



Post-tsunami reconstruction and tourism: a second disaster?

A report by Tourism Concern

October 2005

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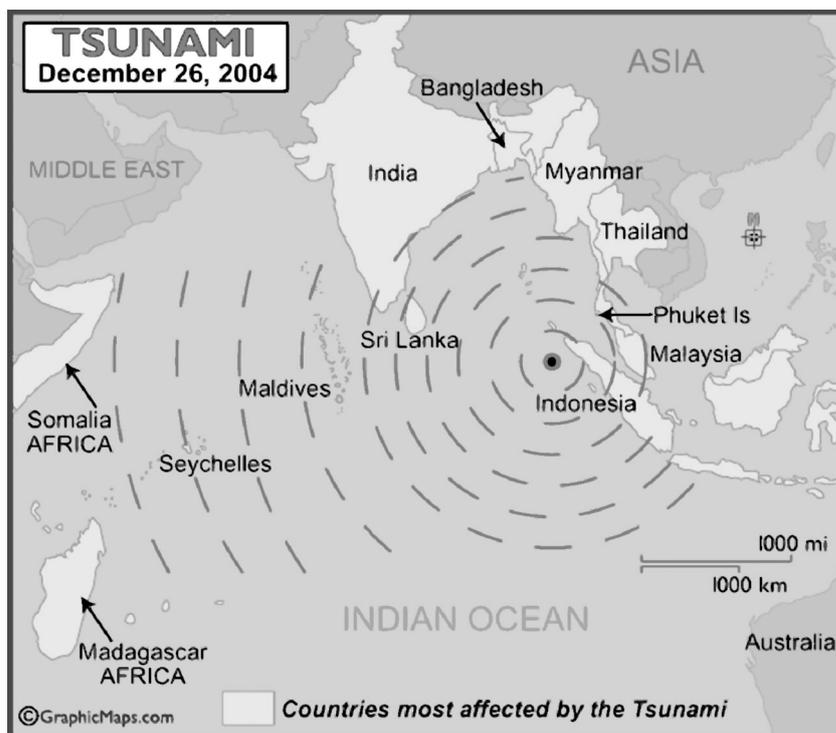
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Tsunami n. a very swiftly travelling sea wave that attains great height. [Jap. *tsu*, harbour, *nami*, wave] Chambers English Dictionary



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Introduction

The Boxing Day tsunami had a greater impact on UK public consciousness than any other modern natural disaster. Thousands of Europeans were among those who died on 26 December 2004. We knew and loved some of the devastated beaches. They have been favourite holiday spots for many of us.

A record amount of promised donations and aid was raised to help the victims: £400 million in the UK alone. Yet ten months after the disaster, thousands of survivors are still trying to survive in temporary camps.

Many of them are being refused permission to return home. Governments and big businesses have plans for the beaches – and the plans don't include the people who used to live and work there.

Tourism is the new occupying force.

This report looks at the countries where the post-tsunami reconstruction plans involve the tourism industry. (Even though Indonesians suffered terribly, Bali and other Indonesian tourist areas were not directly affected by the tsunami.)

Research has not been easy. The issues are very complex and difficult. Nothing is static, the situations are changing constantly and there is often a lack of transparency. But there is no denying the worrying picture that emerges. Having suffered so much on 26 December, the local communities now find themselves disempowered and their rights and interests marginalised.

If we are not careful, only holidaymakers, governments and big business will benefit from the new post-tsunami tourism. Our future 'paradise' holidays will be enjoyed at the expense of survivors who not only lost family, friends, their homes and possessions, but are also about to lose any hope of a future.

The Immediate Impact

This was the biggest natural disaster in modern history and it called for a pan-Asian relief effort on a scale that had never before been seen. The immediate impact on the coastal communities affected not only their lives, homes and villages, it affected their livelihoods. Many survivors fished to earn their living or relied on tourism. Not only were their homes damaged or swept away by the water, so were the boats, hotels, guest houses, cafes and souvenir stalls which they relied on for their livelihoods.

Worldwide coverage of the disaster also meant that the areas not affected or too badly damaged also suffered because tourists stopped coming.

These figures speak for themselves. They are all the more poignant because, ten months after the disaster, they still cannot be accurate. They probably never will be.

The Tsunami in Numbers					
	<i>Burma</i>	<i>India</i>	<i>Maldives</i>	<i>Sri Lanka</i>	<i>Thailand</i>
Human impact					
Deaths	61	10,750	81	31,000	5,300
Missing	1	5,550	n/a	4,000	2,800
Homes damaged or destroyed	n/a	n/a	4,000	100,000	n/a
People displaced (some in relief camps)	n/a	110,000	n/a	500,000	n/a
Economic impact					
Travel and tourism economy employees	651,555	24,265,500	60,696	654,062	2,984,250
% of total employment	3.1%	5.5%	54.2%	7.8%	8.4%
2004 growth	n/a	6.4%	5.5%	5%	6.1%
2005 growth forecast (post-tsunami)	n/a	6–6.5%	5%	5.5%	5.5–6.5%
Tourism earnings (expected % GDP, 2005)	n/a	2%	42%	4.6%	5.4%
<i>Sources: refer to bibliography</i>					

Sri Lanka

Initial government reports put the damage to the tourism sector at around 26.2 billion Sri Lankan rupees (US\$250 million). The livelihoods of around 30,000 people involved in tourism have been affected. Tourist arrival numbers have dropped.

Thailand

There was substantial loss of life and structural damage, although numbers were considerably lower than in Indonesia and Sri Lanka. The world's spotlight, however, focused on Thailand and its holiday resorts. It was the peak tourist season and 2,248 foreign nationals from 37 countries died.

Structural damage to Thailand's tourism infrastructure is estimated at \$1 billion and visitor numbers are down 40% from August 2004. An estimated 100,000 people may have lost jobs in the tourism industry and there were early predictions that as many as half a million tourism jobs are in danger. The Royal Thai Government declined international aid but allowed foreign governments and NGOs to provide technical assistance.

India

India suffered the third highest death toll after Indonesia and Sri Lanka. Nearly 10,000 died, most of them women and children, and more than 140,00 were displaced. The tsunami struck the south-east coast of mainland India in four states. Many fishing communities were devastated.

Over 1,000 km away, the **Andaman and Nicobar** islands also suffered extensive damage. The islands are close to the coast of Thailand but politically they belong to India. Fifteen of the 37 inhabited islands were affected and seven islands had to be completely evacuated. Of the missing 5,542 islanders, 4,500 are from Katchall island.

India initially refused international assistance for the Andamans because there is a military base on one island and indigenous tribes on others. More than 40,000 people are in relief camps. As with all the destinations, the tsunami hit India during the peak holiday season and tourist arrivals dropped considerably.

Maldives

A third of the country's 300,000 population was severely affected. Out of 199 inhabited islands, 53 suffered severe damage: 20 were totally destroyed and 14 were fully evacuated, leading to 11,500 people being displaced.

Tourism provided more than 30% of the country's income. Many believe that the Maldives could suffer the worst economic impact of any affected country because there is a significant shortfall of government funds. The Asian Development Bank estimates the cost of rebuilding homes and infrastructure to be US\$304 million.

Visitors are not allowed to stay on non-tourist resort islands. Most of the affected tourist resort islands have re-opened and few holidaymakers are aware of the continued suffering of the local people.

Nine months after the disaster, around 90,000 residents were still short of drinkable water.

Burma

The authorities in Burma banned images of tsunami disaster news. Even though Burma's coast is just north of Thailand and the Andaman islands, the state-controlled newspaper reported that the wave had no real impact and condolences were offered to its neighbouring countries.

Citizens with satellite receivers who copied and showed video images of the disaster were fined and the tapes confiscated. So Burmese citizens have little information about the disaster and don't know what action the military Junta took – if any – to help victims.

