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Preface

This volume of collection of articles is a product of joint research on “Peacebuilding in South Asia” by researchers of Hiroshima University, Japan and the University of Colombo, Sri Lanka. Based upon the mutual cooperation agreement, the two universities with the Institute for Peace Science of Hiroshima University and the Department of International Relations of the University of Colombo as their respective core functions collaborated to pursue research agendas on “Peacebuilding in South Asia.” Mr. Ajith Balasooriya, lecturer of the University of Colombo, registered as a Ph.D. student at Hiroshima University, helped all the contributors to produce their works as they are in this volume.

South Asia has many critical and complex issues concerning peacebuilding, which affect the entire contemporary international community. Various types of serious armed conflicts as well as significant attempts of peacebuilding are in progress in the region. It is thus imperative to intensively investigate South Asian affairs from the perspective of peacebuilding. This volume is an end point; it is rather part of further development of research on the issues of “Peacebuilding in South Asia.” But the contributors wish that this volume will help those who are interested in the topic to find some critical research agendas to tackle in the future.

Politics of Peace Processes in Sri Lanka

Reconsidered from Domestic, International and Regional Perspectives

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1. Introduction

Sri Lanka experienced the tragic war that started in 1983 between the Government of Sri Lanka and the LTTE (Liberation Tiger of Tamil Eelam). The war lasted for more than two decades with some short intervals. Despite fundamental difficulties to settle the confrontation, in the long history of the war, or the longer history of political turmoil in the country after its independence, there were some occasions in which some stakeholders believed in a bleak but realistic possibility of obtaining and developing peace. With the end of the war in the form of an outright military victory of the government against LTTE forces, there remain some vital questions; What is this “peace” in Sri Lanka now? How should we understand and assess it in relation to previous efforts for making “peace”? Is the current form of “peace” desirable or avoidable? What kind of peacebuilding agendas do we indentify for the future course of this particular type of post-conflict society? What is the nature of the established framework of peacebuilding in Sri Lanka?

In order to analyze and examine the conflict and peacebuilding in Sri Lanka to answer these questions, it is vital to look at the case of Sri Lanka in history from the domestic, regional and broader international perspectives. In trying to do so, this article seeks to recognize how peacebuilding is affected by the political environment including political dynamism in domestic society, interests among neighboring states and behaviors of influential global actors toward Sri Lanka.

This article then suggests that the peace process that focused on the two conflict parties, the government and LTTE, had a fundamental limit. The structure of the armed conflict was rather a reflection of social divides existing in contemporary Sri Lanka. LTTE was such a brutal group to represent radical sentiments of Tamils, though it did not entirely represent the whole Tamil area. The government of Sri Lanka is supposed to represent the entire nation, but it more or less traditionally and politically represents Sinhala nationalism at the core. This article argues that the end of the war without international military intervention or peacekeeping mission does not imply the

accomplishment of peacebuilding in Sri Lanka. Rather, the article indicates that the future of Sri Lanka depends upon domestic peacebuilding efforts, whether or not internationals will have limited or bigger roles, to create a constructive social foundation to sustain and develop “peace,” which is at the moment still fragile.

2. History of Conflict in Sri Lanka

When we conduct peacebuilding activities, we must start with analyzing past, current and potential conflicts. Without analyses it is difficult to plan and implement appropriate peacebuilding activities. The conflict in Sri Lanka is understood as a war between the government mainly composed of the majority Sinhalese and the secessionist rebel composed of radical Tamils. With the disappearance of the latter in the escalation of military actions in 2009, the war now seems to have ended. But few believe that the end of the war is the total elimination of all social problems in the country including root-causes of the conflict. It is true that LTTE was a very peculiar armed group and many characteristics of the conflict ought to be attributed to the nature of LTTE or even the personality of its leader, Velupillai Prabhakaran. At the same time, however, it is reasonable to say that the conflict had structural causes and that the collapse of LTTE would not necessarily mean the disappearance of such structural causes in society.

The fact that there was no serious confrontation between Sinhala and Tamil or Buddhism and Hinduism in long history of Sri Lanka does not just highlight the political and military mobilization of youngsters by the ideological terrorist group as a factor of the tragically prolonged war. The fact also indicates that the structural factors of the conflict exist in the modern history of Sri Lanka in the process of its transformation into an independent nation-state. While Tamil nationalism was awake well before the birth of the state called Ceylon,¹ it was Sinhala nationalism which constituted the core element of the state at the time of its initial formation in 1948 and its various developments for more than 60 years. Historically speaking, Sinhala nationalism was not originally formed to target Tamil minorities. For instance, there were some serious confrontations between Christian and Buddhist elements with the former’s influence over the elite class in society to the detriment of the majority group of Sinhala Buddhists in the late nineteenth century during the colonial period. There

¹ See A. Jeyaratnam Wilson, *Sri Lanka Tamil Nationalism: Its Origins and Development in the 19th and 20th Centuries* (London: C. Hurst and Co., 2000).

were violent attacks and campaigns by Sinhalese mobs against the Moors and the Malayalees early in the twentieth century.² Sinhala nationalism developed in the process of gaining power of those who had the assumption that a creation of a nation-state would require affirmation of the majority's opinions in a unified system. As a result, foreign influences were regarded negatively by the majority. Minority groups were understood as agents of bigger powers. When Sinhala nationalism cultivated and developed the idea of a nation-state in line with the majority Sinhala people's preferences, Tamil nationalism was really ignited for the vision of their own nation-state. Sri Lanka has not yet fully obtained its own common political foundation to sustain one single state based on the reality of multiplicity. As an island country, its geographical boundaries are clear; but its conceptual separateness as a nation is not so clear, for instance, like many other post-colonial countries suffering from conflicts.

At the time of independence the country adopted Westminster-style parliamentary democracy which resulted in a majority rule of ethnic politics. Political leaders in the Sinhala dominant areas resorted to populist policies to appeal to Sinhala majority (74% of population) discriminating against Tamils (18%) and Muslims (6%) mainly in the north and east. Most notably, after Solomon West Ridgeway Dias Bandaranaike left the country's largest Sinhalese-dominated political party, the United National Party (UNP), to form a new Sinhala dominant political party, the Sri Lanka Freedom Party (SLFP), in 1951, he adopted a slogan of "Sihalese Only" to win the general election in 1956. Sinhala actually became the only official language in the year to achieve its implications to oust many Tamils who were proficient in English and dominant in government posts from the time of the British Empire. In the meantime, the Tamil-dominated northern and eastern territories were dominated by the Lanka Tamil State Party known as the "Federal Party" (FP) headed by Samuel James Velupillai Chelvanayakam who advocated political autonomy of the Tamils as a nation in a federal state. When Bandaranaike and Chelvanayakam tried to reach an agreement to grant moderate legislative and limited fiscal autonomy to the Tamil-led north and east, UNP together with Sinhala nationalists and Buddhist monks fiercely campaigned against the agreement to the point of its abortion. When the UNP government attempted to negotiate a compromise with the Tamils in 1965, the then opposition SLFP mobilized campaigns against it with other social forces to abort it.³

Discontent at limited social and economic opportunities especially among youth

² Koji Kawajima, *Sri Lanka and Nations: The Formation of Sinhala Nationalism and Minority Groups* (Tokyo: Akashi-shoten, 2006) <Japanese>.

³ Sumantra Bose, *Contested Lands: Israel-Palestine, Kashmir, Bosnia, Cyprus, and Sri Lanka* (Cambridge, MA and London: Harvard University Press, 2007), pp. 15-22.

led to even a failed 1971 uprising in south by Sinhala Nationalist/Marxist JVP (People's Liberation Front) in addition to various movements in the Tamil-dominated areas. But the 1972 new constitution designated Buddhism as the state religion, while a system of "standardization" and "district quotas," introduced between 1970 and 1973 as regards admission to universities, resulted in further "positive" discrimination against Tamils. In the 1970s, while the Tamil United Liberation Front (TULF) became the forerunner in the national parliament for the north and east, several secessionist groups came into existence in the Tamil-dominant north and east ranging from the Tamil Eelam Liberation Organization (TELO), the Eelam Revolutionary Organization of Students (EROS) and the Eelam People's Revolutionary Liberation Front (EPRLF) to the Liberation Tigers of Tamil Eelam (LTTE) renamed from the Tamil Students' Federation (TSF) though the Tamil New Tigers (TNT) under the leadership of Velupillai Prabhakaran and the People's Liberation Organization of Tamil Eelam (PLOTE) as a group of LTTE-split members.⁴ India's foreign intelligence agency, the Research and Analysis Wing (RAW) which covertly recruited, trained and armed Tamil militants in order to expand India's influence in Sri Lanka in fact stirred political struggles among Tamil groups.⁵

The growing ethnic tensions heightened to prompt numerous violent incidents against Tamil populations in the late 1970s and the early 1980s. President Junius Richard Jayewardene sought to crush Tamil youth movements and get parliament to enact the draconian Prevention of Terrorism Act on 29 July 1979.⁶ Attacks upon cultural sites represented by the burning of the Public Library in Jaffna with 90,000 rare volumes and precious manuscripts on 31 May 1981 also shocked and radicalized Tamil populations.⁷ The killing of thirteen soldiers in Jaffna in 1983 provoked Sinhala nationalists to unleash anti-Tamil actions in Colombo and other Sinhala majority areas, which made over 1,000 Tamils dead and tens of thousands fled homes. President Jayewardene's televised broadcast on 26 July 1983 rather assured Sinhalese people that they had nothing to fear from the Tamils of Sri Lanka or of South India and destroyed the possibility of a political vision of Sinhalese-Tamil co-existence.⁸

⁴ A. Jeyaratnam Wilson, *Sri Lanka Tamil Nationalism: Its Origins and Development in the 19th and 20th Centuries* (London: C. Hurst and Co., 2000), pp. 126-130.

⁵ Anne Noronha Dos Santos, *Military Intervention and Secession in South Asia: The Cases of Bangladesh, Sri Lanka, Kashmir, and Psnjab* (Westport, Connecticut and London: Praeger Security International, 2007), p. 55.

⁶ Wilson, *Sri Lanka Tamil Nationalism*, p. 124.

⁷ A. J. V. Chandrakanthan, 'Eelam Tamil Nationalism: An Inside View' in Wilson, *Sri Lanka Tamil Nationalism*, p. 160.

⁸ Wilson, *Sri Lanka Tamil Nationalism*, p. 181.

But support for numerous Tamil militant groups flourished, while hundreds of thousands of Tamils emigrated in following few years, creating international support base for Tamil separatism. LTTE as the deadliest Tamil youth militant group under the strong and charismatic leadership of Prabhakaran became dominant for secessionist causes of Tamil nationalism during the late 1980s as they violently eliminated Tamil rivals.⁹ LTTE conducted fierce guerrilla fighting and bombing campaign on central government targets and captured territories in the north and east. From 1983 to 1987 Sri Lanka was in an outright war between the Government and LTTE, which the “Tamil Tigers” described as the “Eelam War I.”¹⁰

The assassination of Indira Gandhi in late 1984 and the secession by her son, Rajiv Gandhi, gradually ushered in a change in the position of India toward Sri Lanka. In 1987, India signed agreement with the Jayewardene government and dispatched a peacekeeping force (IPKF) to the north of Sri Lanka. While India kept maintaining its interest in Tamils, it mobilized IPKF to stabilize the Tamil area of Sri Lanka to sustain a stable relationship with the country. But then IPKF was confronted with LTTE. Anti-Indian nationalist sentiment spread in the Tamil area as well as in the south including another JVP uprising. In 1990, President Ranasinghe Premadasa ordered IPKF to leave and opened negotiations with the Tamil Tigers. LTTE soon broke from talks, captured additional territory and stepped up violence, including increased use of suicide bombs even to murder Indian Prime Minister Rajiv Gandhi in May 1991 and President Premadasa in May 1993. The period between 1990 and 1994 is described as the “Eelam War II.”

Another peace effort started after the 1994 parliamentary victory of People’s Alliance led by the SLFP’s Chandrika Kumaratunga who proposed peace talks with LTTE during her election campaign. Although LTTE initially responded positively and the two parties reached a ceasefire agreement in January 1995, LTTE antagonized the government by attacking the government’s naval base on the east coast to sink two navy gunboats in April 1995. The government military force retaliated with land and air attacks on the LTTE-held Jaffna Peninsula. In November the government retook the peninsula by driving the Tigers out to their strongholds in the forests on the northern mainland. The “Eelam War III” continued from 1995 to 2002.¹¹

⁹ Wilson, *Sri Lanka Tamil Nationalism*, pp. 125-133.

¹⁰ Bose, *Contested Lands*, p. 29.

¹¹ Bose, *Contested Lands*, pp. 36-39.

3. Failed Peace Processes

Prior to 2002, there were two failed peace initiatives. The first one was introduced by the sudden agreement called “India-Sri Lanka Agreement to Establish Peace and Normalcy in Sri Lanka” signed by Indian Prime Minister Rajiv Gandhi and Sri Lankan President Jayewardene on 29 July 1987. LTTE was not invited to the process since the Indian prime minister “presumed to append his signature on behalf of the island’s Tamil population.”¹² The following deployment of IPKF produced negative impacts upon Tamils in the north and east as well as a Sinhala majority as an ill-planned foreign intervention.¹³ The government of Kumaratunga and LTTE signed the 1995 agreement to produce a brief fragile ceasefire. But the agreement did not have a framework to facilitate an environment in which the peace process is sustained and developed. The two parties lacked substantive agendas or monitoring mechanisms to share. It was an important attempt between the two parties after the outbreak of the war, though it did not have a political ground to develop a sustainable peace process.

A new momentum came with a change in the government and new international involvements. Kumaratunga who had become President in late 1995 suffered a defeat in the parliamentary election in 2001 and formed uneasy cohabitation with new Prime Minister Ranil Wickremasinghe of UNP. The new government negotiated ceasefire agreement February 2002 under Norwegian facilitation. In peace negotiations, the government and LTTE agreed to explore a settlement based on extensive autonomy for the north and east under a federal system. LTTE withdrew from negotiations in April 2003 citing their exclusion from a meeting with international donors and lack of government cooperation.¹⁴ LTTE presented proposals for an Interim Self-Government Authority in October 2003 as a basis for new negotiations. But President Kumaratunga, largely excluded from the peace process, acting on Sinhala anti-negotiation sentiment and anger at LTTE’s ceasefire violations, took over defense and other crucial ministries to effectively stall the peace process, which never benefited her politically. President

¹² Bose, *Contested Lands*, pp. 32-33.

¹³ *Ibid*

¹⁴ Samantra Bose comments that LTTE’s objection to their exclusion from a donor conference in Washington, D.C. in April 2003 and the refusal of the Sri Lankan military to vacate “high security zones” on the Jaffna Peninsula that occupy Tamil residential areas and farmland had dubious justifications. While the US government could not change their recognition of LTTE as a “foreign terrorist organization” to allow its representatives to enter the US, LTTE was scheduled to attend the third and bigger aid conference in Tokyo in June 2003. Also, the ceasefire agreement had an escape clause concerning vacating to except those areas either party considered to be of strategic military importance. Bose suggests that the real agenda was stagnation of the talks on the establishment of a transitional administration to govern the north and east. Bose, *Contested Lands*, pp. 45-46.

dissolved the parliament in February 2004 and called fresh elections in April 2004, which Kumaratunga's SLFP won in alliance with Sinhala nationalist JVP. After the LTTE's eastern military commander, Karuna Amman, split from the Tigers in March 2004, violent clashes between the two factions and Karuna's growing collaboration with the Sri Lankan military further complicated and undermined the conflict.¹⁵

There seemed to be a significant impact upon Sri Lankan society after tsunami ravaged almost two thirds of Sri Lanka's coastline in December 2004, as in the case of Aceh, Indonesia. Although a significant stretch of the affected coastline was under control of LTTE, however, the idea of establishing a joint government-LTTE reconstruction mechanism did not fully materialize. Donors including the United States strongly encouraged both parties to help create the joint mechanism. In June 2005, an agreement on a "post-tsunami operational management structure" was initiated separately in Colombo and Kilinochchi. But in response to the JVP's complaint, Sri Lanka's Supreme Court stayed its implementation. The JVP and its Buddhist clerical allies protested that such a joint mechanism would risk giving undue legitimacy to LTTE and all international aid should be controlled and distributed by the government.¹⁶

The significant blow to the peace process came with the presidential election in November 2005 in which SLFP's successor to President Kumaratunga, Mahinda Rajapaksa, fought his UNP rival, the former Prime Minister, Ranil Wickremasinghe. Since Rajapaksa was supported by the Sinhala nationalist alliance with JVP and Jathika Hela Urumaya (JHU), the peace process was at stake at the election. Rajapaksa won the election by polling 4,887,152 votes against 4,706,366 for Wickremasinghe. The boycott by LTTE reasoning that all the Sinhala candidates had no difference cast a decisive blow to Wickremasinghe's camp and the peace process itself, since most Tamil voters in fact followed LTTE's call and abstained. Tamil turnout was negligible in the north and low in the east as well as in Colombo. Especially in the Jaffna district, turnout was just 1 percent of 701,000 eligible voters.¹⁷ The decision by LTTE was destined to ruin the peace process and LTTE itself.

LTTE launched wave of attacks on police and army in the north and east. The government began brutal counterinsurgency efforts, while Karuna faction, now renamed Tamil Makkal Viduthalai Puligal (TMVP) continued guerrilla attacks on LTTE in the east. After the failure of the Norwegian attempt to resume ceasefire talks in Geneva in February 2006, the government launched military offensive in July, capturing strategic

¹⁵ International Crisis Group

¹⁶ Bose, *Contested Lands*, pp. 49-50.

¹⁷ Bose, *Contested Lands*, pp. 52-53.

towns of Sampur in September and Vakarai in January 2007. Fighting caused massive displacement and heavy casualties. LTTE renewed the pre-ceasefire strategy of suicide bombings on southern civilian targets and stepped up forcible recruitment of children and adults. Prabhakaran of LTTE declared the ceasefire “defunct” on 27 November 2006 and called for a renewed “freedom struggle” for an independent state. The fall of LTTE camps in Thoppigala on 11 July 2007 gave Government forces’ control over the whole of eastern province. The government formally withdrew from the ceasefire with LTTE on 16 Jan 2008. The fighting intensified during the first months of the year accompanied by continuing rights abuses from both sides, including political assassinations, abductions, and targeted attacks on civilians. 20,000 to 30,000 including around 5,000 civilians were said to be killed between 2006 and early 2009.¹⁸

The Eastern Provincial Council elections in May 2008 saw a victory of government candidates in alliance with TMVP amid widespread reports of violence, intimidation, ballot-stuffing and other serious irregularities. TMVP leader, Sivanesathurai Chandrakanthan, known as Pillayan, selected as Chief Minister, with government promises to devolve power and commence major development projects. But after Karuna was released from the British jail on immigration charges and joined the parliament on 7 October 2008, tensions including killings and disappearances between the factions of TMVP leaders Karuna and Pillayan heightened. Karuna was appointed minister for national integration and reconciliation on 9 March 2009 when he and many of his fighters officially joined the SLFP.

Following the 2 January 2009 capture of de facto LTTE capital of Killinochchi, government forces won back all but small amount of territory held by LTTE in the Mullaitivu District. More than 300,000 civilians were trapped in areas of fighting, with limited access to food, water or medical assistance. The LTTE forcibly conscripted civilians and prevented others from fleeing LTTE-controlled areas by even firing at them, killing many. Government repeatedly bombed and shelled densely populated areas, including its own unilaterally declared “no fire zone.”¹⁹ UN and Western government leaders called on the LTTE to allow civilians freedom of movement and urged both sides to halt their fighting to allow access for additional humanitarian relief and humanitarian personnel, which the government unequivocally rejected.²⁰ The

¹⁸ International Crisis Group; Human Rights Watch

¹⁹ 13 March 2009 statement by UN High Commissioner for Human Rights.

²⁰ International Crisis Group, UN Agencies estimated more than 7,500 civilians dead and over 15,000 wounded between mid-January and early May 2009, but the death toll remains disputed, with government rejecting early June media reports that as many as 20,000 civilians killed in final weeks of war.

government declared victory on 18 May 2009. A picture of the body of LTTE leader Velupillai Prabhakaran appeared in the press the next day, and the entire LTTE leadership seems certain to have been killed. There have been no attacks attributed to the LTTE since the government declared victory.

One immediate task after the war is the treatment of more than 280,000 civilians who escaped the fighting and were forced to remain in overcrowded government-run internment camps. The displaced in the camps suffered poor sanitation, insufficient water supplies, inadequate food and medical care, and denial of the right to live with relatives or host families, while UN agencies and humanitarian organizations were denied full and unimpeded access to the camps and unable to deliver adequate supplies and services. As of early February 2010, some 100,000 still remain in camps, despite the government's promise to close all camps by the end of January 2010. A large portion of those released are said to be staying in government buildings and other "transit facilities." Many of those able to return home face extremely difficult conditions, with wide destruction of home districts during war, most houses damaged and/or looted, many areas not yet fully demined; opportunities to earn livelihood limited. The government continues to detain more than 11,000 suspected of LTTE ties in extra-legal detention centers, where they have no access to legal counsel, family members or protection agencies.

Amidst the calls for investigation into war crimes and human rights abuses,²¹ on 15 February 2010, European Council formally withdrew GSP+ trade concessions for Sri Lanka, citing the government's poor human rights record. But the victorious government of President Rajapaksa remains stiff against Western governments and UN organizations. In November 2009, President Rajapaksa announced an early presidential election for 26 January 2010 to secure his stronghold. Sarath Fonseka, retired general and former army commander for the final three years of war ran for the presidency with backings of an opposition coalition composed of UNP, leftist People's Liberation Front, Sri Lanka Muslim Congress and the formerly pro-LTTE Tamil National Alliance. The campaign period was marked by bitter accusations of corruption and abuses of power along with widespread misuse of state resources and media coverage favoring the

²¹ UN Secretary-General Ban Ki-moon on 5 June 2009 called for an independent investigation into alleged human rights abuses and war crimes by both government and LTTE. Philip Alston, UN special rapporteur on extrajudicial, summary or arbitrary executions, in January 2010 repeated calls for "independent inquiry ... into war crimes and other grave violations" committed in the final months of the war. October 2009 U.S. State Department report highlighted possible war crimes by both government and LTTE. Government has continued to strenuously object to any international investigation, though it has appointed a "committee of experts" to respond to State Department report.

incumbent and physical intimidation of opposition supporters resulting in at least four killings and scores of injured in pre-election violence. Rajapaksa was re-elected on 26 January 2010 with 58% of votes. International observers called the voting largely free and fair, but Fonseka, who won strong support in Tamil and Muslim districts, alleged widespread vote-rigging by the government and filed a legal challenge to the result. Fonseka stated his willingness on 8 February to provide war crimes evidence against army in any international investigation; hours later, Fonseka was arrested by military police for the government's accusation of plotting a military coup; many pro-Fonseka military officers were also detained or taken for questioning. Two days later, Rajapaksa dissolved the parliament and announced a general election on 8 April, which brought an overwhelming victory for him.

It seems that after the failed peace process, the government of Sri Lanka has been taking a clear position. They are not only clearly against any domestic opposition elements, but also criticisms against them by Western donors as well as international organizations. It does not seem that the government is totally isolated internationally, since it has cordial relations with non-Western sources.²² It is said that the government purchased heavy weapons from countries like China to win the war, which remained friendly to the government at large as the biggest donor with its strong interest in securing its strategic sea-lane.²³ India as the regional power remains supportive by and large and even Iran has interests in supporting the government. This situation apparently affects the course of peacebuilding and reconstruction required for the future of the country. Resonating with worldwide political scenes, Sri Lanka seems to be now making an significantly distinctive case of “post-conflict peacebuilding.”

