
SRI LANKA IN 2002

Turning the Corner?

===== Amita Shastri
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Abstract

Embroiled in a civil war for two decades, a peace process was reinitiated in Sri Lanka with international support. Has Sri Lanka finally turned the corner from war? This article argues that major progress has been made by the United National Front government in opening a dialogue with the Liberation Tigers of Tamil Eelam. Yet, major hurdles remain: support by the Tigers for a political solution remains conditional, they have not laid down their arms, and negotiating an agreement about the prospective political structure promises to be problematic.

After being embroiled in an ethnic civil war for close to two decades, with the loss of some 65,000 lives and 1.6 million persons displaced, a peace process was initiated once again in Sri Lanka in 2002. Watching events through the year, the question that kept recurring was: had Sri Lanka finally turned the corner away from war? As the following article will argue, major advances in that direction have been made by the United National Front (UNF) government with regard to opening a dialogue with the Tamil militants, the Liberation Tigers of Tamil Eelam (LTTE, or simply the Tigers). Yet, major hurdles still remain: the support of the LTTE for a political solution remains conditional, it has yet to lay down its arms, and there is no agreement regarding the prospective political structure between the LTTE and the two fractious major parties cohabiting power. The tremendous degree to which the Sri Lankan conflict has become internationalized also became increasingly evident through the year. What this means for the island-state remains to be seen.

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The Ceasefire

The Norwegian-sponsored peace process was initiated by the ceasefire on February 23. This formalized the informal ceasefire that had been observed by both the LTTE and the Sri Lankan government over the previous two months. The memorandum of understanding (MOU) between the LTTE and Prime Minister Ranil Wickremasinghe's government was facilitated by the Norwegian foreign office and its representatives. As a result, the government lifted the economic embargo on the northeast, and the major roadway linking the center and south of the island with the north, the A-9 Highway, was opened by the LTTE after many years. Each side pledged to abjure hostile and violent acts toward each other, and to allow unarmed civilians to enter each other's territory. At the same time, each side retained the right to recruit and equip forces to the same level as before the informal ceasefire.

As an undefeated force, the Tigers sought to be, and in effect became, virtually co-equal partners in the negotiating process with the government. They were conceded control over the northeast and were authorized to retain their arms and military bases in territory they controlled, an area which would be delineated by peace monitors. Tiger cadres were allowed to go unarmed to government-held areas in the Northern and Eastern Provinces to open political offices and to carry out mobilizational work and political activities. The LTTE would be "partners" of the government in seeking foreign aid to rebuild the northeastern region, devastated by war. They would be allowed to take over the administration of the northeast in the interim period while a permanent framework was being negotiated. In contrast, non-LTTE militant Tamil groups were required to hand in their weapons.¹

Prabhakaran's Press Conference

A major splash in the news was created when the reclusive leader of the Tigers, Velupillai Prabhakaran, called an international press conference at his jungle redoubt in Killinochchi in north Sri Lanka. About 250 domestic and foreign journalists made their way to the event from all over the world. The Tigers organized arrangements for their stay and local travel, all the while maintaining extremely tight security.

The event was redolent with symbolic significance. It was Prabhakaran's first public appearance since the Indian peacekeeping forces left the island in 1991 and before fighting with the government escalated. He discarded his usual battle fatigues for a civilian safari suit. He was accompanied by his chief political advisor and theoretician, Anton Balasingham; his regional military commanders from the north and east of the island sat on either side.

1. D. B. S. Jeyaraj, "Contours for a Ceasefire," *Tamil Times* (in English, Surrey, U.K.), February 15, 2002, pp. 223-25.

Prabhakaran spoke and answered questions in Tamil, relying on Balasingham to translate or elaborate on the points raised at the press conference, which lasted for two and a half hours.

The press conference served as the vehicle for the leader of the Tigers to present his views directly to the national and international community, and to reassert his standing among Sri Lanka Tamils at home and abroad. Prabhakaran reiterated his continued commitment to the Thimpu principles: the Tamil right to nationhood, a homeland, and self-determination. He demanded a lifting of the ban on the LTTE by the Sri Lankan government before talks could begin, and refused to abandon plans for a separate state and all forms of violence until a satisfactory permanent solution was reached. What degree of devolution of power would meet Prabhakaran's aspirations was not specified, and implicitly he remained the sole judge of what would be considered satisfactory. The rebel leader called the 1991 killing of former Indian Prime Minister Rajiv Gandhi a "tragic" incident, but then avoided the issue of possible LTTE involvement by calling on the journalists to forget the past.²

Implementing the MOU

The Sri Lanka Monitoring Mission (SLMM) was formed to implement the ceasefire agreement. It consisted of 44 personnel from Norway, Sweden, Finland, Denmark, and Iceland.³ Violations of the MOU were actively reported by each side to the monitors, who attempted to resolve the conflicts at the local level. By July 1, 2002, a total of 270 violations were reported against the LTTE and 110 against government forces accompanying the monitors.⁴ Most violations consisted of complaints about harrassment, kidnapping, abductions, extortion, use of violence, and killings. At one point, the Scandinavian monitors began to reconsider their mission after the Tigers held two team members against their will on board a guerrilla trawler.