On 1 January the authorities declared that only 53 people were killed, 43 injured and 21 missing after 17 villages were swept away. Other sources, however, estimate a much wider impact and the official figures have gradually been increased, but not significantly. A journalist at the AFP news agency reported 600 swept into the sea at Kha Pyat Thaug. The International Federation of the Red Cross told the Democratic Voice of Burma that the number of victims is between 10,000 and 15,000. The government refuses to ask for international aid, although it officially accepted \$200,000 from China and other funds from Chinese companies based in Rangoon. All press applications for entry visas to Burma to cover the disaster have been rejected.

Around two million Burmese work in Thailand. Most work illegally and possibly as many as 3,000 died and 4,000-7,000 are missing. The survivors are having an especially hard time in Thailand despite the Thai government's stated intention to offer relief to all survivors: 2,000 migrants have been deported. Some were wrongly accused, it is alleged, of looting in tsunami-affected areas .

Marketing Spin : The Reaction of the Tourist Authorities

'These destinations can't make a full recovery until seat capacity is restored and the (travel) industry starts aggressively marketing and selling them'

Pacific Asia Travel Association (PATA) President and CEO Peter de Jong

Tourism is a major industry and source of foreign income so it's no surprise that the different tourist authorities were galvanised, with almost unseemly haste, into reassessing their marketing plans.

The upbeat 'business as usual' tone of the early post-tsunami messages jarred with reality and the plight of many of the survivors. There was much talk of opportunities to rebuild better/luxury tourism. This approach inevitably favours the interests of the larger businesses – the very companies likely to recover the fastest because they can mobilise credit and possibly insurance claims to help cover rebuilding costs.

More than seven months after 26 December, figures show that the tourism industry in tsunami-affected countries is suffering. The Thai resort of Phuket is struggling, with arrivals down 40% and spending down 30%. International arrivals to the Maldives are down 46% year-on-year.

Sri Lanka

'What they do is done very professionally. But they do far too little to assist the recovery from such an immense crisis. In addition, they are tightly focused on changing the image of Sri Lanka to an upscale destination, and have been operating since February as if there has never been a Tsunami.'

Deborah Luhrman of the World Tourism Organisation referring to Batey Public Relations' work for the Tourist Board

'It is crucial for us to have ongoing tourism for Sri Lanka as a lifeline to the Sri Lankan economy and your assistance and support in this connection is greatly appreciated.'

Charmarie Maelge, Sri Lanka Tourist Board Director for UK, Benelux and Ireland, in a letter to the tourist trade

Sri Lanka's tourism minister Anura Bandaranaike has launched a two-pronged recovery strategy combining fast-track restoration of tourism facilities with an international marketing campaign called *Bounce Back Sri Lanka* which was set up in close consultation with the private sector. There is a strong emphasis that everything is as usual and that hotels are up and running.

Thailand

In Thailand nearly all the worst affected areas were busy tourist resorts or fishing communities. The government's highest priority has been initiatives to attract tourists back. An extra 800 million baht (\$19.5 million) was added to the 2005 marketing and promotion budget.

The key objectives of the post-tsunami marketing strategy include focusing on the new markets of China, Japan, Australia and New Zealand; promoting new products like medical tourism, wellbeing and spa holidays; targeting high-spending visitors, golfers and honeymooners; building new marinas and expanding Phuket and Krabi airports.

There are also plans to promote an Andaman/Nicobar 'tourism twinning project' with Phuket as the centre (see later).

The Thai government also initiated some high-profile events to attract world media attention. US\$6.5 million was spent on the rights to stage the Miss Universe pageant in Bangkok in May 2005. In August, World Vision, in co-operation with the Tourism Authority of Thailand (TAT), invited Bethany Hamilton, a 15-year-old 'surfing phenomenon' who returned to competitive surfing after a shark had bitten off her arm. Bethany's trip was designed to highlight the progress of humanitarian efforts in Phuket and to 'lend her voice on behalf of traumatised children and families'.

The Tourism Authority of Thailand plans to develop new tourism attractions that include a Tsunami Trail Tour and a controversial Tsunami Memorial Museum featuring a high-tech crystal

prism showing victims' names and other 'wow' ingredients. There was no obvious provision for consulting local communities about this insensitive project, and many survivors object to the museum.

Such high-profile and expensive initiatives can only seem incongruous, in dubious taste, and of questionable effectiveness, especially as there was been no consultation at grassroots level.

India

Even though India suffered the third highest death toll (after Indonesia and Sri Lanka), the holiday and travel world appears not to associate the country too much with the tsunami – possibly because much of the country's high-profile tourism is concentrated in unaffected areas such as Rajasthan and Goa. The official tourism websites and *Incredible India* campaigns make little reference to the tsunami.

India's marketing strategy has been to carry on focusing on its multi-million dollar *Incredible India* campaign that was launched in 2003. The campaign's budget for 2005 – 2006 has been increased to \$48.16 million.

In October 2003, a seven-point action plan for the growth of tourism was produced in Tamil Nadu, which was badly affected by the tsunami. This plan, which includes aggressive and focused marketing and eco-tourism schemes, continues to be the guiding force for the future.

Reconstruction Plans and Rehabilitation

The numbers of dead, missing and displaced tell a grim story. But it is not the full story. Many survivors not only lost family and friends, their homes and all their possessions: they also lost their livelihoods. Many coastal people earned their living from tourism or from fishing.

In the days immediately after the disaster they were given, or found, shelter away from their beaches, often in temporary refugee camps. After the initial shock and grief, many sought to find some semblance of normality. Many want to return to the areas where they used to live so that they can start rebuilding their homes and livelihoods. Ten months after the disaster, why is that not possible?

The tsunami triggered the world's biggest ever aid operation. The immediate demand was for humanitarian aid: food, clean water, medicines and temporary shelters. In the medium and long term, however, the need is for reconstruction aid: everything from rebuilding houses and roads, schools and hospitals, to replacing fishing boats, improving coastal protection and restoring livelihoods.

The reconstruction policies of the different countries play a very large part in whether or not survivors will be able to go back to their previous jobs – a key element in helping survivors.

Reconstruction plans relate to areas where local communities lived and worked before the tsunami. Yet these plans are being put together and implemented with little or no input from the very people whose lives and futures are most affected by them.

Furthermore, there has been a worrying lack of transparency about the different reconstruction plans. They have often been difficult, sometimes impossible, to access. In Sri Lanka, even though the Ministry of Tourism says that the 15 tourism plans are public and available to everyone, only one master plan is available. This is for the popular surfing resort of Arugam Bay. It was not developed in consultation with the local community, and gave rise to massive protests about potential forcible displacement.

After a disaster, the government of the affected country will draw up a needs assessment in conjunction with bodies such as the World Bank and NGOs. Aid donors (often governments of other countries) have to wait for the government to work out what they need before they can offer to fund specific projects.

The World Bank and Asian Development Bank (ADB) play important roles. They operate mainly bilaterally and see their mission as medium- and long-term reconstruction. The ADB tsunami money is in the form of grants with some concessionary loans. Most of the World Bank's commitment is in the form of credit.

The Phuket Action Plan

In February 2005, the World Tourism Organisation (WTO) organised a meeting of tourism experts from 42 countries, the private sector and several international organisations. The WTO is a specialised agency of the United Nations and the leading international organisation in the tourism field. The meeting produced the Phuket Action Plan (PAP), a recovery action plan for Indonesia, Thailand, Sri Lanka and the Maldives. India opted not to seek assistance.

The main goal was to speed recovery in the affected destinations and to restore travellers' confidence. In collaboration with UN organisations, the action plan aimed to put systems in place that would promote disaster reduction regimes in the region and long-term environmental and social sustainability. It focused on the 'human element', developing assistance to unemployed tourism workers, 'saving jobs, re-launching small tourism-related businesses and recovering the visitor flow that makes these economies work'.