4. Donor Assistance to Peace

The fact that the peace process was facilitated by Norway with support of other European donor nations created the importance of a very particular linkage between peace and aid.²⁴ In order for the facilitators to consolidate the peace process, the donors were expected to utilize assistances to Sri Lanka as a strategic leverage to solicit both of

²² International Crisis Group, *Sri Lanka's Return to War: Limiting the Damage: Crisis Group Asia Report N°146, 20 February 2008*, pp. 20-21.

²³ Due to the size of China's assistance in construction of the port in Hambantota, it is believed that China surpassed Japan as the top donor to Sri Lanka in 2007.

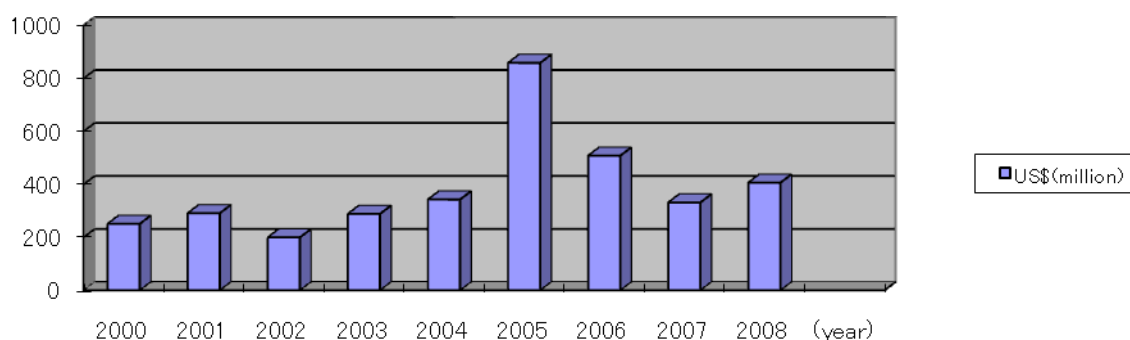
²⁴ For instance, a multinational monitoring force, the Sri Lanka Monitoring Mission (SLMM), established to monitor violations of the ceasefire agreement, consisted of some 70 personnel from Scandinavian countries.

the conflict parties. But there was no actual surge by the donor countries in assistances to Sri Lanka after 2002, despite the worldwide trend after 9-11 and countries like Afghanistan absorbed gigantic aid projects.

Graph 1 shows that no substantive change occurred in the trend of ODAs around 2002, although the tsunami of 2004 later increased the total amount of ODAs by major donor countries.

Graph 1: OECD countries' ODAs to Sri Lanka

(Author's original based on OECD DAC data)



The role of Japan as the top donor to Sri Lanka during the critical period deserves attention. When Yasushi Akashi was appointed the Representative of the Government of Japan on Peacebuilding, Rehabilitation and Reconstruction of Sri Lanka in October 2002, he intended to make use of the role of Japan to facilitate peace talks initiated by Norway. The government of Japan hosted the sixth round of the peace talks in Hakone, Japan, in March 2003. It then hosted the “Tokyo Conference on Reconstruction and Development of Sri Lanka” in June 2003 by co-chairing it with Norway, the United States and the European Union. Its objectives were to “provide the international community with an opportunity to demonstrate its strong and unified commitment to the reconstruction and development of Sri Lanka and to encourage the parties to redouble their efforts to make further progress in the peace process.”²⁵ Prime Minister Junichiro Koizumi stated in his inaugural address at the conference that “The international community must show its resolve to support, in concrete terms, reconstruction and development in all of Sri Lanka, including the war-torn North and East. If such support were to help the Sri Lankan people to enjoy the tangible benefits of peace, their own determination to continue efforts toward a durable peace would be even that much more

²⁵ The “Tokyo Declaration on Reconstruction and Development of Sri Lanka” on June 10, 2003 <<http://www.mofa.go.jp/region/asia-paci/srilanka/conf0306/declaration.html>>.

firm and steadfast.” However, as stated above, LTTE had already withdrawn from peace talks. So Prime Minister Koizumi had to say that “It is disappointing that the LTTE is not with us today. Japan urged the LTTE to participate in this conference up to the last minute, in cooperation with the Sri Lankan government and other concerned countries. Nonetheless, the Tokyo Conference represents a precious opportunity for the members of the international community to join together so as to support the Sri Lankan people's strong desire for peace.”²⁶

Mr. Akashi concluded at the end of the 2003 Tokyo conference that “Japan considers that the Conference has succeeded in attaining its twofold objectives; namely, for the international community (a) to demonstrate its strong and unified commitment to the reconstruction and development of Sri Lanka, as well as to (b) encourage the Government of Sri Lanka and the LTTE to redouble their efforts to make further progress in the peace process. To be honest, there had been lingering doubts before the Conference about wisdom of holding of the Conference in the absence of the LTTE, but these doubts have largely been dissipated, as the Conference has proven to be a unique and historic opportunity for the international community to express its unanimous support to a negotiated settlement in Sri Lanka.” But, indeed, the Tokyo conference was held only to confirm the international community’s intention to encourage peace talks without commitments of conflict parties. It was very doubtful whether the “lingering doubts” about the validity of the conference were really dissipated by such encouragements by international donors as Mr. Akashi remarked. He summarized that “It is remarkable that the participating donor countries and international organizations together have expressed their willingness to extend assistance to Sri Lanka to a cumulative estimated amount in excess of US \$ 4.5 billion over the four year period through 2003 to 2006.” He did not fully know that this would not happen, although even at the conference he noted that “Many have stated that their commitments are based upon the assumption of a viable peace process. Some have specified significant part of their assistance to the North and East of the country. It is important to note that a number of donors indicated that the disbursement of their assistance would keep pace with satisfactory progress in the peace process.”²⁷ In fact, the Tokyo Conference confirmed that “Assistance by the donor community must be closely linked to substantial and parallel progress in the peace process towards fulfilment of the

²⁶ The “Inaugural Address by Junichiro Koizumi, Prime Minister of Japan at the Tokyo Conference on Reconstruction and Development of Sri Lanka, Tokyo, Japan, June 9, 2003 <<http://www.mofa.go.jp/region/asia-paci/srilanka/conf0306/pmaddress.html>>.

²⁷ “Remarks by Mr. Yasushi Akashi, Representative of Government of Japan at the Concluding Session,” <<http://www.mofa.go.jp/region/asia-paci/srilanka/conf0306/remark.html>>.

objectives agreed upon by the parties in Oslo.”²⁸ They declared so probably because they intended to facilitate the peace process. Since no progress in the peace process followed, the full disbursement was never realized.

When the first meeting to follow up the Tokyo Conference was held in Colombo on 12 September 2003 with Mr. Akashi as the chair, 12 donor countries and 7 international organizations “reaffirmed the importance of urgent humanitarian and rehabilitation assistance in the North and East” and “The participating countries and international organizations expressed their strong commitment to continue and intensify their reconstruction and development assistance to the South.”²⁹ The co-chairs of the Tokyo Conference met in June 2004 to issue the statement that “until effective administrative structures are in place in the North and East, the Co-chairs encouraged the parties to agree on the establishment of effective delivery mechanisms for donor-financed development activities in the North and East.”³⁰ Major donors ranging from Japan intended to realize the “dividends of peace” to foster the peace process. But they eventually could not find space and time to fully pursue this course. The peace process was fragile and the political environment rapidly changed.

Development assistances which take years to bear fruit could not have immediate influences. In the first place, LTTE needed a political deal. For instance, Japan started implementing projects like “Trincomalee District Participatory Agricultural Development Project (technical cooperation, September 2005) and Pro-Poor Eastern Infrastructure Development Project (Yen loan, March 2006). But development aid in the east could not have a direct impact upon the behavior of LTTE only to benefit the government side. When President Rajapaksa visited Japan in December 2007, he was reported to have told Japanese Prime Minister Yasuo Fukuda that “the Government of Sri Lanka was committed to political solution and believed that using force would not be an alternative to political solution,” while he “expressed gratitude for Japan’s assistance for the past 40 years through ODA for the development of Sri Lanka and said that he would like Japan to continue its assistance for peace and development.”³¹ In the same month President Rajapaksa told Japanese Foreign Minister Masahiko Komura that “he was confident that using force would not settle the conflict,

²⁸ he “Tokyo Declaration on Reconstruction and Development of Sri Lanka” on June 10, 2003 <<http://www.mofa.go.jp/region/asia-paci/srilanka/conf0306/declaration.html>>.

²⁹ “Press Release of the first meeting to follow up the Tokyo Conference on Reconstruction and Development of Sri Lanka” <<http://www.mofa.go.jp/region/asia-paci/srilanka/press0309.html>>.

³⁰ “Joint Press Statement” on 1 June 2004 at <<http://www.mofa.go.jp/region/asia-paci/srilanka/joint0406.html>>.

³¹ “The Japan-Sri Lanka Summit Meeting” on December 10, 2007 <http://www.mofa.go.jp/announce/announce/2007/12/1176846_840.html>.

and that he would make efforts to prepare the devolution package.”³² So when the Government of Sri Lanka announced it decided to withdraw from the ceasefire in January 2008 within less than a month after these remarks by President Rajapaksa, the Government of Japan had to be “deeply concerned that the decision taken by the Government of Sri Lanka may lead to the escalation of the conflict by way of increased level of violence and greater civilian casualties, and leave the peace process at a standstill.”³³ This kind of statement was, however, not understood as a sufficient pressure which some may expected Japan to exert.³⁴

One fundamental question about the “peace dividends” strategy is concerning the point that the war in Sri Lanka was political in nature. Economic incentives may make some impacts. It would be true that conflict parties may obtain as much economic gains as possible by attracting donors, as long as such attitudes do not jeopardize their political goals. But a very natural logical assumption would be that political issues would not be solved by development assistances, even when it is reasonable to say that the latter ought to be pursued in line with political strategies. The perspective of peacebuilding should more focus on political aspects of conflict and peace in the country.

5. Politics of Peace in Sri Lanka

The course of the peace process since 2002 can only be understood in the context of politics in domestic, regional and international society. While LTTE played a card of negotiated peace in the midst of terrorist activities, the consecutive governments of Sri Lanka always had to deal with domestic politics. Every time the government attempted a peace settlement, there arose two fronts of oppositions; the adversary LTTE together with sympathetic Tamil forces and nationalist Sinhalese forces. When in power, both SLFP and UNP often switched their attitudes between conciliatory and hard-line tones with LTTE. When they were in opposition, they tended to take whatever position they find advantageous to criticize the government party in power maneuvering pacifist

³² “Mr. Masahiko Koumura, Minister for Foreign Affairs, Pays Courtesy Call on Sri Lankan President H.E. Mr. Mahinda Rajapaksa” on December 14, 2007 <http://www.mofa.go.jp/announce/announce/2007/12/1176644_840.html>.

³³ “Statement by Mr. Masahiko Koumura, Minister for Foreign Affairs of Japan, on The Government of Sri Lanka’s withdrawal from the Ceasefire Agreement” on January 4, 2008 <http://www.mofa.go.jp/announce/announce/2008/1/1177042_924.html>.

³⁴ International Crisis Group, “Japan: Back UN Action on Sri Lanka: Robust Security Council Measures Urgently Needed to Save Civilian Lives,” 11 May 2009.

public opinions and Sinhalese nationalistic forces.

The pattern became complex with the emergence of JVP as a considerable political factor. When the Indian intervention brought about the end of the Tamil War I, the government had to face two fronts of war: one with LTTE in the north and east and the other in the south. JVP in the south protesting against India's presence in the north is reported to have "murdered thousands of supporters of the ruling UNP in a campaign against the accord" between the government and India "on behalf of Tamils." After the withdrawal of India, in 1989-1990, it is reported that UNP death squads killed thousands of JVP supporters.³⁵ It is true to say that the collapse of the 2002 peace agreement began with LTTE's non-compliance. However, it was the presidential election in 2005 that made a decisive blow to those who were committed to the peace process. Rajapaksa's SLFP aligned itself with JVP and other nationalistic forces at the time of the 2005 presidential election to defeat former Prime Minister Wickremasinghe.

The political environment in the Tamil areas was also not simple. For instance, people in the eastern region were said to be rather fearful of the possible expansion of LTTE control as a result of the 2002 ceasefire due to LTTE's past record of child recruitment, and so on. Anti-LTTE military groups were afraid of security of their own lives. In fact, when LTTE opened its political offices in government-controlled areas, they conducted extortions for child recruitment and money.³⁶ The defection of "Colonel Karuna" in March 2004 made a significant shift in power structure in the east. Furthermore, it should be noted that one third of the population in the north and east consists of Muslims, who are supposed to constitute a separate social group. They had been oppressed by LTTE rather seriously and tended to take side with the government in the LTTE dominant area.³⁷ This was one of the major flaws of the 2002 ceasefire agreement and the following peace process which had a *de fact* presupposition that there were only two opposing groups in Sri Lanka; the government and LTTE.

When Norway began mediation between the government and LTTE, it was unintentionally dragged in the confrontational domestic politics between UNP and SLFP. The 2002 ceasefire agreement was associated with UNP's Prime Minister Wickremesinghe. If it is successful, it is his gains. President Kumaratunga was not in a position to lose anything by stagnation of the peace process. When LTTE proposed an Interim Self-Governing Administration (ISGA) in mid-2003 that angered nationalist

³⁵ International Crisis Group, *Sri Lanka: The Failure of the Peace Process (Crisis Group Asia Report N°124, 28 November 2006)*, p. 4.

³⁶ International Crisis Group, *Sri Lanka: The Failure of the Peace Process*, p. 6.

³⁷ See International Crisis Group, *Sri Lanka's Muslims: Caught in the Crossfire (Asia Report N°134 – 29, May 2007)*.

Sinhalese people, President Kumaratunga took over three key ministries, including defence, thereby severely limiting Prime Minister Wickremesinghe's manoeuvre room, claiming that she was fulfilling her constitutional duty to guarantee security. She dissolved parliament to win the election in April 2004 to replace Wickremesinghe with Mahinda Rajapaksa as Prime Minister.

The regional and international political scenes are not very different in its impact upon the conflict. India as a regional superpower has crucial roles in politics of Sri Lanka. The presence of the Tamil in both India and Sri Lanka promises India's inherent relevance to the conflict in Sri Lanka. In the 1980s and the early 1990s India was an actual player in negotiation and in military situations. But this fact, on the other hand, naturally made some other international players decide on their standpoints on Sri Lanka through the lenses of India. For instance, countries like Pakistan and China, which have traditional rivalries against India, logically tended to support the government side in Sri Lanka even to increase its military strength. LTTE solicits India's support, when desirable; it challenges the Indian government in New Delhi when India does not support it.

Thus, on the other hand, the government utilizes its connections with countries like China and Pakistan, when it wants to escalate confrontations with LTTE. When the government seeks to accommodate LTTE, it would resort to European countries, given that the presence of the Tamil Diaspora is well recognized in some Western countries. The government may make itself appear to rely on countries like Japan and the United States, when necessary, which tends to see the logic of looking at Sri Lanka according to their own concerns like China's growing influence as well as the "Global War on Terror." When the government loses interest in negotiated peace, it may not mind sacrificing its reputation among Western countries by getting closer to its non-Western friends.

This kind of patterns illustrates the great level of flexibility and fragility in domestic politics and foreign policy of Sri Lanka. The war certainly accelerated such flexibility and fragility of politics in Sri Lanka; nevertheless, we can also observe that it is such flexibility and fragility which explain the environment of the disastrous war. The war's end does not promise an immediate or automatic end of such a political environment of Sri Lanka.

6. Prospects

This article has so far analyzed and highlighted the nature of and the environment surrounding the conflict in Sri Lanka. It has argued that the recent end of the war does not promise a solid foundation of peace and stability of Sri Lanka in the future. By looking at the history of the conflict, the article rather suggests that until Sri Lanka solves structural factors of instability which may have caused the war and some other conflicts, the country may not establish a solid foundation for durable peace.

The armed conflict between the government and LTTE is just a part of a wide range of problems. The problem is not simply just ethnic, religious or territorial. The issue is also constitutional, not only in the sense that devolution has been discussed for a long time, but also in the sense that the national standard of citizenship in Sri Lanka is at stake. The political settlement must be pursued in a political arena. But politics required is not just politics of technical maneuvering. Sri Lanka should not miss a historic chance to reconfigure the political foundation of the existence of the entire country.

Peacebuilding in Afghanistan: the Peace Jigra

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1. Introduction

Afghanistan, a South Asian nation shares borders with China, Iran, Pakistan, Tajikistan, Turkmenistan, Uzbekistan and Jammua and Kashmir controlled by Pakistan. Since 1997 these neighbours of Afghanistan became the Six of the “Six plus Two” group (the two being United States of America and Russia) in a series of informal meetings facilitated by the United Nations on many issues of the conflict in Afghanistan.

Afghanistan today has a population of 33.6 million.¹ It is a multi ethnic society with the largest ethnic group Pashtun accounting for 42% of the population, and the rest comprise of 27% Tajik, 9% Hazara, 9% Uzbek, 4% Aimak, 3% Turkmen, 2% Baloch, and 4% of others. All of these groups are Muslims, 80% are Sunni Muslims and 19% are Shia Muslims.²

Since the end of World War II, Afghanistan had remained one of the poorest and least developed nations in the World. The main reason for that status is continuous conflicts and fighting in the country. Afghanistan's last monarch Zahir Shah who came from a long line of Pastun rulers ascended to the throne in 1933. He was deposed in the coup of 1973. In the early period of the 20th century the country experienced a cycle of coups and countercoups. In the height of the Cold War, on 25, December 1979 justifying their action on Brezhnev Doctrine, Soviet forces entered Afghanistan and took control over the capital, Kabul using internal rivalry in the country.

The Brezhnev Doctrine which was originally published in an article in the Soviet newspaper *Pravada* stipulated in no uncertain terms that a communist state was within its rights to intervene in international affairs. When Babrak Karmal obtained power in Afghanistan as a result of a coup he had the backing of the Soviets to emerge as the leader of Afghanistan. To protect the dependent regime, the Soviet Union moved over 80,000 troops into Afghanistan. This military invasion of Afghanistan by the

¹ The Fund for Peace website, “Country Profiles: Afghanistan” <http://www.fundforpeace.org/web/index.php?option=com_content&task=view&id=457&Itemid=910>.

² *Ibid.*

Soviets in 1979 was justified by the Brezhnev Doctrine.³ They did it in the assumption that the Afghan communists were about to face an open revolt that would drive Afghanistan into the Western orbit. In the backdrop of the Iranian revolution the Soviets were also concerned about a fundamentalist Islamic regime's rule of the country. Soviet incursion into and eventual invasion of Afghanistan contributed to the decline of country's and region's stability in South Asia.

Later the Soviets were to pay a heavy price for this attempt on imperial expansion or repeating the same kind of mistake that the United States made in Vietnam. About 14,000 soldiers died and more than 50,000 were wounded. The occupation was a drain on Soviet economy, a "bleeding wound" in Gorbachev's words.⁴ The Soviet involvement in Afghanistan also resulted in Soviet isolation from the Islamic world. Saudi Arabia condemned the Soviet action and sent volunteers to fight with Afghans.

During the Soviet occupation political hostility to the Karmal's regime and the presence of foreign troops led to an armed resistance movement dominated by militant Muslims or Mujahedin. The Mujahedin rallied together in Pakistan to form an alliance against the Soviet forces. Entangled in the cold war politics it was the United States of America or its allies who provided military aid to the Mujahedin. With ample military funding well trained Mujahedin fought in their own mountainous terrain (Afghanistan is popularly known as a land of mountains) which was ideal for guerrilla warfare. Soviet forces even though they had superior military equipment found it impossible to cope with the Mujahedin guerrilla fighters who knew their land so well.

In this backdrop, when Mikhail Gorbachev became the leader of the Soviet Union in 1985, he announced that he will withdraw troops from Afghanistan. In 1988 and 1989 the Soviets withdrew from Afghanistan leaving the pro – Soviets Afghan government and Mujahedin in a protracted conflict to win control over the country. In 1996, Kabul, the capital of Afghanistan finally fell under the control of a Pakistan backed Taliban militia to end the civil war. Most parts of Northern and central Afghanistan remained under the control of the ethnic Tajik dominated Northern Alliance.

Yet the problem in Afghanistan was far from over. Next, attention of the world was drawn to the Taliban in Afghanistan immediately after the terrorist attacks on the American world trade center on September 11, 2001. The biggest strategic miscalculation of the Taliban was the decision to provide a safe haven to Osama Bin Laden and his al-Qaeda terrorist network. The United States, led a military campaign to

³ Doron Zimmermann and Andreas Wenger, *International Relations: from the Cold War to the Globalized World* (Boulder, CO: Lynne Rienner Publishers, 2003), p. 120.

⁴ *Ibid.*

overthrow the Taliban and eliminate Osama bin Laden and his al- Qaeda network. The US and its allies were joined by the North Atlantic Treaty Organization (NATO) forces in 2006. Since then NATO has taken responsibility for security across Afghanistan. In 2008, at a NATO heads of states summit in Bucharest, they pledge a “firm and shared long-term commitment”⁵ in Afghanistan saying that peace keeping mission in Afghanistan is their top priority. The conflict continues and peace is still elusive in Afghanistan.

2. Brief History of the Conflict since the Soviet Withdrawal

The Taliban first appeared in religious seminaries/Madrassas in refugee camps for displaced Afghans during the Soviet occupation. The refugees came in their thousands to study in Pakistan madrassas where they were trained in warfare and the concept of Islamic Jihad. These Jihadis were known as Taliban, a word which literally means students or trainees, and has roots in Arabic. The Taliban, an extremist movement led by Muslim religious scholars (Ulema) emerged as a substantial political force in the early 1990's in northern Pakistan following the withdrawal of Soviet troops from Afghanistan. In 1992 when fighting intensified, the government of Mohammed Najibullah who replaced Kamal in 1987 as the President of Afghanistan also fell. Then Burhannudin Rabbani was declared the President in July 1992.

A predominately Pashtun movement with its foundations in Kandahar, the Taliban came to prominence in Afghanistan in the autumn of 1994. Mullah Mohammed Omar, a Muslim cleric set up the Taliban movement of students who took up arms to end the chaos in Afghanistan. Growing in strength they first captured Kandahar, then Herat and much of the Southern and Western Afghanistan and advanced to Kabul.

In September, 1996 the Taliban took Kabul. President Rabbani joined an opposition alliance (United Front or the Northern Alliance). The Taliban now controlled 90% of Afghanistan, with the alliance holding territory only in the North. The Taliban brutally executed the former President Mohammad Najibullah and his brother on 26 September after abducting him and his brother from the United Nations Office in Kabul where he took refuge for 4 years. This was done despite the request from the Secretary General of United Nations to Taliban to allow Najibullah to leave the country. The Taliban's promise to the Afghan people was to restore peace and security and enforce their own austere version of Sharia, or Islamic law once in power. In 1997 Pakistan and

⁵ BBC News website, “Afghanistan/Timeline” <http://news.bbc.co.uk/2/hi/south_asia/1162108.stm>.

Saudi Arabia recognized Taliban as the legitimate rulers of Afghanistan. Later United Arab Emirates too recognized the government of the Taliban making it the only three countries of the world to recognize the Taliban regime of Afghanistan.

Islamist movements were often opposed by both the military and entrenched establishments. The urban elites also worried that Islamic governments would crush democratic institutions. The status and rights of women were also threatened by more extreme Islamist movements. The threat was particularly real in Afghanistan where radical Taliban banned women from the workplace. In keeping with their own particular interpretation of Islamic law, the Taliban even sought to enact laws forcing women to wear veils and all covering burka in public and men to grow beards. They disapproved of girls aged 10 and over from schooling and similar disdain for television, music and cinema.

