



Peace Process in Sri Lanka

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Thus Far

For the first time since the intensification of ethnic conflict in 1983 there is prolonged peace throughout Sri Lanka, though a negative one, due to the absence of hostilities. More than 64,000 lives were lost in the last 20 years, apart from millions being displaced and huge economic loss. A recent survey in the island revealed enormous backing for the peace process and a longing for peace among the people. The international community came forward to support the United National Front (UNF) government-initiated peace initiative soon after it assumed office in December 2001.

One year thereafter, with Norwegian facilitation, the process witnessed a ceasefire agreement (22 February 2002), four rounds of talks (starting from September 2002) and a development conference (25 November 2002) attended by over 20 donor countries. Barring a few minor exceptions, the ceasefire agreement has been honoured so far; and the talks have yielded a significant outcome with the LTTE renouncing separatism, mutual acceptance of federalism as the framework for further negotiations, setting up of separate sub-committees on 'political', 'humanitarian and rehabilitation', and 'de-escalation and normalisation' issues; expeditious de-mining of the war-affected zones, and restoration and reconstruction of archeological and cultural sites. Three more rounds of talks and a donor conference are in the offing before June this year.

Despite these positive developments, the peace talks have thrown up some important issues that have the potential to wreck the whole process. These issues are considered under the following

four heads:

Will this process be successful?

Certain pertinent questions need to be borne in mind viz.

- Given the fact that the history of peace processes in the island has been one of mutual betrayals and lack of commitment, what is the guarantee that the present exercise will be an exception?
- With the Tigers refusing to part with their arms, dismantle their suicide squads, and reinforce their parallel state structure, what is the guarantee that the LTTE will not return to the path of violence?
- Due to lack of bipartisanship between the People's Alliance and United National Front, and the President's continued ambivalence on the peace effort, what if she, on some pretext or the other, uses her enormous executive powers vested by the Constitution to oppose or dilute the final settlement?
- With the Janata Vimukthi Peramuna (JVP) and other Sinhala hardliners already opposing every move by the government during the peace talks, their apprehensions about the Norwegian facilitation, and their 'federal paranoia', will they agree to a federal set-up as a solution?

The only hope, however, is the pressure in the form of both the carrot and stick from the international community. The dividends of peace through foreign aid and investments are a major incentive for the government; throttling of diaspora funding and other sources of finance is a major deterrent for the LTTE. It is this hope which can save the peace

process from sinking again in to the oblivion. At the same time, this factor cannot be exaggerated as doubts persist on Norwegian neutrality, the real interests of the United States, Japan's intentions, and India's hands-off policy.

Where do the Muslims stand?

The Muslim issue is considered the 'weak link' in the entire peace chain. As the third largest community, Muslims do not enjoy good relations with the Sinhalese and Tamils. Bringing in the ethnically diverse east into any kind of federal settlement will be a painful exercise. The Muslims in the east would be unwilling to come under a possible LTTE authority in the post-settlement period given its violent past.

Moreover, the continuance of the on-going peace process depends on the survival of the UNF government, which depends on the continued support of the Sri Lanka Muslim Congress (SLMC). The factionalism that has recently surfaced within the SLMC is a serious setback not only for the Muslims, but also to the peace process. Despite Rauff Hakeem winning the court cases questioning his leadership, the LTTE has expressed doubts about accepting him as the sole representative of the Muslims. This, in turn, brings

into doubt the claims of the LTTE to be the sole representative of the Sri Lankan Tamils, appreciating the popular support enjoyed by non-LTTE Tamil groups. The LTTE must also appreciate that doing business with someone other than Rauff, a moderate, will not be easy. But this should not be a reason for ignoring the Muslim factor during the peace talks.

Permitting the LTTE cadres to enter government controlled areas for political work without arms has resulted in propaganda by the Tigers; so far, they have recruited around 7763 new cadres since the signing of the MoU. Of the new recruits, many are reported to be children, though the LTTE denies this

How far is the peace process reflected on the ground?

The truce has undoubtedly brought some real advantages to the people of the North and East; restrictions on essential items have been removed; the A-9 highway, connecting Kandy and Jaffna, is open for movement of traffic; there is a free movement of people; and huge school enrolments have been recorded in the area of conflict; resettlement has begun though not at the institutional level; no life has been lost due to military confrontation or militancy; and, above all, the economy has witnessed a major boost.

However, the LTTE continues to collect customs on goods passing through the territory controlled by them. This has raised the total cost of goods phenomenally. Permitting the LTTE cadres to enter government controlled areas for political work without arms has resulted in propaganda by the Tigers; so far, they have recruited around 7763 new cadres since the signing of the MoU. Of the new recruits, many are reported to be children, though the LTTE denies this. The deserting cadres are allegedly caught and brought back; extortions and forcible taxation has not come down; complaints of harassment of former non-LTTE militants continue; and the outfit has asked banks in Jaffna for details of account holders to levy special charges on the amount held. Its demand for vacation of High Security Zones by the Sri Lankan armed forces to accommodate the displaced does not seem to be genuine, but aimed at recapturing the Jaffna peninsula "politically".

The public is not aware or made aware of the nuances of the on-going peace efforts. Whatever little information reaches citizens is of questionable veracity, as the sources for disseminating information, especially the mass media, are divided and bemused. There is some danger of an information vacuum being used by the hardliners to create unnecessary panic, which might prove disastrous for the entire process.

Will human rights be addressed judiciously?

The human rights dimension in the on-going peace process is significant, though contentious, as the Sri Lankan ethnic conflict is termed a "war for rights" by both sides. The issues involved are large scale disappearances (around 20,000) due to the ethnic conflict, resettlement of refugees and internally displaced persons, child recruitment, abduction, extortion and forced

taxation by the LTTE, existence of paramilitary and village defence forces, and the removal of landmines. The ICRC has been entrusted with the responsibility for tracing the missing persons in action, but the LTTE has categorically stated that it has no captive. Given the fact that most human rights violations were perpetrated by the LTTE and government forces one wonders how they will evolve a mechanism for safeguarding human rights.

The clock has to be put back. Former Amnesty International chief, Ian Martin, has been chosen as special envoy to look into the human rights framework for the on-going talks. His AI tag may present problems given the sensitivity of the subject, and its severe strictures on human rights violations by the government and the LTTE. A broad-based committee drawn from civil society encompassing all affected communities might be able to address the entire gamut of issues involved.

Without addressing these complex issues peace in the island cannot be stabilized, let alone sustained.



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