Member states of the WTO and the Pacific Asia Travel Association (PATA) were encouraged to sponsor and implement projects selected from the plan.

The plan was hailed as an ideal opportunity to foster co-operation and co-ordination among all the affected countries, to share knowledge and ideas, to develop joined-up regional tourism clusters and to 'correct the mistakes of the past' by 'making the re-emerging destinations among the best in

the world in terms of more environmental conservation and community involvement in the planning process’.

The action plan prioritises five action areas: marketing and communications, community relief, professional training, sustainable redevelopment and risk management

That’s the good news. It all sounds very positive.

The bad news is the way the different governments are implementing their own measures with little reference to the PAP. To make matters worse, progress is not being monitored in a systematic, transparent manner that involves all the relevant stakeholders, including local communities.

Sri Lanka

‘In a cruel twist of fate, nature has presented Sri Lanka with an unique opportunity, and out of this great tragedy will come a world class tourism destination.’

Sri Lanka Tourist Board

Ten months after the disaster thousands of Sri Lankans are still living in camps in desperate circumstances and with uncertain futures. There is massive confusion about what will happen to them. The quest for a luxury tourism industry is driving much of the reconstruction plans and local communities have not been consulted. There is strong evidence of corruption and a climate of repression of dissenting voices.

Soon after the disaster, a Task Force to Rebuild the Nation (TAFREN) was set up by the Sri Lankan government to ensure that there was an organised structure to handle reconstruction. All decisions about reconstruction and rebuilding the tourism infrastructure are taken by the members of TAFREN, who answer to Sri Lanka’s president.

TAFREN is headed by an extra-governmental body of ten members. Five of these are involved in the country’s beach tourism industry. None of TAFREN’s members are from civil society or any grassroots organisations, and its terms of reference do not mention the need to consult with any representatives from local communities, despite there being a secretariat with two main officers who represent the public and private sectors.

Sri Lanka’s Buffer Zones

Soon after the disaster, it was announced that people should not rebuild their houses on the coast. ‘Conservation’ buffer zones were set up along the shore. Tourism ministers said that buffer zones are absolutely necessary for protecting the coastal regions and the residents who live there from tsunamis.

The legislation about buffer zones, and who can build in them, is unclear and confusing. To add to the confusion, after vociferous local criticisms and amid pre-election campaigning, there is now talk of the buffer zone rulings being relaxed although this is not official.

A TAFREN notice published on 2 March 2005 stated that no new building would be allowed in ‘conservation’ buffer zones, which it set at 100 metres from the sea in Kilinochchi, Mannar Puttalam, Gampaha, Colombo, Kalutara, Galle, Matara and Hambantota, and 200 metres in Jaffna, Mullaitivu, Trincomalee, Batticaloa and Ampara. However a previous notice from the Presidential Secretariat on 3 February said that privately-owned land within a 100-metre zone along the coast remains the property of the original owners.

Existing undamaged structures within the 100/200m zone will be allowed to remain and be inhabited, although the entire affected zone will be a no-build area. In addition, hotels and other businesses will remain within the buffer zone, although some building restrictions will apply for new ventures. It is said that buildings with less than 40% damage will be allowed to be rebuilt

The Urban Development Authority (UDA) has started to demarcate both the 100m and 200m zones along roughly 1,000 km of Sri Lanka’s coastline. The area between these markers and the shoreline will constitute the exclusion zone where people displaced by the tsunami will not be allowed either to rebuild their damaged or destroyed homes or to return to live on the land they occupied on 25 December – whatever legal rights they may have to do so.

The National Federation of Fishworkers, a local NGO, says that although the government

informally announced the relaxation of the 100-metre buffer zone, the divisional secretariat and the police still do not allow people to build their temporary shelters in the zone.

On 10 October the Sri Lankan press reported that in 40 specified areas the Coast Conservation Advisory Council had allowed people to resettle as close as 40 metres from the shore. There is no indication of how these areas have been selected or whether people will be given special housing strong enough to withstand future disaster. It is a confusing situation and there is no transparency whatsoever to crucial decision-making.

Yet none of these rulings seems to be stalling the tourist board's pre-tsunami plan to develop luxury tourism. If anything, the tsunami has galvanised the authorities into implementing it more quickly. New products and tourism ventures are planned for the coast, including spa and multi-national hotels as well as, for example, a new luxury villa just metres from the shore at Habaraduwa in Galle, one of the areas in the tourism Master Plan.

Despite evidence that some new hotels are being built in the buffer zones, tens of thousands of people will have to relocate because of the rulings. This violates the principle of voluntary return. It's no wonder tsunami survivors feel very uncertain about their future.

'Promoting high-end tourism seems to be one of the driving forces of TAFREN, which seems geared towards encouraging high-end tourism, export-oriented agriculture and manufacturing, and large scale fisheries. It clearly does not include small-scale fishing, subsistence farming or community-based tourism.'

Sarath Fernando, secretary general of Sri Lanka's Movement for National Land and Agricultural Reform (MONLAR).

Fernando alleges that tsunami rehabilitation is being used to promote 'big business' and tourism, and that the buffer zone measures are not aimed at ensuring the safety of the fishing communities but are intended to clear the way for building larger hotel complexes later.

A new law rumoured to be coming before parliament soon could have far-reaching effects on the tourism industry and its relation to local peoples and communities. If it is passed, this law will convert the Tourist Board into a Tourism Development Authority handling the enforcement of regulations and tourism development. Marketing and promotion will be run by a public-private sector company called the Sri Lanka Promotion Bureau. This appears to be a gradual privatising of the tourism industry. If this does happen it will mean that local community organisations and representatives will be even less involved in the development and expansion plans of what will become a very one-sided tourism industry.

Registered hoteliers and tourism businesses can apply for a post-tsunami loan scheme of LKR10 million (\$95,000) at an interest rate of 7% with a one-year grace period before repayment. Until December they can also take advantage of a 100% duty tax waiver for imported goods. Commerce and livelihoods will be re-capitalised. A plan to convert the Galle Port into a yacht marina to attract up-market visitors was unveiled in May. Seventy percent of this US\$140 million project will be funded by the Japan Bank for International Cooperation, with the rest funded by the Sri Lanka Port Authority.

Such schemes may be laudable for helping 'big business' redevelop after the tragedy but they exclude the many poor unregistered people who relied on tourism to feed their families.

The Development Forum

'There will be objections to this [the proposed reconstruction process] from outside the Government and also from within. However a vociferous minority cannot be allowed to hinder the forward march of a nation towards peace and economic prosperity'

Chandrika Kumaratunga, President of Sri Lanka at the Development Forum

Around 200 delegates from international donor agencies including the World Bank, IMF and the Japan Bank for International Co-operation, as well as representatives of the Sri Lankan government, the NGO Sewalanka and major NGOs including Oxfam and World Vision met in Kandy at a

Development Forum held in May 2005 to learn about the current situation in the country.

Apart from Sewalanka, there were hardly any representatives from Sri Lankan civil society, grass-roots organisations or non-governmental organisations involved in the discussions – even though the President had said that there would be a fair representation of all communities living in affected coastal districts.

A Civil Society Statement relating to the Development Forum was produced by the Movement for Land and Agricultural Reform (MONLAR) and the Alliance for the Protection of Natural Resources and Human Rights (ANRHA), a network of 200 organisations representing fish workers' collectives, farmers' groups, women's organisations, trade unions, plantation worker organisations, NGOs, human rights organisations, lawyers' groups, academics, scientists, clergy and others from across the country. None of these organisations was invited to the Forum.

The Statement refers to the 'current climate of repression of dissenting voices' and highlights the very serious problems with the redevelopment plans and processes. It emphasises that there has been no dialogue with local people about any rebuilding plans and that relief is being dumped hurriedly without proper consideration of their needs and desires. They strongly object to the lack of accountability and transparency in the plans, and to the connection between TAFREN's governing body and large tourism companies. The Statement asks donors to ensure that the principles of participation they espouse for the distribution of donations are actually put into practice.