Next the attacks on UN personnel in Taliban held areas began. When 4 -5 personnel of various UN agencies were killed the UN demanded that the Taliban stop providing sanctuary and training for international terrorists and their organizations. Also in August 1998 there were terrorist attacks on United States embassies in Nairobi, Kenya and dar-es-Salaam, Tanzania which claimed hundred of lives. The United States indicted Osama Bin Laden for 1998 embassy bombings and demanded that the Taliban faction which US never recognized as Afghanistan's legitimate government, handover Bin Laden to authorities to be brought for justice. The US also retaliated by launching a missile attack at suspected bases of Osama bin Laden. The next two years saw the United Nations imposing sanctions on the Taliban regime in the form of air embargo and financial sanctions to force the Taliban to handover Osama bin Laden for trial.

Apart from the suppression of women the Taliban extremist doctrine also resulted in the destruction of giant Bamiyyan Buddha Statues in 2001. This was done mainly in defiance of international efforts to save them.⁶ This left them in a state of isolation and strong condemnation by the international community.

Still it is the terrorist attacks on 11 September, 2001 on US soil which sealed the fate of Taliban and the al Qaeda movement. The same day NATO council keeping up with the article 5 of the NATO charter declared that the attack on US is considered as an attack on all NATO nations. President George W Bush immediately announced a war on terrorism. Hence one of the biggest operations of the United States war on terrorism commenced to bring Osama bin Laden and al- Qaeda to justice.

⁶ *Ibid.*

3. Human Security at present

Years of conflict and instability has taken toll in the country's development or rather lack of it. Even without the hard data according to the Failed States Index (FSI), the Afghan population is among the hungriest, most illiterate and destitute in the world. In the year 2009, an estimated seven million people remains hungry throughout the country.⁷ It currently stands among the poorest countries in the world with weak political, civic, economic, legal and military infrastructures. The FSI 2009 shows that all of Afghanistan's social indicators have worsened or stayed the same during the past year. The Human Development Index (HDI) which looks beyond Gross Domestic Production to a broader definition of well being places Afghanistan among the poorest countries of the world. The HDI rank Afghanistan at 181st out of the 182 countries with data.⁸

Afghanistan has a high population growth rate of about 2.69% per year. The Human Poverty Index (HPI) which work out the proportion of people below certain threshold levels in each of the dimension of HDI - a living a long and healthy life, having access to education, and a certain standard of living ranks Afghanistan 135th among the 135 countries for which the index is calculated. Lack of access to education during the wars and Taliban policy of discouraging women going to school resulted in low levels of literacy and the large scale illiteracy in turn continues to contribution to infant mortality, malnutrition, poor health and finally to low economic production and growth. With the school system largely destroyed, with no significant industrialization in the country and most of large irrigation projects damaged, the country's economy was ruined. It has so far had no significant peace for the ruined economy to recover. The economic indicators shows that in 2009 as many as 18 million Afghans lived on less than \$2 a day and five million Afghans living under the poverty line. Its unemployment rate is 40%. Hence prior 2001, in such improvised society it became fairly easy to raise an army by any provincial leader. A soldier could be recruited for the payment of a meal. Poverty is also a contributing factor for the presence of so many militant groups in the country.

Some figures emerging from Afghanistan are astonishing in terms of today's developed health care and education. The infant mortality rate is 152 deaths per 1000 live births. According to the HDI 2007 the life expectancy in Afghanistan is 43 years with more than 45% of the population under the age of 14. The adult literacy rate is a

⁷ The Fund for Peace website, "Country Profiles: Afghanistan," *op. cit.*

⁸ *Human Development Report 2009*, "Country Fact Sheets: Afghanistan" <<http://hdrstates.undp.org>>.

mere 28%.⁹

Another unique problem in Afghanistan is the large number of orphans. There are about 400,000 orphans in the country. Malnutrition affects almost half of the country's child population, as reported by the UNICEF.¹⁰

The above data shows us that human security conditions in Afghanistan at present are the worst in South Asia and in the world. Displacement, landmines, disease, unemployment and poverty remain some of the country's most serious human security conditions. In the late 1990's the people of Afghanistan, already suffering from the brutal effects of the ongoing conflict also experienced a series of natural disasters. In February and May 1998, there were earthquakes in Afghanistan that killed more than 7000 persons and affected the livelihoods and shelter of a further 165,000 persons. Then in the same year in the month of June some 6000 people were killed in severe flooding. Since 1992 protracted drought has affected another 2.5 million people. But it is mostly the protracted conflict that destroyed the economy and the infrastructure of the country such as the irrigation systems, schools, roads, cities and even the agricultural land which were used by the conflicting parties to plant landmines.

It is easy to understand why so many Afghans are fleeing their country. The Afghan refugee problem began with Soviet occupation of Afghanistan. When the confrontation started about 3 million refugees fled to Pakistan and another 1.5 million to Iran. After withdrawal of the Soviets in 1991, when civil war between various factions continued and the number of civilians fleeing the country increased steadily. By 1990, there were 6.3 million Afghans in exile, 3.3 million in Pakistan and 3 million in Iran making the Afghan refugee problem, the world's worst refugee crisis. Today there are 4 million Afghan refugees in Pakistan. Now there is also a second generation of Afghan refugees in Pakistan who have never been to their motherland.

As Afghanistan faces these challenges of nation rebuilding, world leaders from seventy nations gathered in London on June 28th 2010 to take part in the deliberations at the London conference on Afghanistan. In the agenda, was the discussion on ending of the conflict and rebuilding the country. Recognizing the challenges faced by President Karzai, the need for more resources to be invested in developing Afghanistan was agreed upon. It was also proposed to set up a trust fund to provide foreign aid to the country, and use it to persuade former Taliban members to denounce violence and enter the mainstream life.

As Barnett Rubin states "it is worth paying a modest price to protect self

⁹ *HDR, 2009, op. cit.*

¹⁰ UNICEF Press Center, 4 August 2005 <www.unicef.org/media_27853.html>.

determination and human security of the people of Afghanistan. Our own security depends on it.”¹¹ For us in South Asia it is a necessity that Afghanistan is rebuilt quickly and its people enjoy basic human security. The failure will pose a considerable threat to world’s most populated sub continent.

4. Bonn Agreement 2001

On 9th November 2001, President Bush addressing the UN General Assembly pointed out the necessity of uniting against terrorism. When two days later Kabul and Herat fell, “Six-plus-Two met on 12 November at the UN. This meeting was chaired by the Special Representative of the Secretary General of Afghanistan Lakhdar Brahimi, former Foreign Minister of Algeria. It became apparent that some sort of international consensus was being reached on the future of Afghanistan at this meeting where rivals of power agreed to come together to work for a stable Afghanistan and get rid of the Taliban. Then the UN organized a meeting of Afghan political leaders in Bonn, Germany.

Next, from November 27 to December 5, 2001, a conference took place in Bonn to map the future of the Afghanistan under UN auspices, chaired by Lakdar Brahimi. Eighteen countries acted as observers including Afghanistan’s neighbours. After nine days of intensive negotiations, the UN sponsored talks in Bonn culminated in the signing of an Agreement on a provisional arrangement in Afghanistan, pending the re-establishment of permanent government institutions.

The remarkable achievement of the Bonn conference was that the participants were,

Determined to end the tragic conflict in Afghanistan and promote national reconciliation, lasting peace, stability and respect for human rights in the country;

Reaffirming the independence, national sovereignty and territorial integrity of Afghanistan;

Acknowledging the right of the people of Afghanistan to freely determine their own political future in accordance with the principles of Islam, democracy,

¹¹ Barnett Rubin, “Afghanistan Threats to Human Security,” adapted from a speech delivered in Tokyo, December 15, 2010 at the International symposium on Human Security <http://essays.ssrc.org/sept.11/essays/rubin_text_only.htm>.

pluralism and social justice.¹²

Security Council endorsing the Afghanistan agreement on interim arrangements pending the re-establishment of permanent government institutions unanimously adopted resolution 1383 (2001) and thus declared its willingness to take further action, on the basis of a report by the Secretary-General, to support the interim institutions established by the Agreement.¹³ In a press release very next day, Security Council announced the determination to help the Afghan people end the tragic conflicts in their country and promote national reconciliation, lasting peace, stability and respect for human rights. The Security Council also called on all bilateral and multilateral donors, in coordination with the Special Representative of the Secretary-General, Lakhdar Brahimi, United Nations agencies and all Afghan groups, reaffirm, strengthen and implement their commitment to assist with the rehabilitation, recovery and reconstruction of Afghanistan, in coordination with the Interim Authority and as long as the Afghan groups fulfill their commitments.¹⁴

Secretary-General Kofi Annan warmly welcomed the accord as “an important step” towards lasting peace and the return of legitimate authority in the country and assured the Afghan people that the United Nations “stands ready to help them reach peace, stability and prosperity.”¹⁵

James Dobbins, the US representative in Bonn, attributes the agreement to the following factors:

- The high level of competence displayed by the international civil servants and Afghan leaders who participated in the Bonn conference and oversaw the implementations of the agreement;
- War weariness among the Afghan people;
- The presence of an internal resistance movement;
- The active support of Afghanistan’s neighbours – Russia, Iran, India and Pakistan for the Bonn Agreement; and
- Modest, limited US objectives for Afghanistan¹⁶

The Bonn Agreement, which is essentially a series of agreements was aimed at ending the conflict in Afghanistan by promoting national reconciliation, lasting peace, stability

¹² “Agreement on Provisional Arrangements in Afghanistan pending the Re-establishment of Permanent Government Institutions” <www.afghangovernment.com/AfghanAgreementBonn.htm>.

¹³ Security Council 4434th Meeting, Press Release SC/7234.

¹⁴ *Ibid.*

¹⁵ Press Release, SG/SM/8068.

¹⁶ Former US Envoy to Afghanistan reviews Bonn Agreement Success <www.america.gov/st/washfile-english/2005/October/20051006144849cpataruko.969109.html>.

and respect for human rights in the country. The agreement included establishing institutions like the judiciary, the army and the police force, the constitutional commissions, the election commission, banking, the drug enforcement directorate and disarming and demobilization of militias, drafting of a new constitution, fighting terrorism, drugs and organized crime, repatriation and resettlement of refugees, and other related subjects. The agreement sought to find a solution to the country's monetary crisis by authorizing the establishment of a new central bank capable of accounting procedures for the issuance of currency. For the first time Afghan authorities were to establish a human rights commission. The entire process supported to establish a multi-ethnic, fully representative government, elected through free and fair elections by the people of Afghanistan.

Under the general provisions of the Bonn Agreement, an Interim Authority was established upon the official transfer of power on 22 December, 2001. The Interim Authority was to consist of an Interim Administration presided over by a Chairman. What is noteworthy of the Bonn agreement is that it mentions administration rather than government. Its implication is that it is a temporary measure, limited nature. It explains that the role of the administration is actually to administer – to provide services.

Having proven the Afghan delegation of his capacity and sincerity Hamid Karzai became an acceptable candidate to Head the Afghan Interim Authority (AIA). He was a Pashtun leader, acceptable to Pakistan. On 22 December in Kabul, the internationally recognized administration of President Rabbani handed power to the new Interim Afghan Administration headed by Karzai. Hamid Karzai was born in Kandahar in 1957. After his western style primary and secondary education in Kabul, fluent in English language he had his university education in India. In 1982 he joined the Afghan National Liberation Front (ANLF) and worked to liberate Afghanistan from the Soviet invaders. He was sympathetic to Taliban at the beginning but the assassination of his father by the Taliban made him wary of the Taliban. Father's death made Karzai to emerge as a leader, strong Pashtun leader from Kandahar, the former stronghold of Taliban. Karzai and his family lived in exile some years and was back in the country to play a key role in the oust of Taliban from their final stronghold of Kandahar in 2001. In June 2002, Hamid Karzai was endorsed as Head of State by Afghanistan's Loya Jigra.¹⁷ The first election, styled in western democracy in the post – Taliban Afghanistan was held in 2004. It was held in the war torn country despite insurgents in action with much help from USA and the international community.

¹⁷ BBC News online, "Hamid Karzai: Shrewd Statesman" <http://news.bbc.co.uk/2/hi/south_asia/2045606.stm>.

5. Presidential Election of 2009

The first Presidential election, styled in western democracy in the post – Taliban Afghanistan was held in 2004. It was held in the war torn country despite insurgents in action with much help from the USA and the international community. It was accomplished not merely because of military presence but also because of the willingness and commitment of the Afghan people who wanted a democratically elected government.

On 20th August 2009, Afghanistan held its second Presidential election. On a visit to the USA Hamid Karzai wrote that “this September, Afghanistan will hold its second parliamentary elections in the past five years. As I write, thousands of Afghans including a great number of women, have registered to campaign. Our democracy has steadily taken root. Our people jealously guard their democratic achievements.”¹⁸ Independent Election Commission (IEC) noted that 17 million voter registration.¹⁹ The major political parties among the many were: the National United Front of Afghanistan (UNF); National Democratic Front (NDF); Payman-e-Kabul comprising former Leftist and Maoist groups and the Afghan Social Democratic Party (Afghan Mellat). It may be correct to assume that the main objective of the most of these parties were to strengthen the democracy. According to IEC there were 44 candidates.²⁰ The top two Presidential candidates were Hamid Karzai and Dr. Abdullah Abdullah.

When the votes were counted both Karzai and Abdulla claimed victory. As a result a serious crisis developed and with allegations and complaints the international actors had no option but to get involved to avert a disaster in Afghanistan’s new found democracy. The USA sent Senator John Kerry, Chairman of the US Senate Foreign Relations Committee. He met Karzai and Abdullah separately stressing “the necessity of a legitimate outcome.” After much telephone diplomacy of the US Secretary of State, Hilary Clinton, Defense Secretary Robert Gates, the British Prime Minister Gordon Brown among others it was decided to conduct a run-off on 7 November due to fraudulent conduct of the election. On 1 November, Dr. Abdullah withdrew from the run-off leading to IEC cancellation of the run-off and Hamid Karzai was declared the President of the Afghanistan for the second time. Despite the credibility crisis it is still

¹⁸ Hamid Karzai, *The Washington Post*, 9 May 2010 <www.washingtonpost.com>.

¹⁹ Humera Iqbal, “Afghan Presidential Election and its Implications for the Region,” *Regional Studies*, vol. xxviii, no. 2, spring 2010, p. 59.

²⁰ *Ibid.*, p. 60.

remarkable that the fragile democratic process emerged victorious.

President Karzai gave new hope and willingness to bring a positive change to his country with the help of the international community. In his inaugural address, Karzai speaking in Dari and Pashto to reach out to the largest ethnic groups of the country outlined six main priorities of his government. These were good governance; security; peace and reconciliation; economic development; regional cooperation; and foreign policy affairs. In the same speech he emphasized the need for building a secure and self-sufficient Afghanistan. His speech reflected a shift in his stance against the Taliban. From being an anti-Taliban he shifted to become a conditional accommodator of them. For this purpose he offered to hold a Peace Jigra. Karzai managed to convince the International community of his commitment for peace in Afghanistan and as a result at the London conference held on 28 January 2010 the International community declared its support for Afghan-led peace efforts by pledging to provide a \$500 million pay-for-peace proposal.²¹

6. Jigra in Afghan Society

A “jigra” is a Pashto word and means “large assembly” or “grand council.” The institution which is centuries old, is similar to the Islamic “shura”, or consultative assembly. Jigra is the traditional and a unique forum to Afghanistan for resolving disputes between tribes or discussing problems which affects communities. It is said that jigras are as old as the civilization of Afghanistan and they have become a national and regular feature for deciding matters of common concern.

The Loya Jigra which has taken place over the years has two kinds. One is at times of national crisis people themselves call upon to deliberate and discuss matters of war and peace. The second is when the ruler of the land is compelled to consult the people on matters of crucial importance such as enactment of fundamental law. Since mid 18th century Loya Jigras have become a regular feature in Afghanistan. There have been Loya Jigras called upon by the ruler at the beginning of the World War I in 1915 to maintain neutrality in war, then in 1923, 1924 and 1928. In 1941 a Loya Jigra was convened to deliberate the position of Afghanistan in World War II. A jigra was convened again in 1955 and the last before the Soviet occupation in 1977. Since then in the 1980’s and 1990’s jigras were not called upon.

After the fall of Taliba, the Bonn agreement on Afghanistan brought the Loya

²¹ CNN news, 28 January 2010.

Jigra back as a forum for discussion. Since the overthrow of Taliban there have been two Loya Jigras. Although jigras are a Pashtun system of political decision-making since December 2001 it has been used by the Afghan government for all Afghan ethnic groups. The AIA called upon an emergency Loya Jigra to be convened within six months of the establishment of the AIA. On 13 June 2002 the emergency Loya Jigra elected Hamid Karzai who served as the Prime Minister since December 2001 as the Chairman of the Afghan Transitional Authority (ATA) for a period of two years.

It was also decided that a constitutional Loya Jigra will be convened within 18 months of the establishment of the transitional authority, in order to adopt a new constitution for Afghanistan.²² It has been the practice of the Afghan governments to use jigras to reach consensus with parliamentarians and civil society groups on controversial or problematic policy issues. The 502 member Constitutional Loya Jigra presented the new constitution of Afghanistan on 4 January 2004. The 162 article Constitution provides for a presidential form of government with a bicameral parliament, Meshrano Jigra (upper house) and Wolesi Jigra (lower house). The constitution of Afghanistan recognizes the Loya Jigra as “the highest manifestation of the will of the people of Afghanistan.”²³

7. Peace Jigra 2010

Hamid Karzai, when inaugurated as President for the second term on 19 November 2009, announced his plan for grand council on Peace. President Karzai in the same speech stated that one of his main priorities would be to achieve security across Afghanistan within five years. On 9 May 2010 following the London conference in January and on a visit to the United States of America he wrote that “my government is convening a Consultative Peace Jigra – a historic forum of the Afghan people – to chart a way forward for engaging those who fight against us. Fifteen hundred representatives of the Afghan people will deliberate and advise us on reconciliation and reintegration.”²⁴ Formally it is named the Afghanistan’s National Consultative Peace Jigra (NCPJ) or shortly Peace Jigra. For this end, a Peace Jigra would be organized as a means of bringing different and competing parts of Afghan society together.

The concept of sustainable peace is a situation where there is no physical

²² “Agreement on Provisional Arrangements in Afghanistan pending the re-establishment of Permanent Government Institutions, *op. cit.*

²³ *Constitution of the Islamic Republic of Afghanistan*, Article 110.

²⁴ Hamid Karzai, *The Washington Post*, 9 May 2010.

violence, no unacceptable political, economic, cultural forms of discrimination, and where there is high level of internal and external legitimacy or support, self sustainability and propensity to enhance the constructive transformation of conflicts. Peacebuilding to achieve sustainable peace as Lederach points it is something much more than post conflict reconstruction. That is peacebuilding must encompass, generate and sustain the full array of processes, approaches and stages needed to transform conflict toward more sustainable peaceful relationships. Therefore rather than treating peace as stage in time or a condition, it must be treated as a dynamic social construct.

The Peace Jigra or the traditional assembly of elders is a peacebuilding approach that was identified by the Afghan leaders. It is a national conference as in accepted established political development and government measures tools. It is of a political nature which could increase the local peace capacity. Mirwais Yasini, the deputy speaker of the Afghan parliament stated that Afghanistan must have to have a jigra because there is no military solution to the Afghan conflict. He further stated that dialogue is the only solution to the conflict in Afghanistan.²⁵ With the Afghan government initiating the Peace Jigra, different groups have taken part at the first meeting on June 2 - 4, 2010. In the opening address at the Peace Jigra, Karzai speaking to the delegates said that “Afghan nation is looking at you. They await your decisions, your advice, so that you can show the Afghan nation the way to reach peace, to rescue Afghanistan from this suffering and pain.”²⁶ This was first major public debate on how to end the war. The Secretary General of the United Nations issuing a statement congratulated the Government of Afghanistan and the participants of the Consultative Peace Jigra on the process and outcomes and further stated that this is a significant step towards reaching out to all Afghan people.²⁷ *The New York Times* of 31 May, 2010 reported that western nations involved in Afghanistan welcomed the national peace council to start a new chapter in Afghanistan’s political life. In a joint news conference, then the NATO commander, Gen. Stanley A. McChrystal, and the senior civilian representative Mark Sedwill emphasized that the west supported the Peace Jigra. President Obama too publicly and explicitly supported the Peace Jigra keeping to the US position on reconciliation. The hope for success of the Peace Jigra lies in this fact that all parities (NATO, Karazi and Taliban) agree that the war in Afghanistan can be won by fighting alone.

The Peace Jigra was organized as a means of bringing different and competing

²⁵ Aljazeera website, <www.Aljazeera.net/news/asia/2010/06/02>.

²⁶ *Ibid.*

²⁷ Secretary General SG/SM 12937.

parts of Afghan society together. For this purpose it was officially open to all. It was therefore an inter-Afghan jirga. The composition of the Peace Jirga was as follows. From the Ulemma council (a group of religious Afghan scholars and leaders who debate religious matters) 155 members participated. Then civil society representatives, district and provincial officials, tribal leaders, groups representing Afghan refugee committees in Iran and Pakistan, women's rights activists, some 300 women, businessmen, members from the upper house of parliament, 200 members of the international community and some former warlords making altogether a 13 different groups to participate in its first meeting. The total number was 1600.²⁸

According to Lederach's pyramid style approach to peacebuilding, the participants represented all three types of actors he described in the pyramid style peace building exercise. All three types of actors in the three levels of the pyramid were represented in the first Peace Jirga. From bottom up, at level three the refugee camp leaders, community leaders were invited. Then at second level, middle range leadership was represented by civil society representatives and finally at the top level the top leadership of the country was at the conference. According to Lederach's model for sustainable reconciliation in divided societies, the Peace Jirga has all three types of actors represented. In the absence of various approaches to peace building in the country the Peace Jirga needs to provide prejudice reduction at level three and act as a peace commission at level two. It is not yet clear about level one approach where high level input should be made.

At the first three day conference a long list of recommendations were made. All the details are yet to emerge but among the recommendations were the following:

- Taliban to be removed from international blacklists;
- Taliban to be released from jails, both Afghan and International;
- Taliban to distance themselves from al-Qaeda;
- End NATO house searches and bombing;
- Taliban to end their attacks;
- Government to establish a framework for negotiations with the Taliban;
- A peace council to be formed drawing in provincial leaders;
- For all sides to remove conditions that could harm the peace process.²⁹

The main objective of the Peace Jirga was to provide a forum through which a variety of views could be expressed without violence and intimidation. From the above

²⁸ Robert D. Lamb, Mehlaqa Samdani, and Justine Fleischner, "Afghanistan's National Consultative Peace Jirga" <<http://csis.org/publication/afghanistans-national-consultative-peace-jirga-0>>.

²⁹ CNN report by senior international correspondent Nic Robertson, June 4th 2010.

recommendations it looks as if it was achieved to a certain extent. As the experts in peacebuilding points out, one of the most important steps in the exercise of peacebuilding is that all relevant actors need to participate.³⁰ Hence at this initial stage in peacebuilding in Afghanistan the Peace Jigra was successful in bringing together the relevant actors. The critics may point that the Taliban did not participate but individuals with ties to the Taliban participated. Hence there is some success to record. Also on positive side is that the international communities publicly supported the Peace Jigra. Therefore, it may just be able to have adequate funding and build institutional capacity to keep the promise to former combatants.

In Afghanistan however, there may be many doubts on the success of the National Consultative Peace Jigra. But the key reason for offering a public forum for Afghans to voice their concern and expectations about reconciliation was to build domestic and international consensus for negotiating framework for the Kabul Conference in July 2010.

