 12th of November 2013). All the other respondents tell equal stories. Nevertheless, the findings from Reporters Without Borders indicate that the press freedom has increased from 2012 till 2013 and then dropped a bit again from 2013 till 2014. This is because journalists in Sri Lanka are still harassed and threatened in Sri Lanka, but are not arrested that often or detained that long anymore as they used to in 2011 and 2012 (Reporters Without Borders 2013). This indicates that on the indicator of freedom of the press, the situation in Sri Lanka has gotten worse till 2012 and in the last two years improved again.

7.2.2 Rule of law

The domain of rule of law is divided into two sub-domains of quality of service and access to justice.

Sub-domain: Quality of service

The indicators of this sub-domain are procedural fairness, independency of the judiciary body and the situation considering pre-trial detainees.

Indicator: Procedural fairness (tone of voice, neutrality, respect and trustworthiness)

For the indicators on procedural fairness there are no explicit year to year data available. Nevertheless, we can find in the literature from the report that tried to map the legal aid services in Sri Lanka in 2009 (UNDP et al. 2009), that the 266 surveyed people that had accessed legal aid were overall satisfied with the provided services. Hereby looking at matters such as procedural fairness and interpersonal fairness. 72% of the people answered that they were overall satisfied with the legal services provided and only 7.5% said that they were not satisfied (3). This report, however, did not specify differences in ethnicity, as there may be also different outcomes per ethnicity. In an interview conducted at Mutur village in Trincomalee, a villager explains that when she gets checked for her motorbike license, the police speaks to her without any respect. There are police officers that are ok, but many behave bad, are corrupt and misuse their power (Interview 11th of November 2013). Also, lawyers from HHR express their concerns. During the last years they feel that the government is more and more trying to get confessions out of people in order to not go to trial. These confessions are done by force or torture. Janisha, one of these lawyers, even tells that it was easier to go to trial in 2008/2009, than it is now (Janisha, interview 7th of October 2013). Paarventhan, a lawyer in Colombo, tells that the government has all kinds of tricks to delay cases. For example '*we handled a case where someone was in custody for four or five years. This is against the constitution, so we filed the case for fundamental rights. When we file this, questions are asked at the state council. Unfortunately they often indict it in high court and then the fundamental rights case has to be dropped. Sometimes when they do not indict it in the time given for it after a case is filed, they even say that they have indicted it one month or so ago. And then we, or actually the client, is*

charged money for missed filed motions. Although this was all a scheme, and then we have to prove this again. Therefore unnecessary delays are common'(Paarventhan, interview 10th of October 2013)*.*

      Although a survey under 266 people showed that they were all satisfied with the services, from interviews with lawyers that work on human rights cases, it becomes clear that there are still many problems with the procedural fairness. Many cases have a very long pending time and unrightfully confessions are taken in order to skip trial. Lawyers from HHR who have been working as lawyers for many years explain that the situation has not improved over the last years.

Indicator: Independency of judiciary body

'recently the chief of justice, Ms. Bandaranaike was removed because she did not agree with the government' (Habithan and Raaj, interview 31st of October 2013). Rev. Fr. Perera also highlights his concerns towards this *'there is a high degree of family rule, even the court justice system is down and not up to mark. It is not reliable and it has not been strengthened after the war. There is a lot of bribery and corruption and this has not got any better after the war' (*Perera, interview 31st of October 2013). Bart Klem explains that the chief of justice used to be independent, but now is surely not anymore. There is, however, a clear justice system, but there is a high degree of scepticism around this (Klem, interview 13th of March 2014). Fr. Gamage even explains the current situation as harrowing, as *'the rule of law is gradually collapsing, as the government is gradually taking full control'* (Gamage, interview 1st of November 2013). Shirani Bandaranayake was removed from her position of chief of justice on 18th of January 2013. Rupert Colville, a spokesperson for the high commissioner Navi Pillay, responded outraged to this removal, as it was an highly unconstitutional act. It was an enormous interference with the independency of the judiciary and a big setback for the rule of law in Sri Lanka. The process of the removal was flawed. The new chief justice that was sworn in by the president, former Attorney-General Mohan Peiris, has been known as a foremost defender of the Sri Lankan government, even when it comes to allegations of serious human rights violations by the authorities. Therefore, concerns about the independency and impartiality of the judiciary remain high within the OHCHR (UN News Centre 2013).

      This shows that the independency of the judiciary body has decreased after the unlawful act of the removal of the chief of justice in January of 2013. The United Nations and the Human Rights commission have high doubt about the true independence and impartiality of the judiciary.

Indicator: Effectiveness of judiciary body

Fr. Gamage explains that *'there is a heavy setback in the judicial system. Judges are favouring the government and this has caused a big collapse. There is no way to achieve true justice. Also there are big delays when it comes to cases that have been filed. Some cases even take over 10 years'* (Gamage, interview 1st of November 2013). At the independence of Sri Lanka in 1948 there was an independent judiciary. But in 1972 and 1978 new constitutions were accepted that cut back on this independence. The control of the judiciary then came into presidential hands. In 2001, the seventeenth amendment attempted to depoliticize the judiciary with the establishment of a constitutional council. This council limited the power of the president over the judiciary. From 2005 onwards first president Kumaratunga and then Rajapaksa completely ignored this council. President Rajapaksa appointed many people to the higher court that would favour the government. This increased the corruption within the judiciary and the former chief of justice, Sarath N. Silva, personally saw to that lower court

and Supreme court judges were removed or transferred in order that they would follow the governments lead. Therefore there is no fair trial possible against government officials or unfear ruling (Crisis Group International 2009). Vanessa Wilder, who has worked for the UNDP's Equal Access to Justice project in Sri Lanka, tells that the UNDP had started an investigation into the judiciary and the government and that they found that there was no partiality. The level of corruption is very high and on the macro-level this has gotten worse. *'There are many bribery payments and there is massive impunity. The conviction rate is very very low and there is a lack of skills'* (Wilder, interview 29th of October 2013).

The effectiveness of the judiciary can be argued as there is high corruption and the control from the government has increased over the years. The latest removal of the chief of justice in January 2013 shows this increase in government power. Fair trial and jurisdiction against government officials is a hard task in Sri Lanka, maybe even impossible.

Sub-domain: Access to justice

On the sub-domain of access to justice, the indicators of access to legal representation and accessibility of legal and court information in own language are selected.

Indicator: Access to legal representation

In 2000 there have been studies conducted around the access to legal aid. These studies concluded that the accessibility of legal aid was abominable, as there was a lack in a structured and accessible legal aid system. Also there was a need for an independent aid system from the government (Wijayatilake and Wickramasinghe 2000; Falt 2000). In 2009, the legal aid system had expanded and improved in Sri Lanka compared to the situation in 2000 and an independent body is present. A study in cooperation with the UNDP, UNHCR and Asia Foundation (2009) conducted a survey amongst 266 people who had accessed legal assistance. In their report they state that in some remote areas and the areas in the north and east, legal accessibility is still scarce. Also, they state that from the 266 people interviewed, 66% had to travel more than 5 kilometers to reach service providers. Today, in 2014, the accessibility has improved further, as in the north and east several NGOs help with providing legal aid for the civilians. However, many reports and studies still state that people are arrested without a warrant under the Prevention of Terrorism Act and are put into jail with no form of process or trial. This however is decreasing, as the number of persons arrested under the PTA are less than during the end of the war and just after the war (Amnesty International 2012; Human Rights Watch 2013).

Although the accessibility has improved a bit and more people are able to access legal representation, many people also express their concerns. Senni, a lawyer from Jaffna, says that in the North and East there is still a minimal number of lawyers and that people aren't aware of their rights or know how to approach the court (Senni, interview 17th of October 2013). Suvik Herath (interview 9th of October 2013) adds to this, that getting legal representation is more difficult for the Tamil population. This because the police is the steppingstone to go to court and they often don't want to help the Tamil or can't help in the Tamil language.

Getting legal representation seems to have improved a bit over the years, but this has to be seen in perspective with the knowledge that the effectiveness and independence of the judiciary has decreased. Thus, legal representation may be easier to access, but the question remains how fair this representation is.

Indicator: Accessibility of legal and court information in own language

Data on the indicator of accessibility of legal court information in own language can be drawn from the 2009 report (UNDP et al. 2009). In this report, the respondents were overall satisfied with the accessibility of the services in their own language. For the Sinhalese 100% was satisfied, for the Tamil population this percentage laid around 75%.

Table 9. Satisfaction with language of service, by language of beneficiaries

Language proficiency of clients	Satisfaction with language in which services were provided			
	yes	no	no answer	Total
Sinhala spoken	7	0	1	8
Sinhala spoken, reading, writing	101	0	4	104
Tamil spoken	32	0	1	33
Tamil spoken, reading, writing	76	15	14	105
Sinhala spoken, reading, writing and Tamil spoken	1	0	0	1
Tamil spoken, reading, writing and Sinhala spoken	6	0	0	6
Tamil and Sinhala spoken	1	0	0	1
Tamil and Sinhala spoken, reading, writing	2	1	0	3
No answer	2	1	1	4
Total	228	17	21	266

Drawn from the UNDP (2009)

This research from the UNDP was conducted under 266 people. The results show that the legal help in own language is better for Sinhalese then for Tamils. However, also 75% of the Tamils was satisfied. Nevertheless, out of 35 interviews with Sri Lankan it shows that there is still a lack of legal and court information in own language. Fr. Cooray of Caritas Kilinochchi, tells that he doesn't see any changes. The government letters are still all in Sinhala and in the North people get government functions who don't even speak Tamil (Cooray, interview 18th of October 2013). Also Fr. Sesanayake of Jaffna tells that still everything is written in Sinhalese and that the majority of the police force is Sinhalese (Sesanayake, interview 15th of October 2013). Fr. Fonseca of Caritas Batticaloa, explains that the situation is getting better in the East. *'Earlier we had only Sinhalese officers, but now there are also Tamil officers and this is getting better'* (Fonseca, interview 5th of November 2013). But still not all legal documents are in Tamil in the East (Pujitha, interview 12th of November 2013). Paarventhan, a lawyer for HHR in Colombo, explains that in higher court all cases are still in Sinhala, which disadvantages the Tamil population. In Jaffna the situation is getting a bit better, as more and more cases are in Tamil and the Superior court is in English. In some areas the court and legal information in own language is getting better, but there are still confessions that are taken in Sinhala. Tamil detainees are forced or persuaded under false pretenses to sign confessions that are written in Sinhala. This still happens and is a big problem (Paarventhan, interview 10th of October 2013). Lawyers Faruq and Famira from Batticaloa and Kaarvili and Amir from Trincomalee also explain this concern of confessions that are taken in Sinhala (Faruq and Famira, interview 6th of November and Kaarvili and Amir, interview 13th of November 2013).

The situation concerning access to legal representation in own language is getting a bit better on certain grounds. There are more police officers in the North and East that speak Tamil and some trials and documents are now also in Tamil or in English. But still many lawyers explain that in higher court it is only in Sinhalese and that still confessions with Tamil are taken in Sinhala.

7.2.3 Governance

The domain of governance is connected to the following three indicators; functioning of the government, level of political terror and level of corruption.

Indicator: Functioning of the government

The indicator of functioning of government shows the assessment of whether freely elected representatives determine government policy, this is ranked on a scale from 0 – 10 (very low to very high). The criteria are based on whether national elections are free and fair, the security of the voters, the influence of foreign powers on the government and the capability of the civil service to implement policies. The ranking then goas as followed:

- Full democracies score between 8 to 10
-Flawed democracies score between 6 to 7.9
-Hybrid regimes score between 4 to 5.9
-Authoritarian regimes score below 4

From 2008 till 2010 the functioning of the government of Sri Lanka was scored at 4.6 out of 10, in 2011 this increased towards a 6.1, staying the same over 2012, 2013 and 2014 (Economist Intelligence Unit 2014). With these data we can see that after the end of the direct violence and civil war, the functioning of the government increased from 4.6 to 6.1. This increase, however, didn't show in the interviews with different Sri Lankan. The explanation lays within the assessment of functioning of the government. The assessment shows that the effectiveness of the functioning of the government has improved, but this doesn't mean that the quality of the functioning of the government has improved. When we look at electoral process, we can see that in 2009 and 2010 Sri Lanka scored a 7.4 out of 10. This indicated the degree of competitiveness in elections and if electors are free to vote and are offered a range of choices. From 2011 till 2014 this decreased towards a 7.0. Also when we look at the political culture, which indicates the degree of societal consensus and cohesion to underpin a stable functioning democracy, we can see that from 2008 till 2010 Sri Lanka scored a 7.5 out of 10. This dropped to a 6.9 from 2011 till 2014. Therefore the overall political democracy index did not change in Sri Lanka and scored 6.6 from 2009 till 2014 (Economist Intelligence Unit 2014).

Out of the 35 conducted interviews, everyone tells that the government has too much power and that the president can do what he wants. *'The system of ruling is such, that the president can do what he wants. It is a family rule'* (Cooray, interview 18th of October 2013). Fr. Cooray also explains that in 2010 the presidential term limit was removed with the 18th amendment that was passed. With this, president Rajapaksa changed the constitution, so that he could be president for as long as possible, instead of two periods (Freedom House 2014). Bart Klem, an expert on Sri Lanka, tells that there is nothing new under the sun. The situation is still the same as in the '80's. The democracy is scooped out and there is a high degree of militarisation. There is no place for an opposition (Klem, interview 13th of March 2014). Currently there is no opposition anymore that is holding the government back (Gamage, interview 1st of November 2013). Furthermore, Sri Lanka has to cope with family rule, which indicates that there is a high degree of friends politics and no fair system of obtaining a political function. Suvik Herath tells that *'Rajapaksa is a very powerful president. He has immunity. The secretary of minister of defense is the brother of Rajapaksa and the*

economic development minister is his other brother. His 3rd brother is the speaker of the parliament and his son is a member of parliament. This all makes clear how corrupt the government is and how they cannot be trusted. There is no such thing as rule of law, but only rule of family in Sri Lanka' (Herath, interview 9th of October 2013).