There is a confidential study by the World Tourism Organisation that provides guidelines for green belt redevelopment of tourism infrastructure along the Sri Lankan coastline. We understand it develops ways to maximise community participation and to increase livelihood opportunities through tourism. It is understood that the WTO will oversee this redevelopment, which the Sri Lankan Tourist Board will implement along with major stakeholders. The study is confidential and the WTO has denied Tourism Concern access.

Thailand

'The government control just 10% of a 100% dream.'
Hotel owner, Patong beach, Phuket

The high number of foreign tourists among the dead and missing, plus media and internet stories of the returning survivors, brought the news of conditions in Thailand's affected areas to the world's attention in a very direct and personal way. The spotlight on Thailand's tourism economy generated an intense rhetoric that in some, but not all, cases was followed up by action and strategies for assistance and recovery.

As a result, post-tsunami reconstruction in Thailand appears on the surface to have been conducted overall in a speedy and seemingly efficient, if at times over zealous and authoritarian, manner.

The government did produce Master Plans for the rebuilding of various beach resorts. However the private sector, criticising the government for inaction, has started to rebuild tourism amenities. Much of the rebuilding (for example on Ko Phi Phi) is theoretically illegal because laws on buffer zones and building regulations have been ignored, just as they were before the tsunami.

The government's Master Plan for rebuilding Patong Beach, Phuket, was for a safe beach and modern beach city. By September almost all the beachfront hotels had been rebuilt in their original location. There was little awareness of the Master Plan. 'Nothing was happening on this,' according to one hotel owner. Other local sources claim that at first the government tried to control construction and to improve public areas, but business interests were too strong because financial gains from trade on the road are high, even though illegal. Apparently, informal businesses pay a local mafia to be able to trade on the public land by the beach. A number of public meetings on the Master Plan between the tourism industry and different government departments took place but they could not agree on an implementation plan.

Many survivors were ordered by the government to live away from the sea and provided with housing that was too small, hot and inappropriate. The government is attempting to evict people from land they have traditionally occupied for decades or centuries. Many individuals and communities

complain that they ‘fell through the net’ and have received no assistance at all. This especially affects owners of unregistered businesses such as small traders in the informal tourism sector and owners of small guesthouses made from natural materials and not permanent concrete.

Field workers with local Thai communities talk of suffering from six ‘tsunamis’:

- 1 the actual tidal wave
- 2 disorganised and divisive aid agencies
- 3 intrusive and insensitive press
- 4 landlords threatening eviction with violence
- 5 religious organisations trying to convert beneficiaries
- 6 researchers and NGOs collecting information without giving any information.

India

‘It is vital to follow the non-negotiable principle of not further victimising the victims of the Tsunami. It is very important to safeguard against any moves to convert the disaster into an opportunity to displace the local communities living along the coast.’

United Nations Recovery Team, Frontline, April/May 2005

The World Bank is heavily involved with the Emergency Tsunami Reconstruction Project (ETRP) and is helping the government of Tamil Nadu with their reconstruction. It has an Environment and Social Management Framework detailing agreed policies, guidelines and procedures for the ETRP and includes Pondicherry and 13 coastal districts. The Project covers immediate post-tsunami recovery needs and reconstruction for three years, as well as the restoration of livelihoods – fishing and agriculture – and the sustainable management of coastal land and water resources. It recognises the need for consultation about relocation with affected people. It also acknowledges that reconstruction will involve land acquisition and removing squatters from public land but states that those affected will be offered compensation and/ or assistance.

It is unclear whether the World Bank’s policy of ensuring that peoples are not forcibly displaced for development projects is operating in the tsunami reconstruction.

In 1991 India’s Central Government imposed its Coastal Regulation Zone (CRZ) regulations on the setting up and expansion of industries and operations within 500 metres of the high tide line. The regulations recognised that the traditional fishing industry and coastal settlements had certain customary rights to the land they had long occupied. They therefore provided exemptions from the 500-metre setback requirement. However, with four different zone classifications, there is considerable scope for varied interpretation.

The Tamil Nadu Government is currently reclassifying its CRZ areas. Some NGOs allege that many areas have been incorrectly classified. It is a complex and unclear situation and this uncertainty about the zone boundaries, together with what in practice appears to be a non-consultative system, is making local people feel vulnerable, marginalised and open to exploitation.

At the end of March 2005 the Tamil Nadu Government issued new housing reconstruction regulations. No new construction is now allowed within 200 metres of the high tide line and repairs on houses within 500 metres can only be made to structures built before 1991.

Despite all the rhetoric regarding consultation on relocation with survivors and the promises of compensation, only those survivors willing to move out of the buffer zones will now get help building a new house. Any people choosing to move back to homes that are now deemed to be in a buffer zone will have to try to rebuild their houses with no financial help from the government.

Andaman Islands

Twinning with Phuket

'We do want development of tourism in the islands, but it should not be mindless. It should not result in a complete waste of our natural resources. The idea of Phuket as a model for tourism on the Andaman Islands is frightening. Phuket used to have excellent coral reefs, pristine forests and was engaged in subsistence agriculture and fisheries before the trans-national companies came and 'developed' the island.'

Samir Acharya, President of the Society for Andaman and Nicobar Ecology

In June this year, India and Thailand signed a five-year agreement to bring in tourists to the Andaman Islands. The plans are for high-end, low-volume tourism. How they will be implemented is not yet known. Elections took place in the Nicobar and Andaman islands in September, and the results may influence these plans.

At present there are two flights a day from Chennai and Kolkata, 1,200 km away. However Phuket is just 450 km from the islands and this 'twinning' agreement will allow tourists visiting Phuket to fly to the Andaman Islands.

India's President A.P.J. Abdul Kalam is reported to have said that the islands have great potential to be developed on the model of the Maldives, where the government leases out entire islands that are then developed by private enterprises as self-contained resorts, without state investment. He is also quoted as saying that the islands '*will be an abode having all the infrastructure to receive and service at least one million tourists every year.*'

Local and national environmental groups, anthropologists and civil society groups, are opposed to this idea of twinning with Phuket. They are concerned about the potential rise in prostitution, AIDS and disease which they feel will arrive along with tourists coming from Phuket. (Disease is feared because of the tribal peoples who live on the islands.)

They also worry about ecological damage which could occur with increased visitor numbers and through using the Phuket model for tourism.

There was no dialogue with local groups before designing this twinning agreement. Even those more open to the plan agree that consultation is necessary for this to become sustainable. It took three months of pressure before the signed agreement was made public on the web.

The Plight of Local Communities

Thousands of survivors are still homeless ten months after the tsunami. Many are homeless because of disputes over the land they used to live on. The land, of course, is on some of the most sought-after beaches in the tourism world. The tourism industry is very important to the governments of the countries this report features. It is the post-tsunami plans for developing tourism on these beautiful beaches that are preventing so many survivors from being able to rebuild their lives the way they want to. Understandably, some people do not want to return to the coast to live and are content to be moved inland. However many of the survivors do want to return to where they used to live especially as many of them used to earn their living in tourism or fishing: industries which require being near the beach.

Sri Lanka

'The Tsunami made an already challenging displacement situation much more acute, adding more than 570,000 new IDPs to the hundreds of thousands of IDPs already in need of permanent housing, land and property rights solutions.'

Housing, Land and Property Rights in Sri Lanka by Scott Leckie, UNHCR, April 2005

'When I was in Sri Lanka six months after the tsunami, many survivors told me that the reconstruction was victimising them all over again. A council of the country's most prominent businesspeople had been put in charge of the process, and they were handing the coast over to tourist developers at a frantic pace. Meanwhile, hundreds of thousands of poor fishing people were still stuck in sweltering inland camps, patrolled by soldiers with machine guns and entirely dependant on relief agencies for food and water. They called reconstruction "the second tsunami".'

