

## DOCUMENTS

*The Social Scientists' Association in 2005 engaged in a major study on Sri Lanka's peace process of 2002, focusing on its potential, limitations and possibilities for way forward. This study was a part of a larger study on the peace process in five other countries --Afghanistan, Guatemala, Haiti, Mozambique, and the Palestine. The overall study entitled "What Kind of Peace is Possible in the Post-9/11 World" was coordinated by the North-South Institute, Ottawa, Canada. Published below are the "Conclusions and Recommendations" of the Sri Lanka case study.*

# SRI LANKA'S 2002 PEACE PROCESS THE STALEMATE AND POSSIBLE WAYS OUT

Sri Lanka's peace process has been deadlocked in a contradiction between possible, limited peace and desirable, long-term peace. The 'actually existing peace' has been fraught with instability and uncertainty. It did not enjoy the support of a strong domestic social coalition for peace. Its ardent supporters have been the international community. The policy options of the international community have been limited by two factors. Firstly, both the Sri Lankan government and the LTTE, the two principal parties to the peace process, have learned to ignore international pressure and persuasion whenever they made the judgment that their strategic interests were at risk. Secondly, the international community cannot impose peace from outside in a situation where the principal as well as secondary domestic actors are reluctant to take the peace process forward.

The experience during the past four years shows that peace building in Sri Lanka entails a process of re-building at a variety of fronts and levels. However, this study also shows the primacy of political rebuilding in peace building, in view of the fact that the politics of state power has penetrated all levels of the conflict and the peace processes.

In a broad sense, there are two types of major concerns in Sri Lanka's peace process. The first group relates to the immediate tasks of consolidating the cease-fire agreement and resumption of negotiations. We may call them 'peace-making' issues. The second type of concern is about long-term transformation of the conflict in the sense of 'peace-building.' The following is a summary of these immediate, process-related recommendations and long-term, substantial issues of peace-making and peace-building.

### Process Related Recommendations

- Sri Lanka at present represents a case study of difficult transition from civil war to peace. The negotiation deadlock in existence for more than three years contains some of the major complexities in this process of transition. The escalation of violence between the LTTE and their rival armed groups, between the intelligence wings of the state and the LTTE, and more recently between the LTTE and the government armed forces has repeatedly endangered the ceasefire. The future of the peace process will entirely depend on the stability of the ceasefire. Therefore, the protection of the cease-fire agreement from collapse is the most crucial responsibility at present in preserving Sri Lanka's fragile peace process.
- The 2002-2003 peace process made significant positive gains. Temporary cessation of war between the state and the LTTE continues to be its most important achievement. The declared willingness of the government and the LTTE to explore a federal solution to the ethnic conflict is also significant. Another achievement was the establishment of a sub committee on gender, composed of women representatives of the LTTE and the southern civil society. However, the peace process has failed to move the parties towards even an interim settlement agreement. The peace process also exposed the limitations of the Sri Lankan state, the LTTE, the international community and civil society in taking the process forward. It showed the Sri Lankan government's incapacity to take the peace process forward politically, beyond the ceasefire agreement.

As for the LTTE, its inability to move in the direction of democratic transformation became visible repeatedly. For its part, the international community could not break the negotiation deadlock after March 2003. Civil society too proved itself ineffective in building a social movement for peace. Learning necessary lessons from these and other failures is crucial to avoid setbacks in the next phase of Sri Lanka's peace process.

- Whenever the negotiations resume, moving forward from a somewhat unstable cease-fire to a stable settlement agreement is at the heart of a sustainable peace building process.

- Broadening the process while pluralizing the participation has emerged as a major aspect of re-designing Sri Lanka's current peace process. The two-party dialogue process between the government and the LTTE has exhausted its capacity to take the peace process forward. Inclusion of other parties, political and civil society actors, in the process is a necessary policy challenge. It is up to the international community to make a case repeatedly and tirelessly with the government and the LTTE for an inclusive, multi-party peace process.

- De-escalation of violence and peace within the Tamil polity has become a necessary pre-condition for advancing Sri Lanka's peace process. The restoration of democracy in the Tamil polity is also contingent on peace and reconciliation among Tamil politico-military movements. It is a policy priority that the Sri Lankan government and the international community should consider as being urgent. While strengthening the CFA as suggested above, constructive engagement with non-LTTE political-military groups by the government and the international community will help restore peace in the Tamil society.

### **Peace Building Recommendations:**

- The question of governance in Sri Lanka's conflict resolution process is fundamentally linked to an agenda of re-organizing the state in a political-constitutional framework of advanced federalism. In other words, federalization of the state is the key to effective civil war transition in Sri Lanka. This is a crucial aspect of 'peace building from above.'