8. Conclusion

Since 2001, with gradual development of democratic institutions, especially holding two presidential elections within a matter of five years shows the optimism and hope in Afghanistan for peace. Similarly it is important to keep in mind when establishing sustainable peace in a country where tribal laws and cultural traditions are deeply ingrained in the polity that their hold of the people is far too stronger than the writ of the central government. As Lederach points out socio-cultural resources or people and culture are the greatest resources for sustaining peace in the long run.³¹ Therefore, the all Afghan Peace Jigra seems to be the way forward for to build sustainable peace in Afghanistan.

It is also necessary to keep in mind that this deeply religious traditional society in its optimism for peace do not stretch far enough to accommodate western style of thinking. Like many other South Asian nations, in Afghanistan too western ideals are not easily adopted. Therefore, where stumbling blocks occur it is worthwhile for the Afghan government to look towards non Western peace makers such as the Peace envoy who took part in many of the discussion of the two fractions in Sri Lanka, the Japanese

³⁰ Luc Reyhler and Thania Paffenholz, *Peacebuilding: A field Guide* (Boulder, CO: Lynne Rienner Publishers, 2001), p. 537.

³¹ John Paul Lederach, *Building Peace: Sustainable Reconciliation in Divided Societies* (Washington, D.C.: United States Inst of Peace Press, 1998), p. 9.

Peace envoy Yakushi Akashi.

It is also important in the process of sustainable positive peace building not to depend totally on foreign aid. I do not agree with the thesis put forward by some that Afghanistan needs Marshall Plan style of investment for stability.³² Of course human security is very important and minimizing the human suffering and poverty alleviation are necessary goals. If human security is taken care and special attention is paid for education it is very likely the Afghans themselves will rebuild their country. Even if large scale donor funding is not the only answer, as Lederach points out “without adequate resources, explicit preparation, and commitment over time, peace will remain a distant idea rather than a practical goal.”³³

³² Saira Yamin, *Peacebuilding in Afghanistan: Revisiting the Global War on Terrorism*, RCSS Policy studies 43, p. 50.

³³ Lederach, *op. cit.*, p. 87.

Examining an Alternative Conclusion of Armed Conflict after Breakdown of Peace Agreement: The Case of Sri Lanka

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1. Introduction

In May 2009, the armed conflict in Sri Lanka which caused deaths more than 70,000¹ finished by coercive disarmament by the Government of Sri Lanka (the GoSL) against the Liberation Tigers of Tamil Eelam (the LTTE). Subsequent to a declaration of total victory by the President of Sri Lanka, Mahinda Rajapaksa, against the LTTE, statebuilding all over the territory of Sri Lanka by the GoSL has plausibly been consolidated. While the LTTE leaders were killed in the consequence of armed conflict and the group was dismantled, the President Rajapaksa was re-elected in the presidential election of 2010. However, the consequence of the armed conflict would have never expected by the both sides when a peace agreement in 2002 agreed between the GoSL and the LTTE, at least.

Why did the Sri Lankan armed conflict come to an end in 2009 by a declaration of victory of the GoSL despite the breakdown of the peace agreement in 2002? Responding to this question, firstly, the second section of this article attempts to examine it through three perspectives: (1) a characteristic of “new war”² showing global violence along with contemporary armed conflicts; (2) a characteristic of “state failure” during the armed conflict; (3) a characteristic of the peace agreement in 2002 and its performance.

Firstly, the author of this article examines the case of Sri Lanka along with a

¹ BBC, Website, http://news.bbc.co.uk/2/hi/south_asia/country_profiles/1168427.stm, accessed on 9 April 2010.

² Mary Kaldor, *New & Old Wars Organized Violence in a Global Era (Second Edition)* (Stanford University Press, 2007).

characteristic of problems arose from the new war, which was firstly argued by Mary Kaldor. This question is considerably linked to the existence of anti-governmental non-state actor such as the LTTE which had the worldwide networks. It supposed that these networks made by coercive domination by the LTTE leaders. The LTTE facilitated the violence under the constructed system of the global war economy as Kaldor designated.

Secondly, in the light of researches of “state failure,” this paper also attempts to analyze the multiple factors which brought the conflict resolution under the legitimated granted for normal sovereign state, but with the stronger military power. Though the way of suppression by the GoSL was opened after the breakdown of the peace agreement in 2002, the forcible actions not only weakened the military power of the LTTE itself but also was decreased the extent of external interventions by international community gradually.

Thirdly, considering most cases in contemporary armed conflicts, which prone to terminate by power-sharing type peace agreement among parties to conflicts, this paper draws a special attention to the Sri Lankan case with the decisive victory after the collapse of the agreement.

Following the second section, the third section of this article attempts to contrast the Sri Lankan case after the collapse of the peace agreement in 2002 in light of the three perspectives designated in the second section. Through this argument, this paper finally tries to extract a remaining riskiness of the societies in Sri Lanka to be overcome in the process of ongoing statebuilding.

2. Three Characteristics on Contemporary Armed Conflicts

This section aims to analyze the situation of contemporary armed conflict and show characteristics through the three perspectives on the new war, the state failure, and peace agreement in contemporary armed conflicts. This is a preliminary work for the following section of this article which will be contrasted with a situation after the end

of the armed conflict of Sri Lanka in 2009.

2-1 “New War”

Contemporary armed conflicts have increased complication to understand. There tend to be argued with a characteristic of interconnectedness among multiple stakeholders which act globally and transnationally. Especially, after the end of the Cold War, large number of armed conflicts has the characteristics of internal violent conflict which leads structures worldwide as well.

In her book entitled “*New and Old War*,” Mary Kaldor argued the characteristics of contemporary armed conflicts as new phenomenon in contrast with “old war” in the era of the Cold War.³ The situation of the new war gives us an importance engaged with characteristics of contemporary armed conflicts. Kaldor explained the central argument as following.

My central argument is that, during last decades of the twentieth century, a new type of organized violence developed, especially in Africa and Eastern Europe, which is one aspect of the current globalized war. I describe this type of violence as “new war.” I use the term “new” to distinguish such wars from prevailing perceptions of war drawn from in earlier [...] I use term “war” to emphasize the political nature of the new type of violence [...], the new war involve a blurring of the distinctions between war (usually defined violence between state or organized political groups for political motives), violence (violence undertaken by privately organized groups for private purposes, usually financial gain) and large scale violations of human rights (violence undertaken by states or politically organized groups against individuals).⁴

This approach does not recognize armed conflict simply as internal war which is completed inside geographical territory. According to the new war proponents such as Kaldor, organized violations over state borders by criminal or warring factions are emphasized in the characteristics of the new war. Therefore, multiple networks in the globalized era are strongly impressed in armed conflicts as the new war.

Kaldor pointed out that “the new war can be contrasted with earlier wars in

³ *Ibid.*

⁴ *Ibid.*, pp.1-2.

terms of their goals, the methods of warfare and how they are financed.”⁵ The first of all, the goals of the new war are engaged with identity politics in contrast to the geopolitical or ideological goals of earlier wars. By its identity politics, Kaldor sought to designate the nature of power struggle to on the basis of a particular identity among national, ethnicity, religious, linguistic and so on.

The second characteristic of the new war is the method, which was mainly conducted by greedy armed groups. Kaldor notes that armed groups as non-state actor which plan to exercise their military operations for receive their own profits are main character in the new war. Kaldor puts it as following.

The strategies of the new warfare draw on the experience of both guerrilla warfare and counter-insurgency, yet they are quite distinctive, [...] in guerrilla warfare, territory is captured through political control of the population rather than through military advance, and battles are avoided as far as possible. The new warfare also tends to avoid battle and to control territory through political control of the population, but whereas guerrilla warfare, at least in theory as articulated by the new warfare borrows from counter-insurgency techniques of destabilization aimed at sowing fear and hatred [...].⁶

There is no room for a compromise among identity politics under “destabilization aimed at sowing fear and hatred” prolonged by the method of guerrilla warfare. This gravity under the new war causes the difficulty of realization for peace agreements among stakeholders.

The third characteristic of the new war is engagement with a new globalized war in contemporary armed conflicts.⁷ Kaldor argued on the global war economy and showed “cosmopolitan approach” (as one of approaches which she mentioned, but main one) in terms of legitimacy of global governance under humanism for overcoming rivalry among the identity politics (movements which mobilize around ethnic, racial or religious identity for the purpose of claiming state power)⁸ over state

⁵ *Ibid.*, p.7.

⁶ *Ibid.*

⁷ *Ibid.*, p.10.

⁸ *Ibid.*, p.80.

border.⁹

As Kaldor paid attention to phenomenon of war economy, others also argued on the same situation.¹⁰ For instance, Karen Ballentine and Jake Sherman designated “civil conflicts linked to resource wealth.”¹¹ According to their researches, natural resources most frequently instigated armed conflicts are diamonds and other gemstones (for instance, in Afghanistan, Angola, Cambodia, Democratic Republic of Congo, Liberia and Sierra Leone), oil and gas (Angola, Colombia, Congo Republic, Indonesia [Aceh]) and Sudan), illicit drugs (Afghanistan and Colombia), copper or gold (Democratic Republic of Congo, Indonesia [West Papua], Liberia and Papua New Guinea), and timber (Burma, Cambodia and Liberia).¹² In the same way, it is pointed out that illicit arms trades and transfers also promote state failure.¹³ Small arms and light weapons are cheap, conveniently used and easily available. Therefore, this draws problems of child and women combatants as well. Especially, many child combatants were forcibly abducted and involved by armed groups in Liberia, Sierra Leone and others.

2-2 “State Failure”

Since 1990s, the challenges of state failure have been noted by many scholars and practitioners. A situation of state failure is called various phrases like “failed states,” “collapsed states,” “weak states” and so on. The most important thing which they mentioned is the situation that government cannot exercise the sufficient and appropriate power internally or externally because of low level or absence of the legitimacy. These characteristics are totally contradictory to the ideal image of the state sovereignty under the Westphalia System.

⁹ *Ibid.*, pp.80-94, 178-194.

¹⁰ For instance, Paul Collier (ed.), *Breaking the Conflict Trap: Civil War and Development Policy*, (The World Bank, 2003).

¹¹ Karen Ballentine and Jake Sherman (eds.), *The Political Economy of Armed Conflict: Beyond Greed & Grievance* (Lynne Rienner Publishers, 2003).

¹² *Ibid.*, p.49.

¹³ For instance, A Project of the Graduate Institute of International Studies, Geneva, *Small Arms Survey 2002* (Oxford University Press, 2002).

Contemporary state failure is perceived in the areas where armed conflicts with massive violence occur under disorder in most part or a part of the territory of state concerned. In this regards, this article defines state failure as following: a situation in that the low level or absence of the governance never permits not only adequate supply of public service responding to the nation living in the geographical territory but also maintenance of security for alleviation of threat by crime, rebellion or insurgency.¹⁴

It is intelligible that original arguments on state failure emerged to respond a considerable number of armed conflicts which had broken out since 1990s. William Zartman put it in the Introduction of his book that “in the world after the Cold War, not only has the bipolar, interstate system of world order dissolved, but in many places the state itself has collapsed.”¹⁵ Like Mozambique and Angola, the political regimes which was reflected by the influence of the Soviet Union under communism, were going to armed conflict by exposing weakness of the political legitimacy by the collapse of the structure of the Cold War.

Most cases on state failure, which many scholars addressed from the academic views, are in Africa like Somalia, Liberia, Sierra Leone, Sudan, Angola, Mozambique, Central Republic of Africa, Rwanda and so on after 1990s.¹⁶ These states had experienced intensive armed conflicts during 1990s and some of them still have remained the struggles. The United Nations Security Council (the UNSC) recognized the threat against international peace and security and adopted the resolutions for sending the peacekeeping operations (the UNPKOs) to the area of armed conflicts in these areas for alleviating it.

Military interventions by the United Nations were required new works for building state after the end of armed conflicts as well. The UNSC has been authorize the additional mandates for the new UNPKOs on peacebuilding as well as on traditional

¹⁴ Regarding the major volumes on state failure, see, William Zartman, (ed.), *Collapsed States* (Lynne Rienner Publishers, 1995); Kalevi J. Holsti, *The State, War, and the State of War* (Cambridge University Press, 1996); Robert I. Rotberg (ed.), *When States Fail* (Princeton University Press, 2004).

¹⁵ Zartman, *op. cit.*, p.1.

¹⁶ *Ibid.*, Zartman as well took up the cases in respective chapters on African countries in the book.

peacekeeping from 1990s. Peacebuilding activities were required for reconstructing the low level of governance in terms of security reform, economic reform, democratization, protection of human rights and strengthening the rule of law under the state failure right after the end of armed conflicts.¹⁷ The importance of peacebuilding initiated by the United Nations had been proliferating to other international actors. In the latter part of 1990s, problems of state failure in terms of peacebuilding became one of the most important agenda in international society.

2-3 Peace Agreement

Facing with situation of the new war or the state failure, the solution is difficult more and more for stakeholders of contemporary armed conflicts. Low level or absence of state legitimacy in state failure means also absence of eligible closer for conflict resolution in armed conflict in the midst of disorder. In case of the absence of the decisive ruler as state authority, peace agreement among stakeholders which are mainly engaged by armed groups would be a possible method for conflict resolution. Practically, almost all the armed conflicts in contemporary era, especially after the end of the Cold War, made peace agreement during fragile situation but in peace process, though the compromised agreement tends to breach by the stakeholders.

Peace agreements engaged with armed conflicts tend to be reflected the peace processes with participation both of domestic and regional/international stakeholders. Concerning the domestic stakeholders which succeeded in holding a position of negotiation table in the peace process, the main stakeholders normally include illegally –established armed groups in the situation of state failure. Strictly speaking, these armed groups in various seize mutually fought, and sometime integrated each other, and only mainstreamed ones can seized the power for manipulating the peace process. As William Reno pointed out, there are tendencies especially on African cases in

¹⁷ For instance, Ramesh Thakur and Albrecht Schnabel (eds.), *United Nations Peacekeeping Operations: Ad Hoc Missions, Permanent Engagement* (United Nations University Press, 2001); and Ho-Won Jeong, *Peacebuilding in Postconflict Societies* (Lynne Rienner Publishers, 2005).

contemporary armed conflicts in that powerful warlords who insist to grasping their own profits can lead the war situation including peace process.¹⁸

After the end of armed conflicts, precarious peace agreements under the state failure influence international stakeholders with recurrence of armed conflict. Intrinsically, state retains state sovereignty under the principle of non-interference from outside on matters of the domestic jurisdiction. However, failed state cannot govern it sufficiently due to low level or absence of the legitimacy itself.

In case of the state failure, engagement by international stakeholders tends to be excessive intervention against the sovereignty due to the absence of the legitimacy of state authority. Therefore, Since 1990, the UNPKOs became comprehensive type with the multiple mandates, in most cases, with coercive measures under the chapter seven of the Charter of the United Nations. In the meantime, the UNPKOs after or during the work of conflict resolution also shoulder the work of state creation by peacebuilding under the direction of peace agreement. In case of the Bosnian War from 1992 to 1995, the peace agreement (the Dayton Peace Accord) included even the contents of institutional constitutions for the Republic of Bosnia and Herzegovina after separating the realm of the former Yugoslavia.¹⁹

Under fragility of political arrangement in state failure after end of armed conflict, multiple functions are apt to put into peace agreements with involvement of international stakeholders. All necessary factors for statebuilding based on rule of law, like security, political arrangement, economic governance social affairs, are required in peace agreement for state failure. The security arrangement includes security sector reform for national army, police and related administration, disarmament, demobilization and reintegration of ex-combatants, collection and destruction of small arms and light weapons and so on. Along with prioritizing security right after the transitional governance, longer-term reconstructions of political arrangements are also required. On the other hand, establishment of governing system of political economy

¹⁸ William Reno, *Warlord Politics and African States* (Lynne Rienner Publishers, 1998).

¹⁹ The Dayton Peace Accord (Annex 4: Constitution) on the website of the State of Government, The United States of America, <http://www.state.gov/www/regions/eur/bosnia/dayann4.html> accessed on 3 August 2010.

covers controls of natural resources which protracted armed conflict for pursuing own profits of armed groups.

There are some problems, indeed, toward this solution. According to the empirical analysis by Paul Collier, more than forty percent of cases of peace agreement for contemporary armed conflicts relapsed into conflict within five years after peace agreement.²⁰ This means that what seems prevailing solution by peace agreement against state failure is not panacea. Certainly, when having recognition or peace agreement as a core part of process for power sharing among stakeholders, many problems engaged with the political rivalry stand in the way of statebuilding. Compromised solution by peace agreement is prone to lead flawed democratization if fair election is conducted according to the description of peace agreement with international support. On the other hand, in case of separation for state authority through armed conflict the peace agreement has problems over concrete demarcation for own profit according to each stakeholders which desire to disintegrate or integrate state authority.

However, in spite of these difficulties, engagement of international stakeholders against armed conflicts support the creation of peace agreement, and it makes major domestic stakeholders like strong armed groups easy to participate in an appropriate peace agreement. In the situation of state failure, peace agreement which gives a legitimacy of international intervention and eligibility of participation of armed groups as domestic stakeholders should be to origin for rule of law into process of statebuilding.

This section refers to three perspectives, the new war, the state failure and the peace agreement which characterize contemporary armed conflicts. This is a preliminary work for seeking a feature of the Sri Lankan armed conflict in the next section.

²⁰ Paul Collier, V. L. Elliott, Havard Hegre, Anke Hoeffler, Marta Reynal-Querol and Nicholas Sambanis (eds.), *Breaking the Conflict Trap: Civil War and Development Policy* (The World Bank, 2003).

3. Multiple Factors Drawing a Conflict Resolution after Breakdown of the Peace Agreement of 2002

This section attempts to examine the characteristics of the Sri Lankan conflicts in light of the three perspectives, the new war, state failure and peace agreement, mentioned in the second section of this article. In case of the Sri Lankan conflict, we can partly perceive some traces of the new war and characteristics of state failure on the one hand. On the other hand, regarding peace agreement, the conclusion of the conflict in 2009 was remarkably discerned from other cases in that the conflict was terminated by one-side victory of the GOSL after the breakdown of the peace agreement of 2002.

3-1 The Sri Lankan Conflict Embroiled in the New War

Notwithstanding the full independence in 1948, Sri Lanka (the then the Ceylon) had to endure the internal struggles which were caused from frictions among various social groups along with each identity. However, the level of these rivalries increased in the political behaviors as others do it. The main frictions among identities were raised from excessive violence between the ethnic Tamils (the major minority group) and the ethnic Sinhalese (the majority group). The movement the armed conflict by the LTTE since 1983 intensified the violence over each right of social groups engaged with own identities. When we reaffirm these aspects in which we can realize the existence of the new war's phenomenon, it is reasonable to examine the three pillars, *i.e.*, engagement with identity politics, method of war which exhaustively pursues the own profit of armed group by fear and hatred, and new globalized war economy, as following.

The accomplishment of political right along with each identity is the goal of the new war as mentioned above. Therefore, the uncompromising postures over identities easily generate fuel tension among contested actors which never intend to stop armed conflict by themselves. Certainly, the Sri Lankan conflict had arisen in the wake of identity politics. The Tamils in Sri Lanka, who had firstly arrived from the

south India in the B.C., had historical story along with creation of the nationalism through not only ethnic but also culture or religion. The Tamil province in the northern area of the Ceylon had been established during the colonial era of the occupation by the British in the nineteenth century. It is no doubtful that correlations among people in the community had developed the integration of the Tamil society and stimulated nationalistic ways and creation of the related institutions, along with modernization²¹.

Along the way, the Sinhalese-oriented government with Sinhala nationalism from the initial era of the independence as sovereignty was kindled the violence by a part of the Tamil riot. Right after the peace agreement in 2002, engagement policy by the GoSL against the LTTE under the then Prime Minister Ranil Wickremasinghe had proceeded toward the conflict resolution with international funding supports. However, the scheme was gradually collapsed and become to rekindle the mounting violence when Wickremasinghe was replaced Rajapaksa as the tough element against the LTTE in the position and Karuna, a powerful commander in the LTTE tried to sprit the LTTE organization for pursuing the fighting activities.

A series of the recurrence of violence by both the GoSL and the LTTE show how the reconciliation over the identity politics is difficult straightforward. The peace agreement in 2002 successfully avoided the crucial and concrete descriptions on the separation of the political right of the provinces in the northern part of the Sri Lanka leaded by the LTTE, but it gave a room for the rivalry through the armed violence. In this situation, posture of violence at sowing fear and hatred was growing between the GoSL and the LTTE. Ominous violence such as suicide attacks by the LTTE and suppression against the LTTE by the GoSL intensified the rivalry over identity politics with fear and hatred more and more.

The violence over the political identities was undermined by formal or informal system of war economy. Both the GoSL and the LTTE enjoyed the situation of war economy and positively proceeded arms acquisition during the conflict. John Sislin and Frederic Pearson put it in their article that the GoSL imported arms from various

²¹ A. Jeyaratnam Wilson, *Sri Lankan Tamil Nationalism: Its Origins and Development in the Nineteenth and Twentieth Centuries*, Penguin Books, 2000.

states during the conflict at various time from the United Kingdom, China, Israel, Russia and the Ukraine.²² On the other hand, the LTTE also bought the miscellaneous weapons from various actors in the Hong Kong, Lebanon, Thailand, Burma, the Ukraine, Bulgaria and elsewhere.²³

Hence, the Sri Lankan armed conflict had the new war' characteristics engaged with the identity politics by the method of fear and sacred under the war economy.

3-2 Sri Lanka under State Failure during the Armed Conflict

As mentioned in the second section of this article, the author of this article explained that the phenomenon of state failure is prone to be appeared in the contemporary international relations, and instigate and rekindle the situation of the new war. The low level or absence of state legitimacy under the state failure ushers in armed conflict as the new war. According to the broad sense of the state failure, the formations of state failure are multiple. It includes not only the absence of legitimacy of government such as Somalia but also comparatively lower-middle level of legitimacy of government which is not invaded in most of the territory including the capital (but governed a part of the state territory by some armed groups).²⁴ Hence, Sri Lanka during the armed conflict had been in the state failure in that the well-organized LTTE excised to govern a part of the territory of the sovereign state.

During the two decades before the peace agreement of 2002, The LTTE had expanded and maintained the controlled areas in the northern part of Sri Lanka at least, and even after the agreement, the LTTE retained the territory. Within the territory including the several provinces of Sri Lanka such as Kilinochchi and Mullativu, the LTTE put a system of the original administrations including the police which were run by the LTTE as well as the military as non-state actor. Hence, the GoSL as well

²² John Sislin and Frederic Pearson, "Arms and Escalation in Ethnic Conflicts: The Case of Sri Lanka," *International Studies Perspectives*, No.7, 2006, p.139.

²³ *Ibid.*

²⁴ Tatsuo Yamane, "state Failure and Armed Group: An Implication for Peacebuilding," *Hiroshima Peace Science*, Vol.31, 2009, pp.109-133. <http://home.hiroshima-u.ac.jp/heiwa/JNL/31/Yamane31.pdf>

stationed the administrative offices in the controlled area by the LTTE simultaneously. The inhabitants in the areas were doubly governed and imposed levy taxes by the LTTE and the GoSL respectively.