Naomi Klein

The imposition of the 100/200 metre rule removes the principle of voluntary return from the reconstruction equation. This effectively prevents large numbers of people – including those with recognised legal rights of ownership to housing, land and property – from returning to their homes. Implementing the rule will also raise concerns about possible relocations and forced evictions, which are clearly and strictly regulated under international human rights law and the domestic legal order of Sri Lanka.

'It is important to listen to and give voice to the communities throughout the recovery process. Failure to do so will isolate the communities and feed into their existing feelings of victimisation and resentment.'

Dilrukshi Fonseka, Project Liaison Officer at the United Nations Development Programme (UNDP) in Colombo

CASE STUDY

'Bank managers don't even want to see me. They treat me like a dud coin because I am not "qualified" to get a bank loan.'

H.A. Ranjith

The tsunami damaged H.A. Ranjith's restaurant and killed his employees. Together with his family, he has started rebuilding his restaurant because he simply has nowhere else to go. However, this is a task made harder by the fact that his restaurant is within the buffer zone. As a result, he is not eligible for any bank loans and has had to pawn family jewellery to raise the necessary funds.

Ranjith's case highlights how banks and other such agencies are treating many of the local tsunami-affected communities. The provision of basic utilities is also being used as a bargaining tool. In some instances the government will not give water or power in the hope that the local communities will move out.

'Fishing communities need access to the sea and the beaches to carry out their livelihoods. We must depend on independent scientific study to establish which areas are too exposed for settlements, which require specially constructed houses and which would be ok with a proper warning system. This must apply equally to communities and to tourism businesses. If communities are to shift their homes back from the beaches for safety, the land they leave behind must be available to them for their boats, nets etc, not occupied by tourism businesses. This is particularly important as these livelihoods cannot be replaced by growth in the tourism industry. The type of high end tourism that is being promoted by the government is particularly unlikely to benefit communities as the profits are made by big businesses and only low-paid jobs are provided, whilst cutting access of communities to their resources of water and land etc.'

Sri Lanka's Movement for National Land and Agricultural Reform (MONLAR)

CASE STUDY

'Wadduwa fishing village in Kalutara has been declared a tourism zone and the authorities have told the local community they must not stay in the coastal buffer zone. They do not have anywhere to go to, or any information about where they can go. The majority of the people do not want to leave the area because they depend on the sea for fishing and its related industries such as salt fish production.'

Herman Kumara, National Federation of Fishworkers (NAFSO)

Yet, although the though local people are being forced away from the coast, foreigners are being allowed to buy land inside the buffer zone.

The Alliance for the Protection of Natural Resources and Human Rights, the Movement for National Land and Agricultural Reform and NAFSO are taking legal action against the government on land issues.

CASE STUDY

At the Lake House Welfare Center in the grounds of a school in Matara in southern Sri Lanka, M.K. Darmadasa seems marooned. He is a fisherman and boat builder by trade but finds himself displaced away from the seashore. The government's buffer zone ruling forbids new buildings in the 100 metre buffer zone along the coast. This restriction is being ignored by some hotel owners and other private businessmen, while displaced fishermen are languishing in camps several kilometres from the sea, waiting for a government decision about where their permanent homes will be built. If Mr Darmadasa's new home ends up being too far from the sea, his boat building business will be in jeopardy.

Why are hotels and tourist-oriented establishments exempted from the 100/200metres rule but former residents have to be resettled in new housing compounds outside the zone?

If exemptions can be arranged for hotels that need a coastal location, then similar exemptions should also be possible for people or communities equally dependent on their coastal location for their livelihood.

CASE STUDY

'We would rather commit suicide than be deprived of our land without even being consulted.'

Raheem Hanifa, Arugam Bay

Arugam Bay is a fishing village and popular surfing destination on the east coast of Sri Lanka. After the tsunami the Sri Lankan Tourist Board along with NGOs announced plans to remove the people and hotels from Arugam Bay by enforcing a buffer zone so that the shore could be redeveloped as an exclusive eco-tourism resort.

Land acquisition was said to be for a safety buffer zone but the tourist board was acquiring the land. There was no consultation about these plans with the local community. There was no Environmental Impact Assessment. The Tourist Board said that the local community would be forcibly removed.

This project would have affected 3,500 families, 70 existing hotels, over 800 fishermen and other enterprises. After the plan was released, 4000 people attended a protest held in Arugam bay.

The local community began legal action and had lawyers draft appeals on behalf of the hoteliers who wanted to remain on their lands. Currently the plans have been dropped because of the protests and media attention. The Arugam Bay Tourism Association of local businesses is now producing an alternative tourism plan in consultation with the local community.

It is worth noting that the local people, who are mostly fisherpeople, are not against tourism. It has been beneficial for them in the past. Some of them now work in tourism. The others welcome tourism because they can sell fish more easily when there are tourists.

The World Bank and the UN had specifically stated that there should be local people's participation in drafting plans for relief and implementing them. The international community was concerned that the US\$3 billion given to Sri Lanka for post-tsunami reconstruction should not be frittered away or otherwise wasted, but should go to the really needy among the affected population.

Yet the vast majority of housing decisions continue to be made in the capital, with virtually no direct input from the affected communities or their representatives.

Without somehow involving the local people, it is not possible for those who are currently trapped in tents, shacks or Internally Displaced People's camps to be able to move quickly into appropriate new housing in places that best suit their needs and wishes.

Thailand

'You know the thing is (about land issues) all about the power of the money baron...

A person like me goes to ask anybody to help, I never get any attention at all.'

Ratree Kongwatmai from Laem Pom village, where villagers are fighting a legal battle to reclaim their lands. They were inspired by the Moken sea gypsies who refused pressure to be relocated to concrete box houses away from the sea. Instead they returned and began to rebuild.

In August around 2,900 people were still living in temporary shelters even though Thai newspaper reports in May quoted local government officials stating that too many homes had already been built and state housing reconstruction had ended.

The land rights issue in Thailand is extremely complicated and has been a major issue for decades. The tsunami has not caused land disputes but has exacerbated them by displacing and devastating the communities involved. Nearly all the land in question is prime land for tourism development.

Some of the coastal communities do not have the relevant title documents to prove ownership of their land. They always thought that as long as they had occupied and cultivated the land for at least ten years, their tenure was secure. Increasingly, they are threatened with eviction and intimidation from private investors and public authorities who may or may not have had the legal rights to their land.

The tsunami took away their homes, livelihoods, families and friends. When they were still looking for lost relatives and recovering in temporary shelters, companies and/or government agencies moved in, claiming the land as theirs.

After the tsunami, the government, without any consultation, put in place a policy of providing free housing and title deeds in *inland* locations to tsunami-affected fisher people. The policy was generally met with protests from community groups, civic groups and support organisations, and rejected as inappropriate.

Several of the communities embroiled in land disputes live around Khao Lak in the province of Phan Nga which was hardest hit by the tsunami and which had been targeted by government and investors for luxury tourism development.

More than 36 communities in six provinces in Southern Thailand are currently involved in disputes over land or fishing rights. Most of them had lived in the 42 villages that were completely destroyed by the tsunami.

In some cases, the line between private company and government is blurred when company owners double up as government officials or politicians. There are cases where landlords may have a legitimate right to contest land ownership, but there are also many cases where title deeds may have been obtained illegitimately by influential business people.

The Community Organisations Development Institute (CODI), a government-funded organisation guiding the government on social policy, land tenure and poverty alleviation is closely linked to the Asian Coalition for Housing Rights (ACHR), an Asian-wide network of NGOs. They are pioneering a system of land sharing by which 'squatters' are allowed affordable housing on the less valuable part of disputed land, thereby sharing it with a landowner. This system has helped provide housing and land rights for some tsunami-affected communities.