The functioning of the government has, according to research of the Economist Intelligence Unit (2013) increased from 2008 till 2013. However, when looking at the electoral process and the political culture we can see a decrease from 2011 till 2014. The overall political democracy index did not change over the years 2009 till now. According to different interviews with Sri Lankan, it becomes clear that the government has too much power and that there is no place for an opposition party and that this situation has not improved over the last years.

Indicator: Level of political terror

The level of political terror is also an indicator of governance. This indicator is measured according to the level of political terror described by Amnesty International and United States Department Countries Reports (Vision of Humanity 2014) and is coded on a 1 – 5 scale from very low to very high political terror. In 2008, 2009, 2010 and 2011 this indicator was scored at 5, meaning that there was a very high political terror. In 2012 and 2013 this dropped a bit to 4.5 and in 2014 it dropped to 4. These results indicate that the political terror is very high in Sri Lanka, but has decreased over the last two years. Habithan and Raaj, two employees from Caritas Kandy, feel this high political terror. They say that the government gets more power every day and that they use harassment and threatening to make people obedience them. As employees from Caritas, the government is highly controlling NGOs and them. They tell that two weeks earlier six police officers and two army personnel came to question them about the child labour program. These people were part of the CID (Criminal Investigation Department). They do this once or twice a month. Also they come with eight men, because this is more threatening (Hiroshan, Philip, Nidun and Chris, interview 31st of October 2013). Another example of political terror in Sri Lanka is how highly militarised the country is. In the Northern province there are 200.000 soldiers. This means that there is one soldier for every three citizens (Sesanayake, interview 15th of October 2013).

The results from Vision of Humanity (2014) and from the interviews, indicate that even after the end of the war, Sri Lanka struggles with a high degree of political terror, scoring a 4.0 on a scale of 5 in 2014. The political terror decreased a little however from 2012 till 2014.

Indicator: Level of corruption

The data for the indicator that measures the level of corruption is gathered from the Corruption Perception Index (CPI). The CPI ranks countries based on how corrupt their public sector is perceived to be. It is ranked on a scale from 0 – 10, where 0 means that a country is perceived highly corrupt and 10 means it is perceived very clean (Transparency International 2013). In 2002 the CPI of Sri Lanka was scored at 3.7, in 2009 at 3.1 and in 2012 on 4.0.
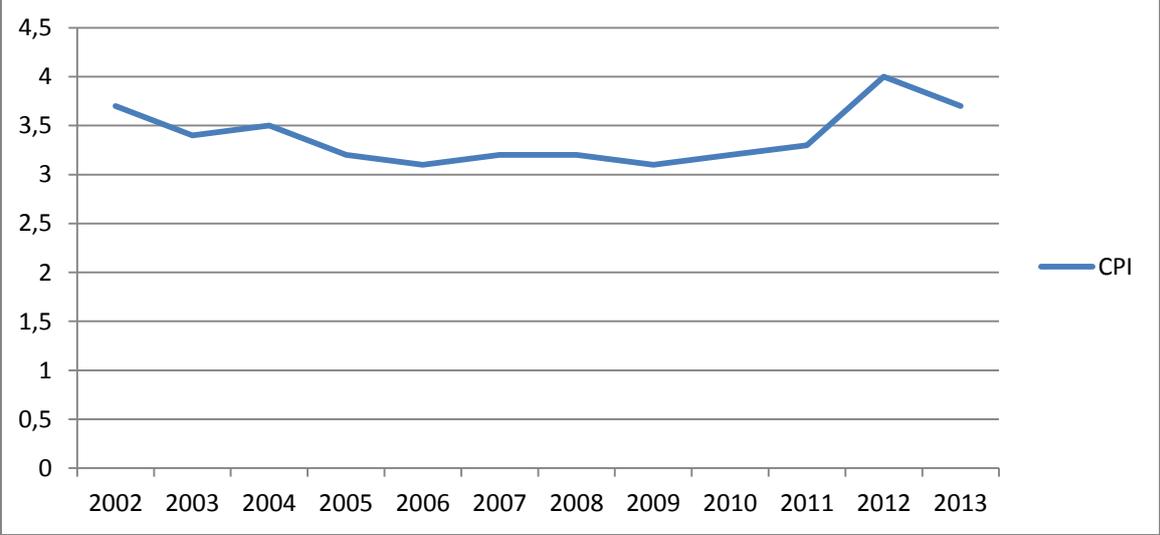
These results show that from 2002 till 2011 the corruption increased and in 2012 it decreased again towards a score of 4.0 on a scale of 0 – 10. In 2013 it dropped towards 3.7. The changes over the years during the war, at the end of the war and in the post-war period have not been high, but there has been a small improvement from 2010 till 2012, in which it dropped a bit again from 2012 till 2013.

These findings correspond with the findings from different interviews with Sri Lankan citizens. Everyone tells that there is a high degree of corruption in society. Fr. Cooray of Caritas Killinochchi tells that the police is very corrupt and that you can arrange anything with the police if you have money (Cooray, interview 18th of October 2013). Also Rev. Fr. Perera tells that there is a lot of bribery and corruption and that this hasn't improved after the war. The only way to get help is if you have money (Perera, interview 31st of October 2013). From personal stories from villagers from the Mutur village in Trincomalee, someone tells that he got arrested by the police because he sold alcohol in his shop. But he has a license to sell alcohol and they arrested him anyway and demanded him to pay money (Interview 11th of November 2013).

The corruption in Sri Lanka has been very high since 2002 and not much has changed since then. If you want to get help, you have to have money, as bribery payments are part of everyday practices.

6.3 Conclusion

In table 10 an overview is given of the found trends per indicator in Sri Lanka. If the situation has remained the same when the interventions from Home for Human Rights (HHR) and Caritas started in 2011 till 2014, the colour orange is given to this trend. If the situation has improved, even a small bit, during the project interventions, the colour green is given to this in the table. When the situation has not improved, but gotten worse during the project interventions, the colour red is given to this.

Table 10. Trend in Sri Lanka per indicator	
Indicator	**Trend**
Individual level	
▪ Situation considering freedom of belief and religion	Situation remained the same from 2002 till 2014
▪ Feelings of discrimination, marginalisation and inequality	Situation remained the same from 2002 till 2014
▪ Proportion of public satisfaction with national government	Situation remained the same from 2002 till 2014
▪ Satisfaction with judiciary body	Among the Tamil population the satisfaction with the judiciary body has declined heavily after 2009, but from 2009 till 2014 the trust has improved a little
▪ Trust in people	Situation remained the same from 2002 till 2014
Political-Institutional level	
▪ Human rights violations by government officials	From 2002 till 2008 very high, with a peak in 2009. Then dropped in 2010, but remained the same till 2014
▪ Laws used to legitimise violations of human rights	Situation aggravated from 2002 till 2014
▪ Situation considering freedom of the press	Situation aggravated from 2002 till 2012 and improved from 2012 till 2013 in which it aggregated a bit in 2014. But overall from 2011 till 2014 the situation got better
▪ Procedural fairness (tone of voice, neutrality, respect and trustworthiness)	Situation remained the same from 2002 till 2014
▪ Independency of the judiciary body	Situation aggravated from 2011 till 2014
▪ Effectiveness of Judiciary body	Situation aggravated from 2011 till 2014
▪ Access to legal representation	Situation has improved from 2009 till 2014
▪ Accessibility of legal and court information in own language	Situation has improved a little from 2009 till 2014
▪ Functioning of the government	Situation remained the same from 2008 till 2014
▪ Level of political terror	Highest possible political terror from 2008 till 2012, but decreased a little from 2012 till 2014
▪ Level of corruption	Situation remained almost the same from 2002 till 2011, from 2011 till 2012 the situation improved, in which it decreased again in 2014. Overall it improved a tiny bit from 2011 till 2014

● = improved ● = remained the same ● = aggravated

With this overview we can see that there has been an improvement during the project interventions regarding six (out of the sixteen) indicators, namely the indicators of satisfaction with the judiciary body, situation considering freedom of the press, access to legal representation, accessibility of legal and court information in own language, level of political terror and level of corruption. The situation has remained the same and has not improved regarding seven other indicators, namely the situation considering freedom of belief and religion, the situation considering feelings of discrimination, marginalisation and inequality, proportion of public satisfaction with the national government, trust

in people, human rights violations by government officials, procedural fairness and functioning of the government. Regarding the other three remaining indicators, the situation has aggravated. These three indicators are laws used to legitimise violations of human rights, independency of the judiciary body and effectiveness of the judiciary body.

Considering all these findings, we can state that Sri Lanka still deals with a lot of structural and cultural violence, even after the implementation of the projects from Home for Human Rights and Caritas. The situation considering security and justice has improved over six indicators from 2011 till now, but over the other ten indicators the situation has remained the same or got worse.

7. Impact of conflict transformation projects on security and justice

In the previous chapter the situation in Sri Lanka concerning security and justice has been examined, with use of the indicator framework, over a time period from 2002 till now. There were six indicators in which a small improvement was visible, namely the satisfaction with the judiciary body, situation considering freedom of the press, access to legal representation, access of legal and court information in own language, level of political terror and level of corruption. What was the influence of security and justice projects from NGOs on these changes? Have they attributed to more freedom of the press and legal access? And what was their influence on the indicators such as laws used to legitimise violations of human rights, independency of the judiciary body and effectiveness of the judiciary body, which declined? This chapter will examine the impact of projects from two NGOs in Sri Lanka, namely Home for Human Rights (HHR) and Caritas and will answer the sub-question 'can the found changes be attributed to the project intervention?'.

7.1 Impact on the individual level

In this section, the impact that HHR and Caritas have had on the individual level will be explained. On the individual level we have found in chapter 6 that on one of the indicators, namely satisfaction with judiciary body, the situation has improved from 2011 till 2014, when the interventions from HHR and Caritas were implemented. On the other four indicators, namely situation considering freedom of belief and religion, feelings of discrimination, marginalisation and inequality, proportion of public satisfaction with national government and trust in people, the situation has not improved and remained the same. In table 11, the overview is given on the trend in Sri Lanka regarding the individual level.

Table 11. Trend in Sri Lanka on the individual level per indicator	
Indicator	**Trend**
Individual level	
▪ Situation considering freedom of belief and religion	Situation remained the same from 2002 till 2014
▪ Feelings of discrimination, marginalisation and inequality	Situation remained the same from 2002 till 2014
▪ Proportion of public satisfaction with national government	Situation remained the same from 2002 till 2014
▪ Satisfaction with judiciary body	Among the Tamil population the satisfaction with the judiciary body has declined heavily after 2009, but from 2009 till 2014 the trust has improved a little
▪ Trust in people	Situation remained the same from 2002 till 2014

● = improved ● = remained the same

7.1.1 Home for Human Rights

HHR aims to create more juridical representation and knowledge concerning legal rights within society. They work with victims of violence, abuse, abuse of power and suppression and furthermore they work on a preventive basis as they do research into cases of victims in order to make policy advices. In table 6, from chapter 5, the targeted indicators by HHR were set out, the first part regarding the individual level of that table has been copied here in table 12 to refresh our memory.

Table 12. Targeted indicators by HHR on the individual level

Domain Level	Domain	Sub-domain	Indicators
Individual level	Human rights		▪ Situation considering freedom of belief and religion ▪ Feelings of discrimination, marginalisation and inequality
	Trust		▪ Proportion of public satisfaction with national government ▪ Satisfaction with judiciary body ▪ Trust in people

●= directly targeted ●= indirectly targeted

On the individual level HHR has directly targeted the indicator of satisfaction with judiciary body. Indirectly there program could've influenced the indicators situation considering freedom of belief and religion and feelings of discrimination, marginalisation and inequality. This because legal cases that they handle are also cases on freedom of belief and discrimination.

On the indicator of situation considering freedom of belief and religion the situation has remained the same from 2002 till 2014, as can be seen in table 11. HHR has not targeted this indicator directly, but does help with legal cases on this matter and with explaining to army personnel or police officers the Hindu traditions in order to make them accept these traditions and allow for celebrations. '*For example, the army told people that they were not allowed to fire lamps, although this is part of a Hindu tradition. HHR helped with giving knowledge and acceptance, so that they would agree on people firing lamps*' (Senthalan, interview 17th of October 2013). HHR functions as a translator and often helps when there are disputes. In Sri Lanka, still many people get hindered when they want to go to their temple or mosque and freedom of belief and religion is still an issue in Sri Lanka and has not improved over the years. Paarventhan, a lawyer from HHR tells that now you have to get a permit if you want to have a religious celebration and that HHR has not been able to make this easier (Paarventhan, interview 10th of October 2013). The small amount of help that HHR does on this ground will therefore only have made a small contribution towards the people which it helped with legal representation, and will not have had impact on the overall situation on freedom of belief and religion in Sri Lanka.

