

FALTERING SRI LANKAN PEACE PROCESS

Sri Lanka's Drift Back into War

European Peace Mission Fights for its Very Survival

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FOR MORE than two decades, Sri Lanka has been gripped by a bloody civil war that has claimed as many as 70,000 lives. The conflict is rooted in the failure of the Sri Lankan state, with its ethnic Sinhalese Buddhist majority, to accommodate the ethnonationalist aspirations of the minority Tamil Hindus concentrated in Sri Lanka's north.

While Tamil separatist struggles began in the 1970s as a largely non-violent movement, the 1980s marked the beginning of a full-fledged civil war. The Liberation Tigers of Tamil Eelam (LTTE), under the leadership of Velupillai Prabhakaran, ruthlessly eliminated any rival organization and emerged as the dominant Tamil militant outfit.

After major LTTE military successes in 2000 and 2001, the group sought to exploit its military advantage and pressed for political negotiations. At the same time, the People's Alliance coalition government —burdened by economic depression, rising military desertion and deepening popular disapproval of its 'war for peace' approach to the conflict — also sought a way towards peace. Despite these developments and two visits to Sri Lanka by Norwegian Special Envoy, Erik Solheim, to broker peace in May 2001, no substantive movement towards peace occurred until the People's Alliance government fell. After the December 2001 elections, Ranil Wickremasinghe's United National Front party ascended to power, having campaigned on a platform of peace.

Following several months of Norwegian shuttle diplomacy, the government of Sri Lanka and the LTTE agreed on a one-month ceasefire on December 24, 2001. The peace process was accelerated on February 22, 2002, when Norwegian facilitators secured an extended ceasefire agreement between the Sri Lankan government and the LTTE. The ceasefire agreement created the Sri Lanka Monitoring Mission (SLMM) to be comprised of staff from five Nordic countries (Norway, Sweden, Finland, Denmark, Iceland) reporting to the Norwegian government. The SLMM's mandate includes monitoring adherence to the ceasefire agreement and investigating violations of it. Both sides are bound to ensure the freedom of SLMM's movement and provide immediate access to areas where violations are alleged to have occurred. The SLMM's final authority in interpreting the agreement and adjudicating violations, however, is not paired with a commensurate enforcement mechanism. Violations are widely observed but little can be done beyond documentation.

Between September 2002 and March 2003, the LTTE and the Sri Lankan government convened six rounds of peace talks to widespread international support. The talks fostered a

sense of optimism about a possible end to the civil war, but the LTTE dampened these hopes when it vacated negotiations in April 2003 and demanded, in October 2003, an interim administration arrangement for the Northeast under which the LTTE would control the judiciary and police, as well as oversee land and revenue concerns.

In response, President Chandrika Kumaratunga declared a state of emergency and seized control of the Ministries of Defense, Finance, and State Media, crippling Wickremasinghe's administration. After suspending the parliament and declaring elections in April 2004, a coalition government was cobbled together which adopted a confrontational posture towards the peace talks and rejected LTTE demands for an interim administration.

The credibility of the SLMM has been continually questioned, with many Sinhalese vigorously opposing the Norwegian role. They opine that Norway decisively tilts towards the LTTE, an assertion strenuously rejected by the SLMM and Norway. Even though there are four other states involved in the SLMM, Norway has taken the brunt of the criticism. Others complain the SLMM does nothing but observe the violations and can do nothing to prevent or discourage them.

While the ceasefire has been upheld nominally by both parties, the SLMM has verified numerous appalling violations by both sides. The SLMM has also declared repeatedly that the mission has been denied appropriate access by both parties to the ceasefire agreement, thus placing further operational limits on its already restricted mandate. The facts on the ground suggest that both sides are moving towards all-out war.

Sri Lanka was hit hard by the 2005 tsunami, in which 38,000 Sri Lankans perished and another million were impacted through loss of property or livelihood. The tsunami struck when relations between the LTTE and President Kumaratunga had begun to sour. In the immediate aftermath of the tsunami, Sri Lanka's varied ethnic groups showed signs of working together amidst the calamity. However, both the Sri Lankan government and LTTE moved quickly to ensure that neither side could garner political advantage over the other, which hindered the distribution of much-needed relief. The tsunami galvanized the dispersed Tamil diaspora to resume sending funds to the LTTE for humanitarian aid. Moreover, the LTTE gained considerable recognition in national and international media for its reportedly efficient distribution of aid to the tsunami victims. With renewed funding sources and credibility, the LTTE began forcibly drafting children and stepped up its policy of selective assassination of state operatives, including Foreign Minister Lakshman Kadirgamar in August 2005.

With the rapid and decisive deterioration of the peace process and concomitant return to war, the embattled 56-person SLMM needs all of the resources and support it can get. Unfortunately, the SLMM was delivered another blow in May 2006 when the EU banned the LTTE. In response, the LTTE demanded that the SLMM expel the 36 monitors from Denmark, Sweden and Finland (all EU countries). As of September 1, 2006 the much-diminished mission is staffed only by personnel from Norway and Iceland.

Adding to its ever-evolving inventory of challenges, the SLMM now worries about its monitors' safety. In May 2006, the LTTE attacked a Sri Lankan transport ship with SLMM monitors aboard. The LTTE has categorically stated that it will not ensure the safety of EU monitors after September 1, 2006. The Sri Lankan government has also imperiled the lives of monitors. In August 2006, the Sri Lankan Air Force aeri ally bombarded the Muttur area despite the presence of SLMM personnel there.

With neither the Sri Lankan government nor the LTTE committed to securing peace, the mission and efficacy of the SLMM are very much in jeopardy. Each day brings both sides nearer to all-out undeclared war. As Lars Solvberg, head of the SLMM, himself explained, the mission of the SLMM has been reduced to that of observing "... how massively the parties are violating this agreement." ¹

¹ Deutsch, Anthony. 2006. *Associated Press International News*, September 27.