ROLE OF A THIRD PARTY IN CONFLICT RESOLUTION:
A CASE STUDY OF INDIA AND NORWAY IN SRI LANKA
The Regional Centre for Strategic Studies (RCSS) is an independent, non-profit and non-governmental organization for collaborative research, networking and interaction on strategic and international issues pertaining to South Asia. Set up in 1992, the RCSS is based in Colombo, Sri Lanka.

The RCSS is a South Asian forum for studies, training and multi-track dialogue and deliberation on issues of regional interest. All activities of RCSS are designed with a South Asia focus and are usually participated by experts from all South Asian countries. The Centre is envisaged as a forum for advancing the cause of cooperation, security, conflict resolution, confidence building, peace and development in the countries of the South Asian region.

The RCSS serves its South Asian and international constituency by: (a) networking programmes that promote interaction, communication and exchange between institutions and individuals within and outside the region engaged in South Asian strategic studies; (b) organizing regional workshops and seminars and sponsoring and coordinating collaborative research; and (c) disseminating output of the research through publications which include books, monographs and a quarterly newsletter. The RCSS facilitates scholars and other professionals of South Asia to address, mutually and collectively, problems and issues of topical interest for all countries of the region.

Queries may be addressed to:

Regional Centre for Strategic Studies
410/27 Bauddhaloka Mawatha
Colombo 7
SRI LANKA
Tel: (94-11) 2690913-4
Fax: 2690769; e-mail: rcss@sri.lanla.net
RCSS website: http://www.rcss.org
ROLE OF A THIRD PARTY IN CONFLICT RESOLUTION:
A Case Study of India and Norway in Sri Lanka

MARIA SAIFUDDIN EFFENDI
RCSS is grateful to the Ford Foundation for its generous support for the Kodikara Award on which this report is based.
To

My Ammi and Daddy
For their boundless ocean of love
and affection for me
throughout my life
Contents

List of Abbreviations 8

Preface 11

1 Introduction 13

2 Ethnic Conflict and Mediation: A Conceptual Study 23

3 A Third Party in Sri Lanka 37

4 International Mediation: 1998 Onwards 58

5 Conclusion 79

Annex 1 108

Annex 2 110

Annex 3 115

Bibliography 120
Abbreviations

AIADMK  All-India Anna Dravida Munnetra Kazhagam
APC     All-Party Conference
B–C Pact Bandaranaike–Chelvanayakam Pact
CFA     Ceasefire Agreement
DMK     Dravida Munnetra Kazhagam
ENDLF   Eelam National Democratic Liberation Party
EPDP    Eelam People’s Democratic Party
EPRLF   Eelam People’s Revolutionary Liberation Front
EROS    Eelam Revolutionary Organisation of Students
GOSL    Government of Sri Lanka
HSZ     High Security Zones
IDP     Internally Displaced People
IPKF    Indian Peace-Keeping Force
ISGA    Interim Self Governing Authority
JVP     Janatha Vimukthi Peramuna
KMS     Keeny Meeny Services
LTTE    Liberation Tigers of Tamil Eelam
MHS     Mutually Hurting Stalemate
NAT     Norwegians against Terror
PA      People’s Alliance
PRIIO   International Peace Research Institute, Oslo
PLOTE   People’s Liberation Organisation of Tamil Eelam
RAW     Research and Analysis Wing
SAS     Special Air Services
S–C Pact Senanayake–Chelvanayakam Pact
SDN     Subcommittee on De-Escalation and Normalization
SLFP    Sri Lanka Freedom Party
SLMC    Sri Lankan Muslim Congress
SMGs    Sub-Machine Guns
TCC     Tamil Coordinating Committee
<table>
<thead>
<tr>
<th>Acronym</th>
<th>Full Form</th>
</tr>
</thead>
<tbody>
<tr>
<td>TELO</td>
<td>Tamil Elam Liberation Organisation</td>
</tr>
<tr>
<td>TRO</td>
<td>Tamil Rehabilitation Organisation</td>
</tr>
<tr>
<td>TULF</td>
<td>Tamil United Liberation Front</td>
</tr>
<tr>
<td>UNF</td>
<td>United National Front</td>
</tr>
<tr>
<td>UNP</td>
<td>United National Party</td>
</tr>
<tr>
<td>UPF</td>
<td>United Peoples Front</td>
</tr>
<tr>
<td>UPFA</td>
<td>United People's Freedom Alliance</td>
</tr>
<tr>
<td>VoA</td>
<td>Voice of America</td>
</tr>
</tbody>
</table>
Source: *The World Fact Book.*
Preface

The present study, ‘Role of a Third Party in Conflict Resolution: A Case Study of India and Norway in Sri Lanka’ has been conducted under the Kodikara Research Award 2005–6. The study explores the specific roles of India and Norway in the Sri Lankan ethnic crisis in 1983–87 and 2000 onwards, and proposes a framework to manage the ethnic conflict. The study also presents a conceptual structure under William Zartman’s Mutually Hurting Stalemate Model.

I am privileged to extend my deep gratitude to various people and organizations who and which contributed greatly to help me conduct this research study. My sincere gratitude to the Regional Centre for Strategic Studies (RCSS), Sri Lanka, and the Ford Foundation, US, for their financial support and grant to carry out this study. I am particularly thankful to Dr Rifat Hussain, Executive Director, RCSS, for his support, specially his prompt replies to my e-mail queries and easy access to him. My thanks to former Executive Director, RCSS, Prof. Sridhar Khatri for his support in the initial phase of my application for this award. I am extremely grateful to my supervisor Dr Noman Sattar who has always been available for me with his valuable guidance and support, and without whose advice I would not have been able to complete the project successfully.

Very special thanks go to Maj. Gen. Jamshed Ayaz Khan, President, Institute of Regional Studies (IRS, Islamabad), for his immense support and cooperation throughout the duration of the project, as well as his contribution to my career and professional development in research. At IRS, I am also grateful to my senior colleague Rizwan Zeb for his advice in the initial phase of this project; Saleem Raza, Computer Programmer, for his technical support; and Arshad Mehmood, Library Assistant, for his cooperation in data collection. My gratitude to my teacher, Dr Moonis Ahmar, for his valuable suggestions in the initial phase of this project. My heartfelt thanks to a teacher and friend, Dr Jehan
Perera, who carefully kept reviewing my research and analysis from the beginning of the study. He was my prime contact person for various individuals and organizations, including the National Peace Council of Colombo. I am also grateful to Prof. Jayadeva Uyangoda and Dr Dayan Jayatilleka, University of Colombo, for their able guidance and support.

Deep and heartfelt thanks to my friend Harinda Ranura Vidanage, Advisor, International Affairs, to HE President Mahinda Rajapaksa, Sri Lanka, without whose support I would not have been able to acquire first-hand and official information on Sri Lankan affairs. His immeasurable support during the last three years enabled me to apply for and obtain this research award. In India, I am extremely thankful to my friends Tanya Mohan and Dr Smruti Pattanaik for their love, support and facilitating my contact with Indian experts on Sri Lanka and also well-known libraries and institutions in New Delhi, specially the Institute of Defence and Studies and Analysis, and Jawahar Lal Nehru University. Their moral and academic support and valuable guidance enabled me to move freely and conduct my field study in New Delhi. I am grateful to Dr Suba Chandran and my friend Seema S. of the Institute of Peace and Conflict Studies, New Delhi, for their support and cooperation in data collection. I would like to express my heartfelt gratitude to Lt. Col. Dhiren Bahl (ret’d), Editor, Wordsway Copyediting, for his cooperation and intellectual support. Working with him gave me an opportunity to learn basic research methods for which I am really grateful to him.

My sincere thanks to my friends for their love and moral support throughout the period of this study. My special gratitude to my uncle, the late Syed Naseer Haider, for his encouragement and support. He was a great source of inspiration to me. Last, and most importantly, my deepest gratitude to my Mom and Dad, without whom I would not have been able to do anything in life.

Islamabad

5 August 2006

Maria Saifuddin Effendi
CHAPTER 1

Introduction

The Ethnic Conflict in Sri Lanka

CORE OF THE CONFLICT

The unremitting communal violence between the Tamil and Sinhala populace in Sri Lanka has been plaguing the country and has claimed more than 60,000 lives over the last 25 years. Sri Lanka is a multi-ethnic, multireligious and multilingual country inhabited by Buddhists, Hindus, Muslims, and Christians. The Tamil population constitutes the largest minority group, i.e. 18 per cent. The prime factor that triggered this conflict was discrimination against Tamils through government policies in five main areas: land, language, education, employment, and power sharing. Further developments in this regard sowed the seeds of what has become a protracted and violent conflict that was particularly exacerbated by the anti-Tamil riots of 1958, 1977–78, and 1983.1 Different techniques of conflict management were applied to manage this ethnic conflict, particularly two-party negotiations (i.e. the Bandaranaike–Chelvanayakam Pact, 1957; and the Senanayake–Chelvanayakam Pact, 1965), and mediation (the Indo-Lanka Accord, 1987; and the Ceasefire Agreement 2002 under Norwegian facilitation).

GOVERNMENT POLICIES AGAINST TAMILS

To begin with, the language issue emerged with the passage of the ‘Sinhala Only Act’ in 1956. According to the law, Sinhala was made an official language. The Act also specified that ministries should be prepared to commence the use of the Sinhala language before the notified date, and if this change could be effected by
administrative order, regulations might be made to effect such a change. No provisions were made in the Act for the use of the Tamil language for official purposes in the Tamil districts.²

There were certain factors and circumstances that led to the passage of this Bill. It is generally believed that Mr S. W. R. D. Bandaranaike of the Sri Lankan Freedom Party (SLFP), who later formed a united front under the name Mahajana Eksath Peramuna (MEP), won the general elections of 1956 with a mandate to empower the Sinhala language, culture, and religion. To this end, he brooked no delay in pursuing such policies that fulfilled the demands of his agenda.

However, the Act left a terrible impact. Having no prior know-how of the Sinhala language, the Bill cost the Tamils jobs and education. The ‘Sinhala Only Act’, in practical terms, imposed restrictions on the recruitment and promotion of Tamils within the civil service, hence, also had a direct bearing on the economic existence and social aspirations of the Tamil middle and professional classes, as well as the aspirants to that stratum.³ Many high-school graduates became jobless due to the changed medium of instruction.

The ‘Standardization Formula’ was introduced in 1970. For the science stream, Tamils were required to have maximum marks to meet the admission criteria, whereas minimum marks were required to secure admission in the arts stream. The policy was directed against the Tamils (who were used to studying professional subjects). It was felt that Tamils were performing exceptionally better than the Sinhalese in scientific fields. By introducing such a policy, the government tried to deprive Tamils from getting admission in professional subjects. The standardization scheme led to a progressive decline in the share of Tamil youth admitted in the universities, specially in the faculties of medicine, engineering, and science.⁴ Discrimination got formalized as the policy paid better dividends to the Sinhalese, since meeting the admission criteria in professional fields was quite soft for them. They were required to have the minimum marks to get admission in the professional faculties.
TABLE 1.1 UNIVERSITY ADMISSIONS BASED ON MINIMUM MARKS 1971*

<table>
<thead>
<tr>
<th>Course of Study</th>
<th>Medium</th>
<th>Minimum Marks</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arts</td>
<td>Sinhalese</td>
<td>187</td>
</tr>
<tr>
<td></td>
<td>Tamil</td>
<td>170</td>
</tr>
<tr>
<td>Engineering</td>
<td>Sinhalese</td>
<td>227</td>
</tr>
<tr>
<td></td>
<td>Tamil</td>
<td>250</td>
</tr>
<tr>
<td>Medicine and dentistry</td>
<td>Sinhalese</td>
<td>229</td>
</tr>
<tr>
<td></td>
<td>Tamil</td>
<td>250</td>
</tr>
<tr>
<td>Bio-sciences</td>
<td>Sinhalese</td>
<td>175</td>
</tr>
<tr>
<td></td>
<td>Tamil</td>
<td>181</td>
</tr>
<tr>
<td>Physical sciences</td>
<td>Sinhalese</td>
<td>183</td>
</tr>
<tr>
<td></td>
<td>Tamil</td>
<td>204</td>
</tr>
</tbody>
</table>


Akin to this policy, the District Quota System was introduced in 1974. Under it, some seats in the universities were set aside to be allocated to different districts according to the percentage of population in each district. The quota was not applied uniformly to all subjects, and more seats were allocated for science subjects. Again, the Sinhalese emerged as the privileged group as they dominated the professional faculties. Their share of admissions to science-based faculties rose from 75.4 per cent in 1974 to over 80 per cent (estimated) in 1975.

Another area of deprivation was employment. The popular language Bill led to unemployment among the Tamils. It was designed to deprive Tamils of government and semi-government jobs. Following the ‘Standardization Policy’, they were disqualified in careers like engineering and medicine. Now, sensitive departments, e.g., the police and security forces dictated similar terms and conditions. Out of the 22 per cent population of Tamil-speaking people, not even 2 per cent were selected for jobs in the Armed Forces. In the police force, at the lowest rung of constable, only 5 per cent were selected for jobs; in the higher rungs, it was an even smaller percentage.
The issue of land settlement and power sharing also contributed to the ethnic crisis. The colonization schemes by Sinhala governments were deplored by the Tamils. Sinhala peasants were settled in Tamil districts. To the Tamils, the resettlement of Sinhalese in Tamil provinces meant transfer of political power from the Tamils to the Sinhalese. They perceived the colonization policy as designed to deprive Tamils from power sharing and regional autonomy. They thought they would lose electoral control in their areas. To the Tamils, the state-sponsored colonization of Batticaloa District by Sinhalese settlers and the subsequent creation of Amparai District were contrived by Sinhala governments to weaken the Tamil stronghold in their traditional homeland. This settlement of Sinhalese inhabitants increased the population growth rate throughout Tamil areas. The Sinhalese population in the eastern province increased by 424 per cent between 1953 and 1981.

The increasing growth rate of the Sinhalese altered the ethnic composition of the Tamil-inhabited districts. The Tamils were concerned that they would become a minority in their own ‘homeland’. This also led to greater representation of the Sinhalese in the legislature. Sinhalese over-representation made the Tamils feel deprived and discriminated against in political affairs too. The denial of minority rights in education, language, power sharing, and employment constituted an unending series of grievances among Tamils in Sri Lanka. Later, this frustration led to political violence and demand for a separate state, ‘Eelam’.

There were also perceptual differences between the Sinhalese and Tamils. The Tamils felt aggrieved due to government policies in political and economic representation of Tamils, and the Sinhalese perceived the Tamils as getting a greater share in parliament, bureaucracy, and the educational fields. As the Sinhalese saw it in the early 1950s, though they were a substantial majority of the population, more than 40 per cent of the workers in the clerical service and one-third of all university graduates were Sri Lankan Tamils. The clashes of perception of Tamils against the Sinhalese led them to favour the concept of a ‘separate state’ where they could exercise control over primary administrative areas. The
Tamil minority lived mostly in the north-east and they wanted a decentralized set-up where they could enjoy their cultural, religious, political, and economic rights.

**PACTS TO SETTLE ISSUES**

Certain pacts were made to resolve the differences, yet none of them mitigated the paranoia of the two communal groups against each other. After the ‘Sinhala Only Act’, Bandaranaike allowed ‘reasonable use of Tamil language’ too, and extended a set of proposals according to which the Tamil language could be used ‘up to the highest level of the education system’; Tamils could appear in the public service examinations, but with the understanding that they would also learn Sinhalese within a certain period after their recruitment; and the Tamil language could be used for official business transactions and correspondence with the government. In the backdrop of these proposals, the Bandaranaike–Chelvanayakam Pact (B–C Pact) was signed on 26 July 1957 by the Gosl and the Federal Party (FP). The B–C Pact emphasized the establishment of regional councils in the north-east, exercising substantive powers in agriculture, land and land development, education, health, industries, fisheries, electricity, housing, water schemes, etc. The pact was a sort of devolution package, yet it could not resolve the differences.

A similar pact was signed between Dudley Senanayake and Chelvanayakam in 1965. Like its predecessor, the central feature of the Senanayake–Chelvanayakam Pact of 1965 (the S–C Pact), from the FP’s standpoint, was the establishment of district councils with delegated powers, which were to be agreed upon later.\(^{11}\) Insistence on official status to the Tamil language was also the same as in the B–C Pact. As to colonization and resettlement, it was agreed that lands in the northern and eastern provinces would, in the first instance, be granted to landless residents within the districts of the two provinces, then to Tamil-speaking residents in the two provinces, and finally to other citizens, preference being given to Tamil citizens, resident in the rest of the island.\(^{12}\) The S–C Pact was
also unable to address and redress the grievances of Tamils in the island country.

Assessing all the peace efforts, various scholars hold different views. In the words of Lewer and William:

...these pacts tackled the issues of resettlement of Sinhalese on land that Tamils considered their traditional places, some devolution of power to Tamil-speaking regional councils, and recognition of Tamil as a national minority language. On both occasions, the agreements were ignored and not implemented by the government of the time, causing anger and increasing frustration amongst the Tamils, who responded with nonviolent campaigns of civil disobedience.13 Ponnambalam analyses the reasons behind the non-implementation of B–C Pact, as ‘the reason (was) simply that Sinhalese–Buddhist extremists were, for the first time, claiming the whole of Sri Lanka for Sinhalese and Buddhism. They were beginning to deny any legitimate place for any one other than the Sinhalese–Buddhists, and for any cause other than Sinhala–Buddhism. National-ethnic rights, national education, public and defence services, Marxism and even business must all serve Sinhala–Buddhism. Sri Lankan politics thereafter was the story of how this position was turned into a reality.’14

Bahaduri and Karim evaluate the whole era of the peace process as ‘either the Government was not sincere or it failed to curb attempts by Sinhala chauvinist groups to thwart these reforms’.15 Vaidik also shares similar opinions: ‘...the journey from the B–C Pact of 1957 to the District Development Councils of the 1980s is a story of broken promises, prevarications and constitutional deceptions’.16

Analysing these peace initiatives, there are two major points that should not be overlooked. Since Sri Lanka had been experiencing ‘competitive politics’, it was difficult for the ruling party to pursue any policy due to resistance from the opposition. Second, Sinhala and Buddhist extremists impeded the peace efforts. They feared Tamil domination throughout the island. It was, therefore, not easy to implement any agreement that favoured the Tamil cause. Generally speaking, lack of political will, rigid attitudes, clash of interests/opinions within the government and with representative Tamil parties led to breakdown of talks, whenever and wherever negotiations started.
SIGNIFICANCE AND RATIONALE OF THE STUDY

There are two important reasons for choosing this theme for this study.

- Sri Lanka is the only South Asian country that sought (external) third-party involvement as an option for ‘internal’ conflict management twice.
- The case study of the Sri Lankan crisis presents an interesting fact-sheet that evaluates the process of crisis escalation and conflict prevention during two different eras: the Cold War, and the post-9/11 period. Certain internal and external compulsions provided the mediators an opportunity to be involved in the civil internecine struggle of Sri Lanka.

The study dwells upon a comparison between mediation under the aegis of India and of Norway. It gives a deep insight of conceptual orientations of Sri Lanka’s ethnic conflict under Zartman’s model of ‘hurting stalemate’ in the context of mediation in internal conflict. This conceptual model makes an assessment whether the hurting deadlocks of Sri Lanka in the 1980s and 1990s were ripe moments for mediators to intervene and manage the conflict or not.

OBJECTIVES OF THE STUDY

The objectives of the study are:

1) to explore the dynamics of conflict resolution in Sri Lanka under a multilateral framework; and
2) in light of the ongoing peace process under Norway, the study also deals with the options of ending the crisis. The study focuses on the alternatives of resolving the crisis as to which type of solution is practical and feasible for the Sri Lankan crisis that will satisfy both warring factions, the LTTE and the GOSL under a federal framework. The study draws a conclusion on the basis
of the consensus, developed after acquiring opinions from different factions of Sri Lankan society through dissemination of questionnaires.

The field trip of Sri Lanka under the Kodikara Award was intended but could not materialize. Hence, the author conducted her field study of India in October 2005 during her participation in the Fourth Annual Conference on Conflict Transformation by Women in Security, Conflict Management and Peace (WISCOMP), New Delhi.

DIVISION OF RESEARCH

The study is divided into five chapters. Chapter 1 introduces the study. Chapter 2 focuses on the conceptual framework of the ethnic conflict and mediation under Zartman's Mutually Hurting Stalemate (MHS) model. Chapter 3 explores India's role as the mediator in the Sri Lankan crisis during 1983–87. It also covers the regional compulsions of India to intervene in the Sri Lankan crisis. Chapter 4 deals with the Norwegian role as a facilitator of the ethnic conflict in Sri Lanka, and Ch. 5 specifically dwells upon the crux of the ethnic conflict and mediation in light of the MHS model, and suggests a framework to resolve the crisis. The conclusion of the study is based on the alternatives and feasible options for the GOSL and the LTTE. The author has conducted interviews in person in India and disseminated questionnaires by e-mail among subject experts in Sri Lanka. Certain parts of this book have been reproduced from the previous study of the author on Sri Lanka published in Regional Studies, Winter 2003–4.

RESEARCH METHODOLOGY

Descriptive and historical approaches are followed for the background study of the ethnic conflict as well as Indian involvement in the crisis situation (1983–87). Scientific methods have been applied to assess and evaluate the roles of India and Norway as
mediators. It is followed by exploration of different options to end the crisis under mediation.

SOURCE MATERIAL

Primary and secondary sources had been used for the present study. The author enjoys easy access to libraries based in Pakistan, India, and Sri Lanka, and is also in contact with officials of the GOSL and experts on Sri Lanka. She has also relied on original documents (primary sources) including drafts of accords, official statements, press releases, etc. Secondary sources (viz., books, newspapers, magazines, and websites) have also been consulted.

HYPOTHESIS

The following hypothesis has been tested under this project.

Indian and Norwegian mediation in the ethnic conflict of Sri Lanka are different from each other. India got involved in the crisis as a mediator, became a guarantor, and finally intervened as the enforcer of peace through its peacekeeping forces. Norway is playing a role of mediator in a neutral framework and facilitating the two warring parties to manage the conflict through peaceful means.

QUESTIONS

The following questions have been discussed in the study.

1) What are the internal and external sources of ethnic conflict in Sri Lanka?
2) What was the internal and regional situation of Sri Lanka in 1983?
3) What was the role of India as a regional hegemon and then mediator in the Sri Lankan crisis, 1983 and onwards?
4) What were the ramifications of the Indo-Lanka Accord, 1987?
5) How did Norway get involved in the peace process of Sri Lanka in 2000?
6) What were the internal and international political compulsions of Norwegian facilitation?
7) Is Norway playing the role of ‘mediator’ in a neutral framework?
CHAPTER 2

Ethnic Conflict and Mediation: A Conceptual Study

ETHNIC CONFLICT

Ethnic conflicts occur in a heterogeneous society. States with multi-ethnic populations usually face the dilemma of unity in diversity.¹⁸

A country may have various ethnic groups that do not necessarily live in peace. A state with established and just economic and political systems can manage its diverse ethnic communities through equal distribution of resources and egalitarian political participation. Unresolved differences can lead to ethno-nationalism that can metamorphose into a violent ethnic conflict. Ethno-nationalism can best be defined as follows.

When a certain racial, linguistic, religious, etc., group of people in a country finds itself in one or more of three different situations.

1) It is marginalized in the politico-economic affairs of the country.

2) It feels itself superior and distinct in civilizational characteristics from the rest of the countrymen.

3) On being threatened by other coexisting ethnic group(s), it starts realizing the need to project its concerns under a particular framework.