Regarding the LTTE as a non-state actor, activities of the LTTE including the acquisitions were mainly supported by the diaspora support, especially on a part of ethnic Tamils (a minority group in Sri Lanka). The diaspora people are dispersed in world wide, but the main diaspora community lives in Canada, the United Kingdom and India. The LTTE cleverly grasped the community and forced them to forward economic support.²⁵ The LTTE itself had established public offices abroad for coordinating the diaspora support under four organizations: The Tamil coordination Committee (TCC), the World Tamil coordinating Committee (WTCC), the United Tamil Organization (UTO), and the Tamil coordinating Group (TCG) at least.²⁶ At the same time, the Tamil Rehabilitation Organization (TRO) which was founded in 1985 in south India for rehabilitation and welfare of the Tamil diaspora grown up in the north-east area of Sri Lanka.²⁷ This was directly operated by the LTTE for its affiliated organization.²⁸

Therefore, it was inevitable that the international supports strengthen the LTTE and its supporting systems along with peace agreement preserving the both powers. While most cases of conflict resolutions for state failure tend to have military intervention under the authorized resolutions by the UNSC right after setting peace agreement, Sri Lanka did not come under the category. The GoSL with the army standing on the solid and legitimized foundation did not seek a solution by international intervention unlike the military intervention by the Indian peacekeeping operations under the peace agreement of 1987.²⁹ However, the peace agreement of

²⁵ Rohan Gunaratna, "Sri Lanka: Feeding the Tamil Tigers," Karen Ballentine and Jake Sherman (eds.), *The Political Economy of Armed Conflict: Beyond Greed & Grievance*, pp.202-210.

²⁶ *Ibid.*, p.204.

²⁷ Kristian Stokke, "building the tamil Elam State: Emerging State Institutions and forms of Governance in LTTE-controlled Areas in Sri Lanka," *Third World Quarterly*, Vol.27, No.6, pp.1029.

²⁸ *Op.cit.*, Gunaratna, p.204.

²⁹ Sumantra Bose, "Flawed Mediation, Chaotic Implementation: The 1987 Indo-Sri Lanka Peace Agreement," Stephen John Stedman, Donald Rothchild and Elizabeth M. Cousens (eds.), *Ending Civil Wars: The Implementation of Peace Agreements*, Lynne Rienner Publishers: Boulder London, 2002,

2002 remained the possibility of execution of suppression by the GoSL against the LTTE which recognized as terrorist group.

The GoSL under the president Rajapaksa strengthen the military capacity and the suppression against the LTTE. The military expenditure of Sri Lanka was going to increased up to 3 percents of the gross domestic product (GDP) in 2008 from 2.5 percents of the one in 2005.³⁰ Through this growth rate is not greater number of percentage through the Sri Lankan armed conflict, the increasing average of the GDP around five to six percents during 1990-2005 (except the year of 2001 [-1.4]) allowed the increased amount substancially.³¹ Once the level of military capacity steadily increased during that period, the LTTE affiliated organizations became weaken. In November 2007, charity for the TRO was banned by the GoSL because the GoSL recognized it as funding organization to the LTTE.³²

Thus, Sri Lanka strongly governed except the LTTE area was under the state failure during the armed conflict. The LTTE area was well-organized administratively by under the LTTE since the GoSL located the governmental offices in the area. However, after the collapse of the peace agreement of 2002, the GoSL with strengthened army aimed to repulse the enemy and really completed it in 2009 by the one-sided victory.

3-3 An Exceptional Case of “Contemporary Peace Agreement”?

The peace agreement of 2002 signed between the then GoSL and the LTTE seemed to welcome a peaceful moment at first, but the agreement did not include detailed articles for coming political arrangements which contemporary conflict resolutions of other

pp.631-659.

³⁰ The United Nations Data, on Sri Lanka, Military Expenditure of GDP (%), http://data.un.org/Data.aspx?q=GDP&d=WDI&f=Indicator_Code%3AMS.MIL.XPND.GD.ZS accessed on 11 April 2010. During the period between 1992 and 2002, the figure of the proportion showed among the range between 3.0 to 5.3 percents.

³¹ World Bank, On Sri Lanka, At a Glance, http://siteresources.worldbank.org/SRILANKAEXTN/Resources/annex_a2.pdf accessed on 11 April 2010.

³² “Tamil Charity Banned in Sri Lanka,” BBC News on 22 November 2007, http://news.bbc.co.uk/2/hi/south_asia/7107846.stm accessed on 4 August 2010.

cases tend to adopt.

In the negotiation process toward the agreement, there was a drastic change in the parliament of Sri Lanka. As soon as the United National Front, a political party as moderate faction on the armed conflict, obtained a greater part of the parliament at the election on 5 December 2001, the then prime minister led by the UNF moved to formulate the agreement with the LTTE.³³ Along with the domestic peace process, the GoSL and the LTTE formally signed the agreement in February 2002 under the mediation of Norway. In March 2003, Japan also joined the peace process by holding the Hakone Talk (in Japan) and authorized by the GoSL and the LTTE to cause the security for international assistance.³⁴

The agreement mainly aimed at settling modalities of cease fire (the article 1), measures to restore normalcy (the article 2) and establishment of the Sri Lanka monitoring mission (SLMM) (the article 3). It is no doubt that the agreement brought peaceful moment to the country temporarily with reopening the main road (“the A9 road”) linking the north and south of Sri Lanka which was closed for the previous twelve years. Aid workers and aid materials themselves easily had been transferred in the poverty areas in the north and east of Sri Lanka.

However, we can see some different characters in this agreement from others in that it did not put a process in motion to reintegrate or reconcile the stakeholders, especially between the GoSL and the LTTE. The problem was remained in that the agreement was made just for ceasefire not for deciding distribution of profits from the peace. Though the LTTE wished to establish the political entity led by the Tamils in the northern and western part of Sri Lanka with the autonomy, the details for the political arrangement did not incorporated in the agreement of 2002. Over the way of strengthening the autonomy to secure the political position of the LTTE, the both parties to the agreement did not reach their common understanding.

Moreover, absence of disarmament and demobilization for restructuring the

³³ Jayadeva Uyangoda and Morina Perera (eds.), *Sri Lanka Peace Process 2002: Critical Perspectives*, Social Scientists' Association: Colombo, 2003, p.1.

³⁴ Tamil Net Website, on 21 March 2003, <http://www.tamilnet.com/art.html?catid=13&artid=8581>

security governance of the state remained serious consequences to the recurrence of the war in Sri Lanka. Most of contemporary agreements normally contained the “disarmament, demobilization and reintegration of ex-combatants (DDR).”³⁵ It makes use of recovery of security and reconstruction of newly constructed society. The collection and destruction of small arms and light weapons prevents to get back to the war and demobilization of armed groups and reintegration of ex-combatants to the society is inevitable for promoting the capacity development. The remaining weapons and intensified armed institutions after the agreement of 2002 pave the way for revival of communication though the violence.

Since 2004, the level of tension has been volatile between the GoSL and the LTTE. Eventually, the GoSL formally retracted the peace agreement of 2002 on 16 January 2008.³⁶

This section examined the characteristics of the Sri Lankan conflicts in light of the three perspectives, the new war, state failure and peace agreement, mentioned in the second section of this article. Even after the agreement of 2002, the peace process itself could not solve the rivalry over the new war and overcome restructuring the situation of the state failure in Sri Lanka. Hence, the GoSL with stronger forces tried to overcome the state failure by defeating the LTTE completely in spite of remaining problems of the characteristics of the new war such as confrontation among the political identities.

4. Conclusion

³⁵ Tatsuo Yamane, “Examining Reintegrated Societies with Ex-combatants: An Approach for Transformation of State Governance through DDR,” *International Politics (Japan)*, No.149, 2007, pp.141-155. (in Japanese), Tatsuo Yamane, “Examining Reintegration through Peacebuilding: How Peace Support Operations Reintegrate Ex-combatants into Local Societies?” Hiroshima University Partnership for Peacebuilding and Social Capacity (HiPeC) (ed.), *Indigenous Initiatives for Peace Building: Importance of Local Viewpoints and Expected Roles of Development Assistance*, Hiroshima University, 2007, pp.23-31. <http://home.hiroshima-u.ac.jp/hipec/conference/006.pdf>

³⁶ Jon Lunn, Claire Taylor and Ian Townsend, “War and Peace in Sri Lanka,” *House of Commons Library (Research Paper Series)*, No.51, 2009, p.3. <http://www.parliament.uk/documents/commons/lib/research/rp2009/rp09-051.pdf>

This article attempted to response the reason why the Sri Lankan armed conflict concluded in 2009 by a declaration of victory of the GoSL despite the breakdown of the peace agreement of 2002. Responding to this question, this paper examined it through three perspectives, *i.e.*, the new war, the state failure, and the peace agreement.

According to the analysis, the author of this article perceived the new war phenomenon and characteristics of the state failure even after the peace agreement of 2002 on the one hand. On the other hand, regarding the peace agreement, the conclusion of the conflict in 2009 was remarkably discerned from other cases in that the conflict was terminated by one-side victory of the GOSL after the breakdown of the peace agreement of 2002.

Consequently, this paper concluded that, even after the agreement of 2002, the peace process itself could not solve the rivalry over the new war and overcome restructuring the situation of the state failure in Sri Lanka. Through the powered GoSL tried to overcome the state failure by repressing the LTTE under the rule of law during the emergency, rest of problems on the characteristics of the new war such as confrontation among the political identities were still remained. Therefore, when peacebuilders engaged in the process of ongoing statebuilding, we note all the more an indication of rivalry stemmed with the new war or the state failure.

Seen and Heard: Human Security of Youth of South Asia and Potential as Catalysis for Building Peace

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1. Introduction

Youth are often portrayed as victims of conflict, perpetrators of violence, spoilers of potential peace, or silent beneficiaries of state decisions. They and their Human Security fears and wants are however, seen but rarely heard. This is especially evident in matters pertaining to security within a specified region such as South Asia. South Asia, with its diversity in the midst of homogeneity, has consistently focused on individual nation-state security. With transnational concerns such as terrorism, environmental, and health concerns, the more traditional focus of state security, however, appear moot. Indeed, what is required of South Asia is a conceptualization of security to be inclusive of social and economic security from the perspective of the individual. The coupling of traditional military security with human development, which has, as of the 1990s, been interpreted as Human Security, requires substantial investment from diverse stakeholders. However, it is vital to emphasize that Human Security, a concern for all, remains at cross-roads in South Asia.

Despite youth concerns with regard to security remaining relatively under-represented in South Asia security dialog – indeed this is self-evident since regional security within the South Asia Association for Regional Cooperation (SAARC) is constantly evaded – their needs and fears are crucial for transforming this region. Indeed, the youth will inherit a region steeped in tradition and scarred with pain. They will become heir to countries facing numerous environmental and other conflicts which transcend state borders. Youth of South Asia should have freedom from fear and freedom from want. Yet, their dissatisfaction with the status quo and their inability to

transform the situation due to lack of education and employment opportunities might result in successes in recruitment to militant groups, in ensuring indoctrination.

2. The Crux of the Argument

The crux of this paper is an argument that the youth of South Asia, who remains victims, perpetrators and inheritors of conflict also have the potential to become catalysts of building peace. However, only through addressing their fears and wants can their potential be unleashed. Herein lay the conundrum because without having assurances regarding their Human Security, they might not be able to become catalysts for peacebuilding but at the same time, without the empowerment gained through peacebuilding, their wants and needs often remain silent.

In making the above argument, this paper focuses firstly on the need to re-conceptualize Security to be inclusive of Human Security. The paper shifts from introducing the concept of Human Security to highlighting its link with Peacebuilding. Subsequently, the paper examines the youth of South Asia, their voice, their concerns, their fears, and their hopes. The paper concludes with the argument on how youth could become catalysts for peacebuilding.

The research into Human Security concerns of South Asian youth and their potential for building peace began with a number of objectives.

- To understand difference between the traditional concept of Security and Human Security
- To examine the link between Human Security and Peacebuilding
- To present the importance of Youth within the South Asian context
- To highlight the potential of youth as builders of peace within South Asia.

3. Security and Human Security

“Conventional analyses of the concept of security emphasizes the state as the referent object of security; it is the state that is to be secured. The association of security with the state seemed natural for much of the nineteenth and twentieth centuries and reflected the dominant position of **realism** in the discipline of international relations.”¹

As noted at the outset, there exists both a traditional state-centric definition of security and a broader, less-easily definable definition of security. The former is the heir to a vast tradition while the latter was named only in the 1990s. According to the Stockholm International Peace Research Yearbook (2010), the nation-states of the world spend an estimate of \$1.551 trillion for military expenditure. This is for the territorial defense of the nation-state from threats from within and without. As noted by King and Murray, these “funds spent on military security have been as large globally as the combined income from 49 percent of the world’s people”². Security and nation-state have been interlinked from the birth of the concept of nation-state in the 17th century. This relationship has gotten stronger over the centuries to the extent that nation-state and security are synonymous with one another. More and more money is spent in assuring a nation-state’s borders. According to SIPRI, military expenditure for Asia and Oceania was \$276 billion for 2009 and of that, \$185 billion was spent by India. Moreover, in Afghanistan, the overall expenditure topped at \$12.8 billion. This included both Afghan and NATO expenditure for 2009.³

As Dillon emphasizes, “Security, of course, saturates the language of modern politics. Our political vocabularies reek of it and our political imagination is confined by it ... Security is the first and fundamental requirement of the State, of the modern understandings of politics, and of International Relations”⁴. From time to time, the focus on threat has changed – from large armies to nuclear weaponry to terrorism. These merely in the 20th century when armies during the two World Wars (1914 – 1918 and 1939 – 1945) and internal and inter-state wars laid siege to and destroyed villages

¹ (MacFarlane and Khong, 2006: 1)

² King and Murray (2002: 588)

³ (Perlo-Freeman, Ismail, and Solmirano 2010)

⁴ (Dillon 1996: 12)

and towns throughout the long and bloody century; when nuclear threats became to dominant security concern after 1945 during the Cold War era (1945 – 1990); and when trans-national terrorism plots dominated the scene. In a post-Cold War era, security fears have not subsided. Indeed, even prior to the publication of the United Nations Development Program (UNDP) report on Human Security (1994), concerns regarding how to address security concerns⁵ were voiced as they forestall the individual's human security. Indeed, as the overview of the UNDP report informed,

The world can never be at peace unless people have security in their daily lives. Future conflicts may often be within nations rather than between them-with their origins buried deep in growing socio-economic deprivation and disparities. The search for security in such a milieu lies in development, not in arms.⁶

While traditional security focuses on ensuring territorial security of the nation-state, and through that, of the people living in that nation-state, as the above quotation illustrate this defines security in terms of achieving people's security and through that, the state. As King and Murray note, this is a broader concept of security which "calls to consider security for a global perspective rather than only from the perspective of individual nations and the idea of common security, more recently, writers have settled for the phrase human security to emphasize the people-centered aspect of these efforts"⁷. Moreover, this new notion of security remains "closely linked to the development of human capabilities in the face of change and uncertainty"⁸. The new terminology of security focus on 'Human' security, thereby distancing itself from security and defense disciplines.

Prior to discussing the different interpretations of the concept, it is best to introduce Human Security as it evolved in the 1990s. At the outset, it is vital to stress that this concept is not completely new or unique. It is, as Paris inform, "the latest in a

⁵ (Lynn-Jones 1991)

⁶ (UNDP 1994: 1).

⁷ (King and Murray 2002: 588)

⁸ (O'Brain and Leichenko 2008:1)

long line ...– including common security, global security, cooperative security, and comprehensive security – that encourages policymakers and scholars to think about international security as something more than the military defense of state interests and territory”.⁹ What makes this different from other interpretations of security is its focus on the universality, on the inter-dependency of components, on the prevention, and on being people-centered.

According to the UNDP,

Human security is a universal concern. It is relevant to people everywhere, in rich nations and poor ... The components of human security as interdependent. When the security of people is endangered anywhere in the world, all nations are likely to get involved ... Human security is easier to ensure through early prevention than later intervention ... is people-centered ... concerned with how people live and breathe in a society, how freely they exercise their many choices, how much access they have to market and social opportunities – and whether they live in conflict or in peace.¹⁰

The core concept of Human Security strives to ensure for the individual “safety from chronic threats as hunger, disease and repression. And second, it means protection from sudden and hurtful disruptions in the patterns of daily life – whether in homes, in jobs or in communities.”¹¹

In a broader sense, Human Security is defined according to what threatens an individual: Community security; Economic security; Environmental security; Food security; Health security; Personal security; and Political security. In a broader sense, Community Security targets ensuring security from internal conflicts and protection of cultures while Economic Security indicators for example, focus on income (level, access, reliability, sufficiency, and standard of living) and employment. Environmental

⁹ (Paris 2001: 87)

¹⁰ (UNDP, 1994: 22)

¹¹ (UNDP 1994: 23)

Security looks into prevention in areas such as conservation of land, mitigation of natural hazards, assessment of pollution, as well as finding solutions to environmental issues. Food Security targets availability, access, and nutritional quality during normal times as well as in the midst of disasters while Health Security informs of the health concerns related to availability and quality of healthcare, safe water and other basic necessities, and availability of an environment safe from illegal drugs. Personal Security looks into protection from prevention of violence and abuse as well as awareness and access to information and institutions and Political Security examines how human rights protection ensures individual security.

While it is clear what areas Human Security as a concept focuses on, there are concerns regarding what it means and the definition. One concern is how broad this concept really is. Food security, for example, has 200 definitions according to the Food and Agriculture Organization (FAO). Another is that while Human Security looks into how the individual, group, state, and system security is ensured, there are actually two understandings of Human Security. The narrow definition of human security examines freedom from fear or, in another sense, violence and freedom from want. As noted by Tadjbakhsh, to be secure in this sense entails,

to be free from both *fear* (of physical, sexual or psychological abuse, violence, persecution, or death) and from *want* (of gainful employment, food, and health). Human security therefore deals with the capacity to identify threats, to avoid them when possible, and to mitigate their effects when they do occur. It means helping victims cope with the consequences of the widespread insecurity resulting from armed conflict, human rights violations and massive underdevelopment. This broadened use of the word “security” encompasses two ideas: one is the notion of “safety” that goes beyond the concept of mere physical security in the traditional sense, and the other the idea that people’s livelihoods should be guaranteed through “social security” against sudden disruptions.¹²

¹² Tadjbakhsh (2005: 5)

More than the problem of how to define this concept – which is a concern in itself – is numerous other difficulties. For example, Human Security as envisioned by the United Nations organization (UNO) and its organs raises hopes without these hopes being achievable, while others perceive Human Security as merely a label with no real significance in real world policy-making. This is linked to another fear that with no real definitional boundaries, policy formulation remains impossible. More than this, the very fact that until recently, Human Security remained outside of the Peacebuilding scenario is a concern. The broader definition of incorporates all of the above seven sections and is inextricably linked to peacebuilding.

Despite these concerns, the very fact that Human Security exists as an alternative perspective to traditional security is an important step forward. Moreover, the significance of Human Security is that it can help reduce tensions which lead to conflict. As noted by McRae and Hubert¹³, Human Security as a set of activities targets the protection of the people and promotion of peace.

4. Human Security and Peacebuilding

“Human security, in its broadest sense, embraces far more than the absence of violent conflict. It encompasses human rights, good governance, access to education and health care and ensuring that each individual has opportunities and choices to fulfill his or her potential. Every step in this direction is also a step towards reducing poverty, achieving economic growth and preventing conflict. Freedom from want, freedom from fear, and the freedom of future generations to inherit a healthy natural environment -- these are the interrelated building blocks of human – and therefore national – security.” (Annan 2001).

In a sense, the focus on Human Security appears similar to Peacebuilding, as both strive to find diverse avenues in order to transform society in an all-encompassing

¹³ McRae and Hubert 2001

manner. From a conflict resolution perspective, the narrow definition of Human Security focuses on negative peace while the latter or broader definition of Human Security strives to achieve positive peace (Galtung 1971). This is similar to Peacebuilding, which aims to transform the entire society using diverse avenues to achieve peace. As noted in the *Human Security Now* (2003), Human Security targets protection of freedoms of individual – especially freedom from want, harm, fear, and to take action – which intern empower the individual.

The similarities between Human Security and Peacebuilding do not end here. Surprisingly, both these concepts emerged in the post-Cold War era and both apparently appear ill-defined. Or in another sense, there exists diverse definitions regarding each of these concepts. Peacebuilding as defined by Boutros Boutros-Ghali in 1992 focused on strengthening institutions, ensuring security and assisting in the economic recovery. Another approach, often called the DDR program focuses on disarmament, demobilization, and re-integration, which again has the United Nations as an integral actor. Peacebuilding as envisioned by Lederach enlarges the spectrum but focuses predominantly on internal actors.

Table 1: Three Types of Peacebuilding

Political peacebuilding	Formal negotiations, diplomacy and other legal aspects of transforming an existing conflict.
Structural peacebuilding	A means of encouraging a ‘culture of peace’ by constructing socio-economic, cultural and military mainly through education, disarmament, policing, and good governance.
Social peacebuilding	Ensuring a rebuilding of relationships through dialogue.

Source: <http://imtd.org/cgi-bin/imtd.cgi>

As Table 1 (above) and 2 (below) highlight, there are diverse ideas regarding Peacebuilding.

Table 2: Activity focus in Peacebuilding

Narrow idea of Peacebuilding – UN External and internal actor involvement Focuses on activities specific sets	Broader idea of Peacebuilding – Lederach Internal actor involvement Multiple activities, including monitoring,
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activities such as strengthening institutions, ensuring security, and assigning economic recovery	human rights, education, and especially empowerment.
Top-down	Multi-layers: top-down + bottom-up + use of the middle level who, according to Lederach, are ‘the critical yeast’.
Short-term outcome	Long-term sustained dedicated outcome.
Ending direct violence	Ending Structural violence

Source: Adapted from Boutros-Ghali (1992); Lederach (1997); and McDonald and Diamond <http://imtd.org>

This paper utilizes the concept of Peacebuilding as envisioned by Lederach (1997) which, like Human Security, focuses on empowerment of people. In a perfect setting, this would entail focusing on the people rather than the political system as the primary concern. Peacebuilding, just as Human Security, strives to achieve a more lasting – albeit, sustainable – results. Another aspect of both these is to protect human rights, which in Peacebuilding is presented more subtly than in Human Security.

