

## **International Seminar: Envisioning New Trajectories for Peace in Sri Lanka**

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### **Session7: International Frame - Norway as facilitator - Regional factors - Concept of Co-chairs - Politics of Sanctions and Incentives**

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#### **Too much, too fast or a peace trap?**

When the LTTE withdrew in April 2003 from the Norwegian-brokered peace talks, citing the Sri Lankan government's failure to implement agreements already reached in six rounds, it raised another important complaint: that the Norwegian brokered peace process had become over internationalised. This paper, with a view to informing new efforts to resume dialogue in Sri Lanka, examines what exactly that meant and how and why that sense might have emerged.

From the LTTE's perspective, the involvement of an international facilitator introduced a number of welcome dimensions to the 2002-3 peace process that had not been present during the four previous processes. These include a measure of transparency, a sense of international recognition of legitimate Tamil grievances (hence a perception of closer parity between the parties) and a promise of international support for a peace process (given that hitherto, international involvement had primarily been seen in the framework of support for the 'war for peace'). From the international community's perspective meanwhile, its Norwegian-fronted involvement provided an opportunity to shape a future Sri Lanka with broader themes, which have sometimes been described as a 'liberal peace.'

However, the stalling of the peace process in 2003 has, as indicated by the LTTE complaint of over-internationalisation, partly resulted from a conflict that unnecessarily emerged between the aims of the LTTE and those of the international community. This is not to say the overall aims of political autonomy for Tamils and a liberal peace are antithetical. Nor is it to say that the LTTE is opposed to a liberal peace. It is to argue that the rushed and asymmetrical international efforts to promote the liberal peace resulted in misunderstandings, new anxieties and suspicions and ultimately, insecurity. This destructive cycle was fuelled by the self-confessed 'dual role' many international actors played, whereby prominent backers of the peace process also continued to declare themselves strong friends of the state.

This paper argues that, in seeking to achieve a liberal peace based solution, the international community allowed flawed fundamental assumptions to shape their positions and actions, thereby contributing to the eventual rupture in the peace process.

To begin with, international involvement in a peace process was not readily accepted by Sri Lanka – the government had strongly resisted interference in its 'internal affairs' and on the grounds of sovereignty. Developments on the battlefield, however, paved the way for international peace-brokering, spearheaded by Norway. The LTTE, conversely, had, since the failure of the '95 peace process, repeatedly demanded third-party involvement in any future talks. It was under these circumstances that Norway extended its role from bringing the two parties together to one of assisting the two parties in shaping a solution. (The LTTE was welcoming of Norway, in the full knowledge, it should be noted, that Oslo was fronting US and European interests in the peace process.)

But one of the deep-seated – though rarely stated – assumptions of the international involvement was that the LTTE was a fundamentally illiberal organisation that had to be constrained **and compelled** towards a liberal peace. This was reinforced by continued international framing of the LTTE as a terrorist organization (particularly by the US and UK). Another, equally important assumption was that Sri Lanka was essentially a functioning democracy and therefore further along the path to a liberal peace and, hence, would need less ‘encouragement’ to continue. This was reinforced by the pro-West and enthusiastically neo-liberal policies of the then UNF government. Based on these twin assumptions, the international community focussed, through the peace process, on corralling the tiger.

With the LTTE defined by the international community as the primary ‘problem’, the Norwegian-brokered peace process quickly moved to focus on specific issues that inevitably began to make this implicit assumption explicit. These two aspects – what the peace process focussed on, and the rate at which these issues came up – raised strong suspicions within the LTTE of international intent.

An example is child rights. Despite a range of pressing issues related to child and armed conflict – e.g. the continued displacement of large numbers of children, the continued military occupation of many schools, the shortage of teachers in Tamil schools, etc – there was extraordinary focus on one issue: underage recruitment by the LTTE. The problem is not international focus on this important issue, but focus to the near exclusion of the other matters.

Another example is the rush to defining the parameters of the solution. The LTTE argued – as it had at previous peace efforts - that the ‘existential conditions’ of the Tamils in the Northeast should be improved – particularly the continued displacement of hundreds of thousands – before negotiations on a political solution could be broached. It should be noted that the UNF – in contrast to the PA of President Kumaratunga – did not oppose this stance.