- Sri Lanka is a thoroughly divided polity. For a substantial state reform program like federalization requires broad popular and political support. The only possible way to mobilize such support to back a program of peace through state reform will depend on the capacity of main political parties to forge a strategic consensus for peace and political reform.

- The mainstream policy discourse of federalist governance is essentially framed in a discourse of territorialized power sharing. The complexity of ethnic relations and the presence of regional and local minorities in the polity make it necessary for Sri Lanka to work towards an imaginative combination of territorial and non-territorial forms of federalist governance.

- Federalization of local governance is yet another issue that is closely linked to peace building from below. It should be aimed at ensuring democratic participation of local ethnic and cultural minorities in the governance process. It calls for a process of deepening the federal forms of regional governance.

- In relation to regional governance in the transition from civil war, the existing situation of dual power of the Sri Lankan state and the LTTE poses complex challenges even in an interim peace settlement. Unless there are creative strategies for the management of dual governance, the peace process will face serious setbacks. A flexible scheme of federalism will be necessary to integrate the institutions of a parallel state maintained by the LTTE, with the Sri Lankan state.

- The development question in Sri Lanka at present should be seen not as a post-conflict endeavour, but as one located in a preliminary phase of stabilizing a pre-settlement negotiation process. There is a manifest risk in conceptualizing the economic reconstruction process in post-conflict and liberal, free-market terms.

- The attempt made in 2002-2003 to experiment with a liberal, free-market, post-conflict reconstruction project has failed. The Sri Lankan electorate, particularly the voters in the low-income and poor segments of majority Sinhalese society, has also rejected it. However, in the existing policy debates in Sri Lanka, a critical discourse on the political economy of transition from civil war is yet to emerge.




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· Building social bases for peace, particularly among the low-income and poor social groups, is crucial for democratic sustainability of the peace process. This requires economic policy strategies that can democratize and broad-base the gains of the peace process; the so-called peace dividend. Continuation of free-market economic policies, with no strategies for redistribution, in conjunction with a political reform agenda, is very likely to jeopardize the stability of the peace process.

· There is a continuing gulf between the economic visions of the government and the donor community on one hand and the LTTE on the other. While the former is committed to a project of rapid economic reconstruction in the war-torn areas through the

intervention of private capital and market forces, the LTTE is quite cautious, for justifiable reasons, of such a development approach. A creative dialogue is needed between these two approaches for a viable development strategy to facilitate Sri Lanka's transition process to evolve.

· Finally, a narrow peace-deal approach can hardly promote peace-making and peace building goals, because its objectives do not go beyond achieving short-term strategic goals of the parties to the conflict. Sustainable peace building is a process spread over a period of transition because it is grounded in the transformation of politics in the country. Peace without transformation can best be limited, negative peace.



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## REPORT OF FACT-FINDING VISIT TO WELIKANDA

Participants: Ramani Muttetuwegama (Law and Society Trust); Kumudini Samuel (Women and Media Collective); Udaya Kalupathirana (Free Media Movement); Sunila Abeysekera (INFORM); Chandani Wijetunga (from Sinhapura, Welikanda); Jayasiri Jayasekera (*Ravaya*)

We reached Welikanda town at about 11 a.m. One group visited the Police Station, the other went to the office of the Mahaweli Development Agency.

We visited the villages of Dimbulana, Sinhapura, Maitrigama and Bo Atta.

### The context

Welikanda is an area that has traditionally been part of the so-called border area between the Eastern province and the North-Central Province. The Welikanda army camp is the last big security forces encampment until one reaches the outskirts of Batticaloa. The villages in these areas have been at the receiving end of a great deal of violence, brutality and displacement due to the conflict throughout the 1990s. The names of Karapola, Mutugala, Alanchipothana and Bo Atta are familiar to us because of the brutal killings of civilians of all ethnic and religious communities by the

security forces, the LTTE and in bitter inter-communal clashes in the early 1990s.

Welikanda is a predominantly agricultural area, with most villagers dependent on paddy cultivation for a living. It is very poorly served in terms of infrastructure. There are few tarred roads, very irregular public transport and few opportunities for people living in these areas to access higher education or advanced health care. Many of the villagers living in this area have been displaced at least once in the past ten years. In times of tension, they have often moved to safer shelter of the jungles surrounding their homes during the night time. Following the CFA, many of them experienced a period of stability in which they could cultivate their fields and live in their homes.

The area was originally populated by an indigenous Vanni population speaking a mixture of Tamil and Sinhala and with forms of worship and cultural expression that are very specific to the region. Many of the Mahaweli villages were established in already existing villages, 'purana gam' or 'traditional villages' as they are known, and given new names. The officers of the Mahaweli Development Agency play a critical role in the daily lives of the villagers in this area, providing transport to take sick persons to hospital and paying