Despite the seemingly evident similarities between Human Security and Peacebuilding, Dulic notes with frustration that,

in practice both peace-building and human security have been addressed separately, as demonstrated by the existence of distinct branches and experts within national governments and supra-national bodies, with a strict division of labor and hierarchy between them. The ‘peace-building community’ seldom refers to human security dimension as an integral element of overall nation-building and state-building strategies. Moreover, human security has been neglected or underestimated when international peace-building missions prioritized state-building, under the pretext that individual rights are best protected through a system of relatively strong states; and that among three variables - state, democracy and human rights, state is the most important as *conditio sine qua non*. (2008: 2)

This research paper addresses these two concepts as similar in terms of their outcome –

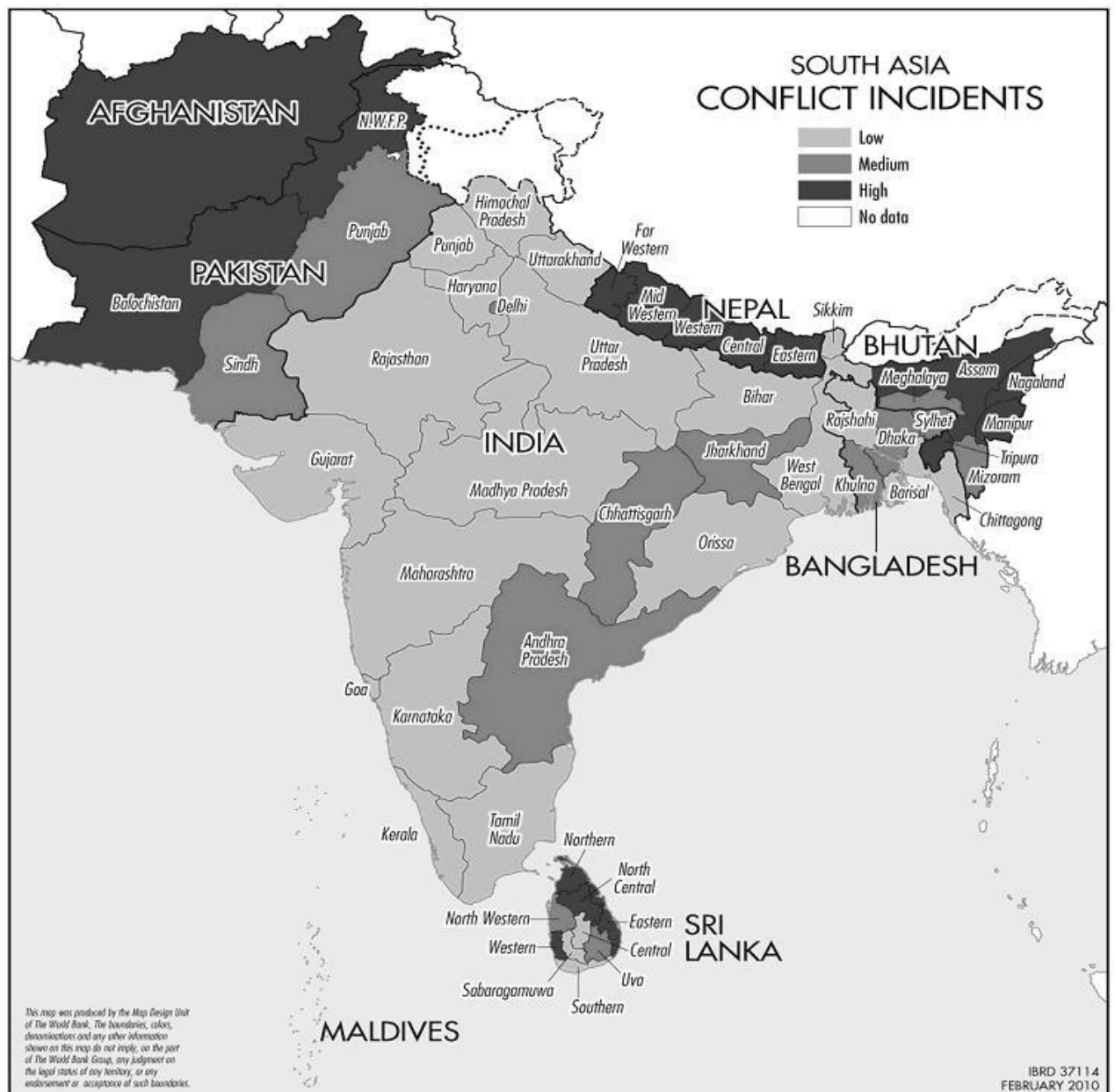
sustainable and individual-focuses, targeting positive peace as its overall outcome.

To ensure Human Security of the individual, people must become active participants in ensuring their safety. To achieve this, the whole of society must become empowered. Taking Lederach's three layer pyramid, this would involve all three – i.e., elite, middle and grassroots – levels (Lederach 1997). Thus, what this research paper strives to highlight is that without ensuring freedom from fear and want, it is difficult to enhance youth's peacebuilding potential.

5. South Asia

South Asia is among the world's most vulnerable regions to both natural and man-made disasters. The region recorded 15 out of the 40 major disasters in the world from 1970 to 2000. Over the last 25 years, disasters have killed nearly half a million people in South Asia besides inflicting colossal financial damages worth US\$ 59,000 million. Over 60,000 people were killed by Tsunami in India, Sri Lanka and Maldives. The October 2005 earth quake killed at least 73,000 people and severely injured or disabled another 70,000 and rendered 2.8 million homeless in northern parts of Pakistan. The rehabilitation cost of 2004 Tsunami disaster for India, Sri Lanka and Maldives is estimated to be US\$ 3 billion. (Hussain 2007: 2)

Map 1: South Asia Conflict Incidents according to World Bank



Source: World Bank. Cited in Ghani and Iyer 2010

It is possible to state that South Asia as a region is the second most volatile region in the world, next only to the Middle East. This is mainly due to a major war in Afghanistan which has pitted NATO forces along with Afghanistan government forces against religious extremists since 2003. It is also because of the long-standing inter-state conflict between India and Pakistan. It is also home to numerous internal conflicts,

some which have lasted for decades and some, such as the Sri Lankan separatist conflict, ended with a military victory only after over thirty years of war. As the Map above emphasize, there exists low-level to high-level conflicts within South Asia (Map 1).

The India-Pakistan interstate conflict began in 1947, with the birth of these two nation-states. Since then, there have been two wars and several clashes between these two powers. Since becoming nuclear powers, the tension between these two countries has become more dangerous to the whole region. Other than inter-state conflicts, the countries of South Asia have faced numerous internal conflicts which have spilled over to neighboring countries. Afghanistan has faced invasions and religion-related conflicts since the 1970s. Pakistan has faced internal issues stemming from both politico-military nature as well as Sunni-Shia. These have exacerbated due to conflicts in neighboring Afghanistan. Meanwhile, India has religious (Hindu-Muslim; Hindu-Christian) as well as language (Hindu-Tamil), ethnic and sectarian (Sikh and Naxalite) while Sri Lanka faced both youth uprisings (1971, 1972, 1987 – 1990) and sectarian crisis which culminated in a thirty-year war. Bangladesh faced both tribal-related conflict as well as politico-military conflicts from its very inception in 1971. Bhutan faces identity and power-sharing conflicts while Nepal faced Maoist rebellion. The island nation of Maldives has to contend with environmental concerns.

As noted above, every country in South Asia faced some conflict issue or the other. From a Human Security perspective, this means that the people within each nation-state face challenges to their freedom from fear and freedom from want. More than that, while the leadership of these nation-states continues to focus on intra-state or traditional idea of security, there are concerns that transcend the traditional nation-state. These include terrorism and extremist activities as well as environmental concerns such as water disputes. Moreover, despite the fact that conflicts mentioned above have trans-border implications, the nation-states of South Asia continues to strive to ensure national security. Even under SAARC, the focus remains only on cultural and partial-economic integration. Regional human security remains utopian endeavor.

Terrorist and extremist activities – whether for religious reasons as in

Afghanistan and Pakistan, for separatist/identity reasons such as in Sri Lanka, India, Bangladesh, and Bhutan, or ideological reasons as in Sri Lanka, Nepal, and India – appear to go beyond state boundaries. This entail challenges to personal, community, and political security. Youth either become members of these militant organizations or become victims of the violence. Youth here, defined by UNICEF as those between the ages of 15 – 24, become active participants for ideological, peer-pressure, economic, political, and identity reasons (USAID 2004).

Youth, as the future generation, also face numerous environmental concerns that would become more pressing in the coming future. Predominant in this is climate change, but other than this, environmental degradation due to development and, significantly, the demand for water, which is a major concern for South Asia (Verghese 1997). Youth here face environmental, personal, health, food, economic, and community Human Security issues.

6. Youth of South Asia

The literature that touches on youth and violent conflict focuses on analysing the reasons why young people engage in fighting. It is often remarked that war would not be possible without youth – as combatants of any war, in any part of the world, are made up primarily by young people. (UNDP 2006: 17)

Youth of South Asia face both different challenges but also similar concerns due so socio-economic and cultural reasons. For example, youth in all eight countries face poverty, youth in all have to contend with modernity and traditional expectations, with peer pressure and family obligations, and most certainly with unemployment or under-employment and these lead to their own insecurity repercussions. These Human Security issues are not limited to any country. However, each country within South Asia also face and finds solutions to their own problems.

It is possible to assume youth concerns in Afghanistan, despite being the only

country which has not had a youth survey in recent years. With almost half of Afghanistan population living below the poverty line, youth faces economic concerns. Some who have the potential for education have to stop their education in exchange for finding menial jobs to assist their families. Indeed, according to UK-based Oxfam report on Afghanistan (2008), over 80% of population find employment in agriculture but at the same time, rural unemployment is over 50%. These figures become critical for youth of Afghanistan because

68% of the population of Afghanistan is below 25 years of age. This majority segment of the population is generally disfranchised, lacks educational and employment opportunities, and rarely participates in decision-making at community, province or national level. The situation of Afghan girls is of particular concern - under traditional pressures they enter early marriage and early pregnancy, contributing to Afghanistan's dire MMR and IMR. Youth literacy rates are low; 50% for boys and 18% for girls; secondary school enrolments are respectively 23% and 7%, and less than 1% of the Afghan population reaches higher education.

Faced with these challenges, Afghan youth are at a major risk of oppression, unemployment, and low wages and therefore to induction into the narcotics industry, illegally armed groups, insurgents and terrorist organizations. (UNDP 2009)

They apparently face all seven Human Security challenges. Despite this, external institutions such as UNICEF, UNDP, and numerous NGOs have strived to empower and enhance their lot.

Indian youth account for 360 million or "35% of the total population of 1025 million" according to Sahni (2005: 75). The issues they face include poverty, pressure to perform in education, traditions, urban-rural divisions, and competition in a vast population. The challenges faced by youth regarding modernity are evident even in countries with small populations. Of a population of 900,000, more than 56% of

Bhutanese are under 25. The problems encountered by youth of Bhutan include facing the fast-pace socio-economic changes that occurred since 1961. Indeed, the youth here, like their counterparts in other South Asian countries (with the exception of Afghanistan) faced challenges with modernization and the open economy. The major concerns for youth in general involve unemployment and addiction to drugs. Even Pakistan has a large percentage of youth.

Pakistan currently has one of the largest cohorts of young people in its history, with approximately 25 million adolescents and youth between the ages of 15 and 24 (Government of Pakistan 2001). As in most countries, there is awareness in Pakistan that this cohort is profoundly important for the social, political, and economic development and stability of the country. However, national programs aimed at addressing adolescents and youth tend to be narrowly defined and based either on policies developed by the Ministry of Women's Affairs or on programs implemented by the Ministry of Education and Youth Affairs Division. These programs have largely been formulated as a reaction to "problems" related to young people, such as child labor, low levels of education, and underage marriage. Based in a single sector, few of these programs addressed the holistic, multi-disciplinary nature of the lives of young people. (Sathar et al. 2002: 1)

Here the challenges faced, other than poverty, unemployment, health, and other traditional concerns, is whether to identify oneself based on nationality or religion. This conundrum is apparent in youth from Afghanistan and India as well.

Youth consists of 30% of Nepali population and all have been affected by conflict and unemployment. This is similar to Sri Lanka. Though youth do not constitute a large percentage as Afghanistan, Pakistan or Bhutan, they have been affected by conflict and unemployment. Indeed,

Sri Lankan youth have figured prominently in the country's post-independence political landscape, particularly since the early 1970's. This is understandable

because rapid population growth in the country since the mid 1940's coupled with progressive social policies led to the emergence of a vast youthful population with high educational attainment and aspirations for social mobility. (Hettige and Mayer 2002:11)

Maldives has a largely young population, with approximately 40% of the population being defined as youth and they too face challenges regarding employment.

As noted in the quotation presented at the outset, "Young people face a number of critical life decisions between the ages of 15 and 24 that relate to a series of transitions to adulthood" (Sathar et al, 2002: 1). With individual countries perceiving security in terms of national security, there is less focus on youth and their human security concerns. Youth are often presented in terms of how they would harm the national security. Furthermore, whatever approaches are attempted, these appear to occur within the nation-state. Yet, as the above survey of different youth concerns indicate, the Human Security concerns of youth transcend boundaries. This is especially relevant when realizing that as inheritors of the land, they face trans-border concerns that affect them directly.

Only by examining Human Security concerns of youth can they be enticed away from militancy and rebellion to become potential activists for positive peace. The Human Security concerns of youth must be resolved within a nation-state and within a region, especially as it is apparent that their problems are often not limited to any nation-state. Poverty in Bangladesh, for example, result in youth migrating to India, exacerbating an already difficulty employment situation within India and increases tension between the migrants and locals. Moreover, instead of appearing as voiceless recipients of national policies, youth should be able to voice their concerns and become catalysts in an ongoing struggle to overcome their concerns regarding fear and in finding solutions. In the process, youth can become catalysts of positive change. By becoming activists for positive change, they can make a difference to their Human Security concerns, and vice versa, by benefiting from freedom from fear and freedom from want, they can become catalysts for peacebuilding.

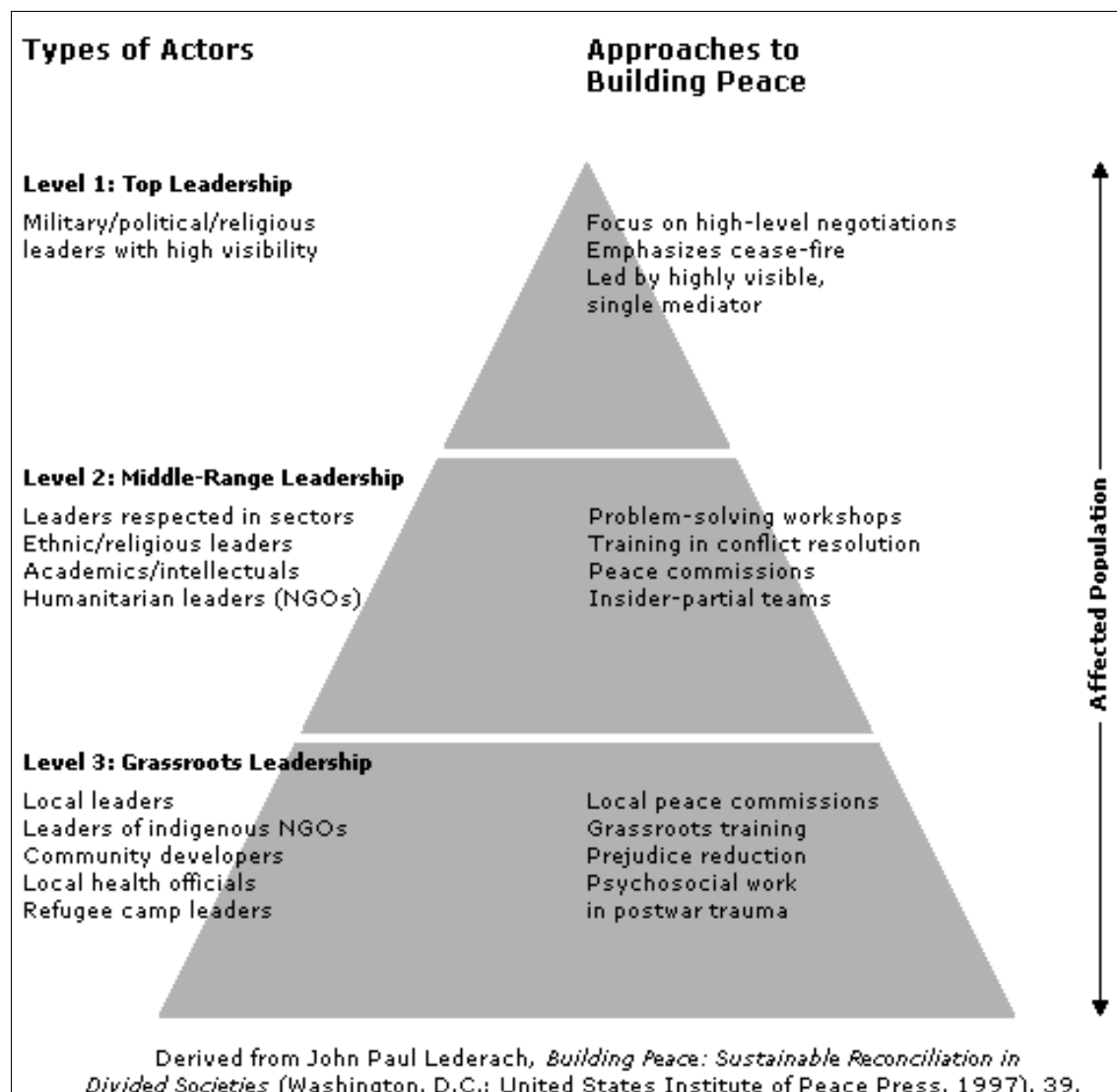
7. Youth as Catalysts for Peacebuilding

Youth as a cohort, do have the capability of becoming catalysts for peacebuilding. Even in the current context, youth in each of the South Asian nation-states have become active. To reiterate, the potential exists within youth as seen with the youth implemented Sano Paila plan under the Nepalese Youth for Climate (NYCA); the Bhutanese Youth for Climate Action (BYCA); the Afghanistan Social Aide Foundation (Active Afghan Youths); the Bangladesh Youth Environmental Initiative (BYEI); voicing environmental concerns as young activists in Kashmir or the more formal Indian Youth Climate Network (IYCN); Youth the Power of Pakistan; Beyond Borders Sri Lanka and the Green Movement, which are middle-level initiatives.

Youth can become catalysts for building peace either to achieve freedom from fear and freedom from want or to make use of these freedoms. However, they cannot achieve either objective without the assistance of all levels of society.

As noted by Lederach. Peacebuilding requires the participation of all levels of society (see Figure 1 below). That means youth as the grassroots along with the middle and elite levels. By becoming active participants instead of remaining silent beneficiaries or conflict victims or perpetrators because their Human Security needs were not secured, youth have the chance of making their voices heard. Within each of the nation-states depicted and even within the regional SAARC, most decisions regarding youth are top-down. The South Asia Youth Environment Network (SAYEN), which began in 2002, is one such example. This top-down attempt, whether within a country or as a region, does not take into account the real concerns of youth.

Figure 1: Lederach's Peacebuilding Pyramid



8. Conclusion

The nexus between youth and needs and conflict or, to rephrase, Human Security concerns and conflict and youth remains strong in all these countries. If youth do not have freedom from fear or want, they are liable to become participants of conflict.

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“Winner Takes All”: Opportunities and Challenges to the Government of Sri Lanka (GoSL) in Post-Conflict Peacebuilding in Sri Lanka

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1. Introduction

Sri Lanka celebrates its first anniversary of the end of conflict in 2010. The 2002 Memorandum of Understanding (MoU) between the Government of Sri Lanka (GoSL) and the Liberation Tigers of Tamil Eelam (LTTE) was unable to bring peace to the country due to its inborn failures. Even though there were some parties which were not invited to the negotiation table, Norwegian mediation efforts sought to create a ‘win-win’ situation between the GoSL and LTTE. Nonetheless the presence of some Tamil political parties and other military groups were in the arena, the LTTE called themselves as the “sole representative of the Tamil minority” in the conflict. However, due to potential failures of the 2002 peace process, the Sri Lankan conflict escalated to a new round of fighting in 2004 after the two year interval of conflict violence activities. Since 2006, the conflict reached its deadly phase as the GoSL’s “new strategic approach” to counter LTTE militants in north and east of the country. This scenario accelerated the conflict into a decisive and final phase when the GoSL militarily defeated its thirty year war enemies. This created a doubt among local and international academics and practitioners which gave rise to the question of “does winner take all?” This introductory paper raises the question of opportunities and challenges the GoSL facing in post conflict peacebuilding in Sri Lanka in the context of “winner”. Furthermore, the paper attempts to scan and illustrate post-conflict Sri Lankan situation in the context of ‘win-lost’ formula and to raise a discussion on post-conflict peacebuilding in Sri Lanka.

The first part of the paper briefs a general overview of the existing nature of post-

conflict peacebuilding in Sri Lanka in the context of “win-lost” nature. Moreover, it discusses the theoretical explanations of what William Zartman defines as “hurting stalemate” which describes the nature of the conflict parties in a conflict and their incentive to go for negotiation or war. Then it links with the contemporary theoretical discussion of Responsibility to Protect (R2P)¹ highlighting the GoSL’s primary responsibility to protect its civilians from all forms of violence as the immediate legitimate authority of Sri Lankan citizens. The part two of the paper discusses the failed peace process and the entering the war against the LTTE. It further reveals the potential issues of the international community in the peace process in 2002 and the strengthening of the GoSL to counter the “menace of terrorism” in the country. The next part explains the aftermath situation of the conflict which has been faced by the GoSL as an “immediate humanitarian assistance” to the thousands of conflict affected civilians in the north & east of the country. The fourth part of the paper examines the opportunities of the GoSL to rebuild the “deeply-divided” country both in national and international level. The last part analyses and illustrates potential challenges to the GoSL in order to restore the lasting peace in the country in which all citizens are equally beneficial after thirty years of prolonged conflict. Based on the above mentioned discussions and analysis the paper concludes the complex potential opportunities and challenges to the GoSL as the first government which totally defeated the ruthless terrorist group or the conflict party in the protracted conflict in the world. So in post-conflict peacebuilding in Sri Lanka can consider as a “unique case” in the contemporary international peacebuilding.

1. “Win-Lose” Nature and the Responsibility as a Legitimate Primary Actor to Citizens

In particular, many international human rights groups, well known media, academics,

¹¹ Report on the International Commission on Intervention and State Sovereignty, *The Responsibility to Protect* (Ottawa: International Development Research Centre, 2001).

think tanks and major countries constantly criticize(d) and called on the United Nations (UN) to control the “unhealthy and autocratic” behavior of the GoSL during its “humanitarian mission” as well as post-conflict scenario of the country. The triumph of GoSL in the conflict created fear and doubt among the local and international rights groups on the fate of thousands of conflict affected people in Sri Lanka. Human rights groups have given their keen attention on this issue and have even alleged violations of human rights by the GoSL’s humanitarian mission. Furthermore, a growing fear and doubt prevailed among the international community of the likelihood or possibility of that other countries will also follow the Sri Lankan case leading to mass violation of human rights and international law.

Human rights activists have highlighted that the existing political regime’s “aggressive” decision making stance and its direct influence over the security forces are increasing.² On the other hand the majority of Sinhala led civil society has been supporting the government to fight against ‘terrorists’ in the country and accepted the GoSL’s approach to the conflict while Tamil people tempered over the government’s “inhuman” activities. However, GOSL denies international community’s allegations and proceeding its own post-conflict reconstruction and rebuilding activities claiming that it is ‘locally owned.’ Post-conflict nature of the GoSL is very unique and conflict resolution and peacebuilding literature do not give much evidence in such cases in its history in the intrastate conflicts. In particular, since 2005 the GoSL has been strengthening its “challenged legitimate authority” against the international community over their failed peace efforts in 2002.

In addition, the GoSL publicly criticized Norway’s mistakes in the failed peace process which challenged country’s sovereignty and partiality to the LTTE. This public awareness of the failed peace process increased peoples’ total reaction against the LTTE and their supporters both in the domestic and international arena. One conflict resolution mechanism is the “winner takes all”³ concept which is originally applied in

² Human Rights Watch, *Sri Lanka: End witch Hunt Against the Media and NGOs*, March 10 2010 (Accessed on 20 July 2010 <http://www.hrw.org/en/news/2010/03/10/sri-lanka-end-witch-hunt-against-media-and-ngos>).

³ Oliver Ramsbotham, Tom Woodhouse and Hugh Miall, *Contemporary Conflict Resolution (2 ed.)*,

inter-state conflicts yet it is well applicable in the case of intra-state conflicts too. Therefore, in the case of Sri Lanka, it remains significant unanswered questions in intra-state conflict in the context of “winner takes all” due to rare cases of military endearing conflicts. Furthermore, it challenges to endless international peacebuilding operations deployed by the UN and other international bodies (NATO, African Union) in internal conflicts. Thus, it is timely important to investigate post-conflict Sri Lankan peacebuilding opportunities and challenges to explore new alternatives in the architecture of peacebuilding in internal conflict countries to establish sustainable peace.

However, it is important to note here that all contemporary peacebuilding projects should pay significant attention in establishing a “locally owned peace” or local ownership in conflict affected societies particularly in Africa and Asia. In the context of R2P, it is interesting to analyze and take notes on the “totally locally owned” Sri Lankan conflict transformation and post conflict peacebuilding efforts in order to ensure all citizens basic rights on standard international humanitarian laws and human rights norms. To establish the local ownership in post conflict societies, a legitimate authority and institutions have to be formulated and re/implemented in order to be functioning in the domestic social, political and legal order.⁴

Furthermore, it is questioned about required basic tools of peacebuilding to ensure democratic norms and values by ensuring human rights and international humanitarian law and regulations. According to Lotze and Coning

Building local ownership is ultimately about empowerment local actors to identifying their own needs and priorities and to lead, manage and monitor the change process. To attain this, several requirements must be met, including the creation of the space to participate, facilitating the development of the necessary skills and expertise, providing the required resources in a timely

(Cambridge: Polity Press, 2005).