However, the peace process moved with lightening speed towards a political solution. Seven months after a truce ended seven years of high intensity fighting, peace talks began. And within three rounds (just three months), an agreement to explore federalism had been reached. It is not the agreement to explore federalism that is problematic, but the clear disconnect between the developments at the table and the important events simultaneously taking place around the peace process.

The UNF government met strong resistance from President Kumaratunga and other sections of the state, particularly, the military, in its peace efforts. In short, implementation of agreements reached was visibly not taking place. These included not only the ‘normalisation’ aspects of the Ceasefire Agreement, but also those being reached in the talks themselves. The subcommittees on rehabilitation (SIHRN) and de-escalation (SDN) failed through a combination of lethargy and powerlessness, particularly due to resistance within the state.

These problems, whilst unhelpful, need not, however, have created sufficient strain within the peace process as to precipitate a rupture. That was caused by a failure to tailor the peace process to the sluggish implementation – i.e. the disconnect between agreements and implementations and the blistering pace of talks – one round every month – ultimately became untenable.

Simple agreements, say on withdrawal from some occupied civilian areas or lifting of fishing restrictions, were not being effected. In fact there was almost no change on the ground between September 2002 and March 2003 in terms of normalisation. Meanwhile, elements of federalism were now being discussed – the abortive seventh round for example was to focus on ‘fiscal federalism’, while a tour for senior LTTE cadres on federalism was organised and, indeed, did go ahead.

Meanwhile, as it has subsequently become clear, several structural compulsions of Sri Lanka's entry into the peace process began to fade. The Sri Lankan state's participation in the peace process was, as has oft been pointed out, necessitated by military stalemate and near economic collapse. But by 2003, there were substantial changes in both of these. Sri Lanka doubled the size of the Navy and Air Force while the Army doubled its artillery and gunship firepower and tripled its tank force. Sri Lanka's economic difficulties were also easing. The aid conditionality nominally imposed in Tokyo in 2003 was visibly undermined by a myriad of bi-lateral donor contributions and other economic measures.

Crucially, the violence continued. There has been understandable concern expressed about the LTTE's targeting of other Tamil groups. But the 'shadow war' that has exploded into a major phenomenon in 2005 has long been a feature of Sri Lanka's conflict and, crucially, it did not come to a halt with the 2002 truce. Deep penetration raids by Sri Lanka commandos did not abate post-Ceasefire Agreement. (Neither, as has been more publicly seen, have LTTE counter-strikes against the Army's paramilitary and intelligence forces.) The sinking of two LTTE ships in international waters is another important factor.

The point here is the growing sense of insecurity in relation to the *peace process* amongst the LTTE leadership. The Ceasefire Agreement and other covenants reached at the table were not being implemented. Sri Lanka's military was expanding, its economy growing. What we now know as the shadow war was continuing. But the Norwegian peace process was not slowing down to address these issues, but instead speeding up, and even expanding – a binding charter on human rights was being discussed, facets of federalism were being tabled. There appeared to be, in fact, less and less correlation between the table and the ground.

Then there is the dual role adopted by leading states, particularly the United States. Bearing in mind Sri Lanka's military expansion, the repeated assertions of military, political, even moral support for the Sri Lankan state undermined confidence in a peace process which was also being strongly backed by the US and others supporting Sri Lanka. The framing of the LTTE as the 'problem' thus resulted in the emergence of a coercive international framework, which Premier Ranil Wickremesinghe unveiled under the telling expression 'international safety net.'

It is possible, however, that if sanctions and incentives (including what ought to be the agenda for talks) had been applied equally to both protagonists, the above factors would not have led to the development of a perception that the LTTE was being corralled and stampeded into a corner. But the growing disconnect between the table and the ground, the relentless pace at which the talks were being pushed towards political discussions and the participation of key backers of the peace process in a coercive international network demonstrably on Sri Lanka's 'side', led the LTTE to view the peace process as a 'peace trap.'