

Prejudice, asymmetry and insecurity

Suthaharan Nadarajah



A Norwegian delegation meet LTTE officials in Kilinochchi, northern Sri Lanka, April 2006.

Source: Reuters/Anuruddha Lokuhapuarachchi

Suthaharan Nadarajah is a doctoral candidate at the School of Oriental and African Studies, University of London. This article was produced in partnership with the Centre for Just Peace and Democracy.

The inescapable logic of intervening in a peace process through sanctions, conditionalities and, perhaps to a lesser extent, incentives, is that one or more of the conflict parties is a reluctant participant needing to be kept 'on track.' By extension, this entails interveners making value judgments as to the underlying causes of the conflict, the commitment of each of the parties to peace and the legitimacy of their reasons for slowing or quitting the process. In short, external intervention is intensely value loaded, with senders also seeking to guide the process to a solution *they* deem appropriate. If senders miscalculate, their actions could easily add to tensions and alter prevailing balances – perhaps decisively – and thereby undermine the peace process.

Given these analytical beginnings, intervention in Sri Lanka in the form of the 2002 peace process by leading state and intergovernmental actors (including the United States, European Union, Japan and Norway) was problematic. From the outset the LTTE was posited as a reluctant participant while the commitment of the state was taken as given. These assumptions profoundly shaped the assemblage of external pressures and incentives deployed. Moreover, the Norwegian 'facilitation' role, firmly backed by the international community, was strongly interventionist. Contrary to popular criticisms of weakness, Norwegian officials were muscular in setting both the agenda and pace of talks in pursuit of a solution that would maintain Sri Lanka's unity and lead to the LTTE's disarmament.

After seven years of intense fighting the parties signed a Ceasefire Agreement (CFA) in February 2002 and began negotiations in September. Initially they agreed to a phase-by-phase approach in which political ('core') issues would only be taken up once the prevailing humanitarian crisis had been eased (ie 'normalization' had been effected). However, even as serious disputes emerged over the state's refusal to implement key 'normalization' clauses of the CFA, Norwegian officials pressed on, tabling discussions on core issues.

The LTTE, conscious of its intransigent and militarist image abroad, sought for some time to avoid disrupting the process, despite its rising disquiet at the asymmetry of concessions and the state's lack of implementation. The LTTE 'temporarily' withdrew from talks in April 2003, protesting the state's refusal to honour commitments on normalization, as well as the 'over-internationalization' of the peace process.

Asymmetric tools

The tools of international intervention included threats of further proscriptions of the LTTE (the Norwegian initiative coincided with the global 'war on terror'),

making international aid for Tamil areas conditional on 'progress towards peace' as well as support for joint initiatives (eg reconstruction efforts) by the parties. Crucially, moreover, there was also robust international support for rearming and reconstituting the Sri Lankan military and revival of the country's economy – in effect reversing key factors of the stalemate that some argue led to the peace process.

Without international coordination or consensus on 'making peace' in Sri Lanka, save keeping the LTTE at the table, these tools formed an ad hoc bundle rather than a tight package. The bundle, moreover, broadly sought to deter the LTTE from 'returning to war' and compelling it to make specific concessions, such as giving up its demand for independence and ultimately disarming. This coercive approach underpinned the Sri Lankan government's often asserted confidence in what it termed an 'international safety net.'

This inherent asymmetry in the bundle can be illustrated, for example, by examining the use of conditionalities on aid for the northeast, the relative seriousness with which the parties' breaches of the CFA were taken and the preference for sanctions over incentives when applied to the LTTE. In June 2003 donors pledged US\$4.5bn in reconstruction aid for the 'entire' country, but only the (unspecified) amount destined for the war-shattered northeast was made conditional on 'progress' in the peace process. Outside these pledges, bilateral and multilateral aid to the state continued. The state also benefited from economic assistance such as the EU's favorable import terms. Thus the primary impact of the aid conditionality was to block most humanitarian aid to the Tamil-dominated northeast while enabling the recovery of the south (at least until the catastrophic tsunami of December 2004, by which time the peace process was moribund).

With its military strengthened and economy recovering, there was little incentive for the state to make the concessions required for 'progress' at the table. LTTE concessions, meanwhile, did not result in tangible shifts in international attitudes. The LTTE's agreement to 'explore' federalism as a solution was met with cynicism, rather than support. Its agreement to drop its primary demand coming into the talks – an interim administration – was barely acknowledged. After the tsunami, amidst international encouragement, even insistence, the LTTE made several concessions to ensure agreement was reached with the state on an aid-sharing mechanism (PTOMS). However, after it was signed, donors turned away (the US cited its own ban on the LTTE).

Ceasefire breaches blamed on the LTTE drew significantly greater international scrutiny and criticism than those blamed on the government. For example, accusations of

underage recruitment by the LTTE were meticulously recorded whilst the military's standing occupation of up to 30,000 Tamil civilian homes was ignored. The international community did not see the military's sinking of two LTTE merchant ships in international waters during the talks as unduly problematic.

By not recognizing that rising violence was a *cycle* of retaliation between army-backed paramilitaries and the LTTE, international actors denounced the latter's 'intransigence' and saw the state as tolerant and applied sanctions and incentives accordingly. Indeed, LTTE protests that violence was sustained by ongoing state support for paramilitaries in contravention of the CFA was not taken seriously by the international community until late 2006, long after the shadow war had become open (if undeclared) war.

In general, there were few credible incentives offered to the LTTE, apart from a vague prospect of legitimacy. Despite rhetorical support for joint mechanisms, donors disbursed aid for LTTE-controlled areas (once it was approved by the state) through NGOs and state agencies, rather than the LTTE's civil administrative structures. On the other hand, the listing of the LTTE as a terrorist organization by the EU and Canada in 2006 was supposed to 'encourage' the LTTE to return to the table (even though the new government was by then refusing to commit to the CFA). But there are no criteria for deproscription (the US and UK have always insisted, implausibly, that the LTTE must disarm first), obscuring any incentive for the LTTE to do so.

Conclusions

Ultimately international action served to tilt the strategic balance on which the peace process began in favour of the state. This was inevitable as the tools deployed were predicated on the LTTE being the reluctant party to the peace process and one that had to be actively prevented from returning to war. International tools did not cater for the newly re-armed state resuming the war – as eventually happened in 2006.

International support for a successful peace process in Sri Lanka must be predicated on maintaining conditions which will allow both protagonists to remain secure vis-à-vis the other whilst pursuing political goals through compromise. In particular, the use of tools such as (de)proscription and aid needs to be flexible if transformative steps towards a lasting peace are not just encouraged but enabled. Most importantly, international efforts and tools must be directed at ensuring parties address the underlying causes of conflict. The strategic goals of the state – preserving its unity and disarming its non-state challenger – cannot be taken up as the primary objective of international peace intervention.