CASE STUDY

'We will move forward together. I'm not afraid of anything now. I have lost everything to the tsunami: my daughter, my father, my sister, my brother, my aunt, my nephew and my home. My duty to my family now is to keep their land. I feel incredible warmth returning home, although it's only empty land now. We will rebuild our lives here. I feel proud that I am not doing this for myself, but for the whole community.'

Ratree Kongwatmai, village spokesperson, Baan Laem Pom

The Far East Trading and Construction Company wants to build a golf course and luxury hotel in Baan Laem Pom. The company claims to own the legal title deeds and for three years they have been trying to evict the thirty families in the village. A senior government politician is a major shareholder.

After the tsunami, while the villagers were living in temporary shelters, the company fenced off the village and armed guards refused to let families back onto the land to look for the bodies of relatives. The villagers occupied the land and rebuilt their homes plus a restaurant and guest rooms.

The Save Andaman Network (a Thai NGO) and CODI offered the villagers legal advice and they established that the company title deeds are false. In August the case reached the first stage of court proceedings before moving to a higher authority - a process that could take many years. In the meantime the company, which occupies a plot next to the village, continues with threats and intimidation. The villagers are forced to use security guards at night and live in fear day and night.

The future of these villagers is unpredictable and they will probably have to live with fear and worry for many years to come. The media have highlighted their case and this has no doubt helped them so far. However, what will happen to these vulnerable people once the cameras and microphones move on?

CASE STUDY

'I have no idea who owns the land, but I have lived here since I was born. Our ancestors are buried here. My children were born here. It is our home. We are not intruders and will not be going anywhere. Assistance will soon end and we want to resume our livelihoods as soon as possible. We don't want anything, just our land.'

Hong Kathalay, Moken fisherman and village leader, Khao Lak

A community of Moken (sea gypsies) lost all their 70 houses and 42 people died. The Moken had no land titles but had lived on the land for years and did not want to move to the resettlement sites the government was offering. While they were in temporary camps, a sign appeared on their village site saying that a German-funded public hospital was going to be built there. Telephone calls to the German Embassy showed this was false and the sign was an attempt by district and provincial officials to seize the public land, with prime tourism value. Government papers do reveal, however, that a request had been made by the Thai government to the German government to build a hospital in the area.

The Community camped out at the site, enduring threats and intimidation from the district officials and provincial governor. The Land Tenure Committee became involved and suggested a land-share option by which the village takes just over half the land they used to occupy and the rest goes to the province for 'public use'.

With help from architects and planners, co-ordinated by the Land Committee and NGOs they designed their own houses. The villagers now have a communal land lease for three years: the first step to permanent tenure.

By the beginning of September 2005 they had finished rebuilding their fleet of fishing boats and almost all of 69 houses. They expect tourism to be regenerated and they plan to benefit by building a cultural centre for the Moken community and a museum.

This exemplary initiative – a collaboration between a determined community, NGO networks and government agencies – has become a model project for all the tsunami-affected communities involved in fighting for their rights over land rights disputes in Thailand. However, it must be stressed that such co-operation happened only after local NGOs advised the community to resist the exploitative practices.

Many other communities are still struggling to fight eviction. Others cannot even begin such a struggle because they have no-one to support and advise them.

CASE STUDY

At Klong Pak Bang, Patong Beach, Phuket, a small fishing community of 16 households on public land surrounded by tourist centres and luxury condominiums, lost all their homes. The government threatened them with eviction but they have been allowed to rebuild on the same land as a result of intervention by the Land Tenure Committee with support from private Thai donors. Part of the reasoning for allowing the villagers to stay was the argument that a traditional fishing village would add value to the area as a tourist attraction. The community has drafted its own development plan with help from community organisations and their architects.

As with the case of Khao Lak, the 'successful' outcome of the Klong Pak Bang community's fight was only made possible with help from local NGOs. It must not be taken for granted that such help is readily available to all survivors caught up in battles to live on the land they occupied before the tsunami.

CASE STUDY

A Muslim fishing community of 33 families in Baan Pak Triem lost their homes and belongings when the tsunami hit their island and ripped it into two. CODI provided an interest-free loan to help them buy as a collective the 'user rights' to a new piece of land in nearby mangroves. With donations and volunteers from different organisations they built new boats and fishing gear and have set up income generating projects such as ecotours and carving, furniture-making and tie-dye batik for tourist souvenirs.

Once again, this community has only survived thanks to the sensitive and appropriate help they were offered. They are, of course, now dependent on borrowed money.

India

By September, temporary shelters in Tamil Nadu were deemed to be uninhabitable and plans for land acquisition and permanent housing have yet to be initiated. Livelihoods have still not been restored. Hunger, health problems, insecurity and depression are on the rise among survivors. Despite the huge outpouring of aid, benefits have not always reached those who most need them and relief assistance has not always been based on a comprehensive needs assessment. Relief and rehabilitation policies have largely been gender neutral and have ignored the special needs of the vulnerable including children, women, migrants, refugees, internally displaced persons, minorities and people with disabilities.

There is a lot of disenchantment about aid, rehabilitation and the difference between traditional and modern building techniques. Many locals feel that their traditional ways of building are not being preserved. There is an urgent need for much greater community involvement in relief and rehabilitation operations. Relocation decisions are being made without the active participation and informed consent of the affected communities.

A Tsunami Relief and Rehabilitation Co-ordination (TRRC) was established in Tamil Nadu and Pondicherry in January 2005. It organises state and civil society partnerships and monitors human rights. It claims that while tourism and other industry infrastructures remain intact, a government campaign falsely warning of a future tsunami disaster has been used to relocate fisherpeople.

The TRRC held a meeting with community leaders and representatives at which local people's rights to the coast were confirmed and it was agreed there would be no forced relocation. However there has not yet been, for example, any formal assessment of livelihood loss in the coastal economy in consultation with the community, despite numerous community representatives emphasising the urgent need for far greater community involvement in relief and rehabilitation.

The Tamil Nadu government's proposal to ban anyone from living within 500 metres of the shoreline will mean a possible 500,000 people – mostly from poor families – will face relocation, including people whose homes were unaffected by the tsunami. Yet CRZ legislation allows for construction and reconstruction of dwelling units between 200 and 500 metres of the high tide line as long as it is within the traditional rights and customary uses such as existing in fishing villages.

The fishing community bore the brunt of the tsunami disaster in India and it is increasingly obvious that the authorities are using the disaster to resettle fishing communities away from the coast. Fishing settlements are being relocated to areas that are more than two kilometres inland. Obviously this severely affects how they can make a living. It is too difficult to carry nets and motors to the sea and impossible to continually monitor the sea to know when to fish.

It is known that back in January 2003 efforts were being made to relocate a fishing community to 'beautify' the beach at Chennai, where there are plans for developing office accommodation for multinational companies and embassies.

CASE STUDY

'The tsunami may allow for privatisation of the coastal areas and for commercialisation of the CRZs.'

Archana Prasad, Environmental Historian and Fellow at Delhi's Nehru Memorial Museum and Library.

The Pichavaram mangrove in the Cuddalore district of Tamil Nadu is a typical mangrove wetland with 51 islets. The tsunami killed more than 100 people here. Surviving islanders, afraid of further disaster, moved away and are now living inland in temporary shelters.

A proposal to develop the area as an ecotourism area (at a cost of 375.600,000 rupees – over US\$8.3 million) was put forward in July 2004. Soon after the tsunami, permission to develop was granted. The islanders are not able to move back.

CASE STUDY

'Pattipulam did not suffer human losses in the Tsunami, but what the government is now attempting will cause us more damage than the natural disaster.'

Shymala, a member of a women's self-help group

On 26 January, four fishing villages known as Pattipulam Panchayat in the Kanyakumari district passed a resolution and signed a petition stating they would not relocate from their beachside settlements. They question why the government is not also demanding resort apartments and hotels move beyond the 500-metre boundary.