The Tigers ran into resistance to the expansion of their hegemony in the northeast on two fronts. In the Northern Province, the non-LTTE Tamil militant groups, which had bases of support on Delft Island and around Mannar, refused to surrender the area to Tiger control. In the Eastern Province, an effort by the Tigers to raise particularly onerous "taxes" from Muslims "to

2. M. R. Narayan Swamy, "Sri Lanka: India's Help Crucial for Peace: Prabhakaran," *News India Times* (New York) April 19, 2002, p. 14.

3. Christine Jayasinghe, "Truce Monitors Reconsider Mission on Seas: Sri Lanka Monitoring Mission Lodges Protest over LTTE's Alleged Intimidation of Its Staff," *ibid.*, July 26, 2002, p. 15.

4. SLMM, "Complaints and Violations of Ceasefire Agreement as of 30th June 2002—Press Release," July 8, 2002, reproduced in EPDP, *News from Sri Lanka*, July 8, 2002, at <http://www.epdpnews.com>.

pay for the homeland they would be part of' led to violence and riots. In some particularly serious incidents in late June, six people were killed, about 100 wounded, and nearly 90 houses and businesses damaged or gutted.⁵ This led to demands for human rights to be considered an integral part of the peace process, along with separate representation being accepted for the Muslims in the later rounds of the peace talks.

Peace Talks

The first two rounds of talks between the government and the LTTE were held in Thailand in mid-September and early November, respectively, while the third round took place in Oslo in early December. Supported and pressured by the international community, they made surprisingly swift progress. The first round consolidated the ceasefire agreement and the formulation of a joint task force to deal with problems in the northeast. LTTE negotiator Anton Balasingham stated that the ultimate objective of the LTTE was "self-autonomy," which was a different concept from that of a "separate state." He also pointed out that the LTTE already possessed a permanent administrative structure in areas under its control.⁶ What it was looking for was a legal stamp for that structure, so that the LTTE could coordinate and work with the government and accrue legitimacy in the eyes of the international community. He sought to underline that the LTTE was serious this time about conflict resolution by pointing out that it was the first time the international community had focused on the peace process, that members had acted as a third party at the talks, and that the ceasefire had held for eight months.⁷

The second round focused on establishing interim mechanisms to resolve problems related to the ceasefire, especially in the northeast. These included resettlement of internally displaced persons, protection of human rights, land mine removal, and formation of a joint committee to review the necessity for High Security Zones. The two parties also issued a joint appeal to the donor community for development assistance at the next round of talks in Oslo, talks that would also focus on the core issues that led to ethnic conflict.

The choice of Oslo was no doubt intended to establish a parallel with the Israeli-Palestinian accords reached there in the early 1990s. That the ongoing peace process had broad international support was signaled by the presence of high-level delegations sent by the U.S. (Richard Armitage, deputy secretary of state), the U.K., Japan, and others. In all, some 40 nations attended the talks and pledged around \$70 million for reconstruction and development.

5. *Northern Light*, June 25, 2002, cited in *ibid.*, July 2, 2002, email.

6. In a rudimentary fashion, the Tigers operate their own judicial system, civil administration, and 19 police stations in areas they control.

7. *Daily News* (Colombo), September 19, 2002.

This support was capped by the announcement that the LTTE was ready to accept some form of federalism within a united Sri Lanka. The definition of the Tamil-speaking areas was taken from the Indo-Sri Lanka Accord of 1987. While the details of the structure remained to be determined, it was expected to approximate a kind of asymmetrical federalism on the Canadian model. Such a change would involve drafting a new constitution that would incorporate a power-sharing arrangement between the center and regions, as well as within the center.

The next round of talks was scheduled to be held in early January 2003 in Thailand, when issues related to political and administrative mechanisms, human rights, public finance, and law and order would be taken up. Japan agreed to host talks in March to focus on development and economic issues, when donor pledges made at Oslo would be realized if clear progress had been made in resolving political and economic issues.

Contentious issues relating to the details of the structure and passage of the legislation, and to the implementation of a federal framework, however, still remain to be resolved. Any constitutional change would first have to be passed by a two-thirds majority in parliament and then approved in a popular referendum. Having a bare simple majority in parliament, the UNF government would ideally need the support of the other major party. For this to happen would require a degree of cooperation in Sri Lanka's fractious and fragmented polity that has yet to be attained.