⁴ Hideaki Shinoda, “The Difficulty and Importance of Local Ownership and Capacity Development in Peacebuilding,” *Hiroshima Peace Science*, vol. 30, 2008, pp. 95-115.

*manner, establishing and reinforcing the credibility of key stakeholders and providing the necessary political and strategic support as and where required.*⁵

Consequently, as mentioned above local ownership is one of the key components in establishing lasting peace. It allows all citizens to ensure their own socio-economic, political and cultural identities and rights among each other. According to these values and objectives of peacebuilding, it is worthwhile to brief on the failed peace process and its path to grave massive conflict in Sri Lanka.

2. The Sri Lankan Failed Peace Process and the Return to War

Norwegians led peace process originally showed a “win-win” situation to internal and international arena due to mediator’s ability to bring belligerent parties to the negotiation table and the absence of war and other forms of direct violence. However, in the middle of the peace process it was revealed that both conflict parties and mediators were losing their ultimate objectives of the process. As a result of that the civilians’ lives of the country were severely challenged and the breaching of basic rights of the civilians was increased even under monitoring of the mediators. Hence, the failed peace process was defined as a ‘lost-lost’ situation by the local and international experts. This lost-lost nature led to deterioration of the civilians’ basic needs and rights particularly in north and east of the country. On the contrary, it could be argued that the failed peace process created a win-lost situation because during the entire process the LTTE strengthened its own military including weapons and human resources, financial and political capacities while the GoSL was weak on its legitimate authority over all citizens and in keeping the internal socio-economic and political order.⁶ Moreover, the GoSL’s military weakness including physical and human

⁵ W. Lotze, and C. De Coning, 2010 “Looking back When Looking Forward: Peacebuilding Policy Approaches and Process in Africa,” *Journal of Peacebuilding and Development*, Vol-5, No. 2, United Nations Peacebuilding Support Office, p.111; and Ramsbotham, Woodhouse, and Miall, *op. cit.*

⁶ C. Orjuela,, “Domesticating Tigers: The LTTE and Peacemaking in Sri Lanka” in B.W. Dayton (ed.),

resources was beneficial to the LTTE as it enhanced its military networks in the entire country as well as the international arena by engaging in peace talks. This situation intensified the vulnerability of civilian life as both the GoSL and the LTTE “systematically” neglected the basic rights of the civilians. Both the GoSL and the LTTE totally engaged in fighting with each other rather than restoring normalcy in the country.⁷

On the other hand, it can be noted that since 1990s there were some internal attempts to find a peaceful solution to the conflict. However, those efforts were ended in serious wars between the GoSL and the LTTE. The GoSL launched massive military operations against the LTTE and the LTTE had conducted its offensive or counter attacks against the GoSL too. Conversely, after 9/11 “terrorist attack” in the USA, the global recognition on the LTTE changed. The USA, Canada and the EU countries banned the LTTE as a terrorist organization in their countries. American President, Bush’s “war on Terror” policy had directly affected the LTTE. The LTTE’s demands and its justifications as a rebel movement were ignored by some western countries and regional powers in the context of LTTE as a terrorist organization. LTTE was further labeled as the “deadliest terrorist group” in the world. The war on terror international scenario dropped down the LTTE’s reputation and their vicious conducting against the majority civilians in the country.

In parallel, the instability of domestic political and economic structures directly affected the GoSL and forced them to go to the negotiation table for peace. According to Touval and Zartman⁸ this situation could be described as ‘mutually hurting stalemates’ as each party had doubts about their ability to achieve expected goals through fighting. By 2001 both sides shared a strategic perception that the conflict had arrived at a military stalemate. The GoSL and the LTTE decided to go to the

Conflict Transformation and Peacebuilding: Moving from Violence to Sustainable Peace (London: Routledge, 2009), pp. 252-269

⁷ A.G. Bose, and E.E.H. Harmell “Improving Post-Conflict Coordination between Prosecutors, UN Panels of Experts and Truth Commissions,” *Journal of Peacebuilding and Development*, Vol. 5, No. 2, United Nations Peacebuilding Support Office, 2010.

⁸ S. Touval and I.W. Zartman, “International mediation in the Post-Cold war Era” in C.A. Croker, F.O.Hampson and P.Aall (eds.), *Tribulent Peace: Challenges of Managing International Conflicts* (Washington, D.C.: United Nations Institute of Peace Press, 2001), pp. 427-443.

negotiation table in 2002 with the support of the Norwegians. Ramsbotham, Woodhouse and Miall⁹ further describe this going to the negotiation table as compromising other party's interests. It helps conflict parties to prevent the "zero-sum" or self gain over the other's interests. In the case of Sri Lanka, however, the conflict was concluded in a "zero-sum" nature.

Therefore, the peace process came to an abrupt end in December, 2007 with the GoSL unilaterally pulling out of the Cease Fire Agreement (CFA). The five year long, Norway mediated CFA brought the main conflict parties to the negotiation table by holding the twenty five year old ethnic conflict. There were six rounds of peace talks between the conflict parties in order to strengthen the proposed conditions of the agreement. During the peace process, Norway started the resettlement of the IDPs and refugees who were directly affected by the conflict. Sri Lankan economy also quickly recovered and growth rate significantly increased when compared to pre CFA.¹⁰ Moreover, the social mobilization among all ethnic groups in the country increased. LTTE and its carders were able to mobilize around the country and demonstrate their "militarized political interests" among citizens of the county. Especially, social mobilization helped civilians to exchange their social and cultural values and improved their basic needs too.

Despite the short term relative success, the entire peace process revealed a gap between root causes of the conflict and solutions ushered in the peace process. Uyangoda¹¹ points out that the peace process has led to an escalation of massive violations of human rights during the CFA. Both parties in the conflict were unable to agree and establish any stable institutional body to address the root-causes of the conflict rather than their "hidden political agendas." Lack of fortify and legitimacy and inborn weakness of the peace process did not help the GoSL and the LTTE to move to a viable negotiated agreement. It has brought a "lost-lost" situation to the conflict

⁹ *Ibid.*

¹⁰ Bose, S., 2007. *Contested Land; Israel-Palestine, Kashmir, Bosnia, Cyprus and Sri Lanka*, Harvard University Press, Cambridge, Massachusetts, London.

¹¹ J. Uyangoda, "Beyond Negotiations: Towards Transformative Peace in Sri Lanka," *Marga Journal*, Colombo Vol. 1, No. 1, 2003, pp. 47-78.

parties since 2006. At the beginning, the LTTE had showed its own strengths against the GoSL. However, in 2007 the GoSL significantly increased its capacity against the LTTE and won the majority of civil society's support to carry out its so called humanitarian operations against the LTTE. As a result, the GOSL successfully completed its two major humanitarian missions from 2006 to 2009 one in east and the other in north of the country to counter the menace of the LTTE.

3. Ending the Military Conflict

Even though conflict resolution theorists widely believe that a successful end to a conflict could be brought through negotiated peace process, the case of Sri Lanka did not prove fruitful.¹² On the contrary, in May 2009, the GoSL military defeated the LTTE by claiming that all local leaders of the LTTE were killed and that they had rescued more than 300,000 civilians who were used by the LTTE as a human shield during the war. Furthermore, the GOSL pointed out that the operation was “the world's largest human rescue” from a manmade disaster.¹³ At the end of the war, there had been a massive need for an immediate humanitarian response for the thousands of war affected peoples' basic needs including medical assistance, water, food, clothes and shelter. The latter part of the war experienced heavy monsoon rains and other adverse climate condition difficulties in northern Sri Lanka and thousands of rescued people faced a lot of difficulties in their day to day lives.

As Galtung¹⁴ says the end of the conflict does not bring total peace and harmony for the affected civilians in the society until it deals with root-causes or structural issues of the conflict. This scenario was clearly manifested just after the

¹² Camilla Orjuela, *The Identity Politics of Peacebuilding: Civil society in War-torn Sri Lanka* (Los Angeles: Sage Publications, 2003).

¹³ Sri Lanka Rupavahini Cooperation, *World Largest Human Rescue*, May 16 2010, SLRC, Colombo; and Ministry of Defence, *President Appoints Lesson and Reconciliation Commission Learnt*, May 17 2010, Ministry of Defence (http://www.defence.lk/new.asp?fname=20100517_07 Accessed on June 02, 2010).

¹⁴ J. Galtung, “Violence, Peace and Peace Research,” *Journal of Peace Research*, vol. 6, 1967.

conflict in Sri Lanka. The absence of war brought a “non violence peace” while creating a bulk of immediate humanitarian needs and psycho-social, economic, political and human rights issues particularly in conflict affected areas in Sri Lanka. As long as the government could not deal with the above mentioned issues of the conflict, there is a possibility of returning to conflict within a decade or so.¹⁵ This scenario directly applies to the case of Sri Lanka as one of the results of win-lost.

Civilians who were directly affected by the conflict suffered from huge immediate humanitarian needs. According to UN sources and rights groups report¹⁶ there were more than 300000 IDPs during the last five months of the conflict in 2009. Apart from the civilians that there were directly affected by the conflict, there are also hundreds and thousands of civilians that were indirectly affected in the country. This human catastrophe and its effects on victims of the conflict are the primary responsibilities of the parties in the conflict. In particular, even though there are more than 10,000 LTTE suspects who are under controlled of the government forces, there could not be seen any of LTTE’s organizational body or authority that could be held responsible of their ex-combatants and post-conflict activities after May 2009. It is true that the LTTE’s military capacity and capability were totally paralyzed in the country and none of its top members could take leadership responsibility on their side. Therefore, the GoSL, as a legitimate authority over the citizens of the country has the prime responsibility to deal with post-conflict issues faced by the victims of the conflict. From here onwards the article discusses how the GoSL has been dealing with

¹⁵ Sumantra Bose, *Contested Lands: Israel-Palestine, Kashmir, Bosnia, Cyprus and Sri Lanka* (London: Harvard university Press, 2007).

¹⁶ International Crisis Group, *War Crimes in Sri Lanka*, May 17 2010 (Accessed on 10 August 2010 <http://www.crisisgroup.org/en/regions/asia/south-asia/sri-lanka/191-war-crimes-in-sri-lanka.aspx>); Human Rights Watch, *Sri Lanka: End Indefinite Detention of Tamil Tiger Suspects*, February 1 2010 (Accessed on 20 July 2010 <http://www.hrw.org/en/news/2010/01/29/sri-lanka-end-indefinite-detention-tamil-tiger-suspects>); Human Rights Watch, *Sri Lanka Government Proposal Won’t Address War Crimes UN Secretary-General Should Establish International Investigation*, May 7 2010 (Accessed on 20 July 2010 <http://www.hrw.org/en/news/2010/05/07/sri-lanka-government-proposal-won-t-address-war-crimes>); Human Rights Watch, *Q&A on Accountability for Violations of international Humanitarian Law in Sri Lanka*, May 20 2010 (Accessed on 20 July 2010 <http://www.hrw.org/en/news/2010/05/20/q-accountability-violations-international-humanitarian-law-sri-lanka>); Human Rights Watch, *Sri Lanka: New Evidence of Wartime Abuses*, May 20 2010 (Accessed on 12 July 2010 <http://www.hrw.org/en/news/2010/05/20/sri-lanka-new-evidence-wartime-abuses>).

post-conflict issues as the primary legitimate actor of the state.

4. The Government of Sri Lanka`s Opportunities as the Winner

The opportunities open to the GoSL are relatively limited when compared to the challenges. It is important to divide opportunities into two sections based on internal and international developments. As one of the main arguments of the article, internal opportunities are more significant than the international opportunities. During the failed peace process, it was noted both the GoSL and the LTTE were benefitted from the international community in their own agendas. However, the internal atmosphere was not totally supportive to carry out the peace process due to various socio-political issues of the Sri Lankan civil society. Based on national patriotic nature, the Rajapaksa government took an advantage to aware civilians against the brutality of the LTTE militancy by using state media. The atrocious activities of the LTTE against the civilians created opportunities to the GoSL while the international community was challenged over its “unclear” peace engagement.

Having said so, the main opportunity to the GoSL was the majority Sinhala community’s support to carry out its military operations against the LTTE. As a result of the failed peace process in 2002 the GoSL was able to win the majority peoples’ support against the LTTE. It is noteworthy, the spilt of LTTE eastern leader, Karuna Amman, in 2004 was a political advantage to the GoSL to win harts of Tamil civilians especially, in the eastern region. In addition to that, the Tamils who live in that area where the GoSL controlled supported the government to carry out “humanitarian missions” against the LTTE because they were continuously abused by the LTTE in many ways. Mostly, Tamil community harshly condemned the LTTE’s abduction of children and forcible child recruitment into the organization.¹⁷ Child abduction and

¹⁷ University Teachers for Human Rights, “The Plight of Child Conscripts, Social Degradation & Anti-Muslim Frenzy,” July 2002, *Special Report No: 14* (<http://www.uthr.org/SpecialReports/spreport14.htm> Accessed on 20 October 2010); and

forceful recruitment created anger among Tamils over the LTTE. Particularly, moderate Tamil civil organizations blamed the international community and its various actors over breaching of civilians' human rights in the name of peace. "While agencies were watching the military balance, there has been a steady decline of democratic and human rights, especially as regards political opponents, women and children"¹⁸

At the end of 2005, LTTE carried out series of bomb attacks in crowded cities and killed hundreds of civilians without a justifiable reason. The LTTE's "unnecessary" and indiscriminate violent activities led to increase civilians' anger against the LTTE. Thus, majority of the society, especially Sinhalese, demanded the GoSL to solve the issue of the LTTE. In addition, the majority of civilians had doubt on the peace process and the violent behaviour of the LTTE. Moreover, the GoSL and its leadership were able to receive the political support of radical, moderate and extremist national political parties in the country to demonstrate its military interests against the LTTE. Those parties supported the GoSL to keep "stable" political authority in the parliament. Even though there were relatively unstable economy and negative consequences on the lives of civilians, most of them believed in the government's leadership in overcoming the menace of the LTTE by coping with difficulties in their day to day life.

These developments provided an opportunity and encouraged the government to carry out its military activities against the LTTE. The strongest support from the majority civilians gave an extra power to the GoSL to carry out its so called "humanitarian mission" against the LTTE. Furthermore, it helped to allocate a significant amount of financial aid from the national budget. There was nearly 3-4% growth of Gross National Product (GDP) for the fiscal year 2008 and 2009. Reelection of President Rajapaksa in a landslide victory in the Presidential Election of 2010

University Teachers for Human Rights, "Child Conscription and Peace; A Tragedy of Contradictions," July 2003, *Special Report No: 16* (<http://www.uthr.org/SpecialReports/spreport16.htm> Accessed on 20 October 2010).

¹⁸ University Teachers for Human Rights, "Child Conscription and Peace; A Tragedy of Contradictions," July 2003, *Special Report No: 16* (<http://www.uthr.org/SpecialReports/spreport16.htm> Accessed on 20 October 2010).

further proved the majority civil society's support for the GoSL. The article argues that electoral conduct clearly demonstrates and ensures the GoSL's local ownership of the peacebuilding as the primary legitimate authority of the citizens, though it is not accepted by the international rights groups as an appropriate measure to restore the lasting peace in the country.¹⁹ Nevertheless, the GoSL was able to increase members of its security forces with the high public support to enhance public security against the LTTE violent activities especially, in the majority Sinhala living southern urban areas. This situation further forces international community to re-examine its roles in the failed peace process and post-conflict peacebuilding in Sri Lanka.

The patriotic leadership of the country united diverse socio-economic, cultural and political ideologist communities and groups into a main goal of elimination of menace of terrorist from the country. Having experienced politically and socially weak leaderships since independence of the country, the highly patriotic oriented leadership is one of the main opportunities to the GoSL. It is said that the country has been seeking a patriotic leadership since 1950s and the President Mahinda Rajapaksa took the advantage of it. Apart from that, Sri Lankan historians reveal on existing historical trend that the country used to suffer from unstable socio-political issues for thirty or forty years and then one of the leaders emerged in the Southern Sri Lanka would rescue the country from all difficulties. According to that view, the president Rajapaksa hailing from Southern Sri Lanka and majority Sinhala Buddhists used to believe those historical traditions. They justify and promote the leadership of Rajapaksa in order to create a strong patriotic leadership which aims to eliminate menace of terrorism and establish a unitary country for all citizens.

¹⁹ International Crisis Group, *War Crimes in Sri Lanka*, May 17 2010 (Accessed on 10 August 2010 <http://www.crisisgroup.org/en/regions/asia/south-asia/sri-lanka/191-war-crimes-in-sri-lanka.aspx>); Human Rights Watch, *Sri Lanka: End Indefinite Detention of Tamil Tiger Suspects*, February 1 2010 (Accessed on 20 July 2010 <http://www.hrw.org/en/news/2010/01/29/sri-lanka-end-indefinite-detention-tamil-tiger-suspects>); Human Rights Watch, *Sri Lanka Government Proposal Won't Address War Crimes UN Secretary-General Should Establish International Investigation*, May 7 2010 (Accessed on 20 July 2010 <http://www.hrw.org/en/news/2010/05/07/sri-lanka-government-proposal-won-t-address-war-crimes>).

Internal power struggles among leaders of the LTTE created another “plus opportunity” for the government to get weaken the organizational functions of the LTTE. In particular, the split of the eastern leader and his subordinates gave an advantage to the Sri Lankan Army (SLA) and the GoSL during and aftermath of the conflict. Those internal issues of the LTTE weaken the organization which led to the dividing of the Tamil civilian support for the LTTE. SLA was able to access the LTTE’s military information (storage of Arms, number of carders, suicide carders and their immediate targets and their locations, daily routings of top leaders) and their strategic locations against the government. In 2008, the LTTE pointed out that their belligerents used their own resources against them. Furthermore, this situation directly influenced the entire establishment of LTTE and a considerable core of LTTE carders surrendered the SLA. Meantime those surrendered carders played as counter propaganda speakers against the LTTE and it sternly affected the LTTE’s international propaganda mechanism (especially on the LTTE’s human rights violations and child abduction and underage recruitment). Aftermath of the conflict the SLA and the GoSL deployed those former surrendered LTTE combatants to carry out minor administrative activities in transit camps under supervision of the SLA.

It is said that the GoSL and its security forces’ strategic approach in humanitarian missions over the LTTE was highly advanced. For instance, the building of morality in politically discolored security forces was well organized and implemented. Furthermore, second, third and fourth layers of forces were changed according to the performance of individuals. Basic facilities and wages of security forces were increased. This helped to enhance the reputation of the security forces by making them patriotic towards their country and its citizens. This nature encouraged young citizens to join security forces and military recruitment. It was more than doubled when compared to previous records particularly during the failed peace process. This increase was a strong physical opportunity to the GoSL in carrying out its military operations against the LTTE. The aftermath of the conflict saw the employment of a considerable amount of military personal in reconstruction activities in conflict affected areas in the north. The opportunity of skilled military forces has

steadily been employed in demining activities and related clearance activities. Moreover, this progressive situation has contributed to keep in time resettlement of IDPs in their homelands and improve the national security in areas where insurgents had planted thousands of land mines and other military equipment.

In discussing the international opportunities open to the GoSL, the stable regional relations particularly with the regional super powers of India and Pakistan are very significant. It is a widespread truth that in the 1980s India and Sri Lanka did not maintain steady diplomatic relations. Thus, India helped the LTTE to strengthen their military stabilization.²⁰ However, the assassination of prominent Indian Prime Minister, Rajiv Gandhi by the LTTE changed India's diplomatic relations with Sri Lanka. Furthermore, India suspended its military and other assistance to the LTTE and started counter operations against "South Asian terrorism." It directly affected the LTTE and its activities on Indian soil against the GoSL. India's policy against LTTE created close and cordial relationship between India and Sri Lanka. The importance of this positive diplomatic relations can be fully understood in relation to the failed peace process. From the beginning, India did not support the Norwegians brokered peace due to extra regional influences in the region. In this context, the GoSL was careful at the beginning of the mission and used to be advised from India in a more transparent manner. This approach was highly appreciated by India and extended its continuous military and strategic support to Sri Lanka. However, at the end of 2008, there were significant protests against the central government of India from the southern Indian state of Tamilnadu where majority of inhabitants are Tamil. Also, nearly 300,000 Sri Lankan Tamil refugees are living in Tamilnadu. Still, India was able to manage those reactions by winning the general election on 16 May 2009, just three days before the defeating of the LTTE in the north of Sri Lanka.

India positively pushes the GoSL to take stable political actions to establish sustainable peace for all ethnic groups in the country. To do so, Indian higher level diplomats including Minister of External Affairs, Secretary to the Minister of External Affairs, advisors of external affairs to the Prime Minister of India and other officials

²⁰ Bose, *Contested Lands*, p. 54.

visited Sri Lanka and closely monitored the GoSL's activities in the northern and eastern parts of the country. As a recent development of India's relationship indicated by opening two new regional Indian consulate offices in the northern, Jaffna and the southern, Hambanthota in order to meet local people's need and expand the Indian "active involvements" in public.

At the opening occasion, the Indian External Minister stated that India's friendship with Sri Lanka is based on its historical ties, civilization and culture. In spite of this, political analysts of South Asia states that the Indian close ties with Sri Lanka go beyond historical relations, focusing more on regional geo-political competitors such as China and Pakistan. "India agreed to provide US\$1.7 billion through loans and aid over a period of three years starting from 2011. Out of this total assistance, some US\$416 million credit will be used to rebuild the railway system in the Northern Province and the balance will be spent on several key projects."²¹ Contrary to global actors of the international community, India fully agrees and blesses the GoSL's resettlement efforts during the last one and half year.

However, it is reported that at the latter part of the war, India prevented its military assistance to Sri Lanka due to continued protests of Tamilnadu. At that time, Pakistan increased and continued its military supplies to Sri Lanka without any resistance from India. This friendly relationship helps Sri Lanka to enhance its military capacities against the terrorism. Therefore, Pakistan provided military equipment and technical support (human resource training), economic cooperation and education exchange between the two countries. In particular, both countries have signed two bilateral agreements in 2005 in order to enhance socio-economic sectors of two countries. When India experienced its internal political challenges over assistance to Sri Lanka, Pakistan came out and increased and continued its military supplies to Sri Lanka.

Meanwhile, India did not raise any objection against Pakistan military support to Sri Lanka. According to those developments, South Asian regional political analysts

²¹ A. Hemanthagama, "Krishna's visit strengthen Indo – Sri Lanka Relations," *Asian Tribune*, 27 November 2010, (Accessed on November 28, 2010 <http://www.asiantribune.com/news/2010/11/27/krishna%E2%80%99s-visit-strengthen-into-%E2%80%93-sri-lanka-relations>).

concluded that Sri Lanka was able to highly benefit from South Asian super powers after 30 years of the conflict. To establish the regional stability and peace, the South Asian super powers have “a common agenda” to eliminate menace of terrorism in the region. Therefore, the common agenda against terrorism is beneficial to Sri Lanka to continue its humanitarian mission and post-conflict peacebuilding activities since May 2009.