In May 2005, local groups including the National Fish Workers Forum, the Unorganised Workers Federation, trade unions and women's organisations workers came together to protest about corruption within the rehabilitation system and the lack of recognition of their concerns. They say that tsunami survivors have been facing inadequate relief measures, forced evictions and a denial of their livelihoods. They also claim that the Asian Development Bank, the World Bank and the UN loans are based on the assumption that, in the name of safety, harbour-based fishing and aquaculture will be supported while coastal people could be removed to far-off places and denied right to earn a living.

The Role of UK Aid Agencies

The tsunami generated a record US\$13 billion in promised donations and aid. The UK raised £400 million. Yet ten months later there are survivors still living in temporary shelters that break the agreed humanitarian standards for emergency housing, unable to return to their homes and their livelihoods. They are being disempowered and their rights and interests have been marginalised.

Tourism is the industry that is driving local communities away from the coastland where they used to live and work. But the link between the tourism industry and the continued displacement of survivors has not been recognised or considered by the aid agencies.

In 1963 the Disaster Emergency Committee (DEC), was created. It is an umbrella group of 13 of the UK's biggest charities related to disaster relief. The DEC ensures the funds that are raised go to the members best placed to deliver effective relief. The DEC's post-tsunami budget for the long-term reconstruction phase of two to three years is £198 million.

When aid agencies help with a disaster, they must show that they are working with partner organisations on the ground, even though they might not have previously worked in the country and have no pre-established relationships. As not all UK aid agencies view themselves as operational, it is the partner organisations who carry out the work and talk to governments about where they can build.

To understand the aid agencies' role in influencing policy and planning and to assess whether they are able to ensure that the early stages of reconstruction planning are done with a genuine, active interest for the survivors, we discussed the issue with ten DEC members (see Methodology).

Even though all the agencies know about the difficulties with the buffer zones in Sri Lanka and the Coastal Regulation Zones in India, only two of the ten agencies have recognised the link between displacement, land and tourism.

Different agencies have different views and experiences of the issues. One agency claimed that there had been a lot of inter-agency lobbying against the Sri Lankan buffer zone, but it was largely unsuccessful. Another, having spoken to the tourist board, disputed a Sri Lankan NGO claim about tourism developments taking over the coast and argued that there was not enough substantial evidence to prove this. One agency argued that local people might be afraid of possible big tourism developments that would take over their land, but that these were only rumours. Another was aware of websites constantly raising fears that areas were being blocked out for large-scale tourism or private villas and recommended that the big donors, including UNDP, support legal aid for land issues.

Agencies say that their partners consult with displaced people on housing and the design of homes and are guided by them about what is appropriate. Some say that in Sri Lanka their partners have managed to build within the buffer zone.

Research institutions and consultants we talked to emphasised that the aid agencies are very sensitive because they were overwhelmed by so much money. One agency explained how *Make Poverty History* has consumed the resources of their advocacy team.

It is probable that, because of conditions placed on giving aid, only a fraction of the money pledged from international governments is arriving in the affected countries. Only 4% of the money pledged to the Maldives is said to have arrived.

Thailand did not accept any aid.

The Accountability Learning Network's Tsunami Evaluation Group is only now starting to do an evaluation on land. The methodology has been proposed for Sri Lanka and Indonesia. They will look at needs' assessment and donor response co-ordination. Tourism is not a focus.

Sri Lanka

'In many cases the locals have been reduced to the state of passive subservient receivers as immediate relief is dumped hurriedly without consideration of their needs and desires.'

Sarah Fernando, Secretary General of Sri Lanka's Movement for National Land and Agricultural Reform

The international community pledged around US\$3 billion in aid to Sri Lanka but it is not yet clear how much of that amount has actually been committed. Haruhiko Kuroda, President of the Asian Development Bank, said there was a shortfall of more than US\$2.1 billion promised for rebuilding. He has asked the aid givers to improve their co-ordination and to spend the money in a predictable, transparent, strategic and effective manner. He also urged countries receiving aid to fight corruption and to ensure the money was spent wisely.

There are around 6,000 international, national and local aid agencies currently working in Sri Lanka, often in competition with each other.

All UK government donations go direct to the Sri Lankan government for reconstruction. The Department for International Development (DFID) has given £1.5 million to the Sri Lankan Government for reconstruction in the North East. DFID has no direct projects itself. Gareth Thomas, the UK's Minister for International Development has raised the issue of the buffer zone with the Sri Lankan treasury who said they are reviewing the situation.

Sri Lanka has essentially outsourced reconstruction to foreign donors and NGOs who are hindered by bureaucracy and have trouble securing land for some resettlement projects.

Poor people are suffering the most. Their income has dropped by 94% on average.

No funds are being given to small businesses that are not registered with the Tourist Board. Small and micro businesses are finding it difficult to restart without support. Research shows that 400 companies need only Euro 2,000,000 to help restart them. This has not yet happened.

The Sri Lankan government's plan to supply houses to all tsunami victims has not been realized. Insufficient consultation on relocation and reconstruction left hundreds of thousands of people still living in temporary tents. Now that the rains have begun many of the survivors still living in tents are having to move to school buildings and temples for shelter.

Sri Lanka's Auditor General, Sarath Mayadunne said delays in aid projects had resulted in the failure to rebuild 98% of the nearly 50,000 homes destroyed by the tsunami. His report on reconstruction, rehabilitation and fund management December 2004-June 2005 highlights the irregular distribution of funds, lack of records and the absence of a government scheme for utilisation of the money.

In September police were given permission to examine three private bank accounts held by Prime Minister Mahinda Rajapakse amid allegations of corruption. Rajapakse's secretary stated there was no wrongdoing and the premier had held the foreign aid, worth US\$829,000, in private accounts to ensure faster disbursement of relief to victims.

'The affected people must have access to clear and comprehensive information on the monies received and allocated by the government.'

Herman Kumara, the Samudra Report, Justice Denied

Local community representatives say the rehabilitation efforts have been marred by inequality, top-down policies and lack of coordination as well as a lack of financial and policy transparency and community participation. Although some agencies offered community consultation and participation, others have favoured a rapid dispersal of their funds.

India

Despite the huge outpouring of aid, benefits have not always reached those who need it the most and neither has relief assistance been entirely based on a comprehensive needs assessment. Relief and rehabilitation policies have largely been gender-neutral while ignoring the special needs of vulnerable populations including children, women, migrants, refugees, internally displaced persons, minorities,

and disabled people. Women have not always been able to claim their inheritance and have difficulty in making a living.

There is a lot of disenchantment about aid and rehabilitation and the differences between techniques of building and traditional versus modern. Many locals feel that their traditional ways of building are not being preserved.

Eight months on, the Housing and Land Rights Network, after two months fact-finding in Tamil Nadu, found that the temporary shelters are now uninhabitable and that planning for land acquisition and permanent housing in most parts of Tamil Nadu has not been initiated.

Livelihoods have still not been restored, and hunger, health problems, insecurity and depression are on the rise amongst survivors.

Maldives

The government in the Maldives has taken over all the distribution of incoming aid, much to the alarm of some aid agencies. It appears that there have been deliberate attempts to interfere with the delivery of aid to the worst hit islands. Agencies do not know what has happened to this money. Many people are still living in tents and have no access to fresh water.

