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# NEW YEAR IN TRINCOMALEE

## Coalition of Muslims and Tamils

### What is Wrong with the Geneva Talks and the Peace Process?

In this analysis of the situation of 'war and peace' following the recent violence in Trincomalee, the Coalition for Muslims and Tamils speaks for and pleads for once again placing people at the centre of peace and the need for the peace process to work towards justice for all peoples in this country.

The Coalition for Muslims and Tamils was formed during an intense period of violence last year between Tamils and Muslims in the East, culminating in the grenade attack on the Grand Mosque in Akkaraipattu in November, which took the lives of 6 persons and intensified the already strained relations between Muslims and Tamils in the region. Despite repeated pleas by the communities concerned, the State and civil society took little notice of this incident. Today, the killing continues. Killings that are politically and ethnically motivated and steeped in the violence that has become an intrinsic part of the peace process as we know it.

### The peace process and its violences

The current peace process, Geneva Talks I, picks up the thread of negotiation from the stalled talks between the Government of Sri Lanka (GoSL), the LTTE and the donor community that commenced with the Ceasefire Agreement of February 2002. It adopted a two-pronged approach to the conflict.

1. The idea of cementing good relations between the LTTE and the Government of Sri Lanka through confidence building measures.
2. Initiating talks on power sharing between these two actors.

This strategy was hailed as pragmatic and realistic by political scientists, diplomats, conflict resolution experts and others. Politicians, political analysts, activists and the business communities considered it as the way to peace. But the success story left out a crucial aspect, critical to any successful resolution or transformation of conflict. The realism of the strategy did not bring realistic relief to the

people in the areas where the war and the conflict had been most intense. As a result, this approach to peace is flawed in its very fundamentals. The failures of the peace process can be categorized, not necessarily exclusively, as follows:

a. The singular focus on the LTTE as the main actor on behalf of the Tamils and the concern with cementing ties between the organization and the Government give undue legitimacy to the LTTE, riding roughshod over any concern over its outrageous track record of human rights where people of all communities, particularly Tamils and Muslims, have been the main target; its blatant and repeated acts of ethnic cleansing targeting Muslims and Sinhalese in the north and east; and its repeated renegeing on its promise of desisting from carrying out violent acts against the Sri Lankan State, particularly the forces.

The current wave of attacks on armed personnel by the LTTE is strong evidence of the organization's inability to transform itself into a democratic movement, concerned about solving the conflict and work within a 'peace' setup. Leaflets have appeared in Batticaloa announcing that war is imminent, while leaflets in Jaffna have called on people to vacate the area and go into the Vanni. The LTTE is able to function only within a language of militarism. This is most apparent in the way it conducts negotiations by flexing its muscle.

b. The Peace Process is sadly lacking in another aspect. It holds the State to no account over the lives of large numbers of ordinary people from different communities caught within the conflict. With immense pressure brought to bear on the government to concede to the demands of the LTTE at almost every turn in the name of confidence-building measures, the substantive issue of devolution of power was relegated to the background. Most crucially in this regard, the important issue of Muslim representation, both within the peace process and in any solution to come, was deferred too. The Muslim question, whether it concerned the north or the east, was treated as a secondary and temporary problem of managing conflict and not as a fundamental part of the solution to the ethnic conflict. The State, dominated by diverse Sinhala dominant factions including chauvinist elements, has not committed itself to a peaceful and just

solution, in which the interests and concerns of all communities in the north and east are addressed.

c) The peace process has also betrayed the people in the role played by donor community, especially the Norwegian facilitators. Heavy on conflict resolution theory and weak on their preparedness for the task at hand, the Norwegian facilitators were mostly concerned about going home with a success story for the media; they did not hear the bombs going off, the pistol cracking even in Colombo, the cry of a mother when her child was conscripted. The international communities and the Norwegian facilitators should look beyond the LTTE at the people; the Tamil, Muslim, Sinhala and other people in the north and east. The realistic approach of the international community should look at the needs of 'real' people.

d) Discussions on power sharing have dealt largely with issues of rehabilitation of the north and east, particularly on dividing financial resources between the two parties. This is where the donor agencies were crucial to the settlement and the process. Whether it be discussion on the ISGA, P-TOMS or after the arrival of President Mahinda Rajapakse on the scene, RADA, power sharing has dealt with financial management of aid and other funds. The tsunami, which in its initial stages, brought the Muslim, Sinhala and Tamil people together, compounded ethnic tensions when aid poured in, bringing in its wake monies unaccounted for and a greater disparity between the haves and the have nots.

The peace process has miserably failed the people of Sri Lanka in healing old wounds; instead it has exacerbated those wounds and created new ones. While the LTTE, GoSL and the donor community carried on with their bargaining over the spoils of the tsunami, the north and east simmered with its own violences, new and old. In 2004, the break within the LTTE caught many political analysts and activists by deep traumatic surprise. Not knowing how to react, they pinned the blame for the break up on the machinations of Colombo and India.

Political wisdom in the country, caught up in the realism of aid, was neither able to identify the resistance welling up from within the Tamil polity nor understand and react to the increasing violence in the east in the past year or so. Preoccupied with cementing ties between the GoSL and the LTTE, they and we could not see LTTE implode, taking the east down with it.