The global policy of war on terror gave “an international golden key” to the GoSL to counter the globally dominated LTTE. This opportunity has been used by the GoSL to overcome physically, strategically and skillfully strong LTTE in a diverse way. For instance, 9/11 was one of the main setbacks to the LTTE and major European countries (Canada, EU countries and USA) and Australia banned the LTEE as a terrorist organization. This action seized almost all activities of the LTTE in those countries. Taking advantage of this situation, the GoSL launched a massive counter information propagation mission against the LTTE among the actors of international community. In particular, the government established and reformatted the Ministry of Defense website²² against the LTTE’s main propaganda machine of Tamil Net²³ which disseminates biased information on the conflict and conflict affected civilians. Furthermore, the GoSL took advantage of international think tank reports on LTTE’s child abuses and forceful recruitments of children. Recently it was proved by one of the LTTE leaders, Kumaran Pathmanathan (KP) who confessed that their diaspora and fundraising activities were blocked and some accounts of the LTTE were suspended due to the GoSL’s counter activities around the world. Even though some of western countries stood against Sri Lanka in the latter part of the conflict, most of them were keeping silence over the GoSL military missions against the LTTE as a group of terrorist.

Another external opportunity is the GoSL’s alternative foreign policy strategies to non conventional countries. Particularly, as a former colony of Great Britain, Sri Lanka used to follow the British policy approaches and suggestions in dealing with

²² Ministry of Defence website (www.defence.lk).

²³ Tamilnet website (www.tamilnet.com).

socio-economic and political issues in the country. On the contrary, the present president of Sri Lanka and his government merely ignored British advice and suggestions on the conflict. The urgent diplomatic visit of former British Secretary of the Foreign Affairs which was focused on finding negotiation ground for ceasefire during the last phase of the conflict clearly indicated the GoSL's diplomatic ignorance of British advice on the conflict. Furthermore, France and the Scandinavian countries were also treated in the same way. As a result of this diplomatic kick-up, Sweden had closed her embassy in Sri Lanka in March 2010.

The GoSL has strengthened its relations with traditional friends like China, having had enormous support amounting to millions of dollars worth of military as well as humanitarian assistances. Even though, historically Japan is the biggest single donor of Sri Lanka, during the last months and aftermath of the conflict. China became a key actor in post-conflict peacebuilding in Sri Lanka. Furthermore, China has invested large scale macro economic development projects in both north and south in Sri Lanka. Providing multimillions of military hardware in loan basis as well as humanitarian assistances, China extended her assistance during the conflict and post-conflict peacebuilding.²⁴

China provided immediate humanitarian assistance including temporary shelters, sanitation facilities and highly efficient demining equipment immediately after the end of conflict. China's timely assistance to Sri Lanka during and aftermath of the war establishes a higher reputation for China among civil society and other countries. In addition to that, China has invested a set of large scale massive macro economic development projects of state own as well as private sector own in both northern and the southern areas in Sri Lanka. Newly constructed and opened the world's biggest in-land harbor is significant in Chinese development assistance in post-conflict Sri Lanka. It is said that China invested US \$ 1.5bn to build the port. "The port will drive the country towards its goal of becoming one of the five global mega hubs in the world, amidst the Pacific Coast, Atlantic Coast, European and Far Eastern mega

²⁴ TamilNet, *Norway finances Humiliation of Tamils*, Wednesday, 18 November 2009, (<http://www.tamilnet.com/art.html?catid=79&artid=30631>, Accessed on 2 Sep 2010).

hubs.”²⁵ The port is built by the state-run- China Harbour Engineering Company and Sinohydro Corporation.

Also, Sri Lanka was defended by China in the UN Security Council (UNSC) and human rights sessions against other permanent members’ proposals and criticisms. Even though historically Japan is the biggest single donor of Sri Lanka, it followed other Western powers and voted against Sri Lanka at the UN human rights council during the last phase and aftermath of the conflict. This allowed China to dominate its involvement in post-conflict scenario. Sri Lankan state own media highlighted China as a “real friend” who supports Sri Lanka in difficult times. Consequently, it seems that the majority of Sri Lankan society recognized and appreciated China’s role in post-conflict peacebuilding in Sri Lanka. This alternative foreign policy interests made new global friends including Argentina, Iran, Libya, Myanmar Ukraine and Vietnam. Apart from that, the GoSL was sure to keep its historical relationship with Russia which supported Sri Lanka when UN human rights council discusses about Sri Lankan human rights violations in 2008 and 2009.

5. The Government of Sri Lanka`s Challenges as the Winner

When talking about challenges in the context of Sri Lanka, the winner in the conflict which was the GoSL, has been facing significant challenges since May 2009. In other words, to implement a set of peacebuilding activities such as changes in post conflict policy instruments supporting political process and reconciliation and national healing have become the main challenges to the GoSL. “Building the structural apparatus of the state in a post-conflict situation, therefore, must also be balanced by efforts directed towards the building of trust and accountability between governments and their

²⁵ Hemanthagama, A., 27 November 2010. *Krishna’s visit strengthen Indo – Sri Lanka Relations*, Asian Tribune (Accessed on November 28, 2010 <http://www.asiantribune.com/news/2010/11/27/krishna%E2%80%99s-visit-strengthen-indo-%E2%80%93-sri-lanka-relations>)

constituents.”²⁶ In order to build trust and accountability among conflict affected civilians, the GoSL has launched several activities from the phase of military missions. Despite relative success of those “limited activities” there could be seen a bulk of core activities which have to be focused on years long root causes of the conflict.

The GoSL’s military operations have concluded the prolong conflict in less than three years. However, establishing positive peace²⁷ which address all structural issues of the victims and perpetrators of the conflict are not straightforward. The victims of the conflict demand their basic human rights and justice against the perpetrators. Also the perpetrators demand their basic human rights including amnesty and reputation in the society. In contrary, the public, political parties and international rights groups demand the GoSL to prosecute those who are responsible for violation of human rights during the conflict and introduce political reforms in order to ensure political rights of all citizens of the country. Moreover, the GoSL has concerned on how to strength the national security to prevent from another form of terrorist or insurgent threats.

Basically, challenges emerging from planning, implementing, monitoring and evaluating peacebuilding activities in the aftermath of the conflict. Without any international peace agreement or mandate the GoSL has to implement its own activities to establish durable peace in the country where multi ethnic communities are expecting to enjoy equal rights and opportunities in the society. Therefore, the GoSL has to win the hearts of all ethnic groups of the country to establish a durable peace. Particularly, the government needs to address all surface and in depth issues of the directly conflict affected Tamil, Sinhala and Muslim civilians in the northern and eastern parts of the country. Even though the GoSL says that they are in the process of making “indigenous” or “Sri Lankan own model” of peacebuilding, the article argues that it is the main challenge to the GoSL to implement or build transparent and accountable peace with lesser support of International Community. Many developed western nations challenged the GoSL’s “mischievous” behavior during the military mission and its aftermath.

²⁶ Lotze and Coning, *op. cit.*

²⁷ Galtung, *op. cit.*

Indeed establishing and maintaining the normalcy in the country is the other main challenge to the GoSL, particularly in severely conflict affected northern areas where the infrastructure and civilian life were totally damaged. More than 90% of civilians' properties were destroyed and other public facilities such as roads, hospitals, schools, irrigation system and other livelihood institutions are completely malfunctioned due to heavy conflict.²⁸ As an immediate response to the root causes of the conflict there is need to fulfill the basic needs of the victims of the conflict.²⁹ Therefore, the resettlement of all IDPs and demobilization and reintegration of ex-LTTE carders into the main stream society are main obstacles for the GoSL's move to restore normalcy. According to BBC reports on the opinion of intellectuals the "displaced people are not happy as there are no livelihood programmes. They lost everything, especially in the mainland Wanni region."³⁰ Hence, the GoSL has to go deeper into addressing the resettlement of civilian life in a more comprehensive manner.

In addition to the above mentioned challenges there could be seen an existing psychological traumatize among the majority of war victims in the northern parts of the country. Tamil net revealed that as "collective trauma in the Wanni – a qualitative inquiry into the mental health of the internally displaced due to the civil war in Sri Lanka has to be considered in the agenda of development."³¹ Thus, massive development projects launched by the GoSL and sponsored by China, India and other international organizations need to commit the GOSL's serious attention on "the dimensions of the psychiatric crisis in the nation of Eezham Tamils as a result of the trauma inflicted on them by the war."³²

Negligence of these psychological issues has been clearly shown by the GoSL's

²⁸ M. Ganguly, *Sri Lanka's Displaced: The Political Vice*, April 8, 2009, Human Rights Watch (Accessed on 25 August 2010 <http://www.hrw.org/en/news/2009/04/08/sri-lanka-s-displaced-political-vice>) and observation and Interview with resettled civilians in Jaffna, 5 February 2010.

²⁹ Lotze and Coning, *op. cit.*

³⁰ S. Natarajan, *Displaced Tamils demand a better life*, January 23 2010, BBC (Accessed on 12 August 2010 http://news.bbc.co.uk/2/hi/south_asia/8470878.stm).

³¹ TamilNet, "Development' Conquistadors have no Appetite for Psychological need of Eszham Tamils," August 20 2010 (Accessed on 27 August <http://www.tamilnet.com/art.html?catid=79&artid=32458>).

³² *Ibid.*

newly appointed “Uthuru Sanwardana Janadipathi Karya Sadaka Balakaya” (North Development Presidential Task Force- NDPTF) and its Sinhala and Tamil ethnic participation. Almost all the administrative structure and authority have been constructed in favour of the GoSL. The authority of the NDPTF was given to the retired army personnels and henchmen of the GoSL. Even though the NDPTF is totally for majority Tamil living in northern area, more than 80% of the members are compromised with Sinhalese. So, these reconstruction activities initiated are not successfully contributed to reconciliation and establishing normalcy in the country.

This developing situation has been revealed by the civilians and religious leaders who are recently resettled in the northern. By giving testimonials in front of the Lessons Learnt and Reconciliation Commission (LLRC) one of religious leaders expressed that there could be a possibility to emerge demographic changes and “land colonization” through the GoSL’s existing activities. It further reveals that the presence of military personnels and continuous political influences could establish highly militarized and politicized civil administration which creates “a fear and tension amongst the majority Tamil community, who feel they are being marginalized in favour of those known to influential politicians of the government.”³³

In this context, the GoSL and its members have to transfer the ownership of the humanitarian and development projects immediately to those who are living and to directly benefitting from the initiatives.³⁴ If the situation continued, there could be a possibility of creating an unhealthy environment among locals over their livelihood activities which have been occupied by the military forces. Moreover, the international and local civil society organizations and agencies would reluctant to fund for those military launched activities due to the minimum or zero participation of the civilians.³⁵

³³ TamilNet, “146,679 Vanni People Missing within a Year of War: Bishop of Mannaar,” Wednesday, 12 January 2011 (Accessed on 14 January 2011 <http://www.tamilnet.com/art.html?catid=13&artid=33380>).

³⁴ Human Rights Watch, *Sri Lanka: US Report Shows No Progress on Accountability*, August 11 2010 (Accessed on 25 August 2010 <http://www.crisisgroup.org/en/regions/asia/south-asia/sri-lanka/B099-sri-lanka-a-bitter-peace.aspx>).

³⁵ S.W.R. de A. Samarasinghe, “Sri Lanka: The Challenge of Postwar Peace Building, State Building and Nation Building” in John Coakley (ed.) *Pathways from Ethnic Conflict; Institutional Redesign in Divided Societies* (London and New York: Routledge Taylor and Francis Group, 2010), pp. 175-200.

This would be a “serious” problem to the GoSL because there is still an existing mistrust with government by Tamils in the northern areas. Hence, the post conflict peacebuilding activities do not reflect local ownership of Tamil rather it’s a “dominated national ownership” over powerless conflict victims.³⁶ Based on that, the article argues that the GoSL was not able to establish a proper mechanism or strategic approach or policy framework to deal with those “sensitive” and “very influential” issues in the entire post-conflict peacebuilding project.

Building confidence among different ethnic groups and civilians in order to expel the feeling of politically discriminated is another significant challenge for the GoSL. The years long mistrust and suspicion between two ethnic groups cannot be easily taken away from the minds of each group. Therefore, the government has to make genuine efforts to build trust between two groups without politically manipulating them. It could be seen that just after the conflict the Southern civil society came forward and assisted conflict affected Tamils by supplying immediate basic needs.

This situation opened a channel of communication between civilians of the two ethnic groups to see each other and to reestablish preliminary relations with each other. The GoSL further needs to enhance those socio-cultural links among civilians to build confidence in each other. Therefore, the resettlement of IDPs and reintegration of ex-LTTE carders in to the mainstream society would be another major challenge for the government.

It is estimated that there are more than 10,000 ex-LTTE combatants³⁷ who are

³⁶ A. Ethirajan, “Fear and Anxiety in battered Tamil City,” February 1, 2010, BBC, (Accessed on 25 August 2010 http://news.bbc.co.uk/2/hi/south_asia/8491120.stm).

³⁷ The actual number of ex-LTTE combatants is yet to be confirmed. The UN organs, the BBC and international human rights groups noted that there are more than 12000 ex-combatons being camped under military control. In contrary the government authorities and Ministers have reveled different numbers of ex-combatants at different occasions. “For example, in an interview with the Sunday Observer of 1st August 2010, Minister D. E. W. Gunasekera was quoted as saying there 7000 ex combatants in custody out of an initial number of 12,000 at the end of the war. However, the Minister was quoted in the Divaina of 15th Sept. 2010 as saying 4000 out of 12,000 had been rehabilitated and released implying a number of 8000 that remained detained. On 10th August, Government MP Rajiva Wijesinghe was quoted by IRIN as saying 6900 continue to be detained out of an initial number of 11,000 LTTE fighters that were detained.” In TamilNet, “146,679 Vanni people missing within a year of war: Bishop of Mannaar,” Wednesday, 12 January 2011 (Accessed on 14 January 2011

“detained” or kept in special camps in northern area of the country. Many of ex-combatants are youth and 40% of them are women. A well established and strategic implementation plan is needed to deal with those ex-combatants as it is not an easy task to keep them in detention camps for a long time. The relatives of those ex-combatants and international rights groups continuously raising “a comprehensive programme to address the psychological needs of ex-LTTE cadres and... an independent authority/body to monitor the rehabilitation and reintegration of detainees, so as to ensure that proper rehabilitation is conducted, and if the reintegration process is taking place effectively.”³⁸ If not, the existing situation might increase their frustration and traumatize nature against the GoSL. Furthermore, there are some possibilities of eruption of psycho-social health problems among detainees such as sexually transmitted diseases and mental disorders due to sexual abuse and exploitation by different perpetrators as well as authorities or stakeholders.

To overcome these challenges and address the root-causes of the protracted conflict, the GoSL appointed the LLRC to investigate all conflict related incidents from 2002 to 2009. The commission says that it aims to build normalcy and ensure justice for conflict victims because “the conflict situation due to the very brutality and long duration of the violence perpetrated against Sri Lanka, would have caused great hurt and anguish in the minds of the people, that requires endeavors for rehabilitation and the restoration of democratic governance complimented by measures for reconciliation.”³⁹ However, there are unanswered questions on LLRC about its transparency and accountability issues in regard to perpetrators and the security forces of the government is yet to be answered.

Hence, as the UN estimated and rights groups repeatedly mentioned, the killing of 7000 civilians has to be comprehensively investigated and perpetrators have to be prosecuted in order to ensure equal rights for all citizens in the country. However, the GoSL faces a significant challenge in establishing its accountability over a bulk of

<http://www.tamilnet.com/art.html?catid=13&artid=33380>).

³⁸ *Ibid.*

³⁹ Ministry of Defence website, May 17 2010 (www.defence.lk).

alleged war crimes by its security forces as well as enforced disappearances, abductions and extrajudicial killings and torturing remanded ex-combatants particularly in the last phase of the conflict. A bulk of complaints from relatives of victims clearly shows uncertainty of victims over the government transitional justice mechanism. Consequently, the transparency of the GoSL's LLRC is critical in reconciling thousands of war victims in the country.⁴⁰ It is noted fear looms among Tamils regarding the detained LTTE suspects' lives due to the GoSL's inability to accommodate a transparent international mechanism to investigate those suspected Tamils. Even so, the government has released nearly 4000 ex-combatants after "rehabilitation." According to a report from the international community, particularly rights groups, there has been criticism against the GoSL's restrictions and banning to enter the detention camps as well as unrevealed figures of the detainees. International rights groups further suggest the GoSL to try those suspected ex-LTTE carders in the open courts and "allowing them and witness against them full protections required by international law and permitting international oversight, or release them if there is insufficient evidence."⁴¹

Instituting an acceptable political solution for all citizens including Tamils and other minorities in the country and the implementation of democratic political process are other major and key challenges to the GoSL. Therefore, there is need to establish timely and appropriate political instruments and institutions to address the historically rooted political issues of the conflict. It is clearly proved by civil society leaders who are living in the conflict affected north making statements in front of the LLRC. These direct victims and experienced senior citizens point out that the democratic political institution "should recognize Tamil people along with other inhabitants as part of Sri Lanka, while having their own identity, culture, language, religion and traditional habitation."⁴² Those senior citizens further state that the government has to be duly recognized this reality adhering to the international laws and human rights rather than

⁴⁰ TamilNet, "146,679 Vanni People Missing within a Year of War: Bishop of Mannaar."

⁴¹ International Crisis Group, "War Crimes in Sri Lanka," May 17 2010 (Accessed on 10 August 2010 <http://www.crisisgroup.org/en/regions/asia/south-asia/sri-lanka/191-war-crimes-in-sri-lanka.aspx>).

⁴² TamilNet, "146,679 Vanni People Missing within a Year of War: Bishop of Mannaar."

its “patriotic flavoured national agendas”. Furthermore, there should be legitimate provisions in the constitution that ensure power sharing and rights of minorities in the context in favouring for any group of the society.⁴³

However, political policy and institutional reforms are still at “snail work”. International Crisis Group highlights that “Sri Lanka has made little progress in constructing its battered democratic institutions or establishing conditions for a stable peace”.⁴⁴ Meantime, the above mentioned Tamil diaspora and international community have continuously raised the issue relating to the political solution.⁴⁵ Despite criticisms by the international community, however, the legitimate political reforms or new policy implementations are not easy due to resistance from various Sinhala patriotic political parties and groups in the country.⁴⁶ Crisis Group further states that “donor governments and international institutions should use their development assistance to support reforms designed to protect the democratic rights of all Sri Lanka citizens and ethnic communities.”⁴⁷

At the end of 2009, the provincial council election for eastern province was held and one of former LTTE rebel leaders of eastern was elected and he has been appointed as Chief Minister to the province. This political development helped former rebels (Karuna faction) to join mainstream democratic politics with other Sinhala and Tamil political parties. It is revealed that though there are some contradictions between the GoSL, these ex-rebels are playing a significant political role in the Eastern province of the country. On the other hand, the provincial council election for the Northern Province has to be held. The GoSL says that the majority of Tamil civilians do not prioritise the establishment of political institutions rather than their welfare and social livelihood activities. Also for the first time in history that the GoSL has already

⁴³ TamilNet, “146,679 Vanni People Missing within a Year of War: Bishop of Mannaar.”

⁴⁴ International Crisis Group, “Sri Lanka: A Bitter Peace,” January 11 2010 (Accessed on 20 July 2010 <http://www.crisisgroup.org/en/regions/asia/south-asia/sri-lanka/B099-sri-lanka-a-bitter-peace.aspx>).

⁴⁵ Human Rights Watch, “Sri Lanka: Events of 2009” (Accessed on 12 August 2010 <http://www.hrw.org/en/world-report-2010/sri-lanka>).

⁴⁶ International Crisis Group, “The Sri Lankan Tamil Diaspora after the LTTE,” February 23 2010 (Accessed on 20 July 2010 <http://www.crisisgroup.org/en/regions/asia/south-asia/sri-lanka/186-the-sri-lankan-tamil-diaspora-after-the-ltte.aspx>).

⁴⁷ International Crisis Group, “Sri Lanka: A Bitter Peace.”

recruited 450 Tamil youths as national police officers and to other ranks to integrate Tamil youths into the government as providers of national security in a unitary state. Focusing on these initiatives the article argues that the GoSL's key policy level reforms and implementations have to be speed up to restore the normalcy of conflict affected civilians in the country.

In the aftermath of the first anniversary of the ended conflict the government discussed some amendments to the constitution in order to decentralize power on selected subjects. According to the rights group report on establishing lasting peace "Sri Lankan government must address the legitimate grievances at the root of the conflict: the political marginalization and physical insecurity of most Tamils in Sri Lanka."⁴⁸

The other challenge to the GoSL is how to counter Tamil diaspora backing international pressure to establish an international investigation panel on alleged human rights violations and war crimes during the last months of the conflict. Even though the LTTE was military defeated, its international supporters and their financial capabilities still remain globally. The diaspora still plays active roles, advocating for European countries to take action (sanctions, holding donor assistance, and etc) against Sri Lankan government's war crimes and propaganda to boycott Sri Lankan products as well as establish "Transnational Government of Tamil Eelam (TGoTE)." "In the last months of the war and months immediately following, there were self-immolations by Tamil protesters... and increased communal tensions between Tamils and Sinhalese abroad."⁴⁹ The GoSL has to allow onboard Tamil diaspora in post-conflict peacebuilding activities to establish new opportunities for Tamil civilians and to free them from traumatized conflict memories. Though this is not an easy task for both government and the Tamil diaspora, it is one of prime responsibilities of the government to try to win over the Tamil diaspora especially in European countries. It would be a great opportunity to the GoSL to restore the positive peace in the country. So the GoSL would be able to foster a positive relation with the diaspora and get

⁴⁸ *Ibid.*

⁴⁹ International Crisis Group, "The Sri Lankan Tamil Diaspora after the LTTE."

beneficial from their resources and expertise in comprehensive manner.

As a nation, Sri Lanka needs to strength its core national capacities to win all citizens of the country. The GoSL needs to regain its economic capacities to address nationwide economic issues. Therefore, this situation creates another major and significant challenge for the GoSL. Without proper socio-economic development, it might be difficult to address all structural issues to the conflict. Proper education for younger generation and appropriate employment opportunities will help them to engage in positive national capacity building rather than negative involvements. To do so, the GoSL has to be sincere in eliminating malpractices and ill treatments against any ethnic or specific group of the country. Furthermore, “Sri Lanka must complete its transformation into a society and polity with which all Sri Lankans can feel a sense of identity and belonging.”⁵⁰

6. Conclusion

It is clear that as the winner of the conflict, the GoSL faces significant challenges rather than opportunities in the process of post-conflict peacebuilding. However, the majority of civil society’s support has created a great deal of confidence for the GoSL. Most of Sri Lankan post-conflict activities are nationalized to reconcile all citizens in Sri Lanka. It proves that the GoSL and particularly the President overlooked the word “minority” from the verbal dictionary of the Sri Lankan community. The GoSL further emphasizes, that there are two groups which are patriotic and non-patriotic to the county. Following these developments, the government has initiated reconciliation and rebuilding activities including both policy oriented political processes and reconciliation and national harmony to prevent a recurrence of the conflicts.

Even though the GoSL resettled almost all IDPs in their home districts, as mentioned above, multiple issues are still there to be addressed. According to rights groups reports and particularly the appointed UN Secretary General’s own advisory

⁵⁰ Bose, *Contested Lands*, p. 54.

panel, reveals that the GoSL has to deal with community rooted structural and human rights issues of war affected civilians in the country. The article argues that the GoSL as a winner of the conflict has to deal with all citizens of the country equally rather giving any advantage to a certain ethnic group or interests. Nevertheless, the GoSL is proceeding with its own model of post-conflict peacebuilding project, as Lotze and Coning emphasize the “peacebuilding to be effective, it must not only develop the head, but also the heart and hands as well.”⁵¹ Thus, the GoSL has to face those highlighted challenges by taking advance from its limited opportunities to win the hearts of all citizens in Sri Lanka.

⁵¹ Lotze, and Coning, *op. cit.*, p. 111.