Zartman explains various theories related to the concept of ethnicism:

…unequal distribution of resources produces conflict when the subordinate group rejects its previously accepted negative self-image, and with it the status
Role of a Third Party in Conflict Resolution

quo, and starts working toward the development of a positive group identity. When social identity based on intergroup comparisons is unsatisfactory, individuals will either strive to leave the group for a better identity or make their own group more positively distinct, thus causing conflict.19

Ethnic conflicts may emerge in the presence of one or more of the following factors.20

- History of a particular ethnic group; rise in ethnic consciousness and their perceptions.
- Ethnic mobilization for a solution to grievances and claims.
- Infliction of structural and physical violence on out-groups by the ruling clique.
- Unjust ethnic balance of power.

Zartman puts it as follows.

Internal conflicts begin with the inability or unwillingness of the government to handle grievances to the satisfaction of the aggrieved; that is, they begin with the breakdown of normal politics. Internal conflicts are about many different things in different cases, but all aggravated grievances can be subsumed under two related categories—neglect and discrimination, or a distributional element and an identity element.21

The basic reasons lie in economic inequality, political discrimination, and socio-cultural disparity. Indifferent attitude of governing authorities towards minorities contributes a lot to sparking a violent movement, which is often termed an insurgency or a secessionist movement. Moreover, a communication gap between different social groups and the government is also seen as a major backdrop for any political movement to turn into a violent one.

Ethnic nationalism is interlinked with many related concepts. Insurgency, secessionist movements, and separatist tendencies are by-products of ethnic differences between or among two or more distinct communities or groups. Ethno-nationalism may take a
Ethnic Conflict and Mediation: A Conceptual Study

violent form (terrorism) in case of aggressive behaviour of ethnic groups which utilize violence as a means to their ends. Thus, an ethnic group materializes what it thinks by exhibiting aggressive postures pertinent to rebellion, insurrection, or insurgency, generally referred to as the buzzword ‘terrorism’.

This violent form of ethnicism can be transformed into a full-fledged secessionist movement, demanding a separate area of land by exercising the right of self-determination. ‘Ethnic groups claiming to be (or to possess) nations and states in the past or that have the potential of becoming (nations or states and) are now demanding and asserting these claims as (historic) rights to self-determination for local autonomy or independence.’ Devalle views ethnicity in two ways: ‘The recognition and fostering of different identities by the ruling sectors and by an indigenous elite with similar interests, have been used to justify and structure unequal social and economic relationships.’ He goes on to say that, ‘…ethnicity as a metaphor for opposition, becomes “subversive” in the eyes of the state and the ruling classes, especially when it is articulated into ideological formulations and a social practice that stimulates the conception of a radically different future.’

Ethnic groups support insurgent activities. Insurgents intend to pursue such (military) tactics that ensure change, amendment, or modification in the existing policies of the prevalent political or economic system of the state.

As the American People’s Encyclopedia defines it:

Insurgency or insurrection involves the use of force against the established government for more limited objectives. Insurgency is used by minority groups when they are unable to achieve their ends by constitutional means.

If the ethnic group does not have an articulate spokesperson to project its genuine demands nor have a political forum, the insurgents try to exploit the situation, gain sympathies of the poor and illiterate masses, and demonstrate their activities. Insurgencies grow in a multi-ethnic, multicultural, and multilingual society. The politics of insurgency involve a mass uprising against ruling
authorities through use of force, with the aim of voicing the legitimate rights of a particular group of people who have long been suffering from political and economic grievances within the state (usually through violent means).

Ethnic conflict and insurgency aggravate the situation if supported by transnational links or diaspora. Many of the South Asian ethnic groups are transnational communities. Tamils live in Jaffna (Sri Lanka) as well as in Tamil Nadu (India). The people of the north-eastern Indian region are mostly of Indo-Mongoloid race and have their ethnic kin in Burma, Tibet, and China. Baloch are divided in Iran and Pakistan, and so are Kashmiris between the Indian-held territory and Azad Kashmir. Thus, the transnational factor makes insurgents more vocal in their demands and to pursue their objectives with more violent postures due to support of their ethnic brethren across the borders.

MEDIATION

The field of conflict resolution offers wide-ranging options to manage crises within a country. Scholars emphasize dialogue and negotiation as the best ways to reconcile differences in a peaceful manner. Since two conflicting groups have different perceptions of each other, they may not agree to a single solution. Moreover, they may have several petty issues emanating from the core conflict. They can either resolve them through coercion (war), or opt for negotiations. Two-party negotiations are helpful in making two groups deal tolerantly with each other. Involvement of a third party between two conflicting groups can facilitate their negotiations on a reasonable track under an impartial and objective framework.

Mediation is generally seen as the intervention of a skilled and impartial intermediary working to facilitate a mutually acceptable negotiated settlement on the issues that are the substance of the dispute between the parties. As such, mediation is essentially a pacific, non-coercive, and non-binding approach to conflict management that is entered into freely by the concerned parties,
Mediation does not guarantee a perfect solution, but can provide a ground to the conflicting groups to identify, address, and discuss their issues. If the conflicting groups come to the negotiating table, they may not give the other party any concession, nor submit an equally logical proposal acceptable to both. In such a scenario, a neutral and impartial third party is supposed to help them in managing issues through objective and unbiased analysis of the conflict. In his comprehensive study, Light says that bilateral face-to-face contact is difficult between disputants who are pursuing hostile policies towards one another. The activities of an intermediary facilitate the communication which must take place if any form of settlement is to be reached.

A mediator formulates the proposal of advisory orientation with no binding force. It is also not necessary that the ultimate result would take the form of success: the parties, if they disagree with the proposal, could reject it. At its core, it needs third-party involvement in the dialogue in order to have a neutral, impartial, objective, and rational resolution. A mediator can also use his influence, if necessary, during the course of negotiations. Power mediation employs a powerful third party which uses incentives and punishments (‘carrot and stick’) to persuade the parties to yield inflexible positions and move towards agreements.

**WHY DOES A MEDIATOR MEDIATE?**

A mediator has certain objectives, general as well as specific, to intervene in a conflict. There may be a variety of these, including peaceful management of a deadly conflict that ensures international and regional progress and stability, economic and political interest of the mediating country itself, maintaining a particular reputation of an organization or individual, etc. Motivations operate at both the individual (e.g., altruism, ego-enhancement, material gain) and the institutional levels (e.g., the role of the UN, the prestige of a state). In all cases, the mediator receives some benefit from
his or her assumption of the role, either through the process (e.g., improved status) or in the outcomes (e.g., advancement of security interests). A few objectives of a mediator to become part of a conflict-resolution process can be the following.

- A deep-rooted conflict which is escalating day by day and transforming into a deadly confrontation, posing a serious threat to world peace. It challenges regional progress and peace. In such a situation, a state offers its facilitating services to initiate dialogue between two parties to prevent aggravation.

- Facilitating countries may have some national interests too. Nations will often attempt to mediate in a conflict in order to prevent rival powers from intervening and expanding their influence.

- Third parties offer their facilitating services if they have some fears regarding the escalating conflict that can affect their own nations or ethnic groups. A state mediates when it finds transnational links of conflicting groups, ethnic kin, or diaspora within its own country.

- ‘States mediate conflicts in order to extend and increase their own influence. For instance, successful mediation may earn the gratitude of other nations. In such cases states usually have less interest in the content of the settlement.’

- A country may also facilitate dialogue to maintain its status and reputation as a peace-loving and peacemaking nation.

- An interested third party can often be dangerous, because its own interests will be its prime concern. There are third parties, however, which may have little or no interest in the outcome of a peace process, except with regard to its success.
Ethnic Conflict and Mediation: A Conceptual Study

MU TALLY HURT ING S TALEMATE AND MEDIATION

There are specific conditions and situations a mediator finds favourable to facilitate dialogue. According to Zartman, appropriate timing is necessary to execute efforts to end a conflict. A stalemate between the conflicting groups can be the right time to resolve the conflict. When two conflicting groups find themselves in a ‘mutually hurting impasse’, and realize that the crisis is equally hurting to them and one cannot win the other party over, it helps them to seize the moment best suited to resolve their differences peacefully. This stalemate certainly assures no victory in military discord, and does not guarantee success in any future course of action.

Not all ripe moments are seized for negotiation, and not all negotiations as a result of ripeness guarantee success or end to the conflict. A ‘ripe moment’ can be judged through four factors.

- When two conflicting groups are in a deadlock which is painful in terms of prevailing and future developments. They calculate costs of war (expanding defence budgets, diminished economic progress, political instability and chaos), losses of military confrontation, and realize the potential benefits of peace.
- The realization may also come with the exhaustion of options in war.
- When conflicting parties have recently experienced disaster, or foresee an imminent catastrophe in the near future of a low-scale or full-fledged war. ‘The catastrophe provides a deadline or a lesson indicating that pain can be sharply increased if something is not done about it now.’
- When the two groups are left with no option but to end their conflict through negotiations.

PROBLEMS OF RIPENESS AND MEDIATION

It needs to be realized that there actually is a stalemate, and this opportunity has to be worked out at the right time. Moving
Role of a Third Party in Conflict Resolution

too soon can be fruitless when there is not yet sufficient motivation of either party to negotiate. Moving too late can be useless when the parties are already highly motivated to stick to extreme, well-publicized, entrenched positions, often engineered by Track One (government-to-government) diplomats. Thus, there are two types of timing errors: (1) not attempting de-escalation when the timing is right; and (2) attempting de-escalation when the timing is not right.36

A ripe moment may exist, but there may yet be many problems to be realized and seized by all conflicting groups. A stalemate may not necessarily be considered ‘ripe’ to manage conflict by the two parties at the same time and up to the same level. Ripeness may not be perceived with the same degree of seriousness and sincerity by them. In some cases, the parties may seem to be ready for seizing the ripe moment, but it is difficult to judge which party is serious enough to end violence and initiate genuine negotiations. One party may realize the painful experience of recent devastation or perceive a threat of imminent catastrophe, yet, it may not be a threat to the other party at the same time. Disaster in the recent past may not be a ‘disaster’ to the other party. Realization or perception may come if the recent catastrophe is equally disastrous to both conflicting groups. It is, therefore, necessary for perception of ripeness to be mutual and simultaneous.

Another problem is when a party is aware of a ripe moment and wants to begin negotiations, but the other party exploits this opportunity to its own advantage, seemingly commencing dialogue, but actually trying to buy time to reorganize and recuperate during that ‘artificial realization of ripeness’. Zartman37 believes that perception of a way out needs to be bilateral. This realization does not guarantee any declaration or agreement, only a possibility of managing a crisis situation and discussing plausible solutions.

In its absence, a third party or internal faction is needed to encourage that perception, but also to encourage thinking about possible solutions. Third parties may also need to be involved much more directly, serving as a go-between to carry each party’s perception of a possible agreement to the other.38
A mediator can play a crucial role in a situation when the parties realize the existence of an MHS but are unable to move ahead with negotiations. He can make the groups realize the existence of the hurting deadlock to address the issues and differences amicably. Stalemate or impasse requires the perception of both conflicting parties. Ripeness is a matter of perception, and as with any perception, is subjective in perception of objective facts. These can be highlighted by a mediator or an opposing party when they are not immediately recognized by the party itself, and resisted so long as the conflicting party refuses to recognize the ‘facts’ as legitimate or accurate. Thus, it is the perception of the objective condition, not the condition itself, that makes for an MHS.39

The parties may recognize the right time to begin, but may have some reservations and hesitation in facing each other on a negotiating table. A mediator’s job is to ascertain the ‘right time’ to employ the ‘right actions’ to help them in overcoming this hesitation. He can analyse the situation whereby exhaustion of many options including war and confrontation does not fulfil the purpose, and, therefore, an end to the conflict is necessary to prevent further damage to them. He can help them in the following ways.

- To remove mistrust, misperception, and miscommunication between the conflicting groups. He can act as a bridge of communication between them. In later stages of mediation, he can offer monitoring facilities to check the mobilization of troops, violation of ceasefire (if signed by the parties), etc.
- To overcome pre-negotiation issues, for example, venue of negotiations, selection of negotiators, priority issues, time table/framework of dialogue, mode or medium of negotiations, language which is to be used during the talks, acquiring consent from domestic and local constituencies, etc.
- Due to pre-negotiation issues, parties find it difficult to take the initiative for dialogue and disengage themselves from confrontation to get involved in negotiations and
cooperation. Conflicting parties may believe that pain is evidence of commitment, and a stalemate is a challenge to rough it out until a new opportunity to escape the painful stalemate arises. Persuasion from a trusted third party or from voices within the conflicting parties is needed to change this perception.\textsuperscript{40}

- This persuasion comes with some efforts of a third party as well. A third party can provide them cost-benefit analysis through which they can calculate the costs of war (bloodshed, increasing military budgets, social chaos, political and economic instability, etc.) and foresee the benefits of peace (economic progress and infrastructure, greater investment, prosperity, social progress, political stability, etc.).

- He can encourage the parties to think over different alternatives and solutions and can also assure them that any future settlement would respect their national interests, territorial integrity, sovereignty, and their domestic constitutions.

- While encouraging dialogue between two parties, a mediator needs to work out smaller agreements, i.e. peace treaties on trivial issues, ceasefires, de-escalation of troops, etc. This can help the parties to go further in final settlement of their dispute. He may encourage parties to establish non-political associations as well, for instance, exchange of cultural and economic delegates.

- A mediator can work on the presence of ‘objective elements’ of ripeness. Objective elements of ripeness can be defined as circumstances under which a well-informed, dispassionate, and rational decision maker would conclude that negotiation is appropriate.\textsuperscript{41} A third party can help and encourage parties identify the objective elements of ripeness to take decisions at appropriate times.
CREATING RIPENESS

A third party can also help the conflicting parties in creating ripeness. It is important to note that ripeness is a precondition to precede dialogue, but the available literature on ripeness theory does not address what the preconditions to ripeness are, and how to induce ripeness at the same time on both conflicting sides. Fisher quotes Rubin, who suggests a greater role of a mediator to make the moment ‘ripe’:

…there are many ‘ripe moments’ for intervention in destructive conflicts. Rather than viewing timing as a trap and waiting for hurting stalemates and impending catastrophes, third parties should rather look for ways to create ripeness, regardless of the stage of the conflict. This position is compatible with interactive conflict resolution and the contingency model, both of which maintain that any form of facilitated intervention is almost always more useful than inactivity.42

Rubin further explains how to create ripeness.43 Powerful intermediaries may exercise their influence with positive and negative incentives/rewards (carrot and stick policy) to the parties. ‘These carrots and sticks can take the form of economic aid, military aid, or aid in the form of good ideas, particularly ideas which shift the focus of conflict away from particular demands (or positions) and toward the reasons behind these demands (or underlying interests).’44 A mediator can make offers of a larger ‘piece of pie’ in the form of ‘land or natural resources’ to the parties. He can also create ripeness by prolonging the stalemate up to that level that it becomes unbearable and the conflicting parties feel exhausted at paying the heavy cost of conflict and opt for negotiations themselves.

Another concept, the ‘Readiness theory’, is introduced by Pruitt,45 who argues that it is very difficult to create ripeness at the same time and at a similar level. Ripeness theory may be complemented by the Readiness theory. ‘One is to look at the motives and perceptions that make up ripeness on each side separately rather than focusing attention on joint states of mind such as mutually hurting stalemate.’46
Parties rarely find the deadlock ‘equally’ and ‘mutually’ hurting. A stalemate may exist, but it may not be the right time to negotiate. One man’s victory is another man’s defeat: one losing, the other gaining. Leaders are entrapped by the winning mentality and keep on fighting. It is important to check whether the two parties are ‘ready’ to talk or not. ‘Ripeness’ can only be availed if all parties are ready to negotiate. ‘Readiness’ comes when the leaders are motivated and have a positive/optimistic attitude to end the conflict through successful negotiations.

A mediator is supposed to observe or create such motivation and optimism in case of their absence. He is required to deal with each party separately and discuss everything related to the conflict at length. Ripeness needs to be created with the ‘readiness’ of each side.

MEDIATOR AND POST-RIPENESS

Once a conflict is ripe to be resolved, the mediator has greater responsibility. He needs to analyse and judge the series of negotiations, seriousness of purpose, and sincerity of negotiators of the conflicting parties. It is difficult at the outset to determine whether negotiations are indeed serious or sincere, and indeed ‘true’ and ‘false’ motives may be indistinguishably mixed in the minds of the actors themselves at the beginning. A facilitator can judge whether negotiators are serious enough or not, and whether the dialogue is taking place in good faith by the two sides. If the negotiations are lingering on by discussing thorny issues without seeking options to resolve them, and negotiators of the conflicting parties seem to be buying time for their own objectives (e.g., trying to leave a positive impression on the outside world), this is an artificial realization of deadlock by the parties. A mediator, at this point of time, needs to take immediate notice of this fact and try to facilitate either their withdrawing from the whole process, or to get it done in the right spirit.

Sometimes, ripeness exists but the parties are unable to utilize the moment in their best interest. Such a situation provides a
mediator a better opportunity to intervene at the correct time. Parties may not have ‘internal ripeness’ (intra-party realization of the deadlock), which is closely interlinked with ‘external ripeness’ (inter-party realization of the deadlock). It is not necessary that all members or factions of the conflicting parties give their consent to precede dialogue.

Generally, militant factions or hardliners of the parties are reluctant and resistant to dialogue. Factional divisions and differences within the parties can spoil the ripe moment, and realization of the hurting impasse between the main conflicting groups goes in vain. Zartman quotes Druckman and Green, who define ‘ripeness as the intersection of an insurgency’s calculation that its effective power was increasing while its legitimacy remained constant, and a government calculation that its power was decreasing while its legitimacy remained unchanged’.

A mediator is also responsible to help the extremist groups get rid of their negative perceptions regarding the conflict and the conflict-resolving mechanism. Militants believe that if they do not succeed, they should try again and again. Particular types of adversaries such as ‘true believers’, ‘warriors’, or ‘hardliners’ are unlikely to be led to compromise by increased pain: instead, pain is likely to justify renewed struggle. To avoid such misperception and paranoia at intra-party level, a mediator may involve the leader of the militant group or hardliners in the process of negotiations. It would lessen the mistrust of the group against the whole course of negotiations and they would feel being part of the peace process. From the perception of a third party, if small external efforts can accomplish major changes, the situation is ripe for resolution (i.e. for the third party to assist negotiations towards resolution).

In internal conflicts, Zartman sees power asymmetry between the government and rebels/insurgents as the key factor to the failure of dialogue. Although stalemate has generally been the key component of ripeness, the characteristic asymmetry of internal conflict makes it hard to obtain, and raises the importance of the agenda dynamics of the parties as a significant component.

In ethnic or internal conflicts, ripeness may exist, but be
difficult to be seized because parties to the conflict are not two countries but two groups within the country. And they certainly do not enjoy equal status in power. Two-party negotiations seem difficult to take place in internal conflicts as two disputants may not face each other in negotiation due to their fear of being considered inferior or superior. Hence, effective mediation is required to make all disputants feel the damage and losses of war/conflict, and future risks, and realize the potential benefits of peace and cooperation.

In ethnic conflict, a mediator assumes a different and rather difficult role. A mediator has to deal with two groups: the government, and the insurgents. As communicator, a mediator merely carries messages, overcoming the procedural communication gap between parties; as formulator, a mediator puts forward his own ideas about possible outcomes, overcoming the substantive communication gap; but as manipulator, a mediator is involved in sharpening the stalemate and sweetening the proposed outcome. Moreover, he needs to be careful while playing his role as of a mediator, not as of an intruder or interloper. A mediator’s role in ethnic conflict is strictly specified as to turn the violent conflict into a normal political process. He has to make the rebels feel that they are not excluded from the whole system and are equal partners in the process.

Zartman’s MHS model is complex and lacks preconditional elements to begin negotiations. It is not a complete or sufficient tool. It does not guarantee the beginning or success of negotiations, nor does it address the preconditions to ripeness (motivational ripeness, i.e. how to acquire ripeness). By combining ripeness with readiness theory, it can indicate a suitable time to begin negotiations after treating all conflicting groups separately.
Ethnic conflict in Sri Lanka had experienced mediation twice under regional and international frameworks. India intervened in the backdrop of the 1983 riots in Sri Lanka, and Norway made its entry as a facilitator in 2000. Apart from the intense violence in Sri Lanka, the two third parties had different reasons, courses of actions, regional and international compulsions to get involved in the ethnic crisis, and they faced different consequences of their interventions.

More importantly, the international political arenas were contextually different. India became a third party when the world was going through the Cold War era and had two power blocs, the US and the former Soviet Union. Norway started its facilitation towards the end of the Cold War and the beginning of the post-9/11 [11 September 2001, commonly, ‘9/11’] world order. India offered its facilitating services as a ‘regional hegemon’, and Norway mediates as an ‘international player’.

INDIA AND SRI LANKA

India found many reasons to intervene in the Sri Lankan crisis, including its own strategic interests as well as the regional situation with regard to international players, the US and the former USSR. The first time India got involved in the Sri Lankan crisis was not 1984: earlier, India had signed three pacts, viz., the Nehru–Kotelawala Pact, 1954; Shastri–Srimavo Pact, 1964; and Indira–Srimavo Agreement, 1974; with Sri Lanka to settle the issues of plantation Tamils in the island country.
Indo-Lanka ties in the 1980s could be viewed through four perspectives: the political crisis in Sri Lanka 1983 onwards; India’s strategic interests in Sri Lanka; support of the Indian Research and Analysis Wing (RAW) to Sri Lankan Tamil militants; and refugee influx and the politics of Tamil Nadu.

POLITICAL CRISIS OF SRI LANKA: 1983

Sri Lanka had been experiencing communal riots since 1958. The concepts of a Tamil homeland, Tamil nationalism, and self-determination became popular after the establishment of various Tamil organizations, specially the LTTE in 1976. When J. R. Jayawardene came to power in 1977, severe communal riots took place in the northern part of Sri Lanka. From the late 1970s to the early 1980s, the country became victim to political chaos due to the eruption of communal riots between Tamils and Sinhalese. Continued confrontation culminated in severe communal riots in 1983. It began with the posting of an army unit by the government, stationed in Jaffna. They were given several privileges by the government and allowed enormous freedom to conduct actions of their own choice.

Harassing and assaulting Sri Lankan Tamils there, entering houses and shops in search of anti-government guerrillas and their leaders who had been organizing attacks on government officials, UNP cadres and the police and military personnel guilty of atrocities, they were carrying out a task which the government had set them. They killed two guerrillas and raped a Tamil girl in the north-east. This was the event that provoked Tamils to kill 13 soldiers in an act of reprisal.

A state of emergency was declared in May 1983 to combat mounting terrorism, and in June, Tamil terrorist activity led to army reprisals and the worst outbreak of violence in years, with more than 400 deaths and particularly severe rioting in Jaffna and Colombo. Tamil-owned properties (houses, factories, and shops) were damaged badly.

By the time it ended, well in excess of the official estimates of
400 deaths had occurred. At least 135,000 Tamils living in Sinhalese areas had fled to refugee camps and many thousands more were in hiding elsewhere. At least 70 factories in the Colombo area, most of them owned by Tamils or Indians, were destroyed, and in many areas, 70–90 per cent of Tamil shops and homes were looted and burned. The massacre of several Tamil prisoners in the Welikade jail by the Sinhala prisoners on 25 July 1983 was used as evidence by the Tamils to convey the state of lawlessness in Sri Lanka.