## **The Violence of Trincomalee and the ongoing crisis on the ground**

Over the past few years, Trincomalee has been at the centre of Tamil-Sinhala tension, most of which is aggravated by the LTTE on the one hand and Sinhala chauvinist and anti-Tamil political mobilizations on the other. ON 2nd January, 2006, personnel of the State forces, in response to a grenade thrown at a truck by unidentified persons, killed five young men who were mere bystanders at the incident. No State agency claimed responsibility for this wanton killing at that time. Given this scenario, the State should have been alert both to the LTTE's tactic of provoking armed personnel to retaliate against people and the mounting tension within the personnel as well. It should have taken measures to avoid further deterioration of relations between the Government and the Tamil people.

But when a bomb exploded in the market place on the 12th of April, killing a soldier and civilians belonging to all communities, anti-Tamil and -Muslim riots took place and spread to other places. While the rioting continued, the LTTE too did not let up. In further provocation, they undertook to kill Sinhala civilians, successfully turning such incidents into attacks on pockets of Tamil habitation in the Trincomalee district.

We watched with sadness the grief of the families of bereaved soldiers on the media as the President publicly consoled them. And in that same spirit, we also waited to hear a word of consolation for those families, Muslim, Tamil and Sinhala, who had lost their loved ones in the destruction, rioting and looting, but heard none. Most of the families were Tamils and Muslims. This partiality is unwise politically. It serves to alienate minorities, Tamils in particular in this instance, from the State polity, pushing them heedlessly into the hands of the LTTE.

As the attacks on armed personnel in the north and east by the LTTE continue, thousands of refugees have crowded schools and other places in the Trincomalee District. While the LTTE is on a path of schizoid destruction, the State is waiting for the next round of peace talks in Geneva, hoping for calm. This waiting game brings no relief to the soldiers at the front, the LTTE cadres, many of whom are young and forcibly recruited, political activists, and 'ordinary' people. It brings no relief to those who feel they cannot expect justice from the State. It means nothing to those who are not represented either by the State or the LTTE, the majority of the people in the north and east. The State must undertake

the following measures to bring relief to those suffering people and to gain the confidence of minority communities.

1. The State must make provision for immediate relief to those who have been forced to flee their homes by the recent wave of violence in Trincomalee.
2. It must also develop mechanisms that protect Tamils at times of raids and checking, to safeguard them from human rights abuses at the hands of the forces.
3. There must be a check on the growing culture of impunity. The State must hold itself accountable for the acts of the armed forces. As an immediate measure, it needs to carry out an independent and thorough investigation of what happened in Trincomalee, to provide justice for the victims of violence and ensure that the findings are made public.

Trincomalee cannot be looked at in isolation. What happened in Trincomalee in April 2006, is what happened in Akkaraipattu in November 2005; or in Batticaloa and Ampara in April 2004; in Eravur in 1990; in Pesalai in February 2006; in the Northern Province on October 23rd 1990; in Anuradhapura in 1985; or in July 1983 in Sri Lanka. Our task then as a community is to raise the cry of democracy, accountability on the part of the State for all its people, and to demand a people-centred approach to peace and not a war-centred or partisan approach.

## Toward Peace: what must the Process do?

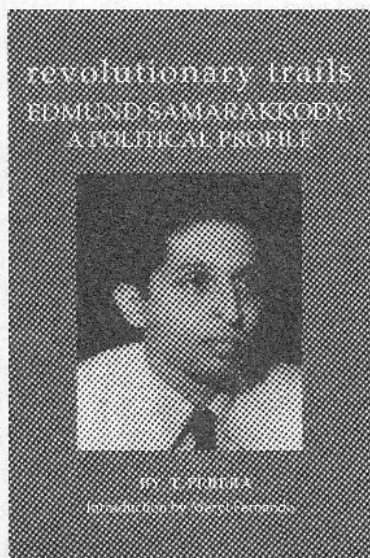
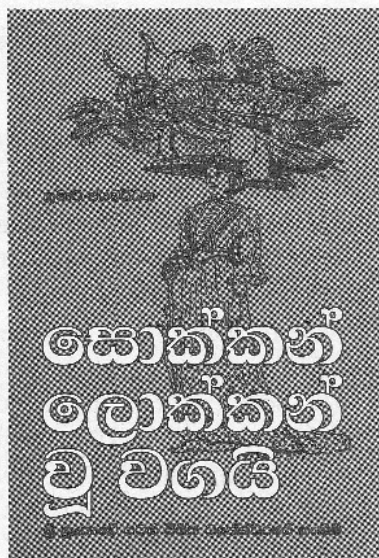
The peace process must at this point prioritize above all the following issues.

- a) De-militarize the north and the east by curbing all armed activity in the area, including that of the LTTE.
- b) Safeguard the human rights of all communities.
- c) Protect all communities against the terror of armed groups, above all that of the LTTE and chauvinist forces.
- d) Address the concerns of Muslims in the north and east.
- e) Address security concerns of Sinhala people in the north and east, particularly in the border areas.
- f) Address the fears and insecurities of minorities, especially Tamils in this instance, with regard to State forces and State patronage.
- g) Immediately set to work on a programme of power sharing in the north and east and work toward a pluralist structure that would accommodate representation of all communities and political allegiances.

*Coalition of Muslims and Tamils for Peace and Coexistence*  
The coalition of Muslims and Tamils is a Sri Lanka-based organization comprising Muslim and Tamil identified persons who as a general principle are committed to pluralism and social justice in all its forms. Specifically, we are committed to the peaceful coexistence of Muslims and Tamils in the country, particularly in the north and east, and to a just and equitable solution to the ethnic conflict. ■

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