On the indicator of feelings of discrimination, the situation has also remained the same from 2002 till 2014. HHR does not target this indicator directly, however many legal cases that they handle are about issues on discrimination and marginalisation. Many of the human rights cases that they handle are cases on discrimination and marginalisation, as they are often against a particular minority group. For instance, HHR helps with obtaining land rights, as the government is illegally occupying land from the (often displaced) Tamil community. HHR is the only organisation in Sri Lanka that is helping these people with legal representation. Although feelings of discrimination and marginalisation have not decreased over the last decade, the work that HHR has done on land issues,

has had impact. This, because HHR is the only organisation where people can turn to for legal representation on this matter. In an interview with two lawyers from HHR, Kaarvili and Amir, they tell that HHR helps with obtaining permits for their land. In Trincomalee, the East of Sri Lanka, HHR recently filed ten land issue cases. Some of these people have obtained their land permits, but for some the cases are still pending (Kaarvili and Amir, interview on the 13th of November 2013). Also Faruq and Famira, two lawyers from HHR in Batticaloa, tell that they are dealing with many land issues. They tell that the government is building houses for Sinhalese in the areas that border the Batticaloa district. The rightful inhabitants of these areas have been chased away and are refused of their land rights by the government. HHR is currently obtaining all the information in order to file action on these matters (Faruq and Famira, interview 6th of November 2013). Because of their work, many people have had help. If HHR hadn't been there, the situation would've been even worse and people would've felt even more hopeless as they would have had no other place to go. In an interview with a beneficiary of HHR this becomes clear. *'I would feel more lost and now I feel a bit safer because I am getting some help. I am glad that HHR is there, as going directly to the police does not help'* (Waanmihan, interview 17th of October 2013). In another interview with Paari, a beneficiary of HHR, she explains that her husband was killed during the war and that her son is in prison because of suspicion of LTTE support. They have charged him under the P.T.A. She feels happy that HHR helps her son and has filed a case. At least now it feels like something is done (Paari, interview 17th of October 2013). To give a view on how many cases HHR handles on issues of discrimination, marginalisation and inequality, we can see that in 2012 alone they handled five direct cases of discrimination, 51 fundamental rights cases and 93 land issue cases (HHR 2013). HHR has provided many people with legal representation on discrimination, marginalisation and inequality over the years 2011 till 2013. Therefore, they have helped to not deteriorate the situation over these years.

On the indicator of proportion of public satisfaction with national government HHR has not targeted this. They have, however tried to constraint the government towards respecting the laws. HHR is one of the few organisations in Sri Lanka that dares to stand up against the government and fights government impunity in court. But despite all their efforts, the public satisfaction with the national government is still very low, especially under the Muslim and Tamil community. This has not changed over the last years. Although HHR is trying to influence the ruling of the government, this did not have impact on the public satisfaction with the national government.

On the indicator of satisfaction with the judiciary there has been a small improvement from 2009 till 2014. Nevertheless, people are still afraid to file complaints and take legal action if they are wronged by government officials or by government rule. HHR is one of a few organisations that provides these people with legal representation and files cases against the government and its officials. HHR has been working in this area since 1977 and therefore is now deeply embedded within society and has gained trust in society. From the eight beneficiaries that were interviewed, seven of them told that they had heard about HHR and had come to them for legal representation. This indicates that HHR is well known and that people turn to them for legal representation. HHR has become a steppingstone for obtaining legal rights. Because HHR is a well-known organisation, the satisfaction for the judiciary body has improved, as people feel that they can turn to HHR for legal representation. Beneficiaries from HHR tell that they feel more satisfied, because they are getting help and that HHR is not afraid to stand up against the government legal wise. '*HHR is a very good organisation, that has helped our village for many times now. They can help in translating between Sinhala and Tamil and with that, they can approach the police and help solve our disputes. Without their help, many disputes would have been unresolved and the issues in our village would have been*

even worse' (Omash and Dhano, interview 7th of November 2013).

The indicator of trust in people has remained the same from 2002 till 2014. Although 30% of the interviewed people explain that they are regaining some trust in the last couple of years, HHR has not targeted this indicator in their project and therefore these small changes cannot be connected to HHR.

There has been some impact because of the project from HHR on the different indicators on the individual level. On the indicator of feelings of discrimination and marginalisation and satisfaction with judiciary body, HHR was able to have some positive impact. With their help on matters such as obtaining land rights and filing cases regarding imprisonment under the P.T.A., people have felt less hopeless and feel recognised. HHR is one of the only organisations that helps people with legal representation on cases that go against the government (officials). Although the situation has not improved on the indicator of feelings of discrimination over the last years, without the work of HHR the situation would've been even worse. At least people have somewhere to turn to. HHR has contributed to the small visible improvement on the indicator of satisfaction of judiciary body and this was also an indicator that HHR directly targeted. On the other indicators HHR did not have any impact, but it also did not target these indicators directly.

7.1.2 Caritas

Caritas aims to create an environment where human rights are respected, by working on finding solutions for conflicts within local societies and by enhancing the individual and collective rights. Caritas organises trainings and awareness programs to create more attention for the importance of human rights. She does this with civilians, but also with government officials on a provincial level, politicians on a national level and with religious leaders. Caritas works in such a way that it creates a network. Different Self-Help Groups (SHG) are established in villages and representatives from each of these SHGs are then selected to form a Community-Based Organisation (CBO) on the village level. From these CBOs representatives are selected to form a district committee. Caritas works with all these SHGs and CBOs on different programs. They give trainings on human rights, educational rights, women empowerment etc. and they have programs targeting psychological trauma and organising exchanges between different communities to create more trust in society. Caritas works in such a way, that they are strongly embedded in society, even reaching the small villages. With this structure of SHGs, CBOs and District Committees, they are able to reach many people. The people from these CBOs can turn to Caritas if there is a problem. Figure 8 will indicate this network.

Figure 8. Structure of Caritas network
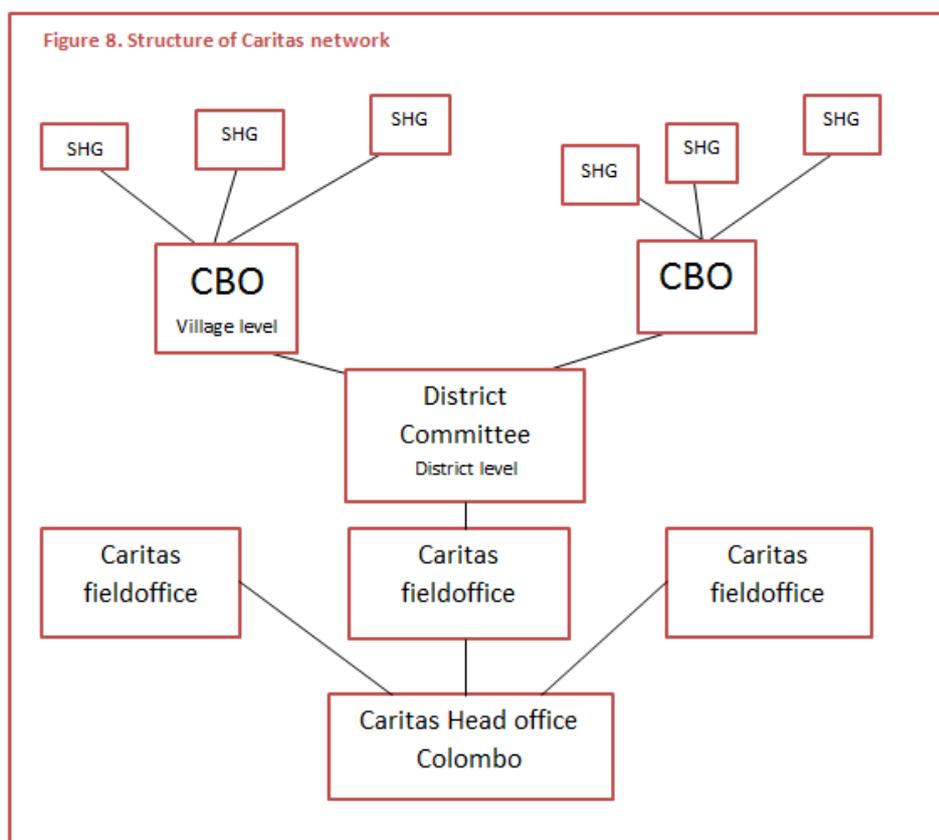
In table 7, from chapter 5, the targeted indicators by Caritas were set out, the first part regarding the individual level of that table has been copied here in table 13 to refresh our memory.

Table 13. Targeted indicators by Caritas on the individual level

Domain Level	Domain	Sub-domain	Indicators
Individual level	Human rights		▪ Situation considering freedom of belief and religion ▪ Feelings of discrimination, marginalisation and inequality
	Trust		▪ Proportion of public satisfaction with national government ▪ Satisfaction with judiciary body ▪ Trust in people

●= directly targeted

On the individual level Caritas has directly targeted the indicators, situation considering freedom of belief and religion, feelings of discrimination, marginalisation and inequality and trust in people. The indicators of proportion of public satisfaction with the national government and satisfaction with the judiciary body were not targeted by Caritas.

On the indicator of situation considering freedom of belief and religion, we have found that there are still many problems in society, as people are still hindered when going to their places of worship. Caritas targets this issue by connecting people of different beliefs to create more understanding. For instance, Caritas organises exchange groups between different ethnic and religious groups. With these exchanges they try to create understanding between the different

communities (Interview with Kattankuddy village Batticaloa, 5th of November 2013). But what Rev. Fr. Perera from Caritas explains, is that this exchange program is on a very little scale and the impact is limited (Perera, interview 31st of October 2013), so does Fr. Cooray from Caritas say that the effect of this program is relatively small (Cooray, interview 18th of October 2013). Furthermore Caritas has interreligious programs in which they try to build trust. With these programs religious leaders come together and also celebrate religious holidays together (Fonseca, interview 5th of November 2013). Nevertheless, their efforts have not improved the situation on freedom of belief and religion, as this has remained the same. Different Fathers from Caritas explain, that the effect of the exchange programs has been very small. Therefore, no impact can be found on this indicator.

On the indicator of feelings of discrimination, marginalisation and inequality Caritas has helped in several ways. In interviews with different SHGs or CBOs in different villages, it becomes clear that minority groups such as the Tamils and Muslim feel that the government is favouring the Sinhalese community, in economic opportunities and other basic services and needs. Caritas has helped many villages that were affected by the war, with housing, water wells and livelihood opportunities. Concerning this, these minority groups have only received help from NGOs and not the government (In interviews with people from the Mulli Ariyali village Jaffna, Nayalady village Jaffna and Aththimotdai village Trincomalee). Therefore it is important that NGOs such as Caritas were there to help. Nevertheless, the feelings of discrimination and marginalisation have not decreased because of this work from Caritas, because people still feel disadvantages by the government. The work of Caritas didn't have influence on the discrimination and marginalisation in society.

Concerning the indicator of proportion of public satisfaction with the national government, Caritas has not targeted this directly. The work that they do on trying to influence the functioning of the government is minimal. Fr. Sesanayake, from Caritas, explains that the programs from Caritas only target the grass-root level and not the political level. The Head office of Caritas in Colombo, is trying to connect ministries and Buddhist monks to teach them and make them more aware, but they mostly deny being part of these trainings and programs. So this program only exists on paper, but in practice it is often too difficult to implement (Sesanayake, interview 15th of October 2013). On the grass-root level, Caritas has done a lot of work in providing for basic needs such as drinking water, food and housing. After the war, NGOs took up the role to provide for these needs, as the government did nothing (Fonseca, interview 5th of November 2013). This, however, could have influenced the indicator of public satisfaction with the national government in a negative way. This because NGOs such as Caritas provided for immediate basic needs for those that were affected by the war, instead of strengthening the government and making sure the government took up these tasks. This could have created a parallel system , as the government didn't feel the pressure or need to take up these tasks. Creating a spiral of negative satisfaction with the national government among the civilians. Caritas was therefore not able to create positive impact on the indicator of public satisfaction with the national government, but may have influenced this indicator in a negative way.

On the indicator of satisfaction with the judiciary body, Caritas has not targeted this directly. The legal capacity that Caritas has, is minimal, and when people ask for legal help, they usually forward them to other institutions or organisations. Caritas, in that sense, does function as a point of contact in which people get forwarded to the right address (Fonseca, interview 5th of November 2013). The satisfaction with the judiciary body has improved a little over the last decade. But because Caritas doesn't provide legal representation, this increase can hardly be connected to the project intervention from Caritas.

On the indicator of trust in people, Caritas has targeted this directly. With their exchange programs they have tried to create more trust between different ethnic communities. In the first year, from September 2011 till December 2012 nine exchange programs have been organised, in which small groups from certain dioceses have visited other diocese areas. Here they stayed for three days in the houses of host families (Caritas 2012). In the years following 2012,the number of exchanges increased a bit and in 2013 there have been around four exchanges every month (Caritas 2014). Although, the program is small as employees from Caritas explain (Fr. Perera and Fr. Cooray), the number of exchanges they have organised has increased. From the interviews with seven different CBOs in different regions, the people who have been a part of the exchange do express more trust in people then CBOs who weren't part of an exchange. From the seven interviewed CBOs in seven different villages, four had been part of the exchange program. During the interviews with these four CBOs they express a greater trust towards other people then the other three interviewed CBOs who didn't went for an exchange. For instance, the CBO in Kattankudy village in Batticaloa, expresses that they feel that they have gained trust towards the Sinhalese community (Interview 5th of November 2013). In an interview with people from the Nayalady village in Jaffna they say that they had many hard feelings because of the war, but that these feelings are fading away because of the sharing experience (Interview 15th of October 2013). And also the people from the Mulli Ariyali village in Jaffna tell that they have more understanding for the Sinhalese now and that they feel that they are accepted as Tamils (Interview 15th of October 2013). In the other villages, where they didn't had an exchange, feelings of suspicion arise. In an interview with people from the Kallady Weloor village in Batticaloa, they express that the trust in the Sinhalese community is low as they feel that they don't treat them as equals (Interview 5th of November 2013). Also, in the Kanakambikaikulam village in Kilinochchi, people express that they have lost so much in war and have been betrayed, making it hard to trust anyone (Interview 18th of October 2013). These findings conclude that the people that went for the exchange program, have gained more trust towards other people. Although the program has been on a small scale, it did have impact for those who joined. In the earlier findings it was concluded that on the indicator of trust in people, 70% of the interviewed people told that their trust had not improved over the last years, the other 30% did express a small improvement, which can be connected to the exchange program from Caritas.