The July debacle whipped up two things. First, it fuelled the demand for ‘Eelam’ ['Nation']. The violence of July 1983 convinced many Tamils that they could be safe and secure only in their own areas; this, despite the presence and operations of the army. Second, the Tamil exodus to India provided it an opportunity to play up the ethnic conflict in Sri Lanka to its own security advantage.

STRATEGIC INTERESTS OF INDIA AND THE REGIONAL SITUATION

Manor and Segal explain the strategic importance of Sri Lanka in the 1980s as:

Control of Sri Lanka might have provided an excellent naval base, an enhanced ability to interdict enemy communications, and a superb base for further expansion. Unfortunately, it seems that the roots and conduct of [the] Sri Lankan crisis have next to nothing to do with great powers, although the dominant regional power, India, has been active.

The early 1980s caused worry to India for two main reasons.

- The international players, the US and the then USSR, found South Asia strategically important.
- The increasing interaction of Jayawardene with Pakistan, China, and the US.

Sri Lanka, a small island, is situated in the heart of the Indian Ocean. When the rivalry between the US and the Soviet Union was at its peak in the late 1970s, South Asia assumed front-line status due to its geographic
proximity to Afghanistan. The involvement of Western powers in the Indian Ocean was worrisome for India’s strategic planners.

The increasing involvement of the US military in Sri Lanka to seek a base in the island country was also an important development with regard to the Indian role. It is said that the US established its military bases in Trincomalee during 1980–82. It was denied by both the US ambassador to Sri Lanka and Sri Lankan President Jayewardene. US Ambassador to Sri Lanka Donald Toussaint made a public speech in Kandy in August 1981, denying any such kind of development, saying: ‘The US government has no plans or policy to develop Trincomalee into a military base or facility. Nor has the US government ever discussed such a policy with officials of the Sri Lanka government either present or past, either here in Sri Lanka or elsewhere.’

In the meantime, two major developments in Sri Lanka provoked Indian apprehensions: the Trincomalee Oil Farm Contract, and the Voice of America agreement. In 1981, the Jayewardene Government decided to revive the tank farm at Trincomalee and to extend refuelling facilities to foreign ships passing through the Indian Ocean. The contract was basically the ‘tank farm development project’ that was documented by the US Chiefs of Staff on military rights in foreign territories. It was leased to an international consortium by the Ceylon Petroleum Corporation on 23 February 1984. However, this contract showed possible US interest in establishing naval and air force communication facilities in Sri Lanka.

The second development was the renewal of an agreement with the Voice of America (VoA) that expanded the US radio’s broadcasting facilities in Sri Lanka. Although the original VoA agreement had been signed much earlier, the new agreement granted ‘extended facility, a 600-kilowatt transmitter in place of 250 kilowatts, and a site as extensive as 100 acres in the Puttalam area’. These developments were taken by India as challenging its strategic interests. Consequently, India concluded that Sri Lanka had joined the pro-Western camp and became vigilant about every development taking place in the region.
Jayawardene gained more confidence in terms of the presence of Western players in the South Asian region. In their documents and conversations, Sri Lankan bureaucrats made it a point to stress on the strategic importance of Trincomalee, and said that in the event India or its ally, the USSR, bullied Sri Lanka, the West would help. Sri Lanka’s friendship with the People’s Republic of China and Pakistan was encouraging, and gave the president more confidence.\textsuperscript{65}

The July riots attracted other Western and regional powers to take interest in the ethnic issue. It is believed that Sri Lanka had limited military apparatus to fight the Tamil rebels. Therefore, the GOSL requested the UK, the US, Pakistan, and Bangladesh for military assistance. British involvement was manifest with the Sri Lankan government employing a private British security firm named Keeny Meeny Services (KMS) having ex-Special Air Services (SAS) personnel to train intelligence-gathering units and a paramilitary/police counter-insurgency group.\textsuperscript{66} President Jayawardene’s efforts to involve China, Pakistan, and some Western powers in Sri Lanka’s domestic conflict—even as India was trying to mediate between the Tamils and the government in Colombo—did cause misgivings.\textsuperscript{67}

According to Jayewardene himself, ‘1500 Sinhalese armymen and 65 officers [had] so far returned home after getting the anti-guerrilla training in Pakistan and China.’ These countries ‘helped [Sri Lanka] with high-speed patrol boats and some aerial and naval surveillance equipment. The US provided aid and assistance under the anti-terrorism legislation and Britain [gave] some other help.’\textsuperscript{68}

New Delhi perceived the military assistance from its archrivals Pakistan and China to Sri Lanka as undermining and threatening Indian interests. After July 1983, however, India did not impart its best training to Sri Lankan troops. Therefore, the GOSL had to seek assistance in military training from Pakistan. This was done out of sheer need, but the publicity as well as the propaganda about the Pakistani connection proved to be devastating for Sri Lanka.\textsuperscript{69}
The role of Indian Intelligence in Tamil militancy prior to 1983 created a lot of contradiction and confusion regarding India as a third party in crisis management of the Sri Lanka conflict. With the Indira Doctrine in 1983, India displayed its interest in preventing Sri Lanka from becoming a battleground of the superpowers. By signing the Indo-Lanka Accord, 1987, India became a protector to safeguard Sri Lanka’s territorial integrity by sending its troops to the island country. Finally, the IPKF, after becoming party to the confrontation, undid all of the previous actions of India as a defender and protector of the island country.

Indian policy towards Sri Lanka in the 1980s was controversial. Covert arms support to Tamil militants by RAW leaves one in doubt if India was really interested in peacemaking and peacekeeping in Sri Lanka and not in secession in the island country. On one hand, the Government of India intervened in managing the crisis situation of Sri Lanka, and on the other, its Intelligence provided arms support to the rebels. Why did it provide arms training to the Tamil Tigers?

India employed a twofold policy. (1) *The Political Approach.* It backed up the GOSL to initiate table talks with rebels under its facilitation (the Thimpu Talks, 1985). (2) *The Military Approach.* It started providing training and arms support to Tamil militants. According to the official viewpoint, India sought two reasons to intervene through its Intelligence. Narayanan outlines a ‘traditional as well as unorthodox’ policy that Indian Intelligence pursued. In his words, ‘Collecting detailed information on the prevailing situation and providing an accurate analysis of these events, was the principal task.’

Among the unorthodox tasks undertaken by the Intelligence agencies was to maintain ‘lines of communication’ with the various Tamil militant factions. Leaders and key members of these groups were specially targeted for this purpose. This overcame the necessity for the Indian authorities to enter into any kind of formal relationship with the militants, while keeping the Tamil militants reasonably
satisfied. It also enabled the Indian Intelligence agencies to recruit a wide variety of ‘agents’ for Intelligence tasks, some of whom could also serve as agents of influence for any future eventuality.\textsuperscript{71}

Gunaratna,\textsuperscript{72} in his \textit{Indian Intervention in Sri Lanka}, reveals the role of the ‘Third Agency’, a newly-established super-Intelligence agency to carry out Sri Lanka operations during the initial period. Later, RAW took over this task with the closure of this agency just after the assassination of Indira Gandhi in October 1984. The credo of the Third Agency was ‘total loyalty to Prime Minister Indira Gandhi’. The agency was provided with virtually unlimited resources. Its principal strategist was her National Security Adviser, R. N. Kao, and its area of operations and mandate extended as far as Sri Lanka, the troubled northern states of Punjab, Kashmir, and the problematic southern states of Tamil Nadu, Andhra Pradesh, and Karnataka.\textsuperscript{73}

Indira Gandhi approved the Third Agency’s two-pronged strategy vis-à-vis Sri Lanka, as recommended by Kao and Nair, two of her most trusted men. This formula kept Parthasarathy overtly negotiating a political solution, while Girish Chandra (‘Gary’) Saxena was covertly arming and training the militants.\textsuperscript{74}

RAW used to arm and train Tamil militants. It started training the Tamil youth who crossed the Palk Straits and reached Tamil Nadu as refugees. They were taken to New Delhi and trained:

\ldots in the use of 9 mm pistols, AK-47 rifles and the Indian SMGs (sub-machine guns) of Indian make; in the manufacture of parcel bombs and the laying of booby-traps; the use of radio communication through the Morse Code to secret letter-writing; identification of ranks; assessing the movements, strength of troops and vehicles in a camp; conducting surveillance; and in cultivating informants and collecting strategic information.\textsuperscript{75}

Later, the group was sent to Bombay harbour for naval training. Tamils were trained in different locations of India including Uttar Pradesh (Chakrata, near Dehradun), New Delhi (Rama Krishna Puram), and near Delhi International Airport. RAW provided arms and sanctuary to Tamils and allowed them to maintain their training camps based in India. TELO was the first group
to acquire training from the Indian Intelligence services. Eight camps in three northern Indian locations which were managed by RAW trained 350 TELO cadres, 200 EROS, 100 EPRLF, and 70 PLOTE cadres. These cadres were known as ‘Kadavul’s Batch’, or ‘God’s Men’.

Indian instructors were channelized through RAW to train TELO recruits at a place about 40 km from the Madras [now Chennai] airport. The training the youths received in these camps was in firing, leopard-crawl, ghost-walk, hand-to-hand fighting, first aid, and fire-fighting. Endurance tests and making of Molotov cocktails were compulsory. Rajah, a retired soldier, is said to have trained PLOTE recruits from May 1983 at Sengalapattu, Presarakkam, and Sekar. TELO had a training camp at Valachenai and another at a place called Theikramam. This was run by retired Indian police and army officers hired by RAW. All the camps trained the rebels in different skills, i.e. use of explosives, bombs production, rocket launching, guerrilla warfare, grenade throwing, map reading, military tactics, communication, etc.

P. S. Suriyanarayana, an Indian analyst who is a regular contributor to Indian newspapers, in his ‘Peace Trap’ says that ‘the Sri Lankan Tamil militants themselves often admitted in private conversations that they had received training in the use of arms at camps on Indian soil’. He says that ‘in a secret EROS document it is also mentioned that India had given TELO the largest consignment of arms. Indian Military Intelligence officials had even gone to Sri Lanka in the guise of TELO fighters.’

LTTE was also the recipient of such training. Anton Balasingham and his wife:

…arrived in Madras from London and established themselves at the Woodlands Hotel and sent out feelers to find out how they could get in on the training and the weapons. They were finally approached by a deputy inspector general of the Tamil Nadu police, who informed them that a ‘rich Tamil businessman’ in Delhi was willing to provide them with weapons. After this first contact, a small group of LTTE cadres was taken for training in Uttar Pradesh. This group was then used to train other LTTE cadres in camps in Tamil Nadu. This was essentially the pattern that was used to train all the militant groups.
According to some scholars, India did not want secession in the island country as it would have also left a disastrous impact on its own nearby state across the Palk Straits, Tamil Nadu, but it wanted to pressurize the prevalent GOSL to change its policies towards Tamils by training the Tamil militants.

Anton Balasingham, the LTTE’s chief spokesman at one time, said that it was clear to the LTTE that the Indian Government’s policy was to arm the militants essentially to put pressure on the Sri Lankan Government, not to create a separate state: ‘RAW’s policy was not to create a national liberation army but to give us some military assistance to protect people from the army, and bring pressure on Sri Lanka. They wanted to twist JR’s arms.’

REFUGEE INFLUX AND POLITICS OF TAMIL NADU

Besides strategic and security interests, the geographic proximity of India and Sri Lanka was also a significant factor for Indian meddling in Sri Lanka. Refugee influx from Sri Lanka to Tamil Nadu and sympathetic attitude of Indian Tamils for their ethnic kin in Sri Lanka’s northern part provided India a reason to intervene. Between July 1983 and April 1984, about 50,000 refugees sought asylum in Tamil Nadu. By July 1987, the number increased to about 150,000. There was a widespread emotional upsurge in Tamil Nadu for their Tamil brethren across the Palk Straits.

M. G. Ramchandran, chief minister of Tamil Nadu at that time, led a delegation to New Delhi on 31 July 1983 and insisted that Prime Minister Indira Gandhi take serious note of Tamil massacres in Sri Lanka and to take this matter to the UN. The delegation also submitted a memorandum that demanded Indian intervention in the Sri Lankan crisis to save the Tamils.

The memorandum demanded:

…the immediate appointment of a team of international observers from UN to catalyse restoration of normalcy in the civil administration and to ensure the safety of Tamils in Sri Lanka, raising of the issue in the UN and the Security Council for putting an end to the massacre, of sending UN troops to Sri Lanka, convening of the NAM meetings and sending of a high level international
delegation including the Indian External Affairs Minister for Defence (sic) and a few representatives from Tamil Nadu to Sri Lanka immediately.82

Prime Minister Indira Gandhi observed that ethnic violence in Sri Lanka would cost India much if the 55 million Tamils in Tamil Nadu helped their brothers in Sri Lanka establish a separate state for Tamils in the island country. India also had a fear regarding a separate state for Sri Lankan Tamils that would encourage Indian Tamils to secede from the Indian Union and become part of that state (‘Dravida Desam’, i.e. ‘Dravida Nation’, a separate country for Dravidian people).

Apart from Indian Tamils’ sympathies regarding the ethnic violence, there were also some political factors, such as centre-state relations in India. There were two significant political parties in Tamil Nadu, the Dravida Munnetra Kazhagam (DMK), and the All-India Anna Dravida Munnetra Kazhagam (AIADMK). In 1980, after breaking its alliance with the DMK, the party of Indira Gandhi, the Congress (I), formed an alliance with the AIADMK, the ruling party in Tamil Nadu led by M. G. Ramchandran. Though the Congress (I) operated from New Delhi, in the north of India, it had strong support of the AIADMK. It is also known that Indira Gandhi was greatly influenced by Indian Tamils who assumed high posts in the Government of India after the Congress (I) came into power in 1980.

The DMK and AIADMK competed with each other in displaying greater interest and sympathy than the other at the plight of the Sri Lankan Tamils. They had their political agendas, according to which each portrayed itself as being more sincere and sympathetic than the other to Tamils’ grievances in the island country. The DMK had been out of power for more than 10 years in Tamil Nadu and it accused the ruling AIADMK of betraying the cause of Tamils. It protested for the Tamil cause in Sri Lanka through demonstrations. When communal riots erupted in Sri Lanka in 1983, both the AIADMK and DMK got a golden chance to project themselves as the genuine sympathizers of Sri Lankan Tamils.

The people in Tamil Nadu were deeply aggrieved at what was
happening to Sri Lankan Tamils, and also had the same feelings about their central government in New Delhi. The politicians of Tamil Nadu, in particular, sensing the utility of an issue that could mobilize popular support, began to compete vociferously for the position of being the most fervent supporters of Tamil aspirations in Sri Lanka. Tamil opposition groups in Sri Lanka formed close alliances with the political parties of Tamil Nadu: in fact, many of them had headquarters in Madras, the capital of Tamil Nadu, rather than in the Sri Lankan capital or in the northern city of Jaffna. Political leaders in Tamil Nadu began to urge Mrs Gandhi to protest the mistreatment of Tamils in Sri Lanka.83

The political leaders of Tamil Nadu, including important allies of the Congress Party, now pressed Mrs Gandhi to act, even to declare support for Tamil Eelam. They reminded their audiences of the example of Bangladesh in 1971, when India sent troops to facilitate the secession of what was then East Pakistan.84 They provided arms, training, and equipment to the numerous Tamil militant groups. They threatened the central government that they would go to the UN or take stronger action. ‘Dismissing the state government there was out of the question, however stubborn they might be; she [Mrs Indira Gandhi] needed political support in south India and elections were coming up in 1985’.85 Indira Gandhi needed political support from the southern part of India to win the upcoming elections. In the words of N. N. Jha:

…there was present the domestic political compulsion in terms of which the AIADMK government of Shri M. G. Ramachandran, in Tamil Nadu state, was a close ally of the ruling Congress party in the centre and without whose active assistance the party in the centre, could get its electoral arithmetic wrong in the state.86

Many rebel groups had close affiliations with the DMK and AIADMK. The LTTE was supported by the AIADMK, and TELO had the DMK as a strong advocate. Tamil Nadu also harboured 39 rebel camps, in which an estimated 3,300 guerrillas were undergoing training. New Delhi did not shut down the rebel camps, but Indian authorities kept a sharp eye on the guerrilla organizations.87
The circumstances and situations including the 1983 political crisis, refugee influx from Sri Lanka to India, involvement of regional players in the ethnic crisis, Cold War strategic interests of the US and former Soviet Union, all provided India an opportunity to secure its own strategic interests through intervention in Sri Lanka from 1983 onwards. India announced the ‘Indira Doctrine’ in 1983 and warned all external powers to stay aside and not get involved in the Sri Lankan crisis: ‘India will not tolerate external intervention in a conflict situation in any South Asian country if the intervention has any implicit or explicit anti-Indian implication. No South Asian government should therefore ask for external assistance with an anti-Indian bias from any country.’

This doctrine clearly indicated India’s annoyance at ‘foreign’ involvement in regional affairs. Mrs Indira Gandhi dealt with the issue as a matter of ‘national concern’ (for India). She stated: ‘India could not be regarded as just another country as every development in Sri Lanka affects India also.’

India offered its good offices to help manage the crisis between President Jayawardene and the TULF in 1983. The GOSL and TULF accepted Indian mediation. Mrs Indira Gandhi appointed Gopalaswamy Parthasarathy as a special envoy to facilitate dialogue between the GOSL and Tamil militants. He visited Colombo in August 1983 and discussed various issues with President Jayawardene, including the implementation of the District Development Council proposal for autonomy of Tamils.

President Jayawardene also visited Delhi in November 1983. Parthasarathy tried to bridge the gap between the Sri Lankan government and the Tamil militants, specially at the time when the Sixth Amendment to the Constitution was introduced in August 1983. It outlawed the demand of Eelam, disappointing Tamils to a great extent. Around 18 members of parliament from the TULF gave in their resignations. They refused to take oath in the parliament, as they didn’t want to be part of a separatist government.

Jayawardene and Parthasarathy held negotiations in Delhi to
manage the crisis after the July riots. These resulted in the formulation of ‘Annexure C’ (see Annex 1). The proposals emphasized: the establishment of District Development Councils with the merger of Regional Council(s); constituting High Courts in every region; establishment and empowerment of Regional Councils that would be led by the majority representative who would be responsible to enact laws and administer justice; social and economic development; cultural and land policies; etc. Annexure C also proposed the merger of the north and east as a separate entity for Tamils. This clause of the document was strongly opposed by President Jayawardene. The proposals were made with the intention that they form the basis of an All-Parties Conference.

Also, with Parthasarathy’s involvement, the TULF agreed to take part in the All-Parties Conference summoned by President Jayewardene, stating:

Because of the failure of successive governments to implement agreements entered into with Tamil leaders over the last three decades, and the futility of protracted negotiations, we had earlier decided not to enter into bilateral dialogue with the government. We regard offer of India’s good offices and the acceptance of it by the GOSL as bringing a fundamental change in the whole situation, and therefore we agreed to participate in the All Party Conference.90

The All-Party Conference (APC) was held on 10 January 1984 and continued till 21 December 1984. It had 37 sessions, and was meant to be attended by all factions of Sri Lanka, including Buddhist priests, Sinhala opposition parties, the Christian community, moderate and extremist Tamils, etc. The GOSL did not agree on the merger of the north-east, and that is why Annexure C did not form any basis of the conference. While the APC was holding sessions, the GOSL and Tamil militants were acquiring arms and confronting each other at a frenetic pace.

After the assassination of Mrs Indira Gandhi in 1984, her son Rajiv Gandhi succeeded as the prime minister of India. He had rather a neutral policy towards Sri Lanka. He totally rejected the demand for Eelam and spoke of the ‘Unitary State of Sri Lanka’. He ‘closed down the training camps and commenced an enhanced diplomatic
offensive utilizing for that purpose a bewildering assortment of persons ranging from career diplomats to plain busybodies’. 91

When Jayewardene and Rajiv met in June 1985, they agreed that violence should be ceased and India would play a meaningful role and arrange dialogue between the GOSL and the LTTE. Rajiv sponsored the Thimpu conference in July 1985. The government offered a set of proposals to the Tamil delegation that outlined a detailed account of the structure and development of district councils. The GOSL also proposed a three-month ceasefire in the initial phase. The four principles presented by the Tamil delegation that became controversial during the discussions were:

1) recognition of the Tamils as a distinct nationality;
2) recognition of an independent Tamil homeland and the guarantee of its territorial integrity;
3) based on the above, recognition of the inalienable right of self-determination of the Tamil nation; and
4) recognition of the right to full citizenship and other fundamental democratic rights of all Tamils who look upon the island as their country.92

Despite two rounds of negotiations with a set of proposals by the GOSL and ‘four cardinal principles’ by the Tamil delegation, the Thimpu Talks collapsed. To the GOSL, the first three demands challenged the country’s integrity and sovereignty. The fourth demand was not acceptable to the GOSL too, as the TULF and the militants were not considered legitimate representatives to articulate the demands of the Indian Tamils. On the other hand, the Tamil delegation rejected the government’s proposals of the subnational units of a participatory government and then walked out. Another reason for the failure of the talks was that there was continuous violence going on in Jaffna. In the words of Somasundaram and Vanniasingham, ‘…the Thimpu Conference really broke up as the militants did not want to participate while the Sri Lankan Armed Forces were massacring Tamil civilians.’93

After the collapse of the Thimpu Talks, India issued deportation
orders for three members of the Tamil delegation: Prabhakaran and Anton Balasingham of the LTTE, and N. Satyendra of TELO.

INDO-LANKA ACCORD, 1987

The Indo-Lanka Accord was signed under critical circumstances. Events prior to this had created much chaos in the island country. Negotiations were taking place between the Tigers and the GOSL under the auspices of Indian emissaries, and on 19 December 1986, President Jayewardene and Indian Ministers of State P. Chidambaram and K. Natwar Singh agreed to give ‘regional autonomy to Tamil-speaking people in [the] north-eastern province with [the] exception of Ampara which had Sinhala as a pre-dominant (sic) majority’. These proposals created doubts and raised objections among the Muslims who were settled in the same region (the north and east), and wanted their fair share in provincial councils. Thus, the mutual understanding between the GOSL and Indian emissaries on such grounds could not manage the crisis and violence between the Sri Lankan Army and the Tamil rebels in Jaffna resumed from 1986 to mid-1987.

On 26 May 1987, Operation Liberation was launched against the LTTE in the north-east. Almost 8,000 Sri Lankan troops were deployed in the Vadamarachchi sector of Jaffna. The operation was aimed at wiping out the LTTE strongholds throughout the north-east. On 27 May, President Jayewardene announced, ‘The war is a fight to the finish. Either they win or we win’.94

The fall of the LTTE’s strongholds, one after another, made it furious over its defeat. On 29 May 1987, Velvettithurai, an LTTE-held coastal town, was captured by the Armed Forces. Further, during 31 May–1 June, they captured Point Pedro and isolated Vadamarachchi. Casualties were high on both sides. ‘On June 6–7 the Army captured area around Atcheveli, thereby virtually linking up Palaly [then under government control] with Vadamarachchi.’95

Meanwhile, India offered humanitarian assistance to deliver relief supplies to Tamil civilians in Jaffna. The Sri Lanka government refused the offer and said that the civilians in Jaffna
did not need any outside assistance. But on 4 June 1987, India, violating Sri Lankan airspace, dropped ‘25 metric tons of food and medicine over Jaffna, from above 1,500 feet’. This airdrop was named ‘Operation Poomalai’ (‘Garland’) by India. The uninvited and refused ‘humanitarian aid’ annoyed Sri Lanka though it did not react, but understood that Indian intervention to manage the crisis situation in Jaffna would be unavoidable. In the first week of July 1987, Deputy Foreign Affairs Minister of Sri Lanka Tyronne Fernando and another influential minister, Gamini Dissanayake, continuously advised Jayewardene to resolve the conflict with Indian assistance.

