

## Sri Lanka: Continuing Negotiations by Other Means

The Liberation Tigers of Tamil Eelam (LTTE) pulled out of peace negotiations with the Sri Lankan government last March, putting even more stress on an already fragile peace process. Negotiations have continued, however, with a new effort to define an interim governing arrangement for the largely Tamil north and east of the country. Both sides are scrambling to show that the process can make a difference in the daily lives of residents and that they are committed to success. Nevertheless, one should not expect a speedy or smooth resolution of the conflict.

**The Cease-fire Still Holds.** Violence remains well below the levels preceding the cease-fire agreement of February 2002, and no generalized fighting has broken out. Roads linking the Jaffna peninsula with the rest of Sri Lanka have been reopened after 12 years, and passenger flights to Jaffna have been resumed. These steps should not be dismissed as merely symbolic; they represent the first visible changes in a landscape scarred by more than a decade of war.

**The LTTE's Checkered Past—and Present.** The period since March 2003 has seen a growing number of violations of the 2002 cease-fire. The bulk of cease-fire violations have allegedly been committed by LTTE, and cases of child soldier recruitment continue to occur, despite international condemnation. The Sri Lanka Monitoring Mission established by the cease-fire has ordered the LTTE to move a camp in eastern Sri Lanka; the LTTE has refused. The LTTE, in turn, has accused the government of dragging its feet on its commitment to vacate schools and of refusing to allow Tamil villagers a normal life in the High Security Zones near army bases.

Confrontations between the Sri Lankan navy and LTTE ships in February were cited by the LTTE as the reason for its decision to break off negotiations. These incidents did not violate the terms of the cease-fire. A more important cause of the breakdown was the LTTE's complaint that there had been insufficient progress toward recognition of its control over the north and east of the island. The U.S. decision not to invite the LTTE to a preparatory meeting of aid donors in Washington in April led the organization to conclude that it was being marginalized in discussions on economic reconstruction. The LTTE, extremely sensitive to any indication that it is being treated unequally with the government, then refused to attend a donors' meeting in Tokyo.

**An Interim Arrangement.** Following the suspension of direct talks, the LTTE made known that it wanted to develop an interim arrangement for LTTE administration of the north and east before resuming negotiations. This idea had been proposed

a year earlier, but had been deferred by mutual consent because of the difficult legal, political, and technical issues it posed. In June 2003, the government submitted a framework for an interim arrangement that would provide the LTTE with guaranteed local authority. Not surprisingly, the LTTE looked at this through the prism of earlier Sinhalese-Tamil understandings that have been badly implemented by the government. LTTE members are currently holding meetings with legal experts from the Tamil diaspora and elsewhere, and plan to come back with a counterproposal on October 31, 2003.

Rather than breaking down, the negotiations have moved to a new track. There is some hope that face-to-face meetings will resume following the LTTE's proposal. The LTTE has also been trying to "create facts" by establishing its own institutions in the east. However, recognition of the "Tamil Eelam Police Service" and the "Tamil Eelam Judicial Service" may prove unpalatable to the government, which is already grappling with both internal disagreements and an increasingly skeptical public.

**Longer Term Challenges: Intra-Tamil Violence...** Meanwhile, the LTTE's long-standing intolerance of dissent from within the Tamil community has reached serious proportions. Human Rights Watch has said that the Eelam People's Democratic Party (EPDP) and the Eelam People's Revolutionary Liberation Front (Varathar) EPRLF(V), two Tamil political parties that have challenged the LTTE's leadership, have had 32 members or supporters killed or missing since February 2002. The greatest violence has taken place in the ethnically mixed east, which has never been as firmly behind the LTTE as the overwhelmingly Tamil north.

This violence, probably more than any other single factor, makes it impossible for countries outside the region to remove the "terrorist" label from the LTTE. It also represents a challenge for the Norwegian facilitators of the peace process. Condemning the LTTE could lead it to refuse to work with the Norwegians; yet, ignoring the killings will affect Norway's credibility and efficacy.

The Tamil community in Sri Lanka, some 20 percent of the population, has significant internal economic, social, cultural, and political differences—differences that will only become more apparent as peace becomes a reality. The LTTE's claim to speak for all Tamils has made it unwilling to recognize any other Tamil voices, but a viable structure for long-term peace will need to provide space for different parts of the Tamil community as well.