From these findings we can state that Caritas has created a small impact on the indicator of trust in people. On the other indicators, Caritas was not able to create positive impact. Caritas has a big network, which creates a strong base where people can turn to if they experience problems. Also, Caritas has helped many people in arranging for different basic needs. Moreover their work on basic needs may have influenced the indicator of proportion of public satisfaction with the national government in a negative way, as NGOs have provided for all the basic needs for people affected by the war and the government was therefore not pressured to take up these tasks herself.

7.2 Impact on the political-institutional level

In this section, the impact on the political-institutional level will be explained, first for the organisation of HHR and then for the organisation Caritas.

7.2.1   Home for Human Rights

In table 6, from chapter 5, the targeted indicators by HHR were set out, the second part regarding the political-institutional level of that table has been copied here in table 14 to refresh our memory.

Table 14. Targeted indicators by HHR on the political-institutional level

Political-Institutional level	Human Rights		▪ Human rights violations by government officials ▪ Laws used to legitimise violations of human rights ▪ Situation considering freedom of the press
	Rule of Law	Quality of service	▪ Procedural fairness (tone of voice, neutrality, respect and trustworthiness) ▪ Independency of the judiciary body ▪ Effectiveness of Judiciary body
		Access to justice	▪ Access to legal representation ▪ Accessibility of legal and court information in own language
	Governance		▪ Functioning of the government ▪ Level of political terror ▪ Level of corruption

●= directly targeted ●= indirectly targeted

On the political-institutional level, HHR has targeted the following indicators directly; laws used to legitimise violations of human rights, procedural fairness, independency of the judiciary body, effectiveness of judiciary body, access to legal representation and accessibility in own language. The other indicators on the political-institutional level have been indirectly targeted by HHR, namely human rights violations by government officials, situation considering freedom of the press, functioning of the government, level of political terror and level of corruption. HHR investigates human rights violations and makes local anti-harassment and regulatory bodies aware of these violations. On the national level, HHR files dozens of fundamental rights applications every year, assists survivors of torture to get just compensation for the crimes committed against them, and defends the rights of persons arbitrarily arrested or detained and initiates investigations into the whereabouts of disappeared persons. At the international level, HHR reports cases to international bodies such as the United Nations Human Rights Committee (UNHRC) and the Human Rights Commission in an effort to create international pressure against Sri Lanka's human rights violations (Project proposal HHR).

The first indicator on the political-institutional level is human rights violations by government officials. During the war there were many human rights violations, with a peak in 2009 during the last brutal phase of the war. At the end of the war still many violations occur by government officials and this has not changed from 2010 till 2014. The government abuses its power and government officials use harassment and threat. HHR targets this indicator directly, because HHR is the only organisation in Sri Lanka that works on land issues and other issues concerning violations by the government and government officials. Furthermore HHR reports this towards international bodies, such as the UNHRC and the Human Rights Commission. The situation considering these human rights violations by

government officials has not improved, despite HHR's efforts. Nevertheless, because HHR is one of the only organisations working on this and giving people legal representation on these matters, there has been some impact. At least people have a place to go. Without HHR the government would have had even more room to do what they like.

On the indicator of laws used to legitimize violations of human rights, HHR also reports these cases towards international bodies in order to put pressure on the government to make policy reforms. One of their direct targets is advocacy in order to change current law. The situation, however, has deteriorated over the last decade and still laws are used to legitimise violations of human rights and new laws are enacted. For instance the P.T.A. is used to arrest innocent people and the Land Acquisition act is used to occupy land that belongs to the Tamil community. Even a new law has recently been enacted which gives the police the right to detain people for 48 hours instead of 24 hours without a warrant. This indicates that the situation on this matter has not improved over the last decade. HHR has tried to put pressure on the government with reporting all cases to international bodies, but there attempts have been in vain, as the government is not changing anything. The impact that HHR has had on this indicator therefore has been none.

On the indicator of situation considering freedom of the press, the situation deteriorated from 2002 till 2012. But from 2012 till 2013 there was an increase of press freedom and it deteriorated a bit again towards 2014. But overall from 2011 till 2014 the situation on freedom of the press improved in Sri Lanka. Nevertheless, over the years, the government has been strongly clamping down on the media and journalists who speak up against the government have been threatened, harassed, arrested or chased out of the country. HHR does help these journalists with legal representation and files cases against the government. Furthermore, HHR reports these cases of harassment and arbitrary arrests towards international bodies in order to pressure the government to stop these practices. For instance, Faruq and Famira, two lawyers from HHR, tell that recently the director of a Muslim paper was arrested, because he gave information in the paper that went against the government. The name of the paper was *Vara Uraikel.* HHR provided legal representation for the director (Faruq and Famira, Interview 6th of November 2013). Although HHR does not directly target this indicator, they do provide legal assistance. In that way they are not afraid to stand up against the government and have influenced the situation considering freedom of the press in a positive way.

On the indicator of procedural fairness, HHR has targeted this issue by providing legal representation for everybody, regardless of gender, ethnicity or race. They stand for fair and equal legal representation and have a focus on minority groups. The trustworthiness of the legal process is very low, which results in an unfair process. Courts are favouring the government or are misusing the system to prevent cases from coming to court. Although HHR has become a big organisation in the legal department, they still struggle with the unfairness of the justice system. Janisha, a lawyer at the Colombo Head office, even explains that the situation has got worse and that there was more procedural fairness in 2008/2009 then now. She feels that the government tries to get confessions (through torture and force) in order to not let the case go to court, as a confession is granted as evidence (Janisha, interview 7th of October 2013). Moreover, with their legal counseling they reach around 1300 people a year (HHR 2013) and they try to overcome the procedural unfairness. But although they provide fair and equal representation, the situation in courts has not improved and they were not able to influence this positively.

On the indicators of independency of the judiciary body and effectiveness of the judiciary body, the situation in Sri Lanka has not improved over the last decade, but has even declined. In

2013, president Rajapaksa removed the chief of justice, which indicates that the independency is hard to find. Also the corruption is very high, which effects the effectiveness of the judiciary body. Courts rule in favour of the government. The work of HHR on trying to put pressure on the government can be neglected, as no positive changes are visible. The situation is only getting worse and the government does not seem to care about any pressure. The impact on this indicators has been none.

Considering Access to legal representation, the situation in Sri Lanka has improved a bit over the last 12 years. More people are getting legal help and know where to obtain this help. HHR has helped in improving the access to legal representation. Over the last 37 years, HHR has grown to a well-known legal organisation. When talking to beneficiaries from HHR, they tell that they had heard of HHR through family or friends and had therefore come to the organisation for help. This shows that HHR has established a well-known reputation and that people come to them for help. HHR is one of the only NGOs in Sri Lanka that only works on legal representation and that works on cases against the government. They visit remote areas and have increased the accessibility of legal representation. Furthermore, HHR reaches more than 1300 people each year with providing legal consultation and receives around 500 complaints per year (HHR 2013). Also, HHR is an organisation that helps with obtaining legal and court information in Tamil. Many reports and legal files are still only written in Sinhalese and HHR helps with translating these documents to people. The indicator of accessibility of legal and court information in own language has improved over the last years. In the North and East there is more legal information in Tamil and HHR has helped improve this. People in the North and East can come to them and they help translating legal documents in Tamil (Gajenranatan, interview 7th of October 2013). The work from HHR on access of legal representation and accessibility in own language has had positive impact.

On the last three indicators on the domain of governance, HHR has not directly targeted these issues, but indirectly. On the indicator of functioning of the government, the situation has remained the same and has not improved from 2002 till 2014. HHR has been involved in lobbying activities on an international and national level and works together with organisations such as the CPA, Law and Society Trust (LST) and Rajee foundation in order to expand their network and put more pressure on the government (HHR 2013). Nevertheless, their advocacy work has not changed the current functioning of the government.

On the last two indicators of level of political terror and level of corruption, there have been small improvements from 2011 till 2014, during the project intervention. The lobbying work of HHR may have contributed to these positive changes, as HHR works together with big international organisations such as the CPA and other NGOs in Sri Lanka in order to create a well-known network which can pressure the government to institute changes. Furthermore, HHR has worked on legal cases that involve situations on political terror and corruption. HHR and their clients receive many threats and intimidation by the military and the CID because of the cases that they file. Despite these threats, HHR continues their work and is able to win cases in court (HHR 2013). These efforts from HHR have contributed to small improvements on the indicators of level of political terror and level of corruption, as HHR can be seen as a oppositional party that is able to restrain the government.

On the political-institutional level HHR was able to have some impact on the indicators of human rights violations by government officials, access to legal representation and accessibility of legal and court information in own language, political terror and level of corruption. On the other indicators, HHR was not able to create impact despite their efforts.

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7.2.2   Caritas

In table 7, from chapter 5, the targeted indicators by Caritas were set out, the second part regarding the political-institutional level of that table has been copied here in table 15 to refresh our memory.

On the political-institutional level Caritas aims to create more awareness on human rights by educating state officials. In the long run, this learning will be an instrument for conflict prevention in the future (Human Rights Proposal Caritas). With this aim, they target the indicator of violations by government officials directly, as they try to create awareness on these issues among state officials. Furthermore they have an advocacy program in which they try to pressure the government to make

Table 15. Targeted indicators on the political-institutional level by Caritas

Political-Institutional level	Human Rights		▪ Human rights violations by government officials ▪ Laws used to legitimise violations of human rights ▪ Situation considering freedom of the press
	Rule of Law	Quality of service	▪ Procedural fairness (tone of voice, neutrality, respect and trustworthiness) ▪ Independency of the judiciary body ▪ Effectiveness of Judiciary body
		Access to justice	▪ Access to legal representation ▪ Accessibility of legal and court information in own language
	Governance		▪ Functioning of the government ▪ Level of political terror ▪ Level of corruption

●= directly targeted ●= indirectly targeted

changes in policy and attitude. With these education awareness programs and the advocacy program they target the indicators of laws used to legitimise violations of human rights, functioning of the government, level of political terror and level of corruption indirectly. Also, Caritas provides for legal mobile clinics in remote areas and helps people with obtaining their birth and marriage certificates through these clinics. With this they target the indicator of access to legal representation directly.

On the indicator of human rights violations by government officials, the situation has not improved from 2010 till 2014, during the project intervention. Although Caritas has aimed to give human rights education to government officials in order to make them more aware, Fr. Sesanayake tells that Caritas was only able to target the civilian level and not the political level. Many state officials are invited to attend educational awareness programs, but most of them don't show up or reject the invitation (Sesanayake, interview 15th of October 2013). When these educational awareness programs for government officials would have more attendance in the future, then in the long term positive effects on the indicator of violations by government officials may be reached. For now, Caritas has had no positive impact on this indicator during their project intervention from 2011 till 2013.

On the indicator of laws used to legitimise violations of human rights, the situation in Sri Lanka has deteriorated from 2002 till 2014. With the advocacy program from Caritas they have targeted this indicator indirectly. In the last three years, the work on advocacy and lobbying has been small, nevertheless Caritas has provided workshops on advocacy and lobbying to CBOs and her own staff, in order to create more understanding of these practices and obtain better results (Caritas 2013). This didn't have any impact yet, but may have impact in the future. Fr. Gamage, a former Caritas chairman, explains that he has left Caritas because he believed that Caritas was too afraid to

speak up against the government. *'My personal feeling is that the church leaders are not raising their voice like they should. They are also trying to please the government, at least the Bishop is. Only the Bishop of Mannar is very vocal, but he is also threatened of being a LTTE supporter. I belief that the Bishops should be more vocal and that they are currently afraid to do that. The Bishop, diocese and Caritas are part of a huge structure and they have all the facilities to reach everyone. But this can also be seen as a disease that makes them afraid to speak. The government is influencing the Bishops and they also threaten them'* (Gamage, interview 1st of November 2013). This fragment indicates that Caritas often is afraid to stand against the government. But, this doesn't have to be a bad thing immediately, as speaking up is not always the right way to go. With friends politics and especially keeping the government as your friend, much can also be reached on the grounds of advocacy and lobbying. Nevertheless, the impact can be neglected on the indicator of laws used to legitimise violations of human rights, as the lobbying activities are still in an early phase. However, Caritas is strengthening their advocacy capacities at the moment.

On the following four indicators of situation considering freedom of the press, procedural fairness, independency of the judiciary and effectiveness of the judiciary, Caritas has not targeted one of these indicators. Any measured trend, positively or negatively, on these indicators can therefore not be attributed to the project intervention from Caritas.

Concerning access to justice, Caritas has played a small role in providing for legal representation. They have legal mobile clinics that go to remote areas to help people with obtaining their birth certificates and marriage certificates. These legal mobile clinics are conducted every three to six months in the Kandy district (In an interview with Hiroshan, Philip, Nidun and Chris on the 31st of October 2013). In the other districts, such as the North and East, these clinics have not been conducted yet. The impact from these mobile clinics on the indicator of access to legal representation therefore can be neglected because it is very small-scale. Furthermore, Caritas has one lawyer at the Head office in Colombo that deals with a very small amount of P.T.A. cases, but the impact on these grounds are also close to none. Caritas does, however, function as a point of contact and sends people who come to them for legal advice to other institutions and NGOs that can help them. Because Caritas has such a strong and big network in society among the different dioceses, this might have had a small impact on the indicator of access to legal representation.

Considering the last three indicators on the domain of governance, Caritas' work has not influenced the indicators of functioning of the government, political terror and corruption. As earlier explained, these indicators have been indirectly targeted through the advocacy programs and the awareness programs for government officials. However, these two programs have not had that much effect yet, as government officials often do not want to participate in awareness programs and because the lobbying and advocacy work is still in an early phase. Therefore, Caritas has had no impact on these three indicators, but impact may be visible in the future.