Recommendations

Tourism Concern recognises that the tsunami's impact was overwhelming and that affected governments were thus overwhelmed by its complex consequences. However, following intensive research by Tourism Concern, which is acknowledged as being time specific, and after consultation with destination stakeholders from South Asian countries affected by the tsunami and reading their testimonies, and having specific accounts by researchers visiting Thailand and Sri Lanka, Tourism Concerns recommends:

- 1 That affected governments, inter-governmental agencies, aid organisations, the tourism industry and civil society organisations urgently review exactly how reconstruction work relates to land issues and tourism development as many such issues predate the tsunami.
- 2 That local communities affected by the tsunami should have an effective voice in the reconstruction of their communities, and that such reconstruction should accord with their decisions, and that they should not be displaced against their will. Thus governments must guarantee that the rehabilitation process will not lead to further displacement of local communities already displaced by the tsunami. Any relocation must be voluntary.
- 3 That national and local government, aid agencies and inter-governmental institutions ensure that all reconstruction is developed in consultation with a wide range of stakeholders, that it should have long-term sustainable objectives and experts with long term sustainable objectives and be guided by best practice as identified by the World Bank's Need Assessment, which provides clear evidence that in-situ reconstruction managed by affected households (facilitated by NGOs) achieves the best results. Solutions must be sustainable and durable and incorporate the rights of those affected.
- 4 That national and local government, aid agencies, inter-governmental institutions and tourism developers should embrace the opportunity presented by the tsunami to go beyond recovery for local communities. They should work to make an impact on longer-term development and address wider issues including long-term sustainable tourism development.
- 5 That permanent housing be an absolute priority for governments and aid agencies and international banks. That such housing be appropriate for the climate and environment and that affected communities be central to creating and undertaking appropriate initiatives to achieve a speedy and secure recovery.
- 6 That, as all displaced people are entitled to fair and equitable treatment that respects their human rights including property rights, governments and aid agencies ensure that individuals and communities are given pro bono access to lawyers and other experts who can help them establish their land claims.
- 7 That national and local governments ensure that the balance between local and national coastal regulations to protect the environment and the needs of local livelihoods are appropriately negotiated, following full and independent environmental and social impact assessments, thus ensuring the livelihood resources of local people.
- 8 That local and national governments ensure that laws put into effect for such coastal regulations be equally binding on tourism developers.

- 9 That aid agencies, governments and inter-governmental agencies ensure that all aid be disbursed and used through mechanisms which are open to scrutiny, financially accountable, exhibit good governance and publish regular progress report.
- 10 That all agencies ensure that no aid or grants or loans discriminate on the basis of ethnicity, gender, religion, social status, caste or creed or result in the displacement of people from their homes or livelihoods. Where possible, agencies and governments should work with the whole community to help deal with the poverty and deprivation suffered.
- 11 That governments ensure that all current and future tourism development plans be made transparent and available in Sri Lanka, Thailand, India, the Andaman Islands and the Maldives.
- 12 That governments be supported by international donors and impartial agencies to carry out an efficient monitoring of the medium and long term results of the reconstruction.
- 13 That the tourism industry and the World Tourism Organisation prove their claim of pursuing tourism with a Global Code of Ethics and corporate social responsibility policies by ensuring that all future tourism to tsunami affected environments delivers benefits to local communities, conserves local resources and safeguards labour rights.
- 14 That the tourism industry recognises that corporate social responsibility (CSR) extends beyond donations alone and that CSR includes responsibility towards workers in the tourism industry and for ensuring that their labour rights are respected.
- 15 That the players in the tourism industry abide by regional, national and international regulations regarding tourism development and be transparent with their industry partners as well as tourists on the extent to which tourism as being practised stands to benefit the local community at destinations.
- 16 That in areas where small and micro enterprises have been affected and lost their businesses, governments and agencies should provide adequate assistance for them to build a sustainable future.
- 17 That the tourism industry, including the World Tourism Organisation, respect the vulnerability of all people affected by the tsunami, and especially the increased vulnerability of the most marginalised, including women, children, dalits, etc., and take into consideration the specialised nature of these different groups to ensure that they are fully included in the rebuilding of their livelihoods and lives.
- 18 That by recognising the role that tourism is playing in the reconstruction plans, aid agencies should work to incorporate awareness of tourism, and its relationship to globalisation and liberalisation, within the long-term development work within their organisations.

Research and Methodology

Report written and edited by **Alison Rice**
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Researchers

Field Research

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Sri Lanka: Sabine Minninger on behalf of the EED Tourism Watch for the Ecumenical Coalition on Tourism

Desk Research

Sri Lanka: Elisa Calcaterra

Thailand: Abigail Peel

India: Kelly Haynes

Aid: Honey Weston

Methodology

Field Research

Thailand

Qualitative field research 27 August–6 September 2005: eight days in Phuket and two days in Bangkok. Semi-structured in-depth interviews, participant observation and extensive desk research before and after the trip.

Phuket

Two days field visits of participant observation and unstructured conversations with community leaders and communities. The visits were accompanied by the Community Organisations Development Institute (CODI) to CODI and the Asian Centre for Human Rights (ACHR) projects in Phuket, Phang Nga and Ranong; Baan Taa Chachai, Baan Tung Wah, Baan Nam Khem Village and Bang Wuang Refugee camp, Baan Pak Triem in Ranong. One day of participant observation at Patong Beach and Kamala Beach and one day at Ko Phi Phi. One day participant observation at Khao Lak with a visit and interviews at Baan Laem Pom and Baan Nam Khem. Semi-structured interviews with:

- 1 hotel owner who was not affected
- 1 guest house owner who lost everything on Rawai Beach, Phuket
- 1 guesthouse and internet café owner on Ko Phi Phi who lost everything and rebuilt the business
- Senior Manager of CODI
- CODI and ACHR workers
- Save Andaman Network (community worker at Laem Pom)
- World Vision
- Tsunami Volunteers Network
- The Tourism Authority of Thailand, Phuket
- Phuket Land Property Development company (phone interview)
- Associate Professor of Law at Chulalongkorn University Bangkok

Field Research, Sri Lanka

Qualitative research undertaken by Sabine Minninger 26 June–5 July 2005 on behalf of EED for the Ecumenical Coalition on Tourism

Desk Research, Sri Lanka

Extensive desk research was undertaken 20 June–11 October 2005. This included information collected by interviews, by phone and by email from 72 contributors as well as research reports, journals, newspaper and media articles and web research: 30 contributors from Thailand, 18 from Sri Lanka, 9 from India, 3 from Maldives and 12 general contributors.

Input was from (approximately) 56 contacts from non-governmental organisations, government representatives, civil society groups, trade unions, academics, policy makers, international organisations and tourism offices.

Contributing Organisations:

Society for Andaman & Nicobar Ecology, Andaman and Nicobar Yahoo Group, The Tsunami Rehabilitation Information NETwork (TRINet), Mangrove Action Project South East Asia, World Tourism Organisation, Equations, Action Village India, Friends of Maldives, National Fisheries Solidarity, The Task Force To Rebuild The Nation, Ecumenical Coalition on Tourism, Arbeitskreis tourismus & entwicklung, Associazione RAM, Development Planning Unit, University of Buckinghamshire, Movement for National Land and Agricultural Reform, Alliance for the Protection of National Resources and Human Rights, Kings College, London, Pacific Asia Travel Association, National Fishworkers Forum, World Forum of Fisher Peoples, Arugam Bay Tourism Association, Thai Tourist Board, Sri Lanka Tourist Board, BBC, The Asian Coalition for Housing Rights, Community Organisations Development Institute, Tourism Authority of Thailand, Foley PR Ecological, Centre for Environment and Development, Massey University, International Labour Organisation, International Union of Food, Agricultural, Hotel, Restaurant, Catering, Tobacco and Allied Workers' Associations, Tree Tops Jungle Lodge, Tsunami Recovery Network, CSR Asia, Centre on Housing Rights and Evictions, EED Tourism Watch, Save Andaman Network, Tourism Authority of Thailand, REST, Tsunami Tree, Global Tourism Interventions Forum.

Individual consultants, academics and researchers, not listed here, also contributed to our research.

Aid Research

Desk research and interviews were conducted with the 13 aid agency members of the Disasters Emergency Committee (DEC) in the UK; Department For International Development; three consultants; Tsunami Evaluation Coalition (part of the Accountability Learning Network)

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- Save The Children www.savethechildren.org.uk
- World Vision www.worldvision.org.uk
- World Tourism Organisation www.world-tourism.org

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