Cohabitation Troubles

The political rivalry between the two major parties continued through the year despite the situation of cohabitation that existed between them, with the People's Alliance (PA) leader Chandrika Bandaranaike Kumaratunga occupying the presidency and UNF leader Wickremasinghe occupying the prime ministership in Sri Lanka's Gaullist-style political structure. The ceasefire accepted by the UNF government was in itself a departure from previous policy framed by Kumaratunga's government. Learning from its experience of the breakdown of talks with the LTTE in 1995, in recent years the PA had insisted that the LTTE renounce the goal of a separate state, lay down its arms, and commit to talks about "core" issues relating to the political framework in a pre-agreed time frame before talks between the government and LTTE could resume or the local ban on the LTTE be removed. All these preconditions were set aside by the UNF government, indicating an acceptance of the reality of military stalemate between government forces and the LTTE.

Through the year, Tigers leader Prabhakaran read shrewdly the fragmented and fractious politics of the south, making carefully calibrated concessions to gain political legitimacy and public space for the LTTE in the domestic and

international political arena. President Kumaratunga alleged that she was informed of the content of the agreement only after it had been signed by the LTTE chief, a charge rejected by Prime Minister Wickremasinghe.⁸ After every advance in the peace process, the LTTE leadership predictably praised the prime minister and disparaged the president. The public acceptance of a federal framework by the LTTE chief on December 5, the day when the president gained the power to dismiss the prime minister's government a year after it was elected, was another politically loaded instance of careful timing, and a move that served to shore up Wickremasinghe's position.

Economic Growth and Rehabilitation

Acceptance of the ceasefire and the concessions made by the UNF to the LTTE were critically driven by economic factors. Due to the intensity of the fighting in the previous six years, a negligible proportion of public revenues had been spent on development and infrastructure in Sri Lanka. Instead, SL Rs. 80 billion (about US\$900 million) had been spent on the war in 2001 alone. The economy experienced a negative growth rate of 1.4%, and the prevailing interest rate on loans reached 22% in 2001,⁹ factors deeply troubling to the UNF's social base in the business and propertied classes.

The cessation of fighting and the various rounds of talks and agreements in 2002 brought in their wake new inflows of foreign aid that provided relief to the cash-strapped government and the war-ravaged economy. The international community provided financial resources for relief and rehabilitation along with subsidies and support programs for the poor. Defense spending declined in 2002, from the high level of 17% of government spending in 2001. GDP growth was expected to be 3% for the year. There was single-digit inflation of 9%, and a 9.3% growth in official reserves.¹⁰ This helped shore up the peace process and build goodwill for the UNF government.

The External Dimension

The events of the year highlighted more clearly than ever before the extent to which not only Sri Lanka's economic but also its political processes had become internationalized. This aspect was prominently underlined by the mediation of the conflict resolution by Norway, the ceasefire monitored by representatives from Nordic countries, and the venues of peace talks in capitals around the globe, each round hosted and supported by an increas-

8. Ibid., March 2, 2002.

9. Prime Minister Ranil Wickremasinghe's speech to Parliament, in *Island* (Colombo, daily newspaper), <<http://www.island.lk>>, January 23, 2002.

10. Karunasena Koddituwakku, minister of education and cultural affairs, in S. Weerawarne and K. Abeywardena, "Parliament on Tuesday," in *Island*, <<http://www.island.lk/2002/12/12/news14.html>>.

ingly broad phalanx of states and international agencies. While Sri Lanka lifted its own ban on the Tigers, international pressure on the LTTE remained, with major powers like the U.S., U.K., Canada, Australia, and India retaining their bans. Economic agreements were negotiated by Sri Lanka with the U.S. and other states. Though India maintained a low profile at the peace talks, it demonstrated its support for a negotiated resolution of the conflict by extending a substantial line of credit to the Sri Lankan government. At the same time, New Delhi continued to adhere to its request for the extradition of the LTTE chief and other top members to stand trial for the murder of Rajiv Gandhi. The growing internationalization of Sri Lankan affairs was explicitly recognized by a Sri Lankan government minister who spoke of it as a “New Social Contract”—politically, economically, and culturally—for which the state had “mobilized the support of the whole world.”¹¹

While the LTTE was drawn into the ambit of a peace process by the pressures emanating from the September 11 attacks and international condemnation of terrorism in 2001, and has been substantially pacified for the time being, in the eyes of its critics in the south of the island, it is also skillfully using the mechanics of the conflict resolution process to extract unreciprocated concessions at each step. The LTTE has gained in international acceptability and legitimacy, without giving up its arms or the option of a separate state. How far it will continue in this manner remains to be seen.

11. Koddituwakku, *ibid.*