7.3 Conclusion

When looking at the different indicators we can see that HHR and Caritas have had positive impact on some indicators, but also have had no impact on other indicators. In table 16 the impact that HHR has had, can be seen in an overview. On the left side the sixteen indicators from the impact evaluation framework are shown, the red and green colours indicate if HHR has targeted this indicator directly or indirectly. On the right side the impact that HHR has had is provided. If the colour is orange, this means that HHR was able to create impact.

Table 16. Impact on the different indicators by HHR

Indicator	HHR
▪ Situation considering freedom of belief and religion	No impact
▪ Feelings of discrimination, marginalisation and inequality	Small positive impact
▪ Proportion of public satisfaction with national government	No impact
▪ Satisfaction with judiciary body	Positive impact
▪ Trust in people	No impact
▪ Human rights violations by government officials	Small positive impact
▪ Laws used to legitimise violations of human rights	No impact
▪ Situation considering freedom of the press	Small positive impact
▪ Procedural fairness (tone of voice, neutrality, respect and trustworthiness)	No impact
▪ Independency of the judiciary body	No impact
▪ Effectiveness of Judiciary body	No impact
▪ Access to legal representation	Positive impact
▪ Accessibility of legal and court information in own language	Positive impact
▪ Functioning of the government	No impact
▪ Level of political terror	Small positive impact
▪ Level of corruption	Small positive impact

● = directly targeted ● = indirectly targeted ● = positive impact

In table 16 we can see that HHR has had impact on eight different indicators from the sixteen set up in the indicator framework (which is 50%). HHR has had a small positive impact on the indicators feelings of discrimination, marginalisation and inequality, human rights violations by government officials, situation considering freedom of the press, level of political terror and level of corruption. On the indicators satisfaction with judiciary body, access to legal representation and accessibility of legal and court information in own language, HHR was able to have bigger positive influence. When looking at the indicators that HHR has directly targeted, we can see that HHR was able to obtain impact on three of the directly targeted indicators, out of the seven. HHR did not have impact on the other four indicators that were targeted directly, namely laws used to legitimise violations of human rights, procedural fairness, independency of judiciary and effectiveness of judiciary.

The same has been done for the impact of Caritas in table 17. On the right side the colour purple is added, which means that Caritas has had negative impact on that indicator.

Table 17. Impact on the different indicators by Caritas

Indicator	Caritas
▪ Situation considering freedom of belief and religion	No impact
▪ Feelings of discrimination, marginalisation and inequality	No impact
▪ Proportion of public satisfaction with national government	Negative impact
▪ Satisfaction with judiciary body	No impact
▪ Trust in people	Small positive impact
▪ Human rights violations by government officials	No impact
▪ Laws used to legitimise violations of human rights	No impact
▪ Situation considering freedom of the press	No impact
▪ Procedural fairness (tone of voice, neutrality, respect and trustworthiness)	No impact
▪ Independency of the judiciary body	No impact
▪ Effectiveness of Judiciary body	No impact
▪ Access to legal representation	Small indirect positive impact
▪ Accessibility of legal and court information in own language	No impact
▪ Functioning of the government	No impact
▪ Level of political terror	No impact
▪ Level of corruption	No impact

● = directly targeted ● = indirectly targeted ● = positive impact ● = negative impact

When looking at the impact that Caritas has had on the different indicators on security and justice, we can see in table 17 that Caritas only had a small positive impact on two of the sixteen indicators (which is 12,5%), namely trust in people and access to legal representation. However, this has to be seen in perspective as Caritas has only targeted nine of the sixteen indicators, where HHR has targeted fourteen out of sixteen indicators. This means that Caritas has had influence on two out of nine targeted indicators (which is 22,2%) and HHR has had influence on eight out of fourteen targeted indicators (which is 57,1%). But on one indicator Caritas has had a negative impact, namely on the indicator of proportion of satisfaction with the national government. This while Caritas (nor HHR) has not targeted this indicator. This is however the case, because Caritas has provided for many different basic needs for people affected by the war. In Sri Lanka NGOs are the platform that provide for basic needs, which may influence the public satisfaction with the national government, as people feel that the government is doing nothing and NGOs are doing everything. From the indicators that Caritas has targeted directly, impact was found by two out of these five. Both these impacts have been small though.

When making an comparison between the organisations HHR and Caritas we can see that HHR managed to have more impact on different indicators than Caritas did. An overview between the comparison of the two organisations is given in table 18.

Table 18. Comparison of impact on the different indicators between HHR and Caritas

Indicator	HHR	Caritas
Individual level		
▪ Situation considering freedom of belief and religion	No impact	No impact
▪ Feelings of discrimination, marginalisation and inequality	Small positive impact	No impact
▪ Proportion of public satisfaction with national government	No impact	Negative impact
▪ Satisfaction with judiciary body	Positive impact	No impact
▪ Trust in people	No impact	Small positive impact
Political-Institutional level		
▪ Human rights violations by government officials	Small positive impact	No impact
▪ Laws used to legitimise violations of human rights	No impact	No impact
▪ Situation considering freedom of the press	Small positive impact	No impact
▪ Procedural fairness (tone of voice, neutrality, respect and trustworthiness)	No impact	No impact
▪ Independency of the judiciary body	No impact	No impact
▪ Effectiveness of Judiciary body	No impact	No impact
▪ Access to legal representation	Positive impact	Small indirect positive impact
▪ Accessibility of legal and court information in own language	Positive impact	No impact
▪ Functioning of the government	No impact	No impact
▪ Level of political terror	Small positive impact	No impact
▪ Level of corruption	Small positive impact	No impact

● = positive impact ● = negative impact

Out of the findings, represented in table 18, we can see that HHR has had positive impact on eight indicators and Caritas has had positive impact on two indicators. From these indicators they both had impact on the indicator of access to legal representation, although HHR has had more positive impact on this indicator. HHR is a legal organisation that especially focusses on legal representation, their work on this indicator had therefore more impact than the work from Caritas. The impact that Caritas has had on this indicator was indirect impact, as Caritas has a big network in which people approach them and Caritas sends them to other institutions and organisations that can provide for legal representation. Furthermore it is important to notice that all indicators but one were targeted, or by HHR or by Caritas. The one indicator that they both did not target is the indicator of public satisfaction with national government. However, the work from Caritas has seemed to have a negative influence on this indicator.

8. Conclusions and Recommendations

8.1 Conclusions

Since the end of the cold war there have been many complex emergencies and post-conflict reconstruction challenges, which has caused for an increase in civil society organisations, NGOs and INGOs that have intervened in conflict affected areas. These interventions however, did not always contribute to positive outcomes, as their strategies often were based on weak evidence of their effects on society and long-term prospects of peace. The increase of conflict transformation projects from NGOs is in contrast with the knowledge of their true impact. In the last decade however, there has been an increasing interest on analyses and systematic use of impact evaluation and some studies have been conducted on impact evaluation of conflict transformation and peacebuilding projects (see Paffenholz and Reychler 2007; Church and Shouldice 2002; Diehl and Druckman 2010; Paffenholz 2011). Nevertheless, these studies are still in an early phase and there remains to be a lack of sound methodological approaches to evaluate the impact of initiatives in complex conflict settings. Furthermore, NGOs are struggling with the concept of impact evaluation and how to assess this for their projects

In this thesis, the concept of impact evaluation of conflict transformation projects from NGOs has been researched. This has been done with a focus on the two concepts of security and justice, which are returning concepts and objectives in conflict transformation projects. In this thesis a case study has been used, in which two conflict transformation projects that were financed by Cordaid, have been evaluated on impact. The research question was '*to what extend do, in the case of Sri Lanka, NGO conflict transformation projects for fragile states contribute to more security and justice?'*.

In order to evaluate impact, an impact evaluation framework was set up in this thesis that is connected to the concepts of security and justice (see table 4, page 28). This impact evaluation framework was used to measure the situation in Sri Lanka over a timespan from 2002 till 2014 (chapter 6). It focussed on the trend that was visible before 2011 and after, when the project interventions had been implemented. This was done, so that certain found changes in this trend during the project interventions could be attributed to the interventions.

From the assessment on the security and justice situation in Sri Lanka, it was found that from the sixteen indicators that were set up in the framework, six of them have had an improvement during the project interventions, from 2011 till 2014. This improvement was visible on the indicators; of satisfaction with the judiciary body, situation considering freedom of the press, access to legal representation, accessibility of legal and court information in own language, level of political terror and level of corruption. On seven other indicators, the situation had remained the same and has not improved during the project interventions. This was the case for the indicators; situation considering freedom of belief and religion, situation considering feelings of discrimination, marginalisation and inequality, proportion of public satisfaction with the national government, trust in people, human rights violations by government officials, procedural fairness and functioning of the government. Regarding the other three remaining indicators of laws used to legitimise violations of human rights, independency of the judiciary body and effectiveness of the judiciary body, the situation had deteriorated during the project interventions.

After this, the work from the organisations Home for Human Rights (HHR) and Caritas, that

have been responsible for the implementation of the two interventions in Sri Lanka, have been assessed (chapter 7). These assessments have been connected to the trends found in Sri Lanka from 2002 till 2014, to see if their work has influenced the indicators on security and justice. With this assessment, it was possible to attribute impact to the two interventions.

HHR has targeted seven out of the sixteen indicators directly and seven indirectly. The two remaining indicators were not targeted by HHR (see table 6, page 33). From these directly targeted indicators, HHR was able to have impact on three of them, namely satisfaction with judiciary body, access to legal representation and accessibility in own language. On these three indicators HHR was able to have the biggest positive influence. The influence that HHR has had on the other five indicators was smaller. These indicators were indirectly targeted by HHR, and were; feelings of discrimination, marginalisation and inequality, human rights violations by government officials, situation considering freedom of the press, level of political terror and level of corruption (see table 16, page 67). HHR was able to have influence on these indicators, because she is a well-known and deeply embedded organisation in Sri Lanka that has a main focus on providing legal representation. They reach around 1300 people every year with legal consultation and receive around 500 complaints every year. They are also one of the only organisations that work on land issues and other sensitive issues that go against the ruling of the government and against government officials. With their work on legal representation, they have improved the situation in Sri Lanka on issues that are related to legal representation and satisfaction with the judiciary body. As they provide a place to go for many people that are struggling with obtaining their legal rights. They work with the judiciary system that is present in Sri Lanka and try to strengthen this system with their work. Nevertheless, on the indicators of laws used to legitimise violations of human rights, procedural fairness, independency of the judiciary and effectiveness of the judiciary, HHR was not able to influence the situation in Sri Lanka, although they did target these indicators directly. HHR engages in lobbying and advocacy programs together with other national and international organisations, but there has been no impact on these indicators despite their efforts. The government frankly has too much power and doesn't seem to care that much about the pressure from national and international organisations.

Caritas has targeted five out of the sixteen indicators directly and four indicators indirectly (see table 7, page 34). From these five directly targeted indicators, Caritas was able to have a small impact on two of them, namely trust in people and access to legal representation. On all the other indicators that Caritas had targeted directly or indirectly, they were not able to create positive impact (see table 17, page 68). On the indicator of public satisfaction with the national government, that Caritas did not even target, Caritas created a negative impact. This because they have provided for many basic needs for those that were affected by the war. They have set up housing, sheltering, arranged food supplies and provided health care. They have done this out of the goodness of their hearts, but with this, they have created a negative perception on the national government among the civilians. There have been many NGOs in Sri Lanka, including Caritas, that have provided basic needs for those effected by the war. With all this help in providing for basic needs, the government of Sri Lanka has not felt pressured to give help on these matters herself. Therefore, NGOs were received as the helpers in desperate times and not the national government, which may have influenced the proportion of public satisfaction with the national government. On the indicator of trust in people, Caritas did have a small positive influence. Caritas has conducted exchange programs between different ethnic groups in Sri Lanka in order to create more trust and cohesion in society. The amount of exchanges that have taken place is still small, which has led to a small positive impact for those people who were involved in these exchanges. in 2011 and 2012 only nine exchanges were

held, but in the years following 2012 the exchanges increased towards four exchanges every month. Out of 28 interviews conducted with Sri Lankan people, 30% expressed that they have gained a little more trust in other people over the last few years. The people who have been on an exchange program, express this gained trust. From seven conducted interviews with different CBOs in different villages in Sri Lanka, four had been part of an exchange. When comparing the answers between the CBOs that had been on an exchange and those who hadn't, it becomes clear that those who have, express way more trust in other people than those who hadn't. This indicates that the exchange programs from Caritas did influence the indicator trust in people in a positive way, but that this influence remains small. On the indicator of access to legal representation, Caritas was able to have a small positive impact. This impact can however be seen as indirect impact. This because Caritas has a big network that is deeply embedded in society and when people come to them for legal help, Caritas most often does not help them herself, but sends them to other organisations or institutions that can provide this help. In this way the network that Caritas has created in society (see figure 8, page 59) is very important, as Caritas can forward them to the right address through their network.

When comparing the outcomes of the impact between the two organisations of HHR and Caritas, it becomes clear that HHR was able to have more positive impact on different indicators than Caritas. HHR has had positive impact on eight of the sixteen indicators (50%), whereas Caritas has had a small positive impact on two indicators (12,5%). However, this has to be seen in perspective, as Caritas has targeted nine indicators out of the sixteen and HHR has targeted 14 indicators. Therefore Caritas has had influence on two out of nine targeted indicators (which is 22,2%) and HHR has had influence on eight out of fourteen targeted indicators (which is 57,1%).

8.2 Discussion and Recommendations

It is difficult to obtain impact from conflict transformation projects on security and justice and it is not for nothing that so many NGOs struggle with impact evaluation. It is not that this impact evaluation can be compared to medical research in which they use a comparison group that is given a placebo drug. No, in the situation of conflict transformation projects the situation is much more difficult. To begin, concepts of peacebuilding, conflict transformation, security and justice are difficult to comprehend, let alone measure. And when a way is found to measure them, often no baseline data is available. Still when baseline data would be available it is hard to attribute certain changes to the project intervention.