Gunaratna views the Indo-Lanka Accord having been drafted in consideration of clauses discussed on different occasions in Colombo, New Delhi, Thimpu, and Bangalore, and in consultation with many individuals. They are C. T. A. Schafter (an Indian businessman and insurance agent in Sri Lanka), N. Ram (Associate Editor of the Hindu), Gamini Dissanayake, etc. The draft proposals were discussed among the cabinet colleagues of Jayawardene. A clause on the ‘temporary merger of the northern and eastern provinces’ was opposed by Prime Minister Premadasa. Negotiations took place between Jayawardene and Indian diplomats in the absence of Premadasa when he was on an official visit to London and Tokyo.

India also contacted the militant Tamil groups TULF, LTTE, PLOTE, EPRLF, ENDLF, TELO and EROS before the signature of the Accord. The LTTE demanded two conditions for the basis of talks: ‘first, Sri Lankan troops must pull back to positions they held before 26th May—the day Operation Liberation was launched. Secondly, all the Tamil refugees must be safely resettled.’ Rajiv Gandhi and Jayawardene agreed to accommodate these clauses in the Accord. On 26 July, PLOTE, EPRLF, ENDLF, and TELO reached New Delhi and received copies of the draft Accord. They raised objections on the ‘merger of northeast and devolution of power’. Prabhakaran had a separate meeting with Rajiv Gandhi. Finally, on 29 July 1987, the Indo-Sri Lanka Peace Accord was signed by India and Sri Lanka without participation of the LTTE (Annex 2). The Accord’s main clauses were focused on:
• deployment of Indian military troops in Sri Lanka;
• immediate ceasefire in Sri Lanka within 48 hours of the signing of the agreement and surrender of Tamil’s armaments within 72 hours (clause 2.9);
• referendum in the eastern province (clause 2.3);
• devolution of power by establishing a Provincial Council (clause 2.2);
• Indian military assistance to implement the Accord (clause 2.16/c).
• India promised to take the required steps regarding the use of its territory by Tamils for terrorist activities.

Clause 2.6 of the Accord specified that proposals were subject to India taking appropriate action if militant groups did not accept the agreement. For example, India was to disallow use of her territory for anti-Sri Lankan activities; close training camps of militants; confiscate illegal arms of Sri Lankan militants and thus offices and centres used for creating conflict in Sri Lanka spreading separatist propaganda.99

• Through the exchange of letters between Jayawardene and Rajiv Gandhi immediately after this Accord, India secured its security and strategic interests. For example:

the island republic pledged not to allow the deep water port of Trincomalee to be used by other foreign powers; to reach an understanding with India about the employment and relevance of foreign military and intelligence personnel in Sri Lanka; and to allow for the review of the agreements of foreign broadcasting organisations there.100

India agreed to assist Sri Lankan security forces with military supplies and training facilities.

The Indo-Lanka Accord was not acceptable to the LTTE and other Tamil militants. They were apprehensive and unsure because the Tamil representatives were not consulted during the talks. The LTTE lost faith in India, and its supremo Prabhakaran termed it a “Charter of Servility” that subordinated Tamil interests for the purpose of bolstering India’s strategic interests’.101 Over a telephonic conversation with DMK MP Vaiyapuri Gopalsamy, Prabhakaran
said: ‘We have been betrayed by the Government of India, by Rajiv Gandhi. I have been stabbed in the back.’

India launched Operation Pawan in the fall of 1987 with 20,000 troops, a strength that quickly mounted to 70,000 by early 1988. Although Indian troops seized Jaffna (but not in the three days they had confidently predicted), the military offensive got bogged down in a war of attrition, ‘India’s Vietnam’.

Similarly, surrender of arms by the LTTE was also not the event that the signatories of the Peace Accord envisaged at that time. At first, it was decided and promised by the LTTE that Prabhakaran would give the biggest weapon to Lt. Gen. Depinder Singh, but the LTTE handed over outmoded weapons. Prabhakaran stayed away when the LTTE handed over two vanloads of mostly obsolete weapons to the IPKF at the Palaly airbase on 5 August. The weapons given up by the LTTE included locally-made mortar shells, AK-47s, German G-3 rifles, RPGs, .303 rifles, 5-calibre machine guns, 30-calibre machine guns, 7.92 mm machine guns, 7.62 mm general purpose machine guns, rocket launchers, and 6-in., 4-in., 3-in. and 82 mm mortars. Most of them were made in India. The LTTE was quite disgusted at surrendering the arms they were given by India to fight against the Sri Lanka militia.

Although the Indian Peace-Keeping Forces (IPKF) were welcomed warmly by the local people on their arrival in Sri Lanka, this did not help in bringing peace to the war-torn country. Instead of playing their role as peacekeepers, the IPKF became party to the conflict. Two incidents provoked open hostility between the LTTE and IPKF.

In September 1987, the LTTE launched a ‘fast-unto-death campaign’ directed against the implementation of the Indo-Lanka Accord and aimed to seek redress for the grievances of the LTTE. Amirthalingam Thileepan, the LTTE’s political leader, began his fast-unto-death at Nallur Kandaswamy on 15 September 1987. The death of Thileepan in this campaign angered the Tigers. ‘At the initial stages the Indian Government ridiculed the non-violent (fast-unto-death) campaign of the LTTE, but soon realized that it was turning into a massive national uprising with mounting anti-India feelings (in Sri Lanka).’

Another event were suicides of LTTE cadres. On 2 October
1987, the Sri Lankan Navy was tipped off by the IPKF about a boat in which some heavily-armed LTTE leaders were crossing the Palk Straits. The Sri Lankan security forces arrested the 17 leaders in mid-sea, but they all committed suicide during detention, swallowing cyanide capsules. The cumulative effect of these and other similar incidents provoked open warfare between the LTTE and the IPKF. The LTTE soon made the IPKF realize that it was not easy to fight a guerrilla army like the LTTE. Gunaratna assesses it.

Firstly, the LTTE militants that the Indian troops fought for two years were initially trained and armed by Indian servicemen in civilian disguise, who had been seconded to RAW. Therefore the LTTE knew the standard psychology, the combat strategies and the weaponry of the Indian soldier, while the IPKF did not know the corresponding factors for the LTTE.107

**IMPLICATIONS OF THE ACCORD FOR SRI LANKA**

The Indo-Lanka Accord did not fulfil the purpose of ending violence in the country. Peace and normalcy were not restored in Sri Lanka, and the referendum which was to determine the ultimate fate of the merger, which was to have been held on or before 31 December 1988, had been postponed, as of mid-1992, six times. The issue of merger became the principal bone of contention between Sinhalese and Tamils in the contemporary politics.108 The LTTE did not participate in the Northeast Provincial Councils’ elections and refused to take part in any kind of negotiations to settle the issue of the north-eastern province.

The presence of 70,000 Indian soldiers put civilian life in a shambles. The Jaffna Tamils, who had earlier favoured Indian involvement, then tried to get rid of them. But the Indian troops failed to disarm the LTTE. Soon, anti-IPKF emotions ran deeper, and convinced both the government and the LTTE that the Indian forces should be sent back. The direct negotiations between the newly-established Premadasa administration and the LTTE practically outflanked India. Sri Lanka and India signed a pact on 18 September 1989 and agreed upon withdrawal of the IPKF by 31 December 1989.
The IPKF experience had many political consequences for Sri Lanka. One was the conviction, which is now entrenched in the decision-making circles in the government and in the minds of most Sri Lankan Tamils, that questions concerning the Tamils of Sri Lanka—whether these relate to their security or to devolution of power—must be sorted out by the Sri Lankans themselves.109 The IPKF intervention brought catastrophic ramifications. Instead of performing as a peacekeeping force that aimed to restore normalcy throughout the island, it triggered a war with the LTTE.

Commenting on the Indo-Sri Lankan Accord, President Jayewardene is reported to have said in an interview with the Sunday Times of Colombo in July 1989: ‘It is like a referee entering the ring in the JR–LTTE fight and taking the place of one combatant, who then becomes the referee’.110 In fact, India was the main beneficiary of the Accord, and secured its own strategic interests. It decided the fate of Sri Lanka according to its own security perceptions. Through this Accord, India transformed its position from mediator to guarantor of a solution through its military intervention.

The IPKF destabilized the island rather than bringing peace there. The whole country was taken up by mass violence and chaos by the extremist factions, specially the Janatha Vimukhti Peramuna (JVP, or National Liberation Front). It launched a series of demonstrations and protests against the presence of the IPKF. Strikes, protests, rallies, and even killing of government supporters by the JVP brought anarchy to civilian life. Confrontation between the IPKF and LTTE continued. Civilians were also killed in the country in case of killing of Indian forces by the Tigers. After the withdrawal of Indian troops, the LTTE occupied the areas being vacated by the IPKF and wiped out other militants, particularly the EPRLF. The GOSL accepted this occupation and domination of the LTTE in those areas. The LTTE refused to give up arms after the withdrawal of the IPKF because they had seen the dire consequences of surrendering their arms in compliance with the Peace Accord of 1987.

India learnt certain lessons too. Deployment of the IPKF in Sri Lanka proved to be a failure of Indian foreign policy. Bahaduri and Afsir Karim assess it thus: ‘The main weaknesses of the Indian
policy which became apparent in the crisis situation were: lack of diplomatic finesse, lack of a coherent response, a frequent drift in policies due to inadequate background study or well-defined foreign policy.\textsuperscript{111} India not only lost its image as a peacekeeper, it also lost its soldiers. ‘In its military offensive [the] IPKF lost about 1,200 soldiers and over 2,000 were wounded.’\textsuperscript{112} ‘On [the] economic side, it was estimated that about Rs. 2 crore were being spent a day on the IPKF in the height of its military involvement.’\textsuperscript{113}

The IPKF experience was a nightmare for Sri Lanka. Gun culture developed throughout the north-east. Uncertainty surrounded the people of the island. The ratio of brutal killings went higher.

The death toll, both Indian and Sri Lankan, since July 1987 to March 1990 (the date of the departure of IPKF) [was] computed at about 8,000 lives. The number killed since the outbreak of Eelam War II in June 1990 to September 1992 [was] another 12,000 lives, of which 3000 [were] service personnel.\textsuperscript{114}

Sri Lanka had to bear an economic burden too. ‘The economic cost of the war has been almost unbearable to Sri Lanka. In 1982, when things started going wrong, the defence budget was Rs. 2 billion (about US$0.08 billion) but by 1992 the figure had increased to Rs.\textsuperscript{115}20.5 billion (about US$0.47 billion).’ This destabilized the economy and caused much social disturbance.

The international political arena in 1990 brought major shifts in Indian policy making. Dissolution of the Soviet bloc and the Soviet Union itself, and growing interaction of India with Israel and the US changed its security paradigms. On the other hand, Rajiv Gandhi, the architect of the Indo-Lanka Accord of 1987, was assassinated on 21 May 1991, and the LTTE was seen as the main accused. The killing of Rajiv Gandhi was a watershed in Indo-Lanka relations. It changed the image of the LTTE in India. Formerly, the LTTE was taken as a national liberation movement, but after the incident, it was considered a ‘fascist force’. New Delhi banned the LTTE in 1992. Perhaps it was the regional situation and contemporary international politics that made India disinterested in the Sri Lanka peace process.
The second time Sri Lanka opted for third-party mediation was in 1998. Sri Lanka went through difficult times both during the tenure of Chandrika Kumaratunga as prime minister (19 August–11 November 1994) and as president (12 November 1994–19 November 2005). The GOSL employed a two-track policy to bring peace: through ‘War for Peace’, and through a ‘Devolution Package’ in August 1995. The two-track policy was aimed at ending the crisis through military as well as political means. The GOSL conducted four major operations to end violence during 1995–97: Leap Forward; Thunder Strike; Riveresa I, II and III; and Jaya Sikuru. At the same time, it announced a devolution package to meet the aspirations of the Tamils by giving more powers to the regional councils in the provinces.

Violence escalated due to military operations between the LTTE and the Sri Lankan Army. In 1998, there were some indications at acceptance of a third party to facilitate dialogue. In the meantime, several offers were made to resolve the ethnic crisis through facilitation. Back in 1997 when Chandrika had disagreements with Leader of the Opposition Ranil Wikremasinghe of the United National Party (UNP) over the devolution package, the UK facilitated dialogue between them and an agreement was signed by Chandrika and Ranil on 2 April 1997. This supposedly opened up an avenue to initiate and mediate negotiations between the GOSL and the LTTE during that crucial time.

The role played by the UK became pivotal as it made the GOSL and the UNP realize the need for a bipartisan approach on the issue
of a devolution package. Since 1996, the mediator, Dr Lian Fox, paid three visits to Colombo for that purpose. But the agreement was not implemented later because the Sri Lankan government rejected negotiations with the LTTE (which was proposed in the agreement). It demanded that the LTTE meet certain conditions, such as laying down of arms, before talks could take place.

Both parties reverted to fighting—a development that underscored the need for the role of an intermediary. In 1998, some indications in that direction appeared. The government agreed for the first time to consider third-party ‘facilitation’, and the British government indicated its willingness to play this role—but only if invited by all sides. Similarly, the LTTE also showed interest in possible mediation. LTTE chief Velupillai Prabhakaran, in his statement, favoured third-party mediation since the majority Sinhalese government lacked the political will to resolve the problem. In 1998, the GOSL invited Norway to facilitate peace talks.

It all began in 1998 when Oslo was approached simultaneously by the Sri Lankan President, Chandrika Kumaratunga, the then Foreign Affairs Minister, Lakshman Kadirgamar, and the LTTE leader, V. Prabhakaran, to assist in a lot of practical matters to bring peace to Sri Lanka. Gradually it became an official request from both sides, and it was confirmed in 2000.

Norway had certain issues to negotiate with the two conflicting groups at that time.

1) A devolution package.
2) The LTTE’s violent postures.
3) Sri Lankan troops in the north-east.
4) Economic embargo of rebel-held areas.

In 2001, visiting Foreign Minister Knut Vollebaek of Norway proposed a one-year timeframe to the GOSL to conclude negotiations with the LTTE. Chandrika welcomed the Norwegian role wholeheartedly, but the LTTE agreed only reluctantly. Apparently, India also supported Norway. Earlier, in May 2000,
Role of a Third Party in Conflict Resolution

India and Norway had held discussions pertaining to the peace process. Both countries concluded that Sri Lanka should reach a solution that respected the aspirations of the Tamil minority within a sovereign and united country. The key Norwegian negotiator, Erik Solheim, said, ‘Norway recognises India’s legitimate interests in Sri Lanka and has no desire to come in the way of any Indian initiative to end the extended conflict within its southern neighbour.’

He maintained contact with India, keeping it informed about the Sri Lankan peace process. He also stayed in regular touch with Prabhakaran and Balasingham. His continued meetings and efforts proved productive, thus Prabhakaran, for the very first time, agreed on ‘unconditional talks’ in November 2000.

This positive gesture by Prabhakaran proved to be a major breakthrough, as the LTTE was known for its obduracy. Prabhakaran called for de-escalation of war and creation of a peaceful and cordial environment for negotiations. The reason he made such a drastic change in his stand and called for negotiations was that he was pressurized internationally. In November 2000, UK Minister of State for Foreign and Commonwealth Affairs Peter Hain had warned the LTTE of dire consequences if it resumed violence. ‘What must have clinched the issue’ was perhaps ‘that part of the warning which had said that if the outfit [LTTE] leaders do not seize the opportunity now, they would be prosecuted in international war crimes tribunals to be set up in a year or two’. This warning worked, and the LTTE declared a unilateral ceasefire from 25 December 2000 to 24 January 2001, and then extended it for another three months.

President Chandrika, however, perceived this ‘unilateral ceasefire’ with some misgivings.

CEASEFIRE AGREEMENT: FEBRUARY 2002

In August 2001, Chandrika extended an offer of ceasefire to the LTTE prior to negotiations with them. The LTTE rejected the offer. Balasingham termed the government’s offer ‘a calculated political duplicity to divert the attention of the people and the world from the deepening crisis in Colombo’. An atmosphere of mistrust
again developed, but Norway continued with its efforts. It took both the parties into confidence and resumed covert meetings with them. Shuttle diplomacy led to a Ceasefire Agreement (CFA) on 22 February 2002 (Annex 3).

The agreement emphasized the following:122

- The total cessation of all military action by both the Sri Lankan Army and the LTTE.
- [Cessation of] the firing of direct and indirect weapons, armed raids, ambushes, assassinations, abductions, destruction of civilian or military property, sabotage, suicide missions and activities by deep penetration units.
- The function of the Sri Lankan Army is to perform their legitimate task of safeguarding the sovereignty and territorial integrity of Sri Lanka without engaging in offensive operations against the LTTE.
- It was also discussed that the two parties would initiate confidence building measures to bring normalcy to the country.
- According to the other terms and conditions of CFA, school buildings should be vacated by the parties so as to be returned to their intended use.
- To take security measures for check points in order to prevent the civilians from harassment.
- Establishment of the Sri Lanka Monitoring Mission (SLMM) to enquire into violation of the CFA by the conflicting groups; if the parties would agree, the Royal Norwegian Government (RNG) would appoint the head of SLMM who would report to the RNG.
- The SLMM would be composed of representatives from Nordic countries.
- Under the agreement, it was also mentioned that it may be amended and modified by mutual consent of both parties and it must be notified in writing to the RNG.
Role of a Third Party in Conflict Resolution

There were four important rounds of negotiations between the Sri Lankan government and the LTTE after the CFA, 2002. At the first round of talks held on 18 September 2002 at Sattahip, Thailand, the LTTE ideologue, Anton Balasingham, said:

The LTTE does not operate on the concept of a separate state. We operate on concepts and categories entirely different from what you assume to be a separate state. We operate on the concept of homeland and self-determination. Homeland does not mean separate state as such. It means a state where the Tamil and the Muslim people live. When we use the concept of self-determination, the concept entails substantial autonomy or self-government in the historical areas where we live. That position can be worked out if both the parties agree to a particular political system or model.123

The statement seemed to be a landmark. Apparently, the popular phrase ‘a separate state’ had no more an unmitigated assertion; second, it recognized Muslims as a significant minority of the north-east. The LTTE now apparently believed in an alternative solution. Earlier, Balasingham and Prabhakaran had demanded the Sri Lankan Army’s withdrawal from Jaffna. But now their mild tone was obvious. It seemed they realized the need for resumption of dialogue. However, Balasingham termed the fight for political independence as the last resort if the government went back on its words.

During the first round, the assurance of safety, security, and identity of all communities, rehabilitation, resettlement, and reintegration of the displaced people, etc., were the core issues. The Sattahip talks led to two agreements: a joint committee to deal with issues relating to High-Security Zones (HSZ), and a joint task force for humanitarian and reconstruction activities. The joint committee on HSZ would work towards facilitating the return of the Internally Displaced People (IDP), and consist of military representatives from both sides. The joint task force would constitute a partnership between the GOSL and the LTTE and would have responsibility for the identification, financing, and monitoring of urgent humanitarian and reconstruction activities in the north.

Norway tried that the GOSL and the LTTE delegations avoid recriminations and accusations that impeded the process. The LTTE
were recognized as the ‘sole representatives’ of the Tamil minority. The talks concluded on an encouraging note. Soon after, the second round of talks was held during 31 October–3 November 2002.

The agenda consisted of the establishment of [a] Joint Task Force (for reconstruction and rehabilitation); to attract a million dollars to fund the peace process, etc. The Sri Lankan government and the rebel Liberation Tigers of Tamil Eelam (LTTE) broadly agreed on the need to win foreign aid, but there were sharp differences over the composition and the powers of a joint panel. 124

The Thailand talks focused on humanitarian and economic issues. The political issue discussed during the negotiations was to ‘find a new system to address minority Tamil demands for regional autonomy and self-government without breaking up the tiny Indian Ocean Island into two micro-states’. 125 The government, on the other hand, considered a substantial devolution of power to the north and east.

The third round of talks opened in Oslo on 25 November 2002, widely applauded by the international community. During the conference, the world powers pledged to provide as much financial aid as possible (some US$60-70 million) to end the communal violence and bring the situation back to normal. In the Oslo Declaration, representatives of governments from the Asia-Pacific region, North America, and Europe expressed:

…strong support for the historic peace process now underway in Sri Lanka. At this crucial phase of the peace process, the world powers commit to provide immediate financial assistance. A donor conference, proposed to be held in Tokyo in 2003, will have a greater focus on longer-term financial assistance and continue the efforts at donor co-ordination. 126

The conference marked a positive development, specially the willingness of international donors to finance the crisis-ridden island. The foremost factor behind the keen interest of the international community in the issue was basically the post-9/11 situation. The world powers now strongly believed in the need for eliminating terrorism from the world. Therefore, they took keen interest in the resolution of the Tamil-Sinhalese conflict.
One of the striking features of Norway’s mediation is the continuity of the peace dialogue between the Sri Lankan government and the LTTE. The fourth round of negotiations took place on 2 December 2002. The discussions centred largely on the federal model as a basis for the final settlement. Balasingham said: ‘It is a breakthrough because we are addressing core issues. We are focusing on a federal model right now.’ The dialogue proceeded with the fifth round held in Thailand during 5–9 January 2003. There were some differences on military issues. The LTTE rejected the government demand to surrender heavy arms before a final peace deal. It withdrew from the Sub-Committee on De-escalation and Normalisation (SDN), a panel appointed by Norway in October 2002. It also demanded a reduction in the size of the army camps in order to free thousands of private homes and property then occupied by government forces. It led to a military deadlock and the talks made no headway. It adversely affected the congenial atmosphere that prevailed throughout the peace process during 2002.

The sixth round of talks was held during 18–21 March 2003 at Hakone, Japan, hosted by the Japanese special envoy to Sri Lanka, Yasushi Akashi, who ‘wanted to make the environment conducive to making progress’. The issues that dominated the discussions were: child abduction and recruitment as soldiers, devolution of powers, rehabilitation and reconstruction, and the donors’ conference scheduled for June 2003. The two sides agreed on a ‘roadmap for devolution of power and a framework to ensure human rights and address the issue of child soldiers’. But the talks did not conclude with any final peace deal. There were some differences over the Sri Lankan Navy’s sinking of an LTTE ship with loss of 11 lives on 10 March 2003. Dr Anton Balasingham said that these issues could be resolved through rational dialogue and a strengthened monitoring mechanism. The dialogue between the GOSL and the LTTE was suspended in April 2003.

Over 10–11 June, Tokyo hosted the Sri Lanka’s Donors’ Conference which was co-chaired by Japan, Norway, the US, and the EU. The countries in the conference promised to extend US$4.5 billion to Sri Lanka for the reconstruction and rehabilitation
process of the war-torn country during 2003–6. The declaration of the conference explicitly linked the aid to the peace process: ‘[a]ssistance by the donor community must be closely linked to substantial and parallel progress in the peace process…in view of the linkage between donor support and [the] peace process, the international community will monitor and review the progress in the peace talks’.\textsuperscript{129} The declaration went on to list 10 objectives and milestones which would be used to measure the progress. Some of the milestones were ensuring an increase in Muslim participation, rehabilitation of former combatants, and gender equity. The end of underage recruitment by the LTTE was set out as a milestone by which the progress of a political settlement would be measured.\textsuperscript{130}\textsuperscript{†}

The LTTE refused to participate in the conference and reacted strongly to the provisions of the Declaration of the Tokyo Conference. While reiterating its hard-line stance on the question of establishing an interim administrative structure for the Tamil-majority north-east province, the LTTE made it abundantly clear that it would not be bound by any provision in the unanimous declaration adopted at the end of the conference. Furthermore, the Tigers complained about international interference in Sri Lankan affairs, and even implicitly censured the accredited facilitator, Norway.\textsuperscript{131} The LTTE kept insisting that an interim administration be set up and established in the north-east, pressurizing the then Prime Minister Ranil Wickremasinghe to implement it.