**... and Other Minorities.** Another long-term challenge will be the broader ethnic and economic composition of the country. Sri Lanka has a Muslim population of about 7 percent, much of it resident in the southeastern corner of the country, within the area claimed by the LTTE. The Muslims speak Tamil, but have long been at the receiving end of much of LTTE violence. There are reports of clashes between Tamils and Muslims, and the rise of Islamist militancy is a possibility. Returning Muslims to areas from which they had been displaced will, at best, be extremely complicated.

The eastern part of the island also includes a Sinhalese minority of more than 30 percent. The LTTE has acknowledged that it will need to accommodate the Sinhalese and Muslim residents in the east. At the same time, the forced expulsion of both Sinhalese and Muslims from northern Sri Lanka a decade ago has left both communities skeptical of the LTTE's willingness to live by the principles of coexistence and democracy.

**Arms Build-up.** There are reports that the LTTE is continuing to strengthen its military capacity. It is also recruiting and training new soldiers. In response, the Sri Lankan government is reportedly planning an increase in its budgetary allocations for defense. Although these moves may not signal the end of the peace talks, they certainly highlight the constant possibility of a return to violence.



**A Divided Government.** To complicate matters further, Prime Minister Ranil Wickremasinghe's United National Front (UNF) cabinet has an uneasy relationship with President Chandrika Kumaratunga and her People's Alliance. The president has made public her displeasure with the UNF's alleged "soft" stance toward the LTTE. Although she has not indicated any immediate plans to disassociate herself from the peace talks, the tug-of-war between the president and the prime minister is a worrying trend. In addition, the president has periodically expressed dissatisfaction with the Norwegian mediation team. In late October, she demanded that the head of the peace monitoring mission, Major General Trygve Tellefsen, be withdrawn, alleging that he is biased in favor of the Tigers.

The prime minister holds most of the levers of power in the government. The president, however, has the right to dissolve parliament at any time 12 months after the last election—a point that was reached in December 2002. As a result, the prime

minister is constantly threatened by the possibility of a fresh parliamentary poll.

In addition, any changes to the country's constitution, such as a transition to a federal structure, must be passed by a two-thirds majority of the Sri Lankan parliament. The government currently enjoys only a slim majority. The requirements for a constitutional amendment mean that both the president and the prime minister will need to support any final agreement.

**The Economy.** If achieving recognized control over the north and east is the short-term objective of the LTTE, the government's short-term measure of success includes an economic revival. Economic issues are particularly significant, given that both the LTTE and the Janata Vimukti Peramuna (JVP), the Tamil party that spearheaded a brutal civil war in the 1980s, have drawn members from the educated, unemployed youth. In the years following its independence from British rule, Sri Lanka had one of the most promising economies in Asia. Three decades and two civil wars later, the country has paid a high price for conflict. Nevertheless, the country continues to perform well on social indicators. In fact, with a literacy rate of greater than 90 percent, it ranks significantly higher than most developing countries, including neighboring India. As the prospects for peace have emerged, its economic prospects, too, have brightened. Growing trade and rising interest among international investors are contributing to swelling foreign exchange reserves, estimated at about \$1.7 billion in December 2002, a 25 percent increase from 2001. Foreign aid and investment will rely heavily on the success of the peace efforts. A successful peace process must, therefore, provide for economic reconstruction throughout the country.

**The Role of India.** Although India is not directly involved in the talks, its support will be necessary for the viability of an eventual agreement. India has had a positive attitude so far, and would clearly welcome the end of the threat of civil war in Sri Lanka. India will, however, need to be convinced that the terms of a settlement do not encourage secessionist movements elsewhere in the region. The biggest issue, for both India and the Sri Lankan parties, will probably be reconciling the terms of a settlement with India's earlier efforts to extradite and try LTTE leader Prabhakaran for the assassination of former Indian prime minister Rajiv Gandhi.

**Reasons for Hope.** The fact that the cease-fire continues to hold is the most important reason for cautious optimism about the prospects for peace. The process has the support not only of Norway, whose tireless facilitation efforts have contributed significantly to its progress, but also of India, the United States, Japan, and a large number of outside powers. International attention to the peace process means that no party will want the blame for a breakdown in talks. Despite the fragility of the process, both sides still want it to continue. Therein lies the hope of an eventual, if distant, sustainable peace.

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