In this thesis there have been difficulties with sketching the situation in Sri Lanka concerning security and justice from 2002 till 2014. This has been done in order to create a visible trend, so that changes in this trend during the interventions may be connected to the projects. However, on many of these indicators, no year to year statistical data was available, making it very difficult to create a visible trend. In order to create this trend without the statistical data, the interviews conducted in Sri Lanka have been used. For organisations that want to evaluate their impact on issues such as security and justice, it is therefore important to gather statistical data every year to set out a visible trend, in order to connect this to the project intervention. Therefore before intervening it is important to gather baseline data on the different indicators that are targeted.

For organisations such as Caritas, it is important to realise that their efforts may have negatively influenced certain indicators. In the case of Caritas, their work on providing for basic needs, has influenced the perception that civilians have towards the national government in a negative way. This because the government is not helping them on these grounds. It would be

preferable if the work that Caritas provides for basic needs, would be in corporation with the national government. Improving the indicator of public satisfaction with the national government, but also the indicator of functioning of the government.

8.3 Further research

This thesis has researched the impact of conflict transformation projects on the issues of security and justice. The concepts of security and justice however, differ in many ways and it has been difficult to put those two concepts together. In this thesis, the two concepts have been intertwined in order to lead to one impact evaluation framework that integrates both concepts. It may be better to deal with these concepts separately, so to gather data per concept instead of together. For further research it is therefore recommended to separate the two concepts of security and justice, as better and clear results per concept may appear.

Not all existing statistical data on indicators on security and justice were accessible for this research. Therefore, (international) organisations that have subscriptions to big survey polls, such as the Gallup World Poll, are recommended to view and use these statistical data sets, as these were not accessible for this thesis and may lead to more visible statistical trends.

Indicators that indicate the situation concerning structural and cultural violence, have been selected in this thesis. However, there are also indicators that indicate direct violence, such as number of battle related deaths, number of terrorist attacks, number of kidnapping and abductions etc. These indicators may also be interesting to research, as they will provide more insight in the changes concerning direct violence in society. In this thesis a decision has been made to not integrate these into the impact evaluation framework, but for further research this may be interesting and recommended.

Through the network from HHR and Caritas, the respondents were gathered that were interviewed for this thesis. The beneficiaries from HHR and Caritas that were interviewed have therefore been selected by Caritas and HHR. This may, however, have influenced their answers, as they were more likely to give answers that would reflect HHR or Caritas in a positive way. For further research, it may be interesting to also interview people that have not been put forward by the two organisations HHR and Caritas. Also, it is recommended to interview other civilians on the topics of security and justice that have no connection to HHR or Caritas, to create a broader view on these subjects.

The indicator framework that has been set up in this thesis to evaluate issues on security and justice, has been retrieved from six existing indicator sets. From these indicator sets, the most returning indicators that could be connected to the concepts of rule of law, human rights, trust and governance have been selected. Nevertheless, there are other indicators in these indicator sets that have not been selected for the impact evaluation framework in this thesis. These have been, legal awareness, gender equality, circumstances in prison, situation regarding non-state institutions and attention towards the grievances process. These indicators have not been selected in this thesis because they did not return in more than one of the six indicator sets. Yet, these indicators could be interesting for further research as they give information on other topics that are related to security and justice.

We have to recognise that the organisations Caritas and HHR are very different. They target different indicators and work in a different way. With the impact evaluation framework set up in this thesis, HHR has targeted more of these indicators, then Caritas did. This could have cost a false

position. In further research it is recommended to search for comparable projects that have targeted the same indicators.

References

* ADB. 2006. *Impact evaluation: Methodological and operational issue.* Manila: Asian Development Bank.

* Aljazeera. 2011. Sri Lanka imposes new anti-terrorism measures. http://www.aljazeera.com/news/asia/2011/09/20119141421576730.html (accessed September 5, 2013).

* Aljazeera. 2011. Sri Lanka war probe calls for new inquiry. http://www.aljazeera.com/news/asia/2011/11/201111201146094228.html (accessed September 5, 2013).

* Amnesty International. 2014. Sri Lanka: free prominent human rights defenders Suvik Herath and Father Praveen. http://www.amnesty.org/en/news/sri-lanka-free-prominent-human-rights-defenders-ruki-fernando-and-father-praveen-2014-03-17 (accessed July 30, 2014).

* Amnesty International. 2013. *Locked away: Sri Lanka's security detainees.* London.

* Andersen, O., B. Bull, M. Kennedy-Chouane. 2014. *Evaluation methodologies for aid in conflict.* New York: Routledge.

* Anderson, M., L. Olson. 2003. *Confronting war: critical lessons for peace practitioners*. Cambridge: The Collaborative for Development Action.

* AsiaNews. 2014. Sri Lankan Buddhist radicals attack two independent Christian churches. http://www.asianews.it/news-en/Sri-Lankan-Buddhist-radicals-attack-two-independent-Christian-churches-30031.html (accessed February 18, 2014).

* Audience Dialogue. 2012. Content analysis. http://www.audiencedialogue.net/kya16a.html#s3 (accessed May 24, 2013).

* Babbie, E. 2001. *The practice of social research*. USA: Wadsworth Thomson Learning.

* Bastian, S. 2003. Foreign aid, globalization and conflict in Sri Lanka. In *Building local capacities for peace: Rethinking conflict and development in Sri Lanka.* Delhi: Macmillan.

*BBC. 2013. Sri Lanka's main Tamil party wins key vote in the north. http://www.bbc.com/news/world-asia-24192835 (accessed July 30, 2014).

* BBC. 2013. The hardline Buddhists targeting Sri Lanka's Muslims. http://www.bbc.co.uk/news/world-asia-21840600 (accessed February 18, 2014).

* BBC. 2012. Sri Lanka's sinister white van abductions. http://www.bbc.co.uk/news/world-asia-17356575 (accessed September 4, 2013).

* BBC. 2010. Human rights groups snub Sri Lanka war crime inquiry. http://www.bbc.co.uk/news/world-south-asia-11542053 (accessed September 5, 2013).

* Boeije, H., H. 't Hart. 2005. *Onderzoeksmethoden.* Utrecht: Boomonderwijs.

* Boutros-Ghali, B. 1992. An agenda for peace: Report of the Secretary-General, United Nations. Geneva: UN.

* Busch, C., P. Maret, T. Flynn, R. Kellum, B. Meyers, M. Saunders, R. White, M. Palmquist. 2012. *Content analysis*. Colorado: Colorado State University.

* Buzan, B., O. Waever, J. De Wilde. 1998. *Security: A new framework for analysis*. Boulder: Lynne Rienner Publicer.

* Caritas. 2014. Inter-diocesan exposure visits. http://www.caritaslk.org/index.php/news-stories/325-inter-diocesan-exposure-visits.html (accessed September 15, 2014).

* Caritas. 2013. Capacity building on advocacy and lobbying. http://www.caritaslk.org/index.php/news-stories/269-capacity-building-on-advocacy-and-lobbying.html (accessed September 15, 2014).

* Caritas. 2012. Promoting healing and reconciliation. http://www.caritaslk.org/index.php/news-stories/archived/215-promoting-healing-and- reconciliation.html (accessed September 15, 2014).

* Cambridge Dictionaries. 2014. Meaning of 'fish in troubled waters'. http://dictionary.cambridge.org/dictionary/british/fish-in-troubled-waters (accessed September 25, 2014).

* Centre for Policy Alternatives. 2014. Survey on democracy in post-war Sri Lanka: Top line report. Colombo: CPA.

* Centre for Policy Alternatives. 2013. Attacks on places of religious worship in post-war Sri Lanka. Colombo: CPA.

* Centre for Policy Alternatives. 2013. The need to repeal and replace the prevention of terrorism act (PTA). http://www.cpalanka.org/the-need-to-repeal-and-replace-the-prevention-of-terrorism-act-pta/ (accessed September 5, 2013).

* Centre for Policy Alternatives. 2011. Survey on democracy in post-war Sri Lanka. Top line report. Colombo: CPA.

* Church, C., J. Shouldice. 2002. *The evaluation of conflict resolution interventions: framing the state of play.* INCORE International Conflict Research. Derry/Londonderry: University of Ulster.

* Commission on Global Governance. 1995. *Our Global Neighbourhood*. Oxford: Oxford University Press.

* Crisis Group International. 2009. Sri Lanka's judiciary: politicized courts, compromised rights. Asia Report No 172. Colombo/Brussel: CGI.

* DAC. 2012 Evaluating peacebuilding activities in settings of conflict and fragility: Improving learning for results. OECD publishing.

* Centre for Policy Alternatives. 2013. Attacks on places of religious worship in post-war Sri Lanka. Colombo Department of Census and Statistics Sri Lanka.

http://www.statistics.gov.lk/PopHouSat/CPH2012Visualization/htdocs/index.php?usecase=indicator&action=Map&indId=11 (accessed September 4, 2013).

*Diehl, P., D. Druckman. 2010. *Evaluating peace operations.* Boulder: Lynne Reinner publishers.

*Donnelly, J. 2013. *Human Rights: In theory and practice.* New York: Cornell University Press.

* Economist Intelligence Unit. 2014. Functioning of the government. http://www.eiu.com/default.aspx (accessed September 5, 2014).

* European Institute for Crime Prevention and Control. 2010. International statistics on crime and justice. Helsinki.

* Falt, J. 2000. *Assessment of Legal Aid in Sri Lanka*. USAID.

* Freedom House. 2014. Sri Lanka: Freedom in the world. http://www.freedomhouse.org/report/freedom-world/2014/sri-lanka-0#.VCKM1ZR_uSo (accessed September 24, 2014).

* Freedom House. 2011. Freedom in the world 2011: Sri Lanka. http://www.freedomhouse.org/report/freedom-world/2011/sri-lanka#.VBrbz5R_uSp (accessed September 15, 2014).

* Foreign and Commonwealth Office. 2014. Human Rights and Democracy Report. The 2013 Foreign and Commonwealth Office Report. London: Crown.

* Galtung, J. 2010. *Breaking the cycle of violent conflict.* Lecture at the 9th of December at Joan B. Kroc Institute for Peace and Justice. University of San Diego.

* Galtung, J. 2000. *Conflict transformation by peaceful means: the transcend method.* New York: United Nations Disaster Management Training Programme.

* Galtung, J. 1996. *Peace by peaceful means: peace and conflict, development and civilization.* Oslo: International Peace Research Institute.

* Galtung, J. 1969. An editorial. *Journal of Peace Research* 1(1): 1-4.

* Galtung, J. 1964. Violence, peace and peace research. *Journal of Peace Research* 1(6): 167 – 191.

* Garratt, D. 1989. Sri Lankan fishing technology. Past, present and future. *Bulletin of the Australian Institute for Maritime archaeology* 13 (1): 1-8.

*Geneva Declaration. 2011. Excerpt: Stand-alone paper on rule of law, justice and security indicators.

* Globalpost. 2013. Sri Lanka extends police detention of suspects amid protests. http://www.globalpost.com/dispatch/news/thomson-reuters/130122/sri-lanka-extends-police-detention-suspects-amid-protests (accessed July 30, 2014).

* Handbook of Democracy and Governance Program Indicators. 1998. Washington, DC: U.S. Agency for International Development.

*Harvard Kennedy School. 2008. Indicators of Safety and Justice: Their design, implementation and use in developing countries. Summary of a workshop held at Harvard university, 13-15 March, Cambridge.

* Heldens, J., F. Reysoo. De kunst van het interviewen: reflecties op het interview met een guide. *KWALON 30* 10(3): 106-121.

* HHR. 2013. Narrative Report: January till December 2012. Report made by Sherine Xavier. 10th of April 2013, Colombo.

* Hobbes, T. 1651. *Leviathan: Or the matter, forme & power of a common-wealth ecclesiasticall and civill.* Cambridge: University Press.

* Human Development Report. 2013. The Rise of the South: Human Progress in a Diverse World. New York: UNDP.

*Human Rights Council. 2013. Annual report of the United Nations High Commissioner for Human Rights and reports of the office of the high commissioner and the secretary-general. Geneva: UNHRC.

* Human Rights Watch. 2013. Our research methodology.
        http://www.hrw.org/node/75141 (accessed July 25, 2013).

* Human Rights Watch. 2013. Sri Lanka: Investigate 'clean water' protest deaths.
        http://www.hrw.org/news/2013/08/09/sri-lanka-investigate-clean-water-protest-deaths
        (accessed July 30, 2014).

* Human Rights Watch. 2013. Sri Lanka: No progress 4 years on.
        http://www.hrw.org/news/2013/05/20/sri-lanka-no-progress-4-years/ (accessed September 5, 2013).

* Human Rights Watch 2013. Sri Lanka: Proposed media code threatens free speech.
        http://www.hrw.org/news/2013/06/18/sri-lanka-proposed-media-code-threatens-free-
        speech (accessed September 5, 2013).

* Human Rights Watch. 2013. Sri Lanka: Rape of Tamil detainees.
        http://www.hrw.org/video/2013/02/26/sri-lanka-rape-tamil-detainees (accessed September 5, 2013).

* Human Rights Watch. 2010. World Report. Events of 2009. New York: HRW.

* Human Rights Watch. 2009. World Report. Events of 2008. New York: HRW.

* Human Rights Watch. 2007. World Report. Events of 2006. New York: HRW.

* Human Rights Watch. 2005. World Report. Events of 2004. New York: HRW.

* Human Rights Watch. 2002. World Report. Events of 2001. New York: HRW.

* International Centre for Prison Studies. 2013. World prison brief.
        http://www.prisonstudies.org/info/worldbrief/wpb_country.php?country=111 (accessed September 5, 2013).

* Institute for Economics and Peace. 2013. The Global Peace Index. New York.