In October 2003, the LTTE formally proposed the Interim Self-Governing Authority (ISGA) proposal in the north-eastern part. Under the terms and conditions of the ISGA, the LTTE was supposed to overrule the majority in ISGA, enjoy greater power in land administration, security, taxation, justice, and distribution of the aid promised at the Tokyo Donors’ Conference in June 2003. The ISGA proposal emphasized self-governance rather than the concept of ‘shared-control’. The LTTE further demanded revival of negotiations with the GOSL on the basis of the ISGA. President Chandrika Kumaratunga reluctantly showed her willingness to initiate discussion on the ISGA, but within the ‘united and federal framework’.
The country went through political changes in November 2003. President Chandrika found Prime Minister Ranil too soft towards the LTTE. Therefore, she took over three ministries, namely defence, interior, and the media, from the then ruling UNF. This step created a political crisis and left an adverse impact on the peace process because the ‘prime minister (was) reiterating the government’s position that it cannot carry on with the peace process because the defence ministry, closely linked to maintaining the truce (was) no longer under his control’.132

On 2 April 2004, elections were held in Sri Lanka, and the United Peoples Freedom Alliance (a coalition between Chandrika’s SLFP and JVP) won and formed the new government. It won 105 seats in the 225-member parliament, while Wikremasinghe’s UNP won 82. The Tamil National Alliance (TNA), a proxy party of the Tamil Tigers, won 22 seats; Buddhist monks, 9 seats; and Muslim parties, 5.133 In December 2004, the tsunami devastated 12 Asian countries including Sri Lanka, leaving 38,000 people dead. The international community extended massive humanitarian aid for the reconstruction and rehabilitation of the tsunami-ravaged country. Mahinda Rajapaksa became prime minister, and became known for his moderate approach on the ethnic issue, unlike other JVP members. He reiterated that the ethnic issue would be solved within a political framework.

Sri Lanka returned to violence in August 2005 with the assassination of Foreign Minister Lakshman Kadiragamar, the LTTE being accused of his assassination. In November 2005, Prime Minister Mahinda Rajapaksa won the presidential elections with 50.3 per cent votes, defeating former Prime Minister Ranil Wickremasinghe with 48.4 per cent. Ratnasiri Wickremanayaka became prime minister.

Violence resumed in December 2005 and continued into 2006, and ceasefire monitors feared that the government and rebels were once again on the brink of war. Tension peaked in April, with rebel attacks and government reprisals killing more than 200. As many as 50 rebels and 20 Sri Lankan Navy sailors died when a Tiger ship rammed into a military gunboat in May. The government responded
by bombing rebel posts. The SLMM called the rebels’ attack a clear violation of the 2002 ceasefire.\textsuperscript{134}

\textbf{WHY NORWAY AS A MEDIATOR?}

Norway has been playing the role of facilitator in Sri Lanka’s ethnic conflict since 2002. The most positive aspect of its facilitation is the validity of the CFA of 2002 despite continued violence between the Sri Lankan Army and the LTTE. Norway’s role needs to be evaluated from two perspectives: Norway as a mediator in the post-9/11 world, and the Tamil diaspora in Norway.

\textit{Norway as an International Peacemaker}

Norway intervened in the crisis to maintain its reputation as a ‘good doer’. It has been enjoying the position of ‘international peacemaker’ as it had brokered the Middle East peace deal known as the Oslo Peace Process. In Sri Lanka, it has been providing financial assistance for reconstruction and rehabilitation of the war-torn country for years. Norway was also one of six in the committee to monitor the ‘Cessation of Hostilities Agreement’ signed by the GOSL and LTTE on 3 January 1995. The aim of the agreement was to avoid any offensive operation for an indefinite period of time in an attempt to create a favourable environment for peace talks.

\textit{International Political Trends: Post-9/11}

Terrorism is a new concern in the post-9/11 world order. The international community is taking keen interest in combating the menace of terrorism throughout the world. The LTTE is the most violent guerrilla group, and the world has realized the immense need of eliminating terrorist groups. Thus, the Sri Lanka peace process sponsored by Norway is genuinely attracting international attention and the US, EU, and Japan are taking keen interest in the Sri Lankan crisis. It was after the horrendous incidents of 11 September 2001 that all the world powers rose to sponsor the peace process through financial assistance to Sri Lanka. During 1985–87, the two power blocs, the US and the former Soviet Union, were
involved in Cold War rivalry and the US was interested in utilizing Sri Lanka to secure American interests in the Indian Ocean.

Prior to 9/11, the US had added the LTTE to its list of foreign terrorist organizations and banned the outfit on 9 October 1997. It prohibited all LTTE activities, including fund-raising within the US. The Tigers warned the big power that this decision would provoke more deadly actions in Sri Lanka rather than de-escalate the tension. Throughout the peace process, the US has remained concerned over the issue of terrorism. Former US Assistant Secretary of State for South Asia Karl Inderfurth appealed to the LTTE ‘to abandon terrorism and pursue its political aims through peaceful methods’. The US advocated a ‘bipartisan approach’ to the conflict to be followed by both the ruling party and the opposition in Sri Lanka.

The US encouraged Norway in its peace mission. In the post-9/11 period, as the US paid greater attention to South Asia, Canada also followed suit and put the LTTE on its terrorist list. Washington hosted a conference on ‘Sri Lanka’s Reconstruction and Development’ on 14 April 2002. However, it did not invite the LTTE to attend the important conference, which infuriated the Tigers.

Offering its mediatory services, the UK has long been taking interest in the Sri Lankan crisis. It was reported that the LTTE had established several charity organizations in the UK and were using them to fund and sustain their terrorist activities in Sri Lanka to the tune of several million tax-free pounds. The UK was accused of allowing them to continue such activities.

When an anti-terrorism Bill was introduced in the UK in July 2000, Sri Lanka made a formal request to ban the separatist Tigers who were operating their ‘international secretariat’ in London. In response, the UK did not address the issue of banning the outfit. But on 30 October 2000, it took a tough line and the police raided the offices of the Tamil Rehabilitation Organisation (TRO) in Walthamstow. On 19 February 2001, the UK banned the LTTE as a terrorist organization. As for the peace process, Minister of State for Foreign and Commonwealth Affairs Peter Hain made a strong
appeal to the LTTE to give up violence and armed struggle and engage in peace talks.

In the wake of 11 September, Australia also expressed interest in joining the international political trend to end terrorism throughout the world. On 21 December 2001, moving under UN Security Council Resolution 1373 on anti-terrorism measures (28 September 2001), Australian Foreign Minister Alexander Downer announced a ban on 25 international terrorist organizations, including the LTTE. He also ordered freezing of their assets. Since Australia was supposed to be a ‘financial haven’ for terrorists besides being home to a large Tamil diaspora, this decision was taken to prevent Australian citizens from dealing with financial and other assets of those who were involved in supporting terrorism.

Japan has emerged as a key player due to its economic and diplomatic support to the peace negotiations between the Sri Lankan government and the LTTE. It provides around 45 per cent of the total economic aid to Sri Lanka. In August 2002, Minister of Foreign Affairs Ms Yoriko Kawaguchi reiterated Japan’s readiness that ‘once a durable peace is established, Japan will spare no efforts to extend cooperation towards the reconstruction and rehabilitation of those areas’.136

Japan has also concentrated on political issues. It hosted the sixth round of the Norwegian-sponsored peace process held during 18–21 March 2003 at Hakone. Japan’s special peace envoy to Sri Lanka, Yasushi Akashi, encourages the two sides to resolve the ethnic conflict and to overcome the economic woes that the country has been facing due to huge defence expenditure. The March talks ended with no final settlement.

Tamil Diaspora in Norway

The Tamil diaspora in Norway is a factor of genuine interest in Norway’s mediation. Norway is presently estimated to have about 10,000 Sri Lankan Tamils: 6,000 of them Norwegian citizens, many of whom had migrated to Norway in the 1960s and the 1970s to work in its fishing fleet; and 4,000 post-1983 political refugees. Both groups play an active role in helping the LTTE in fund
collection, recruiting men for its shipping fleet, etc.\textsuperscript{137} The fishing community of the Tamil immigrants in Norway was established and then settled well in the post-1987 period. The Tamil diaspora in Norway is assumed to be a beneficial factor for Norway’s local political parties, which used to get votes from Norwegian citizens of Sri Lankan Tamil origin. More than 10,000 Tamils in Norway assure an important position in local politics and have become ‘political partners’ of Norway.

\textit{Norwegian Support to the LTTE}

There are some reports according to which Norway is known to have a deep connection with the LTTE in the military, economic, and political spheres. Although one can question the credibility of these reports, it is still true that the LTTE has a well-knit network for its propaganda and fund-raising activities in Norway. It functions under the cover of organizations like the Tamil Rehabilitation Organization (TRO) and Tamil Coordinating Committee (TCC). According to a report prepared by Norwegians against Terror (NAT):

\begin{quote}
LTTE has in the last two decades built up an impressive organization in Norway. They are gluing the parts of the Tamil Diaspora to the LTTE through various cultural organizations that provide services to the Diaspora from cradle to grave. Thanks to the strong leadership the Norwegian LTTE has been able to build a network of contacts among NGOs, bureaucrats and politicians.\textsuperscript{138}
\end{quote}

Norway has participated in smuggling of high-tech communication equipment to the terrorist organization. Norwegian generals have also given sensitive information to the LTTE terrorist leaders. Gen. Trygve Tellefsen leaked information about the navy’s pursuit of an LTTE arms-smuggling ship to the Tamil rebel group, which allowed it to escape.\textsuperscript{139} Norway has also assisted the Tigers at sea. Norwegian ex-Special Forces have been used to train the Sea Tigers to attack Sri Lanka. The IPS news service said the LTTE is known to have used Thailand’s Andaman coast ‘to strengthen its capability to attack Sri Lanka’s Navy. That included the training that members of its Sea Tiger Wing allegedly received from Norwegian
ex-special forces to launch underwater demolition strikes.\textsuperscript{140}

The NAT report also specifies the funding of the LTTE by the Norway government.

Since the CFA was signed Norway has awarded the LTTE with more than 25 million Norwegian kroner. Even though the LTTE escalated the violations of the CFA (over 3,000 recorded incidents of CFA violations by the LTTE to date), kidnapping of Tamil children (over 2,500 known child abductions by the LTTE during the cease fire period) and assassinations of dissident Tamil leaders (over 200 Tamil leaders murdered during the ceasefire period by the LTTE) the generous funding of the LTTE by Norway has only increased.\textsuperscript{141}

Many cultural and social organizations in Norway use government funds in the name of educational, cultural, and social activities. According to the leaders Yogurajah Balasingham (LTTE) and Vijayaroooban Sivarajha (TCC):

\ldots the LTTE collects 5000–50000 Norwegian Kroner per Tamil in Norway per year. Multiplied with the numbers of Tamils in Norway, the LTTE fundraiser from 25 to 250 million Norwegian kroner (4 to 40 million US dollars per year).\textsuperscript{142}

Keeping all these reports in view, even if there is only propaganda and no truth in the information, the LTTE still has strong ties with all its networks throughout the world, specially in the UK and Norway. It is easy to deduce that Norway is inclined to continue with the peace process in Sri Lanka due to its national and international stakes in the ethnic strife, but it has maintained its neutrality as a mediator.

\textit{Norway as a Mediator}

Norway managed the crisis situation during 1998–2002 by negotiating the CFA between the GOSL and LTTE. Making an objective assessment of mediation under Norway, it has not been a successful mediator to a great extent, but it has at least brought the Tigers back to the negotiating table. Moreover, financial assistance and pressure from the international community contributed a lot in helping the two conflicting parties to think over common ground,
i.e. termination of war and bringing peace throughout the country. The one year of negotiation in 2002–3 carried a substantive volition of both conflicting groups. The dialogue between the GOSL and the LTTE was revived and continued after a few years’ lapse. However, the peace process under Norwegian auspices has gone through different stages of domestic and international political changes, such as the confrontational/competitive politics between the United National Front (UNF) and People’s Alliance (PA) in the initial period of the peace process, and later the coalition government of the United People’s Freedom Alliance’s (UPFA) proposal of an ISGA by the LTTE as a major condition of negotiations, keen interest of world powers, etc.

There were six rounds of talks under Norwegian facilitation through the year 2002, showing the consistency, persistence, and tenacity of the peace process in Sri Lanka. The first phase of negotiations, from September 2002 to March 2003, demonstrated that the parties were able to engage in discussions, identify common ground, manage critical incidents, and agree on exploring ‘a solution founded on the principle of internal self-determination in areas of historical habitation of the Tamil-speaking peoples, based on a federal structure within a united Sri Lanka’ (Oslo Communique, December 2002).143

Profound mistrust and misgivings prevail among the conflicting groups, though. The LTTE is perceived to be buying time to recuperate its military strength during the prevalent peace process—as it had been doing in the past. There might be some truth in it as the LTTE is also continuing violence and recruiting child soldiers. According to the presidential spokesman, the ‘LTTE has recruited an additional 10,000 cadre since the commencement of the ceasefire agreement and thereby vastly increased its manpower strength.’ This, coupled ‘with the findings of the international monitors about continuing child recruitment, gives credence to these apprehensions’.144

The peace process seems lucrative for the GOSL and the LTTE. For the government, continuity of dialogue would bring peace to the country that would attract foreign and domestic investment.
It would also lessen its economic burden caused by heavy defence expenditure. ‘The expenditure on the war for the year 2001 alone has exceeded Rs. 80 billion. A total of Rs. 500 billion has been spent on the war during the past 19 years.’\textsuperscript{145}

The rounds of negotiations between the LTTE and the GOSL during 2002–3 laid special emphasis on economic and humanitarian issues. Making a comparative assessment between the Indian-sponsored and Norwegian peace processes, the significant difference is that Norwegian facilitation stresses issues of common interests—rehabilitation and reconstruction, economic development, relief activities, facilities for human mobilization, etc., in the north-east. India discussed political and military issues, and inducted its peacekeeping forces that aggravated the existing tension between the GOSL and LTTE in 1985–87.

Another feature that can be counted as an important achievement is international sponsorship of the peace process. Norway is not the only player in the process: Japan, the EU, and the US are also exerting their influence. Japan displayed great interest in helping economically. During the peace talks in Japan during 10–11 June 2003, it pledged $1 billion to be disbursed over three years. The US followed with $54 million, and Norway promised $3 million, mostly for the north-east. The Manila-based Asian Development Bank assured $1 billion, and the World Bank $200 million per year, while the EU committed $293 million over a three-year period.

The US has been actively engaged in supporting the peace process. The US government hosted the Pre-Tokyo Donors’ Conference in Washington, D.C., in April 2003 and co-chaired the Tokyo Donors’ Conference in June 2003. These efforts underline the active support of the US government in re-establishing peace, national security, and economic progress in Sri Lanka.\textsuperscript{146} The reason behind this increasing interest of world powers in the settlement of Sri Lanka’s ethnic conflict is the post-9/11 world scenario. The LTTE is the most disciplined, organized, and dedicated guerrilla organization in the world. Moreover, its diaspora throughout the world is one of the threats for all Western countries, specially the US. Therefore, the
international community is trying to end this 25-year-old conflict for good.

Negotiations under Norwegian aegis have helped the two parties to bridge their communication gap. Norway is also striving hard to bring a peaceful resolution to the protracted conflict. However, some points of disagreement emerged between the LTTE and the GOSL. The main hurdle that may damage the peace process is the continued violence and violation of ceasefire by the militant groups of both parties. Despite being engaged as a mediator in the peace process, Norway is also losing its popularity among the sub-conflicting groups. The leading party, the JVP, opposes and criticises Norway as a mediator. It views Norway as a sympathizer of the Tamils due to its deep connection with the Tamil diaspora in Norway. While talking about Norway as a facilitator, JVP’s Propaganda Secretary Wimal Weerawansa said, ‘We stand by our position that they can not be kept as facilitators anymore.’

Similarly, breakaway LTTE leader Col. Karuna is also no more in favour of Norwegian facilitation. He said, ‘The Sri Lankan government should “immediately” revise the Ceasefire Agreement with the LTTE as the Norway-brokered agreement was only helping the LTTE to kill Tamils, Muslims and armed forces personnel.’ Karuna further stated that the Norwegian embassy acted as a paymaster of the LTTE. To Karuna’s personal knowledge, Norway had once given US$250,000 in cash to the LTTE in addition to key electronic equipment.

Another issue is the changing political dynamics of Sri Lanka. Ranil Wikremasinghe of the UNP/UNF was known for his lenient attitude towards the LTTE, whereas Mahinda Rajapaksa (of the JVP) is seen to have a moderate approach. But to the militants, he is only a Marxist and a believer of an extremist party. Moreover, Chandrika Kumaratunga, who had been an initiator and part of the peace process under two-party negotiations (1994–96) and then in 2000–5 is no more associated with the peace process. This also impacts the whole peace process because the previous government had been dealing with the LTTE for more than 10 years.

The current government has several challenges to deal with. First,
it has to be on the same wavelength, develop an understanding with the LTTE and other militants. Proper communication is essential before negotiations. The government might perceive interconnected issues of the ethnic conflict from different angles. Therefore, it has the task of building a consensus among its ministries on the issues. Jehan Perera suggests that:

…if President Rajapaksa is to build on the good impulses that motivate him, it is appropriate that he should follow the principles of good governance in three key areas. The first is to provide leadership to the current effort to obtain a political consensus on the framework of a solution to the ethnic conflict. The second is with regard to the emphasis on the protection of human rights in the peace process, and the third is the adoption of a principled strategy of negotiations with the LTTE.\(^{150}\)

Regarding the ISGA, the GOSL is not amenable to giving complete autonomy or control of the north-east to the LTTE, as it feels the latter does not strictly represent the whole minority of Tamils. Moreover, the LTTE have had differences with the Karuna group. So even if ISGA is implemented and the ethnic issue settled, a series of post-conflict management issues would emerge in the north-east.

Norway was invited to mediate with the mutual consent of the GOSL and the LTTE. It tried to be a neutral facilitator to help the two parties negotiate with each other. Yet, the facts with regard to Norway’s connection with the LTTE network in Norway reveals its dual role. On one hand, it is playing a peacemaker through facilitation, and on the other, it has been funding the LTTE through its private and public resources.

There are many points and hypotheses regarding dual role of a mediator. Having or maintaining connections with one or both conflicting groups, the mediator can influence the parties to seek a political way out. According to Prof. Jayadeva Uyangoda, ‘One can argue that when a mediator maintains such links, it would perhaps enable the mediator to exercise influence and leverage. India always thought so. The state might even encourage the mediator to maintain such links with the rebels. May be there is no such thing as “pure mediation”.’\(^{151}\) In this regard, Norway may have some national and
international stakes in the peace process. It is involved in the process not just for humanitarian concerns, because the realist school of thought strictly configures ‘national interests’ of the countries as a trend of a nation’s foreign policy.

Today, the situation in Sri Lanka is deteriorating. The LTTE is violating the terms and conditions of the CFA continuously and is back to violence. The whole world fears all-out war between the Tigers and the Sri Lankan Army, and, indeed, even breakdown of the CFA and continuity of the peace process. In February 2006, the GOSL and the LTTE held a round of negotiations at Geneva where the two signed a ‘No-Violence Pact’. The LTTE assured that it would take ‘all necessary measures to ensure that there will be no acts of violence against the security forces and police’.\textsuperscript{152} The GOSL also committed to take ‘all necessary measures in accordance with the Ceasefire Agreement to ensure that no armed group or person other than the government security forces will carry arms or conduct armed operations’.\textsuperscript{153} The talks at Geneva lasted two days over 22–24 February 2006 and concluded on a positive note with the next round scheduled in Geneva during 19–21 April 2006. The Geneva talks were the last breakdown of the sponsored dialogue. Since then, 650 people have been killed in the worst rush of violence since 2002.\textsuperscript{154} The EU decided to include the LTTE in its ban list in March–April 2006, and the LTTE declined to participate in the next round at Geneva in April 2006.

The EU banned the LTTE on 29 May 2006, and this is perhaps the reason the LTTE boycotted the Oslo talks in June 2006. This is the last nail in the coffin, as Europe had been catering to the Tamil diaspora since the 1983 crisis and the LTTE had been raising funds through networking in the UK and other EU countries. Norway blamed the EU for this last-minute withdrawal by the LTTE. Norwegian peace envoy Erik Solheim said: ‘…there is no doubt that this is an underlying issue hardening the position of the LTTE prior to the Oslo meeting’.\textsuperscript{155}

Norway is also disappointed with the LTTE’s refusal to revive negotiations. Unhappy with both Colombo and the LTTE, Oslo
has asked the two sides to give in writing whether they still stand by the 2002 ceasefire pact or not.\textsuperscript{156} There are few chances the LTTE would remain in the peace process started in 2000. The only option it is left with is war. The LTTE is known for its deception among the coterie of political pundits due to its past record. In such a scenario, Norway has to play a greater role, though with utter disappointment and dismay. It needs to deal with all these issues and to concentrate on bringing the Tigers back to the negotiating table. It also has to sense the intra-party differences within the rebels and the GOSL.

One may ask why the LTTE got involved in the Norwegian-sponsored peace process if they did not intend to end violence through a peaceful settlement of the conflict. First, the LTTE was under great influence and pressure of the international community. It was the post-9/11 period when the whole world was waging war against terrorism. If it had not got engaged in dialogue, it would have been next to the Taliban to get attacked. Second, by getting involved in peace talks, the militants got political recognition as a party to the conflict, as well as in the peace process.

In reply in an interview, Foreign Minister Mangala Samaraweera of Sri Lanka said:

\textellipsis after two decades of civil war during which more than 65,000 people were killed, the CFA certainly reduced the violence. But most importantly, it gave the LTTE the cloak of political respectability which they yearned and lacked for years. But that [is] precisely why the CFA is at the centre of our problems today. The LTTE are now claiming all kinds of things like air and sea rights, which the CFA did not envisage for them at all.\textsuperscript{157}

At the latest, Sri Lanka’s ethnic conflict is no more ‘a two-party conflict’. It has become a multiparty conflict. On one hand, Norway has to deal with different factions and parties under the GOSL, both governing and opposition. On the other, it has to deal with the LTTE, which is divided between Prabhakaran and Karuna. The Muslim minority in Sri Lanka is also demanding a ‘separate and independent’ representation in the negotiations in the near future. Moreover, Norway needs to sustain its interest in the
peace process and also work on the keenness of the international community, which has little hope of the LTTE coming back to the negotiating table.
CHAPTER 5

Conclusion

MEDIATION AND MUTUALLY HURTING STALEMATE

INDIA AND NORWAY IN SRI LANKA

Assessing the protracted conflict in Sri Lanka, one can conclude that mediation tried to bring a permanent solution to the ethnic conflict but it has not been very successful in resolving it due to various factors. The crisis has various dimensions. The study reveals that the two attempts at mediation were not complete failures. India, in comparison, had faced the most severe and bitter experiences due to the induction of its peacekeeping forces. Norway, so far, has been able to prevent the island country from violence till two years after the CFA. Taming the Tigers has not been an easy task for mediators. India had a direct confrontation with the LTTE, and Norway is accused by the GOSL of giving leverage to the LTTE, specially its reaction to the EU ban on the LTTE in May 2006.

