

Peace-building and Reconstruction Monitor*

4 March 2005

The political worldview of the key players involved in the peace negotiations in Sri Lanka has been profoundly shaped by the civil war. This has led to an instinctive reliance on militarised outlooks and solutions, and with a corresponding decline in the independence and effectiveness of civil society. Strategies to tackle the new humanitarian challenges posed by the tsunami have become entangled within the mindset and language of the civil war.

A post-tsunami report entitled 'Preliminary Damage and Needs Assessment', prepared by the Asian Development Bank, the Japan Bank for International Cooperation and the World Bank, requested by the Government states that:

"The recovery strategy should take into account the extent of progress in Sri Lanka since the signing of the Cease Fire Agreement (CFA), after a long period of conflict, and seek to strengthen the peace process. Reconstruction interventions should be done in such a way as to build confidence between different actors in the process."

This is one of the latest in a series of references by both international and local participants in the peace process on the need for 'confidence building'. The term is deceptive – it does not imply the encouragement of the necessary confidence within the civilian population for a meaningful and long lasting peace settlement. Rather, it alludes to what the protagonists can gain from each other, the international community and the population.

It is an ironic reversal that the protagonists in the civil war, who, through their military presence have necessitated their involvement in the peace process, are now the ones who can portray themselves as needing 'confidence' building. The communities who have borne the brunt of the civil war are at best made invisible, irrelevant, non-'actors', and at worst, appear to be required to sacrifice more in order to convince militarised forces to negotiate for peace.

Tamil Net reported on 14 February that Anton Balasingham, the LTTE political strategist informed a Norwegian delegation that:

"The Sri Lankan government needs to contribute to a conducive and congenial climate".

Balasingham went on to identify two specific ways for the Sri Lankan Government to contribute to such a climate:

"Firstly, it should disarm the paramilitary forces functioning with the Army or integrate them into its armed forces and station them outside the North-East... The other aspect of creating a conducive climate for peace talks is that the government should end its intransigence in creating a joint mechanism with the LTTE to distribute post-tsunami relief, rehabilitation and reconstruction assistance as soon as possible".

'Paramilitary forces' is a clear reference to Karuna loyalists and other Tamil groups and politicians. By identifying their victims as members of 'paramilitary' groups the

LTTE implicates them in involvement in armed activities and shadowy links to government forces, thus justifying violent counter measures.

When Karuna, the Eastern Commander of the LTTE originally split with the LTTE leadership in the Vanni, it was initially described as an 'internal matter'. On 11 March 2004 Eric Solheim, the Norwegian Special Envoy at a press conference following a meeting with Tamilchelvan said:

“We did not involve ourselves in the discussion between the President and the Prime Minister and exactly in the same manner we will not take any part in the discussion between the LTTE leadership and Mr. Karuna. The first is an internal matter for the south and the second is an internal matter for the northeast.”

The LTTE's attempts to deal with their internal matter led to the movement of armed troops through government territory in violation of the ceasefire agreement, and the deaths of child soldiers on the frontlines that went unrecorded by the SLMM. But as the Karuna faction launched a series of violent attacks against the LTTE, including the ambush that killed the Eastern political leader, Kaushalyan, the 'internal matter' has quickly mutated into 'paramilitaries', a problem that the LTTE are asking the Government to tackle as a necessary precondition to peace negotiations. However, this 'internal matter' has played out violently and publicly in the Tamil community from the start, a stark reminder of how completely the Tamil people's identity and interests have been submerged by those of the LTTE.

When the LTTE attacks other Tamils, it appears to be accepted by the Government and the Southern establishment as merely an internal matter. On 7 July 2004, a suicide bomber killed four security personnel and herself in Colombo, in an apparent assassination attempt against Cabinet Minister Douglas Devananda, head of the Eelam People's Democratic Party. Harim Peiris, a Government spokesperson said:

“The peace process moves on entirely as usual... It is the LTTE going after a political opponent. It is that and absolutely nothing else. It is resorting to violence to kill an opponent; it is not reverting to hostilities.”

However, when violence within the Tamil community threatens the LTTE, it ceases to be an internal matter, and becomes instead a disruption of any possible peace process, which concerns all parties. The emphasis on confidence building for the militarily powerful players at the expense of civilian interests has become the fault line in Sri Lankan peace negotiations.

These tensions, and the concern for confidence building are now being transferred to the post-tsunami reconstruction effort. The World Bank's call to link a recovery strategy to a strengthened peace process through confidence building was echoed by Balasingham in his call for the Government to 'create a joint mechanism with the LTTE to distribute post-tsunami relief, rehabilitation and reconstruction assistance' as a contribution to a 'congenial climate'. The LTTE have argued that some kind of interim administration or joint mechanism is crucial to dealing with the humanitarian crisis created by the tsunami. The political issues thrown up by the civil war are too intractable and too complex to be dealt with in a satisfactory manner given the urgency of the need for post-tsunami reconstruction. However the same “urgent

humanitarian” needs was quoted by the LTTE as the reason for pulling out of peace negotiations in April 2003, with both humanitarian needs and a political solution to the conflict neglected.

On 25 January 2005, the Sri Lanka donor co-chairs issued a joint press statement evaluating the effects of the tsunami on the peace process. Identifying the interdependent relationship between the peace process and post-tsunami reconstruction, they laid emphasis on the participation of local and international civil society, and noted that a peace settlement could ‘only be sustained if it respects the legitimate rights and involvement of all ethnic groups...and is based on the principles of democracy and respect of human rights’

It is vitally important that ‘the principles of democracy and respect of human rights’ are more than just principles, but can be set in motion through concrete mechanisms on the ground. Without a true commitment to democracy and human rights, backed by mechanisms and guarantees, the very nature of the post-conflict situation could entail the failure of a satisfactory peace settlement.

The post-tsunami reconstruction and the peace process can and should be linked in a fundamental way by a commitment to human rights. A peace process after an ethnic conflict or reconstruction after a disaster should consist of more than bargaining and compromises by key political and military players. For all reconstruction efforts to be meaningful, the democratic participation of the people is required, with their right to participation dependent on the protection of their human rights. Instead, the last three years of the cease fire and the weeks following the tsunami have witnessed the systematic violation of the human rights of the Tamil people by their self appointed “sole representatives.” It is critical that guarantees for human rights go beyond rhetoric to concrete agreements and mechanisms, with a human rights accord backed by international human rights monitors.

****Note on the ‘Peace-building and Reconstruction Monitor’***

This is the second in a series of briefings on the politics of peace and reconstruction by a group of Sri Lanka Democracy Forum (SLDF) activists. These briefings are meant for discussion and to further develop the analysis of SLDF and SLDF's partners, and do not necessarily reflect the position of SLDF.

If you would like to receive these briefings please e-mail: peacebriefing@lankademocracy.org