* Institute for Economics and Peace. 2012. Global terrorism index: Capturing the Impact of Terrorism for the Last Decade. New York

* Inter Press Service. 2011. Sri Lankan jails 'hell' for females http://www.ipsnews.net/2011/07/sri-lankan-jails-lsquohellrsquo-for-females/ (accessed September 5, 2013).

* International Dialogue on Peacebuilding and Statebuilding. 2011. The New Deal for engagement in fragile states.

* International Institute of Administrative Sciences. 1996. A draft composite definition of governance by the IIAS Government Working Group. Brussels: IIAS.

*La Salle Institute of Governance. 2003. Background paper on access to justice indicators in the Asia-Pacific region. Manila: UNDP

* Lederach, J. 2003. *The Little Book of Conflict Transformation.* Intercourse PA. Good Books.

* Lederach, J. 1997. *Building Peace: Sustainable Reconciliation in Divided Societies.* Washington D.C: United States institute of peace.

* Lewis, D., N. Kanji. 2009. *Non-governmental Organizations and development.* Abingdon: Routledge.

* Longman Dictionary of English Idioms. 1990. Meaning of the saying 'Fish in troubled waters'. Boston: Addison Wesley Publishers Company

* Menkhaus, K. 2004. *Impact assessment in post-conflict peacebuilding: Challenges and future directions.* Interpeace

* Minority Rights Group International. 2011. No war, no peace: The denial of minority rights and justice in Sri Lanka. London: MRGI.

* Nef, J. 1999. *Human security and mutual vulnerability: the global political economy of development and underdevelopment.* 2nd ed. Ottawa: International Development Research Centre.

* Oberst, R. 2012. Countries at the crossroads 2012: Sri Lanka. Freedom House. http://www.freedomhouse.org/report/countries-crossroads/2012/sri-lanka#.VB6QxJR_uSp (accessed September 10, 2014).

*OECD. 2013. *Fragile states 2013: Resource flows and trends in a shifting world.* OECD publishing

* Oxford English Dictionary. Definition of Rule of Law. http://www.oed.com/view/Entry/277614?redirectedFrom=rule+of+law#eid (accessed June 19, 2014).

* Oxford English Dictionary. Definition of security. http://oxforddictionaries.com/definition/english/security (accessed June 17, 2013).

*Paffenholz, T. 2011. *Peacebuilding evaluation: Assessing the relevance and effectiveness of peacebuilding initiatives: Lessons learned from testing new approaches and methodologies.* Paper prepared for the annual Convention of the International Studies Association, Montreal.

*Paffenholz, T., Reychler, L. 2007. *Aid for peace: A guide to planning and evaluation for conflict zones.* NOMOS.

* Paris, R. 1997. Peacebuilding and the limits of liberal internationalism. *International security* 22 (2): 54-89.

* Paris, R. 2001. Human security: Paradigm shift or hot air? *International Security* 26 (2): 87-102.

* Ratner, S. 2012. Accountability and the Sri Lankan civil war. *American Journal of International Law* 106 (4): 795-808.

* Rawls, J. 1971. *A theory of justice: Revised edition*. Massachusetts: Harvard University Press.

* Reporters Without Borders. 2013. Press Freedom Index. http://en.rsf.org/spip.php?page=classement&id_rubrique=1043 (accessed August 30, 2013).

*Rousseau, J. 1762. *The social contract: or the principles of political right.* Cambridge: University Press.

* Rousseau, J. 1990. Oeuvres complètes. In *The Collected Writings of Rousseau*, edited by Kelley, C., R, Masters. Hanover.

*Sandole, d., S. Byrne, I. Sandole-Staroste, J. Senehi. 2009. *Handbook of conflict analysis and resolution.* Oxon: Routledge.

* Scherrer, V. 2012. Measuring the impact of peacebuilding interventions on rule of law and security institutions: SSR paper 6. Geneva: The Geneva Center for the Democratic Control of Armed Forces.

* Sen, A. 2009. *The idea of justice*. United States of America: Library of congress.

* Silva, K. 1981. *A History of Sri Lanka.* London: C. Hurst and Company.

* SIPRI. 2013. Military expenditure database. http://www.sipri.org/research/armaments/milex/milex_database (accessed August 30, 2013).

*Sivanandan, A. 1984. Sri Lanka: racism and the politics of underdevelopment. *Race & Class* 26 (1): 1-37.

* Sivanandan, A. 2010. Ethnic cleansing in Sri Lanka. *Race & Class* 51 (3): 59-65.

* Smith, A. 1759. *The Theory of Moral Sentiments.* London: A Millar publisher.

* Sri Lanka Guardian. 2014. Religious intolerance and extremism. http://www.srilankaguardian.org/2014/01/religious-intolerance-and-extremism.html (accessed February 18, 2014).

* Stokke, K. 2006. Building the Tamil Eelam state: Emerging state institutions and forms of governance in LTTE-controlled areas in Sri Lanka. *Third World Quarterly* 27 (6):1021-1040.

* Swanborn, P. 1999. *Evalueren*. Amsterdam: Uitgeverij Boom.

* Tadjbakhsh, S., A. Chenoy. 2007. *Human security: Concepts and implications.* Abingdon: Routledge.

* Tambiah, S. 1986. *Sri Lanka: Ethnic fratricide and the dismantling of democracy.* London: IB Tauris & Co Ltd.

* The Guardian. 2014. Sri Lankan activists freed after international outcry: Suvik Herath and Father Praveen Mahesan were held for 48 hours, accused of seeking to revive the Tamil Tigers. http://www.theguardian.com/world/2014/mar/19/sri-lanka-   activists-freed-ruki-fernando-father-praveen-mahesan (accessed July 30, 2014).

* The Island. 2014. Religious intolerance reached its climax due to impotence and inaction of ruling regime http://www.island.lk/index.php?page_cat=article-details&page=article-details&code_title=96132 (accessed February 18, 2014).

* Transparency International. 2013. Corruption Perception Index. http://cpi.transparency.org/cpi2012/results/ (accessed August 30, 2013).

* UN. 1948. The Universal Declaration of Human Rights.

* UN. 2000. Brahimi report. A/55/305 – S/2000/809. Geneva: UN.

* UN. 2009. Report of the Secretary-General on peacebuilding in the immediate aftermath of conflict. A/63/881 – S/2009/304. Geneva: UN.

* UN. 2010. Progress report of the Secretary-General on peacebuilding in the immediate aftermath of conflict. A/64/866 – S/2010/386. Geneva: UN.

* UN. 2011. *Rule of Law indicators: Implementation guide and project tools.* Geneva: United Nations publication

* UN. 2012. Peacebuilding in the aftermath of conflict. A/67/499 – S/2012/746. Geneva: UN.

*UN. 2014. Sri Lanka must do more to rein in hate speech, faith-based violence: UN Rights experts. http://www.un.org/apps/news/story.asp?NewsID=48188#.U9V1X-N_uSp (accessed July 3, 2014).

* UNDP. 2014. Access to Justice and Rule of Law. http://www.undp.org/content/undp/en/home/ourwork/democraticgovernance/focus_areas/focus_justice_law/ (accessed June 20, 2014).

* UNDP. 2014. Human Development Report. Oxford University Press. New York

* UNDP. 1997. *Governance for Sustainable Human Development*. New York: United Nations Development Program.

* UNDP, The Asia Foundation, UNHCR. 2009. *The legal aid sector in Sri Lanka, searching for sustainable solutions: A mapping of legal aid services in Sri Lanka.* Colombo

* UNESC. 2005. Civil and political rights, including the question of religious intolerance: Report submitted by the Special Rapporteur on freedom of religion or belief: Mission to Sri Lanka. E/CN.4/2006/5/Add.3. Geneva: UNESC.

* UN News Centre. 2013. Removal of chief justice 'calamitous setback' for rule of law in Sri Lanka: UN official. http://www.un.org/apps/news/story.asp?NewsID=43952#.U9q1pON_uSp (accessed July 30, 2013).

*UNODC. 2013. Accounting for security and justice in the post-2015 development agenda.

*UN Security Counsil. 2004. The rule of law and transitional justice in conflict and post-conflict societies: Report of the Secretary-General. S/2004/616. Geneva: UN.

* UNSG's Panel of Experts. 2011. Report of the Secretary-General's panel of experts on accountability in Sri Lanka. Geneva: UN.

* Uppsala department of peace and conflict research. 2013. Battle related deaths dataset. http://www.pcr.uu.se/research/ucdp/datasets/ucdp_battle-related_deaths_dataset/ (accessed August 20, 2013).

* USCIRF. 2005. Sri Lanka: USCIRF expresses concern about signs of growing religious intolerance: Press releases. http://www.uscirf.gov/news-room/press-releases/sri-lanka-uscirf-expresses-concern-about-signs-growing-religious (accessed September 13, 2014).

* Vera Institute of Justice. 2003. *Measuring Progress toward Safety and Justice: A Global Guide to the Design of Performance Indicators across the Justice Sector.* New York: Vera Institute of Justice.

* Verschuren, P., J. Doorewaard. 2010. *Designing a research project.* 2nd ed. The Hague: Eleven International Publishing.

* Villanueva, S. 2009. *Managing performance in peacebuilding: framework for conflict-sensitive monitoring and evaluation.* GoP-UN ACT for peace programme.

* Vision of Humanity. 2014. Global Peace Index. http://www.visionofhumanity.org/ (accessed August 30, 2014).

* Vision of Humanity. 2013. About GTI index. http://www.visionofhumanity.org/#/page/about-gti (accessed July 25, 2013).

*Vision of Humanity. 2013. Global Peace Index. http://www.visionofhumanity.org/ (accessed August 30, 2013).

* Walton, O. 2012. Peacebuilding without using the word "peace": National NGOs' reputational management strategies during a peace–to–war transition in Sri Lanka. *Critical Asian Studies* 44 (3):363–390.

* Weiss, T. 2010. Governance, good governance and global governance: Conceptual and actual challenges. *Third World Quarterly* 21 (5):795-814

* Wickramasinghe, N. 2006. *Sri Lanka in the modern age: A history of contested identities.* Honolulu: University of Hawaii Press.

* Willis, M. 2010*. Indicators used internationally to measure Indigenous justice outcomes*. State of New South Wales: Indigenous Justice Clearinghouse.

Wijayatilake, K., M. Wickramasinghe. 2000. *Women's access to legal aid in Sri Lanka.* Colombo: Centre for Women's Research.

* World Bank. 1994. Governance*: The World Bank's Experience*. Washington, DC : The World Bank.

* World Bank. 2013. Poverty Reduction and Equity: Using Data. http://web.worldbank.org/WBSITE/EXTERNAL/TOPICS/EXTPOVERTY/EXTISPMA/0,,contentMDK:21094789~menuPK:435951~pagePK:148956~piPK:216618~theSitePK:384329~isCURL:Y,00.html (accessed June 20, 2013).

* World Development Report. 2011. Conflict, security and development. Washington DC: The World Bank.

* World Justice Project. 2010. Measuring the Rule of Law. Working paper series No. 001.

* Yearbook of International Organizations. 1990-91. Table 4. pp. 1665-68.

Interviewguide
People involved with the implementation of the project

Good day! Let me begin with introducing myself. My name is Tarja Meijs and I am an intern at Cordaid. I Am doing a research for Cordaid, which is also linked to my master thesis. For my thesis, I am focusing on the subject of impact evaluation in the field of security and justice initiatives/projects in Sri Lanka that were (partly) financed by Cordaid. In order to assess the impact of such projects, I have come to Sri Lanka to visit the projects, interview people involved with the implementation of the projects and to interview beneficiaries of the projects. I want to emphasise that this research is connected to my study and is not part of an evaluation of your organisation and activities. As I know you are a long-term and well appreciated partner of Cordaid, I am excited to learn about your project and see how this has contributed to justice and security. Furthermore, I want to emphasise that during this interview I'm interested in your personal opinion on the subject and that there are no right or wrong answers. The information gathered with this interview and your details will be treated strictly confidential and will not be granted to a third person.

I would very much like to record this interview, only for my personal use, so that I can re-listen to it again. Do you have any objections to this? The interview will take around 30 to 45 minutes. Before we begin, do you have any questions? Then I propose to start the interview

1. **a.** I understand that you are .... for this organisation. Can you maybe elaborate on your activities within the organisation and your work concerning security and justice issues?

For my research I have selected different domains that I am interesting in concerning the subject of security and justice. One of these domains is human rights violations.

2. **a.** Regarding human rights violations (such as abductions, no legal representation, freedom of speech etc), how would you describe the current situation in Sri Lanka?
   b. Have you observed any changes concerning this matter in the last years (before the war and after)?
   c. In which way has HHR/Caritas addressed this issue over the last years?
   d. What challenges have been faced and what successes have been booked on this matter?

As the war in Sri Lanka was partly due because of the differences in the population, concerning language, religion, ethnicity, the tolerance in society has faced many challenges. Even after the end of the war, attacks on religious places of worship have been recorded.

3. **a.** Regarding trust in people and satisfaction with community, how would you describe the current situation in Sri Lanka?
   b. Have you observed any changes concerning this matter in the last years?
   c. Has HHR/Caritas addressed this issue over the last years?
   (**d.** If yes, what challenges have been faced and what successes have been booked on this matter)

Also, the war in Sri Lanka can be explained from out the perspective of feelings of discrimination and marginalisation.

4. **a.** Regarding the subject of discrimination and marginalisation, how would you describe this issue in the current situation in Sri Lanka
   b. Have you observed any changes concerning this matter in the last years?
   c. Has HHR/Caritas addressed this issue over the last years?
   (**d.** If yes, what challenges have been faced and what successes have been booked on this matter)

Another domain is that of trust and satisfaction with the national government
5. **a.** How do you think the government is perceived by society?
    b. Has this perception changed over the years?
    c. Does HHR/Caritas target this issue in any way?
    (**d.** If yes, what challenges have been faced and what successes have been booked on this matter?)