The objective of this part is twofold, to:

1) analyse whether the Sri Lanka conflict was ripe for resolution under the conceptual framework of Zartman in 1983 and 2000; and

2) assess and suggest the best possible options to settle the conflict.

SRI LANKA’S MHS IN 1983 AND 2000

Theorizing the ethnic conflict in Sri Lanka, the concept of MHS finds similarities in certain developments of the conflict in the 1980s, and 2000 onwards. The foremost factor under the MHS model is the ‘right time’ to avail the opportunity to begin
Role of a Third Party in Conflict Resolution

negotiations. The right time refers to the ripe moment, and the ripe moment refers to a hurting deadlock that is realized by the parties and encourages them to end violence and resume talks. Ethnic conflict in Sri Lanka has had several hurting deadlocks during the period 1983–2000, and the conflicting groups opted for two-party and multiparty negotiations, but these ripe moments did not produce the expected results. What were the key factors that could not end the violence despite several rounds of negotiations with regional and international mediation?

The study finds that the MHS model is very relevant to the Sri Lanka case study, yet, it requires certain elements to be supportive enough to identify, realize, and settle this ethnic conflict. There are five major drawbacks to the Sri Lankan MHS during 1985–87, and 2000 onwards: lack of trust and proper homework; no consensus at the public level (specially intra-party conviction); core issues to be addressed and discussed; miscalculation of ‘cost-benefit analysis’ by the parties to initiate dialogue; and international political compulsions during the period of ripeness.

This research took up study of the stalemate in 1985 in the backdrop of the July riots when the GOSL and LTTE were moving towards an all-out war. It was a continuing stalemate, felt by both parties to the conflict. This moment of MHS was seized by the GOSL and the LTTE under Indian facilitation at Thimpu in 1985, but the negotiations collapsed due to two important factors: lack of homework, and rigid stances of the conflicting groups.

Ripeness, itself, is a precondition of starting negotiations. But the MHS model does not suggest what precedes ripeness and how to create it. In case of Sri Lanka, MHS is not an unsuccessful or inapplicable model, but it requires certain supporting factors that this case has been lacking. The utilization of a ripe moment requires pre-negotiation preparation. The pre-negotiation preparation/homework entails: discussing and addressing issues of core concern; identifying and prioritizing the most painful cause/factor of their conflict; checking the readiness of subgroups; and exploring grounds of mutual or common concern.

Moreover, parties need to review and revise their previous stances
Conclusion

and positions on the conflict. They need to abjure the rigid stances that had spoiled negotiations in the past. Stalemate during 1984–86 did not produce the expected results because both the GOSL and the Tamil militants were not ready to give up their demands. They realized and seized the ripe moment at the appropriate time, but there was no precondition to this ripeness: that means both conflicting groups did not work on pre-negotiation preparations.

While commenting on the failure of the Thimpu Talks, Loganathan says:

The Thimpu Talks, in sum, was *(sic)* destined to collapse since neither party to the conflict was prepared to abandon its respective rigid position. Neither was the ground situation conducive for any serious negotiations. Interestingly and predictably, both the Sri Lankan government and the Tamil organizations were relieved that the Thimpu Talks had collapsed. 159

Such precondition to ripeness could be felt from 2000 onwards. The GOSL and the LTTE showed soft approaches to dialogue under Norwegian mediation in 2002–3. The LTTE was no more insistent on the establishment of a separate state, ‘Eelam’. The GOSL had agreed to give more powers and autonomy to the LTTE in Tamil-dominated areas under a ‘unitary and federal framework’. Abjuring rigid stances by the two parties led the way to the CFA in 2002. The reason was that the parties reviewed their respective positions and revised their policies about each other before entering into dialogue. The impasse too was severe enough to have them resile from hostile attitudes and opt for dialogue.

MHS is a ‘condition, not self-fulfilling or self-implementing’. No settlement or resolution of the conflict is guaranteed. Parties can realize their pains of the conflict and perks of reviving negotiations. The realization of ripeness may bring parties to a dialogue table, but all negotiations may not ‘appear to be the result of a ripe moment’. If the parties seize the ripe moment to start negotiations and even conclude with agreements or pacts, it is not necessary that the pacts would settle all differences. The Thimpu Talks (1985), Indo-Lanka Accord (1987) and CFA (2002) are cases in point of such seizure of ripe moments. The negotiations which began in 1985–87 ended
up in 2001–2 with agreements but did not settle the conflict once and for all. The CFA was a slight exception, as it prevented the two parties from resuming violence for a year.

The MHS model offers a ‘conflict-benefit analysis’ approach. Sometimes, ripeness exists, but the parties do not find it an appropriate time to begin dialogue. In such a scenario, parties need to concentrate and calculate the economic, military, and human costs of the conflict during the period of confrontation, review their defence budgets and total estimate of the amount spent on non-military areas, and foresee the benefits of peace. In case of Sri Lanka, the economic aspect of MHS was there in 1986–87 and the GOSL and Tamil rebels realized the economic loss to the country. The International Institute for Strategic Studies (IISS) estimated there were then more than 5,000 full-time Tamil activists and some 8,000 reserves.160 Tourists were no longer coming to Sri Lanka; foreign investment had stopped. Foreign donors were cutting their assistance and urging a political settlement as they saw resources going into the protracted civil war.161

Sri Lankan military spending in current figures more than doubled between 1981 and 1984 from Rs. 1,051 million to 2,300 million.162 The defence budget for 1985 reached Rs. 3.60 billion, an amount that excluded Rs. 2 billion for development of defence infrastructure.163 The latest available estimates (1985–87) show that the war against the Tamils was costing the government Rs. 12 billion (US$407 million) a year out of total government annual spending of Rs. 65 billion.164 The Indo-Lanka Accord, 1987, was expected to bring an end to the violence as the country had paid dearly in terms of human and economic loss. On the occasion of signature of the Indo-Lanka Accord, President Jayewardene said:

After this (agreement)...there will be no fighting in the North and the East. Terrorism will be a thing of the past, and peace will be restored once again to our land. This would mean a tremendous accession of wealth through the aid the countries are giving. This would mean a tremendous accession of foreign investment. It will mean tourism looks up again and employment is available for our people. It should mean also the increase of wages to government servants who have been waiting for years to get what they deserve.165
During Norwegian mediation, the number of killings and scale of violence remained high. The total number of people killed by all sides since the CFA was signed was around 748, with the largest number being killed in the internecine war between the LTTE and the Karuna faction. In 2002, about 6 per cent of GDP was spent on defence compared to 4.8 per cent for health and education combined. In addition, the government has created large fiscal deficits to support defence spending and has maintained a constant level of social service provision for its citizens. The government’s spending patterns have left economic development largely ignored outside Colombo and a few other major cities.

During the period 1985–87, a ripe moment existed, was realized, and then seized by the GOSL and the LTTE under a third party, India. This ripe moment could not be handled and treated by the three parties in a proper manner. Mediators can play a decisive role in initiating dialogue between the parties. Specific tactics by mediators can seize the ripe moment and turn it into negotiations. Deadlock needs a realization by conflicting parties as well as facilitating party/parties. All the actors, including the mediator, should feel the sense of ‘urgency and danger’.

Alternate options should be sorted out by the three parties with persistence regarding the grievances and issues that the two groups have been quarrelling over. The mediator can help them to realize this sense of ‘urgency of dialogue’ and ‘danger of war’ by delineating for them specific benefits of peace, for instance, socio-economic development, greater investment, sound infrastructure, better standard of living, etc. Relevant to this role of a mediator, Norway has helped the GOSL and LTTE to recognize the benefits of peace during the six rounds of negotiations in 2002. The international community agreed to extend financial aid to rebuild and reconstruct the war-torn country. The Thailand talks during 31 October–3 November 2002 emphasized foreign aid, and humanitarian and economic issues. This is one of the reasons that the LTTE remained part of the peace process during the later period also.

During 1984–87, MHS was mishandled, miscalculated, and misjudged in Sri Lanka. It was miscalculated because all parties
realized MHS at the same time—but with different ‘cost-benefit analysis’. The GOSL and the LTTE wanted a permanent solution to the problem. The GOSL wanted a settlement that assured ‘territorial integrity and sovereignty of the island country’, whereas the LTTE demanded their ‘fair share in administrative affairs of the north-east’.

The cost-benefit analysis of India as the third party was different from that of the two conflicting groups. Indian calculations were more focused on securing its strategic interests in the Indian Ocean. It was eyeing the presence of Cold War rivals, the US and USSR, in the Indian Ocean that disturbed and challenged its position as a ‘regional hegemon’. It also had to win the support of Tamil Nadu politicians to win local elections in India.

There may be no concept as such of ‘pure mediation’, but a facilitating party has to prioritize the prime concern of resolving the main issue of the conflicting groups, and also needs to pay less heed to its own national and regional interests. The international political climate in the 1980s also contributed to ruining the ripe moment. The Trincomalee Oil Farm Contract and broadcasting facilities to the US caused worries to India, therefore, Annexure to the Indo-Lanka Accord, 1987, Documents VI and VII, covered these two issues.

Norway, in comparison, did not make any such calculations for its own security interests. The Tamil diaspora in Western countries (and particularly in Norway) is one of the factors facilitating this peace process, yet, Norway is not in a situation of rivalry with any state in the Indian Ocean in a challenge to the latter’s status in the regional affairs of South Asia. Norwegian cost-benefit analysis is largely related to the international political climate. The whole of the Western world is wary of terrorism, and the LTTE is on the international ban list of terrorist organizations.

As already mentioned, the ripe moment requires necessary preparation or preconditions to start negotiations. Realization of ripeness alone cannot make a difference unless parties to the conflict go through a certain stage of ripeness to move forward. This includes: checking the readiness of the subgroups (internal ripeness or intra-party conviction); the disputing issues or differences; the
prevailing stands and positions of the parties; etc. During 1985–87, the GOSL and India as a third party didn’t win conviction from intra-party or subgroups of the ethnic conflict.

In the summer of 1987 when India violated Sri Lankan airspace in the name of humanitarian assistance providing relief goods to Sri Lanka, the whole of the Sinhala community got furious and recalled Indian action in East Pakistan in 1971. The JVP, a radical group that had attempted a coup in 1971 against the Bandaranaike Government, re-emerged. Strongly Sinhalese and xenophobic, the group found a ready response in the growing anti-Indian sentiment. Once more, it engaged in demonstrative violence, threatening government supporters, detonating occasional bombs, and demanding radical changes.  

Most factions of extremist and leftist groups were furious when India and the GOSL signed the peace accord in July 1987. Jayewardene underestimated the anger his move would generate among the Sinhalese. For him to accept the presence of Indian troops in Sri Lanka was to touch an acutely sensitive Sinhalese nerve, evoking historic memories of Chola invasions and conquest during the 10th century and provoking intense public hostility. The repercussions of the Indo-Lanka Accord, specially the deployment of Indian troops, were serious. The JVP protested against the role of the IPKF as ‘a third party to the conflict…not to resolve but to escalate conflict’. The proscribed JVP came out with a powerful terrorist campaign directed against the government demanding the withdrawal of the IPKF, and virtually bringing about a state of anarchy in the Sinhala south.

Similarly, the LTTE was shocked when the peace accord was signed without the participation of the LTTE as a signatory to the agreement. Hence, Indian mediation in Sri Lanka’s MHS did not satisfy all the parties to the conflict. The main reason is the mishandling of a ripe moment by the two main players, the GOSL, and India as mediator. The LTTE and other Tamil groups were not consulted when Jayewardene and Rajiv Gandhi signed the peace accord. This aggravated the paranoia and scepticism of the Tamil rebels who were already seeing this Indian involvement with doubt
and apprehension due to the previous role of India as the Tamils’ arm supplier. The guerrilla organization had experienced Indian involvement in two ways: through dialogue, and arms support. It lost faith in India. The LTTE saw the dual face of its early supporter which changed its stance by deploying its troops to disarm the LTTE, who were being armed at one time by the former. Indian officials misread reports of Tamil Tigers’ readiness to accept the Accord’s proposals, and overestimated the power of the Indian government to impose the agreement on the militant movement it had encouraged. The partial mediator had not been able to deliver to the side it had supported in the beginning.¹⁷²

The CFA was not welcomed by the JVP also and it launched a demonstration in 2003 on the occasion of the first anniversary of the CFA. At present, the JVP and the breakaway Karuna group of the LTTE are against Norway as facilitator.

Some components of ripeness are also missing in this case. The GOSL and the Tamil groups (both moderate, i.e. TULF; and militants, i.e. LTTE) seemed to realize and be ready to avail ripeness so as to negotiate with each other. During 1985–87, they were less prepared to surrender their respective demands and stop violence. Ripeness reveals that parties opt for negotiations when they exhaust all warring options, but in the case of this conflict, the parties wanted to negotiate on one hand, while continuing their violent activities on the other. This is relevant to the latest situation in Sri Lanka. The LTTE had boycotted the Oslo talks in June 2006. They reverted to violence since 2005, but remained party to the negotiations at the same time. (The LTTE participated in the Geneva talks in February 2006.)

When we talk about ripeness or MHS, it is necessary to know whether all parties are sincere and serious to settle their differences and are not simply buying time by engaging themselves in negotiations. This needs to be verified by the mediating party by keeping an eye on change in the respective military strengths of the conflicting groups. For example, during 1984–86, the negotiations between the GOSL and LTTE were used by the respective groups
to buy time to regain their military capabilities. This shows that the two groups were availing the ripe moment to recover their military powers. Some scholars believe that the APC provided an opportunity to the groups to regain their lost military strength and positions.173

Sometimes, peace negotiations are considered a ‘stalemate’. This happens when the parties to the conflict find no reason to continue with dialogue, perceiving that negotiations are not bringing any fruitful results in the form of a final peaceful settlement or an agreement. On the occasion of Chandrika’s meeting with Norwegian Deputy Foreign Minister Vidar Helgessen during her unofficial visit to London in June 2004, the LTTE gave a statement that other than these activities, the LTTE felt that the process was at a stalemate.174

Conflict behaviour of parties is another factor of the MHS model. Often, ‘increased pain increases resistance rather than reducing it’. (It must be remembered that while ripeness is a necessary precondition for negotiations, not all ripeness leads to negotiations.)175 In this case, parties bear the pain with the perception that if they do not succeed, they should try again and again. Particular types of adversaries such as ‘true believers’, ‘warriors’, or ‘hardliners’ are unlikely to be led to compromise by increased pain: instead, pain is likely to justify renewed struggle.176 The LTTE resumed conflict with such a view. It had been fighting for the cause of ‘Eelam’. By engaging in continuous conflict, they feel that a stalemate or impasse is an opportunity to pursue their objective of the ‘creation of Eelam’ with greater dedication. Many Tamils believe that the only effective change agent in Sri Lanka has been 20 years of armed struggle. With no other alternatives for holding their political leaders accountable, many citizens resort to supporting extremist groups in hopes of having their interests represented.177

OPTING FOR MEDIATION

Analysing Sri Lanka’s ethnic conflict and its experience of mediation twice, it is important to outline some factors that a
country needs to concentrate on before opting for mediation and during the peace process under the MHS model.

**GEOGRAPHY OF THE CONFLICT-RIDDEN COUNTRY**

Before opting for mediation, the country requires to see the geographical factors, size, its position in regional and international politics, and the prevalent trend of global politics. In the case of Sri Lanka in the 1980s, the Gosl did not ponder over the geographical setting of the country in the regional and global political environments. During 1983–87, the two Cold War rivals, the US and USSR, made their entrées in South Asia. The internal crises of Sri Lanka were exploited by the international crisis between the US and former Soviet Union. India got involved in the Sri Lanka crisis with the prime intention of protecting its own national interests in the Indian Ocean region. Annexure to the Indo-Sri Lanka Agreement, 29 July 1987, Documents VI and VII (see Annex 2) clearly stated that:

1) Trincomalee or any other ports in Sri Lanka will not be made available for military use by any country in a manner prejudicial to India’s interests;

2) the work of restoring and operating the Trincomalee Oil Tank Farm will be undertaken as a joint venture between India and Sri Lanka; and

3) Sri Lanka’s agreements with foreign broadcasting organizations will be reviewed to ensure that any facilities set up by them in Sri Lanka are used solely as public broadcasting facilities and not for any military or intelligence purposes.

Norwegian facilitation in Sri Lanka’s conflict has also been taking place in the wake of the 9/11 events. One of the most important reasons of Norway being a mediator in this conflict is the latest trend of global politics, viz., war against terrorism. It is true that it was invited by the GOSL and the LTTE with mutual consent, but
the Sri Lanka peace process was sponsored and encouraged by the international community after the 9/11 events.

COUNTRY’S SECURITY AND MEDIATOR’S TRACK RECORD

It is important for the state in conflict to check its sensitivities and vulnerabilities as a smaller country within the region as well as within the country. If the internecine struggle is deteriorating and escalating day by day despite the prevalent peace process, the conflicting groups need to see the main causes of the breakdown of talks and resumption of violence. It also needs to check the track record of the mediator. The war-torn country needs to see and analyse the past and current standing of the mediator in regional and international politics. A dual role of the mediator is also a matter of great concern for all the stakeholders. The group being supported by the mediator in the past may lose trust in the facilitation. The other conflicting group also has a reason to suspect the sincerity and seriousness of the mediator who has once supported the rebel group. In the words of Wriggins:

…the character of the mediator played a critical role. India’s size, its capacity to intimidate both parties, its special ethnic connection with the secessionist minority, its domestic political vulnerability to the secessionists’ ethnic kin in Madras, and the claims of its foreign policy agenda profoundly influenced its perception of a desirable outcome. These considerations also affected how it played its cards.179

The dual role of India as a supporter of violence and then of peace was one of the reasons for failure of Indian mediation. The GOSL and the LTTE accepted India as a mediator and later lost faith in it. Norway is suspected of a similar dual role by some groups of Sinhala extremists. It is reported that the LTTE has been given military and financial support by Norway. Keeping this in view, one can either take a positive or a negative view. Norway might be influencing or exerting its power on the LTTE to negotiate with the GOSL due to its past support and assistance to the militant group.
Setting the Role of a Mediator

Hopmann suggests five major kinds of third-party roles. They are: (1) Process facilitator; (2) Facilitator of communication, compromise, and convergence; (3) Facilitator of cognitive change; (4) Formulator, someone who helps the parties to invent new solutions to their problems; and (5) Manipulator, which requires that the mediator use leverage and introduce resources of power, influence, and persuasion that can be brought to bear on the parties to move to agreement.

Before opting for mediation, the parties to the conflict need to concentrate on the ‘neutrality and impartiality’ of the mediator. After opting for mediation, the country or parties to the conflict need to monitor the pace of the peace process vigilantly. A mediator is supposed to prepare grounds for negotiations. He can bring the conflicting groups to the dialogue table to seek a way out. The preliminary stage to resolve a conflict is to encourage them to talk about their differences, to address core issues, and to explore different options. This ensures a trust-building process or a way of building confidence in each other. Signing an accord or agreement is a later stage of this facilitation process. The initial step is to avert threat perceptions and establish trust and confidence among the conflicting groups at all levels.

The negotiating parties need to see different phases and stages of the process under mediation as well as the performance of the mediator. Whether the mediator plays its role sufficiently and efficiently, can be monitored on individual capacities of the conflicting groups because they have opted for mediation. The prime task of the mediator is to facilitate them to talk after building sufficient trust among the parties. India conducted several rounds of negotiations between the GOSL and Tamil militants, but it was oblivious of the fact that these negotiations were not helping them to reduce their mistrust and paranoia. They did not trust each other, nor did they overcome their historic rivalries on administrative aspects of their conflict.

A mediator necessarily requires building its confidence among
all conflicting groups. If one party trusts it and the other does not, conflict cannot be managed with consent of all the conflicting groups. While analysing the Indo-Lanka Accord, 1987, Somasundaram and Vanniasingham observed: ‘…a mediator’s function is to try to bring about an agreement between the parties to the dispute. However, this Accord was not agreed to or confirmed by the Tamil groups.’

Dialogue or negotiations are a time-consuming process. One country cannot have a final peace deal within a short span of time, specially in case of a protracted conflict which has a historical background. The whole peace process needs to be worked out in a patient manner. A timeframe may be settled upon with the mutual consent of the parties in consultation with the third party.

In the case study of Sri Lanka, India as a third party could not restrict itself to the role of ‘true mediator’. Its mediation was greatly dictated by its strategic and national interests in the Sri Lankan ethnic conflict. Norway, in comparison, has nothing to gain from this peace process except its international reputation as a peacemaker and its role in eliminating the menace of terrorism in post-9/11 politics. Norway is a country with a good international record. It established the world’s first peace institute, PRIO, in 1959 with the backing of the government. Norway is no international aggressor. It is a committed member of the UN. Albeit, according to some reports, Norway is suspected of having supported the LTTE in the past, but the reports by themselves are not sufficient evidence to see Norway as a supporter of militancy in Sri Lanka.

CHANGE IN LEADERSHIP

Often, change in leadership of one or both the conflicting groups makes a great difference to the peace process. Sometimes, change in the government either pushes the peace process forward, or pulls it backward. Leaderships may have different ways of utilizing a stalemate or treating a peace process. While outlining such a difference between the UNF Government (2004) and Rajapaksa Government (2005–6), Kumar Rupesinghe says:
Role of a Third Party in Conflict Resolution

...there were clearly significant differences between the 6 rounds of talks held by the UNF Government and the LTTE and the Geneva talks (February 2006). The UNF–LTTE talks were conducted in an atmosphere of what is called in conflict resolution parlance ‘a problem-solving approach’.183 (About the Geneva talks in February 2006, he says): the Rajapaksa–LTTE talks however was (sic) conducted in what is often called ‘positional bargaining’. 184

It is not always necessary that the rebel group be comfortable with the newly-formed government to negotiate on issues that it had discussed with the previous government(s). Jehan Perera views that the LTTE is not giving space to the new president, Mahinda Rajapaksa. He says:

The LTTE did not give him a chance to establish himself in his new position as the President of the country. Within his first month of accession to Presidential office, the LTTE began its campaign of claymore mine and grenade attacks, aimed at provoking the Sri Lankan military. LTTE leader Velupillai Prabhakaran’s words that he would give the new President time to show his sincerity became meaningless in the face of the killings that the LTTE unleashed.185

PROPOSED FRAMEWORK FOR SETTLEMENT OF THE SRI LANKAN CONFLICT

There are ways through which the Sri Lankan ethnic conflict could be managed. This study suggests a broader spectrum to resolve the ethnic issue through a piecemeal approach. The process requires a certain framework which should be followed by the GOSL, the LTTE, as well as Norway. This could be as follows.

1) The GOSL needs to work on the federal framework to resolve the ethnic issue. Most experts and analysts186 of Sri Lankan affairs consider the ‘federal system’ the best feasible option for the Tamil–Sinhalese ethnic conflict. For this, the GOSL assumes greater responsibility as it can make and implement policies. According to Prof. Jayadeva Uyangoda, there should be ‘an arrangement of regional autonomy in a federal framework, backed by a consensus among major Sinhalese, Tamil and Muslim
An Indian expert on Sri Lanka’s ethnic conflict says that the most feasible option for the Tamil problem in north-east Sri Lanka is the ‘federal’ solution. The federal system or whatever name we give for power sharing is the best one in the given situation and nature of conflict in Sri Lanka, since any solution has to address the ‘Tamils’ cause, and, at the same time, be accepted by the Sinhala majority. In this regard, the unitary system is not acceptable to the LTTE and Tamils; equally, a separate state for Tamils is not acceptable to the Sinhalese. Along with this, recognizing the Tamil language and culture as a distinct entity and giving equal opportunities to Tamils in education and employment would solve the problem. In this regard, constitutional changes are necessary.

2) For such a federal framework, the government needs to appoint a committee to work out a devolution package for the north-east, considering the satisfaction of Tamils as a minority, not as a militant group. The committee needs to be comprised of members from all factions of society: moderates, militants, religious and political ideologues, etc. The committee should also have Tamil, Muslim, and Sinhalese representatives so the process would be transparent and Tamils would not lose faith in the proposed package. Such composition of the committee would help the members to take the immediate concerns of particular strata, and help build consensus among all the communities. On 5 July 2006, a multi-ethnic panel was appointed to work out different models of devolution packages throughout the world in order to advise President Rajapaksa on power sharing in the north-east. The appointment of this panel seems a positive development, but at the same time, the GOSL also needs to concentrate on equal participation of all the communities to prevent one community’s domination in the north-east.

3) Studying and working on a devolution plan might be
Role of a Third Party in Conflict Resolution

an easy task, but implementation with the consent of all conflicting groups is a Herculean task. The GOSL needs to do proper homework for such a strategy. The proposed devolution package needs to be concentrated on the federal political structure of Sri Lanka with adequate recognition, rights, and powers to Tamils as a minority, its equal representation in Tamil-dominated areas, and just and equal power status in the administrative set-up.

4) The GOSL has long been trying to crush the military power of the LTTE through its Armed Forces. The LTTE has a strong network throughout the world. It has been accumulating funds from its diaspora in EU countries and Canada. Also, the government has been employing a carrot and stick policy to deal with the Tigers, which has failed so far. On one hand, the GOSL is negotiating with the political representatives of the LTTE, and on the other, the Sri Lankan Armed Forces are confronting the Tigers. The GOSL and the LTTE should stop attacking each other. In the words of Jehan Perera:

…the present government has no strategy for a political solution. They do not have an agreed political framework that is even minimally acceptable to the Tamils. They are antagonizing the LTTE by calling them terrorists and calling for their ban internationally, at the same time they are asking the LTTE to come for talks. The government is using violence, and saying it is upholding the ceasefire. This is all very contradictory and incoherent.¹⁸⁹

5) The Rajapaksa Government has many challenges to deal with. It has to build the confidence and trust of the LTTE which is still suspicious of Rajapaksa as representative of an extremist party, the JVP. It has to win conviction from the opposition as well. There are two popular opinions about how the Rajapaksa Government is treating this issue. To some, President Rajapaksa’s Government is dealing with the LTTE in a mild and soft manner. President Rajapaksa displayed great patience and cool behaviour in response to the LTTE’s aggressive postures.
Conclusion

In the view of Harinda Ranura Vidanage, Advisor, International Affairs to President Rajapaksa:

…the Rajapaksa government is taking a pragmatic effort to solve the crisis. The Rajapaksa government was hounded earlier as a nationalist and extreme Sinhala Chauvinist by the LTTE and its front organizations. The LTTE used covert attacks on the armed forces to escalate tensions in expectation of reprisals. President Rajapaksa’s patience and nerve was tested and still he has remain unchanged, every massacre the LTTE did his response was ‘I still believe in peace’.190

Some analysts believe that the Rajapaksa Government is making little effort to end the crisis. Mayil says:

…so far there is no clear and concrete plan or effort from the Rajapaksa government to solve the ethnic question, except the formation of [the] all party and ethnic committee. Besides, at present the government fails to take into confidence of opposition parties especially UNP and TNA in its effort to find a solution. As without the support of these parties, it would be difficult to bring any change.191

6) The LTTE needs to revise the ISGA proposal. The ISGA is unacceptable to the Gosl as well as other minorities living in the north-east. The ISGA does not address ‘shared control’ of the region. It emphasizes ‘self-rule’, which is no short of ‘separate statehood’. The implementation of ISGA would create chaos in the north-east as the minority rights of Muslims and Sinhalese would be affected greatly, and the LTTE would exercise total control in the regional administration. Some of the provisions may be accepted by the Gosl, yet, the ISGA has to be based on equal rights to all peoples keeping in view the security and autonomy of other ethnic communities too.

7) The prime reason for discontinuity of the Norwegian-sponsored peace process is lack of trust between the Gosl and LTTE. The LTTE does not trust the government on the issue of interim administration of the north-east. President Rajapaksa needs to win the battle
for the hearts and minds of the civilians in the north and east. Militarily crushing the LTTE will give the Sri Lankan state nothing. It will justify the rebel claim that the Sri Lankan state is an eternal occupier of the Tamils’ lands. The president needs to wage a war for peace, with clear commitments to these people who have suffered for more than two decades. Equal responsibility is on Norway to build confidence between the GOSL and the LTTE. The role of Norway as a mediator needs to be continuous. Some analysts see little of Norway’s role. According to them, mediation should come to an end. Prof. Uyangoda says: “The role of Norway in facilitation has come to an end. Sri Lanka needs a new peace process.” This study finds that Norway is still needed to continue with its facilitating efforts to bring the Tigers back to negotiations. Norway has been supporting and encouraging the cause of peace. It has adequately internationalized the ethnic conflict to receive financial aid and assistance from the Western world to rebuild and reconstruct the country. Also, continuing financial assistance from the international community would be an incentive to the LTTE to remain with the peace process.

The case study of India and Norway as third parties to the Sri Lankan conflict leads us to conclude that mediation alone was not a factor in the ill-management of Sri Lanka’s ethnic conflict, but there were other factors that led to the invalidity or violation of the agreements (Indo-Lanka Accord, 1987; and Ceasefire Agreement, 2002) by the GOSL and the LTTE. This includes inter-party differences, core issues of conflict between the GOSL and the LTTE, resumption of violence and recruiting of child soldiers by the Tigers, lack of coordination and trust among the two conflicting groups and Norway, anti-peace lobbies or supporters, etc.

Presently, the peace process under Norway has turned into a deadlock. The LTTE resumed violence since 2003 and has been
targeting important political personalities. The rebels are accused of assassinating Foreign Minister Lakshman Kadirgamar in August 2005 and of an assassination attempt against Sri Lankan Army Chief Sarath Fonseka in April 2006. The complex nature of the ethnic conflict makes it difficult to resolve. The composition of parties, polarization of conflicting groups, and resumption of violence give peacemakers little chance to negotiate with the Tigers. President Rajapaksa is trying to settle differences with the LTTE, offering them a federal system within a unitary framework which the LTTE has been refusing for long. On the other hand, massive killing of civilians and suicide bombing by the LTTE discourages both the GOSL and Norway to negotiate with the rebel group.

Sri Lanka needs an arrangement that ensures the satisfaction and recognition of the interests and rights of all communities. Giving Tamils total administration of the north-east would not settle the issue even if the worries caused to the Muslims and Sinhalese are accepted. The solution needs to be sorted out at grass-roots level. There is a genuine need to change the separatist mindsets of the Tamils and other communities. The LTTE has been fighting for so long. It is indeed very difficult for them to stop violence and lay down their guns. An appropriate arrangement for their rule would satisfy them to some extent. Harinda views ‘ideological realignment and deep political commitments’ as the basis of solution. This takes:

[a] two pronged strategy, one a short term one especially to curb the violence to enforce the cease fire. Secondly, the more important aspect is a long term national policy commitment. The state and its people should be given a vision and a plan. The stark reality is building a unified Sri Lankan mind set takes time, wounds need to heal, understanding developed. This calls for a political commitment which will encompass three main areas of policy change in Education, Developmental and Security Policies of Sri Lanka.194

The Sri Lankan leadership needs strength to remove the culture of fear among the common people. It must also be kept in mind that any peace process takes time to settle differences of the conflicting parties. The peace process started in 2000 is only a six-year old toddler that needs to learn to talk, walk, and listen. The concept
of coexistence needs to be inculcated among Sinhalese, Tamils, and Muslims to learn to live together within a united country. The GOSL, on its part, should move forward with recognition of the distinct cultures, languages, and ethnic identities of all the communities. People in the island country have suffered a lot, and Sri Lanka deserves no less than a peaceful resolution of its 25 years of conflict.
Notes and References


3 Ketheshwaran Loganathan, Sri Lanka: Lost Opportunities, Past Attempts at Resolving Ethnic Conflict, Colombo: Centre for Policy Research and Analysis (CEPRA), University of Colombo, 1996, p. 11.


5 Manogaran, op. cit., n. 2 above, p. 124.


8 Manogaran, op. cit., n. 2 above, p. 143.

9 Ibid., p. 141.


12 Ibid., p. 136.


14 Manogaran, op. cit., n. 2 above, p. 112.


17 I. William Zartman is a pioneer theorist of the ‘Ripeness Model’ and he suggests that ‘a deadlock that hurts two conflicting parties’ is a ripe condition to resolve the conflict. He also ponders over various situations in which a third party can avail this ‘hurting deadlock’ as an opportunity to mediate and resolve the conflict between the two groups or countries.

Role of a Third Party in Conflict Resolution


24 Ibid., pp. 16, 17.


32 Ibid.


Notes and References 101


38 Ibid.


40 Zartman, op. cit., n. 37 above.


43 This explanation is based on the work of Rubin, op. cit., n. 36 above.

44 Ibid.

45 For details, see Pruitt, op. cit., n. 41 above, pp. 6–12.

46 Ibid., p. 6.

47 Zartman, op. cit., n. 35 above.

48 As described earlier, timing is important to initiate negotiations. The whole peace process might turn out a disaster if the moment is artificial and not ripe and parties are using the moment as to regain their military strengths.

49 *Internal ripeness* may be defined as realization of an MHS by factions within the main conflicting parties. They are power elite who do not hold power directly, but are involved in the decision-making process. Any action or decision needs consent by the respective domestic constituencies and all the groups of conflicting countries or parties. Negotiations cannot begin without local acceptance by these intra-party groups.

50 *External ripeness* refers to the realization of the deadlock by the main conflicting parties, the governing elite, and their open willingness to manage the conflict through dialogue. It is not always the case that main parties start negotiations with the consent of their local/domestic groups. Therefore, ripeness needs internal approval to have meaningful negotiations as well.


52 Zartman, op. cit., n. 35 above, p. 12.

53 Zartman, op. cit., n. 35 above.
Role of a Third Party in Conflict Resolution

54 For details, see Zartman, op. cit., n. 10 above, pp. 3–29.
55 Ibid., pp. 20–21.
59 Vaidik, op. cit., n. 16 above, p. 15.
61 Manor and Segal, op. cit., n. 58 above, pp. 1166–67.
64 Ibid., p. 514.
69 Gunaratna, op. cit., n. 65 above, p. 11.
70 Narayanan, op. cit., n. 67, p. 117.
71 Ibid., p. 118.
72 For details, see Gunaratna, op. cit., n. 65 above, pp. 27–29.
73 Ibid., p. 27.
74 Ibid., p. 34.
75 Ibid., p. 38.
76 Ibid., p. 39.
80 Abraham, ibid., pp. 20–21.
83 Martha Crenshaw, ‘India and the Sri Lankan Dilemma’: http://www.wesleyan.edu/gov/india_and_the_sri_lankan_dilemma.htm
84 Ibid.
85 Ibid.
90 Piyasena and Sendheera, op. cit., n. 7 above, p. 122.
92 Gunaratna, op. cit., n. 65 above, pp. 120, 121.
94 Gunaratna, op. cit., n. 65 above, p. 176.
96 Gunaratna, op. cit., n. 65 above, p. 183.
97 Ibid., p. 186.
98 Ibid., p. 188.
103 Crenshaw, op. cit., n. 83 above.
Role of a Third Party in Conflict Resolution

104 Swamy, op. cit., n. 102 above, p. 252.
105 Ibid., p. 253.
106 Crenshaw, op. cit., n. 83 above.
107 Gunaratna, op. cit., n. 65 above, p. 237.
108 Kodikara, op. cit., n. 101 above, p. 58.
110 Bahaduri and Karim, op. cit., n. 91 above, p. 89.
111 Ibid., pp. 95–96.
113 Island (Colombo), 16 July 1989, p. 9, cited in Keerawella, ibid.
114 Gunaratna, op. cit., n. 65 above, p. 481.
115 Ibid.
119 Hindu (New Delhi), 12 May 2000.
120 ‘The LTTE Talks Peace’ (editorial), Sentinel (Guwahati), 4 December 2000.
121 Tribune (Chandigarh), 31 August 2001.
122 For details, see ‘Text of Sri Lanka Truce Deal’: http://news.bbc.co.uk/1/hi/world/south_asia/1836198.stm
125 Daily Times (Islamabad), 5 November 2002.
126 Island (Colombo), 27 November 2002.
127 Dawn (Islamabad), 5 December 2002.
128 News (Islamabad), 19 March 2003.
130 Ibid.
133 http://www.abc.net.au/ra/newstories/RANewsStories_1081019.htm
Notes and References

134 http://www.infoplease.com/ipa/A0107992.html
135 Hindu (New Delhi), 29 November 2000.
139 For details, see: http://www.svik.org/ltte.htm
140 Ibid.
141 NAT, op. cit., n. 138 above.
142 Ibid.
144 Jehan Perera, ‘Holding the Government and the LTTE to their Promises’: www.peace-srilanka.org
149 Susantha Goonatilake, ‘Norway’s LTTE Connections?’: http://www.sundayobserver.lk/2006/03/26/fea01.html
151 Response to a personal e-mail query by the author, 5 July 2006.
153 Ibid.
154 Indian Express (New Delhi), 14 June 2006.
157 Indian Express (New Delhi), 14 June 2006.
158 The author suggests pre-negotiation preparation as a precondition to ripeness.
Role of a Third Party in Conflict Resolution


161 Ibid., p. 49.


166 Kumar Rupesinghe, ‘President Calls the Shots’, *Sunday Observer* (Colombo), 5 March 2006.


169 Wriggins, op. cit., n. 10 above, p. 50.

170 Ibid., p. 52.


172 Wriggins, op. cit., n. 10 above, p. 52.

173 Ibid., p. 44.


175 Zartman, op. cit., n. 34 above, p. 12.

176 Ibid.


178 Gunaratna, op. cit., n. 65 above, pp. 492–93.

179 Wriggins, op. cit., n. 10 above, p. 56.


181 Somasundaram and Vanniasingham, op. cit., n. 93 above, p. 144.


183 Rupesinghe, op. cit., n. 166 above.

184 Ibid.

185 Perera, op. cit., n. 150 above.
186 These opinions are based on the field study of the author, data collection, questionnaire, and interviews with the subject experts of Jawaharlal Nehru University, the Institute of Defence and Studies and Analysis, and Institute of Peace and Conflict Studies during her visit to India during 1–14 October 2005.

187 Response to the questionnaire sent by the author.

188 M. Mayilvaganan, Associate Fellow at the Institute of Defence and Studies and Analysis, New Delhi, in response to the questionnaire that the author sent by e-mail.

189 Response to a personal query by the author by e-mail.

190 Harinda Ranura Vidanage, Advisor, International Affairs to HE President Mahinda Rajapaksa, Sri Lanka, in response to a personal query by the author by e-mail.

191 Response to the questionnaire.


193 Response to a personal query by e-mail.

194 Reply to a personal query of the author by e-mail.
In terms of paragraph six of the President’s statement of December 1st 1983, the following proposals which have emerged as a result of discussions in Colombo and New Delhi are appended for consideration by the All Party Conference. These proposals are in the context of the unity and integrity of Sri Lanka and will form a basis for formulating the Agenda of the All Party Conference.

1. The District Development Councils in a Province be permitted to combine into one or more Regional Councils if they so agree by decisions of the Councils and approved by Referendum in that district.

2. In the case of the District Councils in the Northern and Eastern Provinces respectively, as they are not functioning due to the resignation of the majority of Members, their union within each province to be accepted.

3. Each Region will have a Regional Council if so decided. The convention will be established that the leader of the party which commands a majority in the Regional Council would be formally appointed by the President as the Chief Minister of the Region. The Chief Minister will constitute a Committee of Ministers of the Region.

4. The President and the Parliament will continue to have overall responsibility over all subjects not transferred to the regions and generally for all other matters relating to the maintenance of the sovereignty, integrity, unity and security and progress and development of the Republic as a whole.

5. The legislative power of the Region would be vested in the Regional Councils which would be empowered to enact laws and exercise executive powers in relation thereto on certain specified listed subjects including the maintenance of internal Law and Order in the Region, the Administration of Justice, Social and Economic Development, Cultural matters and Land Policy. The list of subjects which will be allocated to the Regions will be worked out in detail.

6. The Regional Councils will also have the power to levy taxes, cess or fees and to mobilise resources through loans, the proceeds of which will be credited to a Consolidated Fund set up for that particular Region to which also will be credited grants, allocations or subventions made by the Republic. Financial resources will be apportioned to the Regions on the recommendations of a representative Finance Commission appointed from time to time.

7. Provision will be made for constituting High Courts in each Region. The Supreme Court of Sri Lanka will exercise appellate and constitutional jurisdiction.

8. Each Region will have a Regional Service consisting of (a) officers and other public servants of the Region and (b) such other officers and public servants

---

who may be seconded to the Region. Each Region will have a Regional Public Service Commission for recruitment and for exercising disciplinary powers relating to the members of the Regional Service.

9. The armed forces of Sri Lanka will adequately reflect the national ethnic position. In the Northern and Eastern Regions, the Police forces for internal security will also reflect the ethnic composition of these Regions.

10. A Port Authority under the Central government will be set up for administering the Trincomalee Port and Harbour. The area which will come under the administration of the Port Authority as well as the powers to be assigned to it will be further discussed.

11. A national policy on land settlement and the basis on which the Government will undertake land colonization will have to be worked out. All settlement schemes should be based on ethnic proportions so as not to alter the demographic balance subject to agreement being reached on major projects.

12. The Constitution and other laws dealing with the official language Sinhala and the national language, Tamil, be accepted and implemented as well as similar laws dealing with the National Flag and Anthem.

13. The Conference should appoint a committee to work out constitutional and legal changes that may be necessary to implement these decisions. The Government would provide its Secretariat and necessary legal offices.

14. The consensus of opinion of the All Party Conference will itself be considered by the United National Party Executive Committee and presumably by the executive bodies of the other Parties as well, before being placed before Parliament for legislative action.
INDO-SRI LANKA AGREEMENT TO ESTABLISH
PEACE AND NORMALCY IN
SRI LANKA

29 July 1987, Colombo

The Prime Minister of the Republic of India, His Excellency Mr Rajiv Gandhi and the President of the Democratic Socialist Republic of Sri Lanka, His Excellency Mr J. R. Jayewardene having met at Colombo on July 29, 1987.

Attaching utmost importance to nurturing, intensifying and strengthening the traditional friendship of India and Sri Lanka and acknowledging the imperative need of resolving the ethnic problem of Sri Lanka, and the consequent violence, and for the safety, well being and prosperity of people belonging to all communities of Sri Lanka.

Having this day entered into the following Agreement to fulfil this objective.

1.1 desiring to preserve the unity, sovereignty and territorial integrity of Sri Lanka;

1.2 acknowledging that Sri Lanka is a multi-ethnic and a multi-lingual plural society consisting, inter alia, of Sinhalese, Tamils, Muslims (Moors), and Burghers;

1.3 recognising that each ethnic group has a distinct cultural and linguistic identity which has to be carefully nurtured.

1.4 also recognising that the northern and the eastern Provinces have been areas of historical habitation of Sri Lankan Tamil speaking peoples, who have at all times hitherto lived together in this territory with other ethnic groups;

1.5 conscious of the necessity of strengthening the forces contributing to the unity, sovereignty and territorial integrity of Sri Lanka, and pre-serving its character as a multi-ethnic, multi-lingual and multi-religious plural society, in which all citizens can live in equality, safety and harmony, and prosper and fulfil their aspirations.

2. Resolve that:

2.1 Since the Government of Sri Lanka proposes to permit adjoining Provinces to join to form one administrative unit and also by a Referendum to separate as may be permitted to the Northern and Eastern Provinces as outlined below:

2.2 During the period, which shall be considered an interim period (i.e.) from the date of the elections to the Provincial Council, as specified in para 2.8 to the date of the referendum as specified in para 2.3, the Northern and Eastern Provinces as now constituted, will form one administrative unit, having one elected Provincial Council. Such a unit will have one Governor, one Chief Administrator

and one Board of Ministers.

2.3 There will be a referendum on or before 31st December, 1988 to enable
the people of the Eastern Province to decide whether.

(a) The Eastern Province should remain linked with the Northern Province as
one administrative unit, and continue to be governed together with the Northern
Province as specified in para 2.2, or

(b) The Eastern Province should constitute a separate administrative unit having
its own distinct Provincial Council with a separate Governor, Chief Minister and
Board of Ministers.

The President may, at his discretion decide to postpone such a referendum.

2.4 All persons who have been displaced due to ethnic violence, or other
reasons, will have the right to vote in such a referendum. Necessary conditions to
enable them to return to areas from where they were displaced will be created.

2.5 The referendum, when held, will be monitored by a committee headed
by the Chief Justice, a member appointed by the President, nominated by the
Government of Sri Lanka, and a member appointed by the President, nominated
by the representatives of the Tamil speaking people of the Eastern Province.

2.6 A simple majority will be sufficient to determine the result, of the
referendum.

2.7 Meeting and other forms of propaganda, permissible within the laws of
the country, will be allowed before the referendum.

2.8 Elections to Provincial Councils will be held within the next three months,
in any event before Dec. 31, 1987. Indian observers will be invited for elections to
the Provincial Council of the North and East.

2.9 The emergency will be lifted in the Eastern and Northern Provinces
by August 15, 1987. A cessation of hostilities will come into effect all over the
island within 48 hours of the signing of this Agreement. All arms presently held
by militant groups will be surrendered in accordance with an agreed procedure to
authorities to be designated by the Government of Sri Lanka.

Consequent to the cessation of hostilities and the surrender of arms by militant
groups, the Army and other security personnel will be confined to barracks in
camps as of May 25, 1987. The process of surrendering of arms and the confining
of the security personnel moving back to barracks shall be completed within 72
hours of the cessation of hostilities coming into effect.

2.10 The Government of Sri Lanka will utilise for the purpose of law
enforcement and maintenance of security in the Northern and Eastern Provinces
the same organisations and mechanisms of Government as are used in the rest of
the country.

2.11 The President of Sri Lanka will grant a general amnesty to political and
other prisoners now held in custody under the Prevention of Terrorism Act and
other emergency laws, and to combatants, as well as to those persons accused,
charged and or convicted under these laws. The Government of Sri Lanka will
make special efforts to rehabilitate militant youth with a view to bringing them
back to the mainstream of national life. India will cooperate in the process.

2.12 The Government of Sri Lanka will accept and abide by the above
provisions and expect all others to do likewise.

2.13 If the framework for the resolution is accepted, the Government of Sri Lanka will implement the relevant proposals forthwith.

2.14 The Government of India will underwrite and guarantee the resolutions, and cooperate in the implementation of these proposals.

2.15 These proposals are conditional to an acceptance of proposals negotiated from 4.5.1986 to 19.12.1986. Residual matters not finalised during the above negotiations shall be resolved between India and Sri Lanka within a period of six weeks of signing this agreement. These proposals are also conditional to the Government of India cooperating directly with the Government of Sri Lanka in their implementation.