On the political-institutional level, I have also selected different domains that are relevant to the subject of security and justice. The first domain is that of access to justice.
6. **a.** How would you describe the situation in Sri Lanka concerning access to legal representation? (Is it easy to access?)
    b. How is the situation in Sri Lanka concerning pre-trial detainees? (are there many people imprisoned with no form of trial?)
    c. Regarding these two issues, have there been changes over the last year?
    d. Has HHR/Caritas addressed this issue over the last years?
    (**e.** If yes, what challenges have been faced and what successes have been booked on these matters?)

Furthermore, I'm interested in the situation in Sri Lanka concerning the quality of service concerning the legal system.
7. **a.** How would you describe the situation concerning procedural fairness in the legal system? (Do you think that people are treated with respect and with a neutral stand?)
    b. Has this changed over the last years?
    c. Has HHR/Caritas addressed this issue over the last years?
    (**d.** If yes, what challenges have been faced and what successes have been booked on thi8matter?)
    e. How is the current situation in Sri Lanka concerning accessibility of legal and court information? Is it available in all languages?
    f. Has this changed over the last years?
    g. Has HHR/Caritas addressed this issue over the last years?
    9.)(**h.** If yes, what challenges have been faced and what successes have been booked on this matter?)
    i. How is the current situation in Sri Lanka concerning the prison capacity and circumstances in prison?
    j. Have there been changes over the last years?
    k. Has HHR/Caritas addressed this issue over the last years?
    (**l.** If yes, what challenges have been faced and what successes have been booked on this matter?)

Another domain in which I'm interested is that of defending of human rights by the government.
8. **a.** Are there laws used by the government that legitimise the violations of human rights?
    b. If yes, have there been changes concerning these laws in the last years?
    c. Has HHR/Caritas addressed this issue over the last years?
    (**d.** If yes, what challenges have been faced and what successes have been booked on this matter?)
    e. Do you feel that there are violations of human rights caused by government officials?

f. If yes, has HHR/Caritas addressed this issue over the last years?

(**g.** If yes, what challenges have been faced and what successes have been booked on this matter?)

h. Are there laws implemented by the government that defend human rights?

i. If yes, has the HHR/Caritas contributed to the implementation of these laws?

The last domain, that I want to address is that of governance and the functioning of the government.

9. **a.** Concerning the freedom of the press, how would you describe the current situation in Sri Lanka?

   b. Has this situation changed over the last years in Sri Lanka

   c. Has HHR/Caritas addressed this issue over the last years?

   (**d.** If yes, what challenges have been faced and what successes have been booked on this matter?)

   e. Concerning the functioning of the government, do you perceive any political terror in society?

   f. If yes, have there been changes in the last years?

   g. Has HHR/Caritas addressed this issue over the last years?

   (**h.** If yes, what challenges have been faced and what successes have been booked on this matter?)

   i. Concerning corruption of the government, how would you describe the current situation in Sri Lanka?

   j. Have there been changes concerning this issue in the last years?

   k. Has HHR/Caritas addressed this issue over the last years?

   (**l.** If yes, what challenges have been faced and what successes have been booked on this matter?)

10. What do you think what would've happened if NGOs like HHR/Caritas hadn't been here to help?

This were all my questions. Thank you very much for your time and your openness to share your vision on these subjects. Do you have any suggestions or questions for me?

Interviewguide

Beneficiaries of the project

Good day! Let me begin with introducing myself. My name is Tarja Meijs and I am an intern at Cordaid. I Am doing a research for Cordaid, which is also linked to my master thesis. I have come to Sri Lanka to visit the projects, interview people involved with the implementation of the projects and to interview beneficiaries of the projects. I want to emphasise that during this interview I'm interested in your personal opinion on the subject and that there are no right or wrong answers. The information gathered with this interview and your details will be treated strictly confidential and will not be granted to a third person. The interview will take around 15 to 30 minutes. Before we begin, do you have any questions? Then I propose to start the interview

Firstly, I would like to ask you some questions concerning HHR/Caritas and the way that they have helped you.

1. Can you first tell me a bit more about yourself/your village (and the situation concerning this village during and after the war)?

2. Can you tell me how you first came in contact with HHR/Caritas?

3. In which way has HHR/Caritas helped you?

4. What do you think of the organisation HHR/Caritas

5. What would have happened if HHR/Caritas didn't help you?

Secondly, I would like to ask you some questions concerning the current situation in Sri Lanka and your personal experience. I would like to emphasise that the answers you will give will remain purely confidential.

6. Do you feel that you can freely practice your religion and belief?

7. Do you sometimes feel discriminated against?

8. Do you trust your fellow citizens?

9. Do you have trust in the national government?

Interviewguide

Extern

Voor mijn onderzoek heb ik verschillende domeinen geselecteerd die iets zeggen over Security en Justice en deze domeinen heb ik onderverdeeld naar individueel niveau en politiek/institutioneel niveau. Op het individuele niveau ben ik onder andere geïnteresseerd in het domein van mensenrechten.

1. **a.** Betreffende mensenrechtenschendingen in Sri Lanka (zoals kidnappings, vrijheid van meningsuiting, juridische bijstand etc.), hoe zou jij de huidige situatie in Sri Lanka omschrijven?
b. Heb jij over de afgelopen jaren, gedurende de oorlog en na de oorlog, veranderingen gezien omtrent mensenrechten?
c. Zo ja, zou je kunnen vertellen wat jij denkt dat de grootste oorzaak is van deze veranderingen?

Een ander domein waarin ik geïnteresseerd ben, is dat van vertrouwen. De oorlog heeft een grote impact gehad op het vertrouwen dat de bevolking heeft in elkaar.

2. **a.** Betreffende vertrouwen in medemens/medeburger en het vertrouwen in de samenleving, hoe zou jij de huidige situatie beschrijven in Sri Lanka?
b. Heb je over de afgelopen jaren, gedurende de oorlog en na de oorlog, veranderingen gezien omtrent dit vertrouwen?
c. Zo ja, zou je kunnen vertellen wat jij denkt dat de grootste oorzaak is van deze veranderingen?

Verder kan de oorlog in Sri Lanka gezien worden uit het perspectief van gevoelens van discriminatie en marginalisatie.

3. **a.** Betreffende discriminatie en marginalisatie, hoe zou jij de huidige situatie in Sri Lanka omschrijven?
b. Heb je over de afgelopen jaren, gedurende de oorlog en na de oorlog, veranderingen gezien omtrent discriminatie en marginalisatie?
c. Zo ja, zou je kunnen vertellen wat jij denkt dat de grootste oorzaak is van deze veranderingen?

Een ander domein waarin ik geïnteresseerd ben, is dat van vertrouwen in de nationale overheid.

4. **a.** Hoe denk jij dat de nationale overheid gezien wordt door de Sri Lankaanse bevolking?
b. Heb je over de afgelopen jaren, gedurende de oorlog en na de oorlog, veranderingen gezien omtrent dit vertrouwen?
c. Zo ja, zou je kunnen vertellen wat jij denkt dat de grootste oorzaak is van deze veranderingen?

Op het politiek/institutionele niveau, ben ik geïnteresseerd naar het domein van access to justice.

5. **a.** Hoe zou jij de huidige situatie beschrijven in Sri Lanka betreffende toegankelijkheid tot juridische representatie? Is het makkelijk om hier toegang toe te krijgen?
b. Heb je over de afgelopen jaren, gedurende de oorlog en na de oorlog, veranderingen gezien omtrent juridische representatie?

c. Zo ja, zou je kunnen vertellen wat jij denkt dat de grootste oorzaak is van deze veranderingen?

Verder ben ik geïnteresseerd in de situatie in Sri Lanka betreffende de kwaliteit van de service van het juridische systeem.

6. **a.** Hoe zou jij de situatie beschrijven betreffende de procedurele eerlijkheid/rechtvaardigheid in het juridische systeem in Sri Lanka? (Denk je dat mensen met respect worden behandeld en vanuit een neutraal standpunt?)
    b. Heb jij over de afgelopen jaren, gedurende de oorlog en na de oorlog, veranderingen gezien?
    c. Zo ja, zou je kunnen vertellen wat jij denkt dat de grootste oorzaak is van deze veranderingen?

    e. Betreffende de toegankelijkheid van juridische informative, zoals toegankelijkheid in alle talen, hoe zou jij de situatie beschrijven in Sri Lanka?
    f. Denk je dat hier veranderingen in zijn gedurende de afgelopen jaren?
    g. Zo ja, zou je kunnen vertellen wat jij denkt dat de grootste oorzaak is van deze veranderingen?

Een ander domein waarin ik geinteresseerd ben, in dat van verdedigen van mensenrechten door de overheid.

7. **a.** Weet jij of er in Sri Lanka wetten zijn die mensenrechten beschermen, en/of er wetten zijn die het schenden van mensenrechten legaliseren?
    b. Heb jij over de afgelopen jaren, gedurende de oorlog en na de oorlog, veranderingen gezien?
    c. Zo ja, zou je kunnen vertellen wat jij denkt dat de grootste oorzaak is van deze veranderingen?
    e. Betreffende het schenden van mensenrechten door overheidsfunctionarissen, hoe zou jij de huidige situatie in Sri Lanka beschrijven?
    f. Denk je dat hier veranderingen in zijn gedurende de afgelopen jaren?
    g. Zo ja, zou je kunnen vertellen wat jij denkt dat de grootste oorzaak is van deze veranderingen?

Het laatste domein dat ik wil aangrijpen, is het domein van functioneren van de overheid.

8. **a.** Betreffende de vrijheid van de media, hoe zou jij de huidige situatie in Sri Lanka omschrijven?
    b. Heb jij over de afgelopen jaren, gedurende de oorlog en na de oorlog, veranderingen gezien?
    c. Zo ja, zou je kunnen vertellen wat jij denkt dat de grootste oorzaak is van deze veranderingen?
    e. Betreffende het functioneren van de overheid, zie jij enige politieke terror in de samenleving?
    f. Denk je dat hier veranderingen in zijn gedurende de afgelopen jaren?
    g. Zo ja, zou je kunnen vertellen wat jij denkt dat de grootste oorzaak is van deze veranderingen?
    i. Betreffende corruptie van de overheid, hoe zou jij de huidige situatie in Sri Lanka omschrijven?
    j. Denk je dat hier veranderingen in zijn gedurende de afgelopen jaren?
    k. Zo ja, zou je kunnen vertellen wat jij denkt dat de grootste oorzaak is van deze veranderingen?

Verder zou ik willen ingaan op de ontwikkelingshulp en projecten in Sri Lanka door NGO's op het gebied van peacebuilding/peacekeeping projecten.

9. **a.** Gedurende de oorlog en na de oorlog, hoe zou jij de hulp van NGO's in Sri Lanka op het gebied van veiligheid en rechtvaardigheid omschrijven?
    b. Heb jij over de afgelopen jaren, gedurende de oorlog en na de oorlog, veranderingen gezien in deze hulp?
    c. Zo ja, zou je kunnen vertellen wat jij denkt dat de grootste oorzaak is van deze veranderingen?
    d. Wat denk jij dat de impact is geweest van deze projecten?
    e. Zijn er bepaalde organisaties waarvan jij denkt dat het grote invloed heeft gehad?

10. **a.** Verder zou ik willen vragen of je wel eens van de organisaties Caritas Sri Lanka en Home for Human Rights hebt gehoord?

This were all my questions. Thank you very much for your time and your openness to share your vision on these subjects. Do you have any suggestions or questions for me?

Appendix D. Conducted interviews

All names of informants have been changed in this thesis to protect their privacy, any resemblance to actual persons are purely coincidental.

First talk with Dilan Caritas – 4th of October 2013
Janisha HHR – 7th of October 2013
Gajenranatan HHR – 7th of October 2013
Suvik Herath external expert – 9th of October 2013
Paarventhan HHR – 10th of October 2013
Fr. Sesanayake Caritas – 15th of October 2013
Village Mulli Ariyali Jaffna Caritas – 15th of October 2013
Village Nayalady Jaffna Caritas – 15th of October 2013
Senthalan HHR – 17th of October 2013
Senni HHR – 17th of October 2013
Waanmihan beneficiary HHR – 17th of October 2013
Thavesha beneficiary HHR – 17th of October 2013
Paari beneficiary HHR – 17th of October 2013
Dananthy beneficiary HHR – 17th of October 2013
Ampalkulam village Killinochchi Caritas – 18th of October 2013
Kanakambikaikulam village Kilinochchi Caritas – 18th of October 2013
Fr. Cooray Caritas – 18th of October 2013
Vanessa Wilder external expert – 29th of October 2013
Talk with fieldofficers Kandy Caritas – 31st of October 2013
Habithan and Raaj Caritas – 31st of October 2013
Hiroshan, Philip, Nidun and Chris Caritas – 31st of October 2013
Rev. Fr. Perera Caritas – 31st of October 2013
Fr. Gamage external expert – 1st of November 2013
Fr. Fonseca Caritas – 5th of November 2013
village Kattankuddy Batticaloa Caritas – 5th of November 2013
village Kallady Weloor Batticaloa Caritas – 5th of November 2013
Faruq and Famira HHR – 6th of November 2013
Prithishayan beneficiary HHR – 7th of November 2013
Omash and Dhano beneficiaries HHR – 7th of November 2013
Luxihan beneficiary HHR – 8th of November 2013
Mutur village Trimcomalee, Sinnakkulam Caritas – 11th of November 2013
employees of HR commission external experts – 12th of November 2013
Pujitha external expert – 12th of November 2013
Aththimotdai village Trincomalee Caritas – 13th of November 2013
Kaarvili and Amir HHR – 13th of November 2013
Fr. Soysa Caritas – 14th of November 2013
Bart Klem external expert – 13th of March 2014