2.16 These proposals are also conditional to the Government of India taking the following actions if any militant groups operating in Sri Lanka do not accept this framework of proposals for a settlement, namely:

(A) India will take all necessary steps to ensure that Indian territory is not used for activities prejudicial to the unity, integrity and security of Sri Lanka.

(B) The Indian Navy/Coast Guard will cooperate with the Sri Lanka Navy in preventing Tamil militant activities from affecting Sri Lanka.

(C) In the event that the Government of Sri Lanka requests the Government of India to afford military assistance to implement these proposals the Government of India will cooperate by giving to the Government of Sri Lanka such military assistance as and when requested.

(D) The Government of India will expedite repatriation from Sri Lanka of Indian citizens to India who are resident there concurrently with the repatriation of Sri Lankan refugees from Tamil Nadu.

(E) The Government of India and Sri Lanka, will cooperate in ensuring the physical security and safety of all communities inhabiting the Northern and Eastern Provinces.

2.17 The Government of Sri Lanka shall ensure free, full and fair participation of voters, from all communities in the Northern and Eastern Provinces in electoral processes envisaged in this agreement. The Government of India will extend full cooperation to the Government of Sri Lanka in this regard.

2.18 The official language of Sri Lanka shall be Sinhala. Tamil and English will also be official languages.

3. This agreement and the annexure there to shall come into force upon signature.

In witness whereof we have set our hands and seals hereunto. Done in Colombo, Sri Lanka, on this the twenty ninth day of July of the year one thousand nine hundred and eighty seven, in duplicate, both texts being equally authentic:

Rajiv Gandhi
Prime Minister of the Republic of India

Junius Richard Jayewardene
President of the Democratic Socialist Republic of Sri Lanka
Prime Minister of India, New Delhi
July 29, 1987
Excellency,

Conscious of the friendship between our two countries stretching over two millennia and more, and recognising the importance of nurturing this traditional friendship, it is imperative that both Sri Lanka and India reaffirm the decision not to allow our respective territories to be used for activities prejudicial to each other’s unity, territorial integrity and security.

In this spirit, you had, during the course of our discussions, agreed to meet some of India’s concerns as follows:

(i) Your Excellency and myself will reach an early understanding about the relevance and employment of foreign military and intelligence personnel with a view to ensuring that such presences will not prejudice Indo-Sri Lankan relations.

(ii) Trincomalee or any other ports in Sri Lanka will not be made available for military use by any country in a manner prejudicial to India’s interests.

(iii) The work of restoring and operating the Trincomalee oil tank farm will be undertaken as a joint venture between India and Sri Lanka.

(iv) Sri Lanka’s agreement with foreign broadcasting organizations will be reviewed to ensure that any facilities set up by them in Sri Lanka are used solely as public broadcasting facilities and not for any military or intelligence purposes.

In the same spirit, India will:

(i) Deport all Sri Lankan citizens who are found to be engaging in terrorist activities or advocating separatism or secessionism.

(ii) Provide training facilities and military supplies for Sri Lankan security forces.

India and Sri Lanka have agreed to set up a joint consultative mechanism to continuously review matters of common concern in the light of the objectives stated in para 1 and specifically to monitor the implementation of other matters contained in this letter.

Kindly confirm, Excellency, that the above correctly sets out the agreement reached between us.

Please accept, Excellency, the assurances of my highest consideration.

Yours Sincerely,

(Rajiv Gandhi)

His Excellency Mr J. R. Jayewardene
President of the Democratic Socialist Republic of Sri Lanka
Colombo.
DOCUMENT VII

President of Sri Lanka
July 29, 1987

Excellency,

Please refer to your letter dated the 29th of July 1987, which reads as follows:

Excellency,

Conscious of the friendship between our two countries stretching over two millennia and more, and recognizing the importance of nurturing this traditional friendship, it is imperative that both Sri Lanka and India reaffirm the decision not to allow our respective territories to be used for activities prejudicial to each other’s unity, territorial integrity and security.

2. In this spirit, you had, during the course of our discussions, agreed to meet some of India’s concerns as follows:

   (i) Your Excellency and myself will reach an early understanding about the relevance and employment of foreign military and intelligence personnel with a view to ensuring that such presences will not prejudice Indo-Sri Lanka relations.

   (ii) Trincomalee or any other ports in Sri Lanka will not be made available for military use by any country in a manner prejudicial to India’s interests.

   (iii) The work of restoring and operating the Trincomalee Oil tank farm will be undertaken as a joint venture between India and Sri Lanka.

   (iv) Sri Lanka’s agreements with foreign broadcasting organisations will be reviewed to ensure that any facilities set up by them in Sri Lanka are used solely as public broadcasting facilities and not for any military or intelligence purposes.

3. In the same spirit, India will:

   (i) deport all Sri Lankan citizens who are found to be engaging in terrorist activities or advocating separatism or secessionism.

   (ii) provide training facilities and military supplies for Sri Lankan security forces.

4. India and Sri Lanka have agreed to set up a joint consultative mechanism to continuously review matters of common concern in the light of the objectives stated in para 1 and specifically to monitor the implementation of other matters contained in this letter.

5. Kindly confirm. Excellency, that the above correctly sets out the agreement reached between us.

Please accept, Excellency, the assurances of my highest consideration.

Yours sincerely

(Rajiv Gandhi)

His Excellency
Mr J. R. Jayewardene
President of the Democratic Socialist Republic of Sri Lanka
Colombo
Annex 3

TEXT OF SRI LANKA TRUCE DEAL

Friday, 22 February, 2002, 17:23 GMT

Agreement on a ceasefire between the Government of the Democratic Socialist Republic of Sri Lanka and the Liberation Tigers of Tamil Eelam

Preamble

The overall objective of the Government of the Democratic Socialist Republic of Sri Lanka (hereinafter referred to as the GOSL) and the Liberation Tigers of Tamil Eelam (hereinafter referred to as the LTTE) is to find a negotiated solution to the ongoing ethnic conflict in Sri Lanka.

The GOSL and the LTTE (hereinafter referred to as the parties) recognise the importance of bringing an end to the hostilities and improving the living conditions for all inhabitants affected by the conflict.

Bringing an end to the hostilities is also seen by the parties as a means of establishing a positive atmosphere in which further steps towards negotiations on a lasting solution can be taken.

The parties further recognise that groups that are not directly party to the conflict are also suffering the consequences of it.

This is particularly the case as regards the Muslim population. Therefore, the provisions of this agreement regarding the security of civilians and their property apply to all inhabitants.

With reference to the above, the parties have agreed to enter into a ceasefire, refrain from conduct that could undermine the good intentions or violate the spirit of this agreement and implement confidence-building measures as indicated in the articles below.

Article 1: Modalities of a Ceasefire

The parties have agreed to implement a ceasefire between their armed forces as follows:

1.1 A jointly agreed ceasefire between the GOSL and the LTTE shall enter into force on such date as is notified by the Norwegian Minister of Foreign Affairs in accordance with Article 4.2, hereinafter referred to as D-day.

Military Operations

1.2 Neither party shall engage in any offensive military operation. This requires the total cessation of all military action and includes, but is not limited to, such acts as:

a) The firing of direct and indirect weapons, armed raids, ambushes, assassinations, abductions, destruction of civilian or military property, sabotage, suicide missions and activities by deep penetration units;

b) Aerial bombardment;

c) Offensive naval operations.

1.3 The Sri Lankan armed forces shall continue to perform their legitimate task of safeguarding the sovereignty and territorial integrity of Sri Lanka without engaging in offensive operations against the LTTE.

Separation of Forces

1.4 Where forward defence localities have been established, the GOSL’s armed forces and the LTTE’s fighting formations shall hold their ground positions, maintaining a zone of separation of a minimum of 600 metres.

However, each party reserves the right of movement within 100 metres of its own defence localities, keeping an absolute minimum distance of 400 metres between them.

Where existing positions are closer than 400 metres, no such right of movement applies and the parties agree to ensure the maximum possible distance between their personnel.

1.5 In areas where localities have not been clearly established, the status quo as regards the areas controlled by the GOSL and the LTTE, respectively, on 24 December 2001 shall continue to apply pending such demarcation as is provided in article 1.6.

1.6 The parties shall provide information to the Sri Lanka Monitoring Mission (SLMM) regarding defence localities in all areas of contention, cf. Article 3. The monitoring mission shall assist the parties in drawing up demarcation lines at the latest by D-day + 30.

1.7 The parties shall not move munitions, explosives or military equipment into the area controlled by the other party.

1.8 Tamil paramilitary groups shall be disarmed by the GOSL by D-day + 30 at the latest. The GOSL shall offer to integrate individuals in these units under the command and disciplinary structure of the GOSL armed forces for service away from the Northern and Eastern Province.

Freedom of Movement

1.9 The parties’ forces shall initially stay in the areas under their respective control, as provided in Article 1.4 and Article 1.5.

1.10 Unarmed GOSL troops shall, as of D-day + 60, be permitted unlimited passage between Jaffna and Vavunia using the Jaffna–Kandy road (A9). The modalities are to be worked out by the parties with the assistance of the SLMM.

1.11 The parties agree that as of D-day individual combatants shall, on the recommendation of their area commander, be permitted, unarmed and in plain clothes, to visit family and friends residing in areas under the control of the other party. Such visits shall be limited to six days every second month, not including the
time of travel by the shortest applicable route. The LTTE shall facilitate the use of the Jaffna–Kandy road for this purpose. The parties reserve the right to deny entry to specified military areas.

1.12 The parties agree that as of D-day individual combatants shall notwithstanding the two-month restriction, be permitted, unarmed and in plain clothes, to visit immediate family (ie spouses, children, grandparents, parents and siblings) in connection with weddings or funerals. The right to deny entry to specified military areas applies.

1.13 Fifty unarmed LTTE members shall as of D-day + 30, for the purpose of political work, be permitted freedom of movement in the areas of the North and the East dominated by the GOSL. Additional 100 unarmed LTTE members shall be permitted freedom of movement as of D-day + 60. As of D-day + 90, all unarmed LTTE members shall be permitted freedom of movement in the North and the East. The LTTE members shall carry identity papers. The right of the GOSL to deny entry to specified military areas applies.

*Article 2: Measures to Restore Normalcy*

The parties shall undertake the following confidence-building measures with the aim of restoring normalcy for all inhabitants of Sri Lanka:

2.1 The parties shall in accordance with international law abstain from hostile acts against the civilian population, including such acts as torture, intimidation, abduction, extortion and harassment.

2.2 The parties shall refrain from engaging in activities or propagating ideas that could offend cultural or religious sensitivities. Places of worship (temples, churches, mosques and other holy sites, etc.) currently held by the forces of either of the parties shall be vacated by D-day + 30 and made accessible to the public. Places of worship which are situated in ‘high security zones’ shall be vacated by all armed personnel and maintained in good order by civilian workers, even when they are not made accessible to the public.

2.3 Beginning on the date on which this agreement enters into force, school buildings occupied by either party shall be vacated and returned to their intended use. This activity shall be completed by D-day + 160 at the latest.

2.4 A schedule indicating the return of all other public buildings to their intended use shall be drawn up by the parties and published at the latest by D-day + 30.

2.5 The parties shall review the security measures and the set-up of checkpoints, particularly in densely populated cities and towns, in order to introduce systems that will prevent harassment of the civilian population. Such systems shall be in place from D-day + 60.

2.6 The parties agree to ensure the unimpeded flow of non-military goods to and from the LTTE-dominated areas with the exception of certain items as shown in Annex A. Quantities shall be determined by market demand. The GOSL shall regularly review the matter with the aim of gradually removing any remaining restrictions on non-military goods.
Role of a Third Party in Conflict Resolution

2.7 In order to facilitate the flow of goods and the movement of civilians, the parties agree to establish checkpoints on their line of control at such locations as are specified in Annex B.

2.8 The parties shall take steps to ensure that the Trincomalee–Habarana road remains open on a 24-hour basis for passenger traffic with effect from D-day + 10.

2.9 The parties shall facilitate the extension of the rail service on the Batticaloa line to Welikanda. Repairs and maintenance shall be carried out by the GOSL in order to extend the service up to Batticaloa.

2.10 The parties shall open the Kandy–Jaffna road (A9) to non-military traffic of goods and passengers. Specific modalities shall be worked out by the parties with the assistance of the Royal Norwegian Government by D-day + 30 at the latest.

2.11 A gradual easing of the fishing restrictions shall take place starting from D-day. As of D-day + 90, all restrictions on day and night fishing shall be removed, subject to the following exceptions: (i) fishing will not be permitted within an area of 1 nautical mile on either side along the coast and 2 nautical miles seawards from all security forces camps on the coast; (ii) fishing will not be permitted in harbours or approaches to harbours, bays and estuaries along the coast.

2.12 The parties agree that search operations and arrests under the Prevention of Terrorism Act shall not take place. Arrests shall be conducted under due process of law in accordance with the Criminal Procedure Code.

2.13 The parties agree to provide family members of detainees access to the detainees within D-day + 30.

Article 3: The Sri Lanka Monitoring Mission

The parties have agreed to set up an international monitoring mission to enquire into any instance of violation of the terms and conditions of this agreement. Both parties shall fully cooperate to rectify any matter of conflict caused by their respective sides. The mission shall conduct international verification through on-site monitoring of the fulfilment of the commitments entered into in this agreement as follows:

3.1 The name of the monitoring mission shall be the Sri Lanka Monitoring Mission (hereinafter referred to as the SLMM).

3.2 Subject to acceptance by the parties, the Royal Norwegian Government (hereinafter referred to as the RNG) shall appoint the Head of the SLMM (hereinafter referred to as the HoM), who shall be the final authority regarding interpretation of this agreement.

3.3 The SLMM shall liaise with the parties and report to the RNG.

3.4 The HoM shall decide the date for the commencement of the SLMM’s operations.

3.5 The SLMM shall be composed of representatives from Nordic countries.

3.6 The SLMM shall establish a headquarters in such place as the HoM finds appropriate. An office shall be established in Colombo and in Vanni in order to liaise with the GOSL and the LTTE, respectively. The SLMM will maintain a
Annex

3.7 A local monitoring committee shall be established in Jaffna, Mannar, Vavuniya, Trincomalee, Batticaloa and Amparai. Each committee shall consist of five members, two appointed by the GOSL, two by the LTTE and one international monitor appointed by the HoM. The international monitor shall chair the committee. The GOSL and the LTTE appointees may be selected from among retired judges, public servants, religious leaders or similar leading citizens.

3.8 The committees shall serve the SLMM in an advisory capacity and discuss issues relating to the implementation of this agreement in their respective districts, with a view to establishing a common understanding of such issues. In particular, they will seek to resolve any dispute concerning the implementation of this agreement at the lowest possible level.

3.9 The parties shall be responsible for the appropriate protection of and security arrangements for all SLMM members.

3.10 The parties agree to ensure the freedom of movement of the SLMM members in performing their tasks. The members of the SLMM shall be given immediate access to areas where violations of the agreement are alleged to have taken place. The parties also agree to facilitate the widest possible access to such areas for the local members of the six above-mentioned committees, cf. Article 3.7.

3.11 It shall be the responsibility of the SLMM to take immediate action on any complaints made by either Party to the agreement, and to enquire into and assist the parties in the settlement of any dispute that might arise in connection with such complaints.

3.12 With the aim of resolving disputes at the lowest possible level, communication shall be established between commanders of the GOSL armed forces and the LTTE area leaders to enable them to resolve problems in the conflict zones.

3.13 Guidelines for the operations of the SLMM shall be established in a separate document.

Article 4: Entry into Force, Amendments and Termination of the Agreement

4.1 Each party shall notify its consent to be bound by this agreement through a letter to the Norwegian Minister of Foreign Affairs signed by Prime Minister Ranil Wickremasinghe on behalf of the GOSL and by leader Velupillai Prabhakaran on behalf of the LTTE respectively. The agreement shall be initialled by each party and enclosed in the above-mentioned letter.

4.2 The agreement shall enter into force on such date as is notified by the Norwegian Minister of Foreign Affairs.

4.3 This agreement may be amended and modified by mutual agreement of both parties. Such amendments shall be notified in writing to the RNG.

4.4 This agreement shall remain in force until notice of termination is given by either party to the RNG. Such notice shall be given 14 days in advance of the effective date of termination.
Bibliography

BOOKS


JOURNALS

*ACDIS Occasional Papers* (University of Illinois, Urbana)

*Asian Survey* (University of California, Berkeley)
Role of a Third Party in Conflict Resolution

BIIS (Dhaka, Bangladesh)
Ethnic Studies (Kandy, Sri Lanka)
Regional Studies (Islamabad, Pakistan)
Pakistan Horizon (Karachi, Pakistan)

NEWSPAPERS AND MAGAZINES

Dawn (Islamabad, Pakistan)
Daily Times (Islamabad, Pakistan)
Frontline
(Chennai, India)
Lanka Guardian (Colombo, Sri Lanka)
Outlook (New Delhi, India)
Sentinel (Guwahati, India)
The Hindu (New Delhi, India)
The Indian Express (New Delhi, India)
The Island (Colombo, Sri Lanka)
The Statesman (New Delhi, India)

WEBSITES

www.colorado.edu/conflict/peace/example/zart5857.htm
www.darwin.nap.edu/books/0309070279/html/
www.beyondintractibility.org/essay/ripeness-promoting_strategies/
   www.beyondintractibility.org/essay/ripeness/
   www.lacnet.org/srilanka/issues/kumari.html
   http://www.wesleyan.edu/gov/india_and_the_sri_lankan_dilemma.htm
   http://www.abc.net.au/ra/newstories/RANewsStories_1081019.htm
   http://www.infoplease.com/ipa/A0107992.html
   http://www.ipcs.org/ipcs/whatsNewArticle1
http://www.svik.org/pdf/norway/pdf
   http://www.svik.org/ltte.htm
http://www.peace-srilanka.org
   http://www.csis.org/media/csis/pubs/0406_srilankaactionstrategy.pdf
RCSS PUBLICATIONS

BOOKS

- Refugees and Regional Security in South Asia (1996)
- Nuclear Non-proliferation in India and Pakistan: South Asian Perspectives (1996)
- Diplomacy and Domestic Politics in South Asia (1996)
- Regional Economic Trends and South Asian Security (1997)
- Ethnicity and Constitutional Reform in South Asia (1998)
- People to People Contact in South Asia (2000)
- The Simla Agreement 1972-Its Wasted Promise (2001)
- Security and Governance in South Asia (2001)
- Globalization and Non-Traditional Security in South Asia (2001)
- Security in the New Millennium (2001)
- Small Arms and Human Insecurity (2002)
- South Asia and the War on Terrorism (2003)
- Understanding Terrorism in South Asia: Beyond Statist Discourses (2006)
• Responding to Terrorism in South Asia (2006)
• Impact of Insurgencies on Women in South Asia (Forthcoming)

RCSS Newsletter
A quarterly bulletin, it publishes a brief report of RCSS activities, presentations and its workshops on topics of contemporary interest and news and programmes of the RCSS and its alumnae.

POLICY STUDIES
Policy 1, Nira Wickremesinghe, *Humanitarian Relief Organisations and Challenges to Sovereignty: The Case of Sri Lanka*
Policy 2, Steve P Cohen, *The Structural Dimensions of Conflict in South Asia*
Policy 3, P R Chari, *Newer Sources of National Insecurity: The Crisis of Governance in India*
Policy 4, B S Chimni, *The Law and Politics of Regional Solution of the Refugee Problem: The Case of South Asia*
Policy 5, Sasanka Perera, *New Evangelical Movements and Conflicts in South Asia: Sri Lanka and Nepal in Perspective*
Policy 6, Ajai, Dharshan Behera, *The Politics of Violence and Development*
Policy 7, Neila Hussain Chowdhury, *Proliferation of Small Arms and Politics in South Asia: The Case of Bangladesh*
Policy 8, Neluka Silva, *Politics and the Theatre: Comparative Study of Nationalism and Gender in the Popular Theatre of Sri Lanka*
Policy 9, Muhktar Ahmed Ali, *Sectarian Violence in Pakistan*
Policy 10, Jasjit Singh & Pervaiz Iqbal Cheema, *Defence Expenditure in South Asia: An Overview*
Policy 11, Frank De Silva & Abrar R Chowdhury, *Defence Expenditure in South Asia: Bangladesh and Sri Lanka*
Policy 12, P. R Chari & Ayesha Siddiqi, *Defence Expenditure in South Asia: India and Pakistan*
Policy 13, Anasua Ray Chowdhury, *The Energy Crisis and Sub-regional Cooperation in South Asia*
Policy 14, Monica Bhanot, *Order, Welfare and Legitimacy in the Regional Context of South Asia: An Ultima Thule?*

Policy 15, Aruni John, *Investigation of the Potential for Militarization of the Bhutanese Refugee Youth in Nepal and Related Security Concerns for the Region*

Policy 16, Lailufar Yasmin, *Law and Order Situation and Gender-based Violence: Bangladesh Perspective*

Policy 17, P. Sahadevan, *Coping with Disorder: Approaches and Strategies to End Internal Wars in South Asia*

Policy 18, Subramanyam Raju, *Third Generation Perception on Kashmir Issue*

Policy 19, Uttam Sen & Ayesha Siddiqa Agha, *Governance in Plural Societies and Security*

Policy 20, Arjun Bhardwaj and Delwar Hossain, *Globalisation and the Multinational Corporations (MNCs) in South Asia: Towards Building a Partnership for Sustainable Development*

Policy 21, Lok Raj Baral, Bertram Bastianpillai & Rasul Bakhsh Rais, *Governance and Defence Spending: View from South Asia*

Policy 22, Tanvir Anjum, *Nature and Dynamics of Conflicts Over Privatization of Potable Water*

Policy 23, Sushil J. Aaron, *Christian Evangelicals and Political Conflict in India: with Special Reference to Gujrat, Madhya Pradesh and Orissa*

Policy 24, Shaista Tabassum, *River Water Sharing Problem Between India and Pakistan: Case Study of the Indus Basin Water Treaty*

Policy 25, Zafar Nawaz Jaspal, *Nuclear Risk Reduction Measures and Restraint Regime in South Asia*

Policy 26, Smruti Pattanaik, *Elite Perceptions in Foreign Policy: Role of Print Media in Influencing India-Pakistan Relations, 1989-1999*

Policy 27, Nishchal Pandey, *Nepal’s Maoist Movement and Implications for India and China*

Policy 28, Happymon Jacob, *HIV/AIDS as a Security Threat to India*

Policy 29, Amit Dholakia, *The Role of Mediation in Resolving India-Pakistan Conflicts: Parameters and Possibilities*

Policy 31, Saira Yamin, *Stability through Economic Cooperation in a Nuclear Environment*

Policy 32, Sun Xun, *New Nuclear Triangle and China's Role in South Asia*

Policy 33, Salma Malik & Mallika Joseph, *Small Arms and the Security Debate in South Asia*

Policy 34, Rizwan Zeb & Suba Chandran, *Indo-Pak Conflicts: Ripe to Resolve?*

Policy 35, Upendra Chowdhury, *Nuclear Risk Reduction Measures in South Asia: Problems and Prospects*

Policy 36, A. Subramanyam Raju & S.I. Keethaponcalan, *India and Sri Lanka: Issues in Maritime Cooperation*

Policy 37, Amtul Hassan, *Impact of Partition Refugees on Pakistan*

Policy 38, Anindita DasGupta, *The ‘People's War’ in Nepal.*


Policy 40, Geetanjali Chopra, *INGOs in Arms Control and Disarmament: Potential and Viability*