

## **RESUMPTION OF HOSTILITIES AND DUPLEXITY IN THE PEACE PROCESS IN SRI LANKA**

### **Undeclared Hostilities**

LTTE attempt to assassinate the Army Commander using a suicide bomber received international condemnation, but the international community is not oblivious to the government's own violations of the CFA and the civilian killings that followed in the north east.

As far as the international community and the media are concerned, aerial bombardment resulting in the loss of civilian lives and displacement of thousand of families are a much bigger issues than the suicide bomb attack on a single target and the LTTE once again seized the opportunity to cry foul.

The President, on the very night of the bomb attack, invited the UNP for talks and appealed for the party's support to meet the security threat facing the nation.

The security forces launched attacks on LTTE bases in Sampur following reports of impending attacks and also decided to close the A9 highway temporarily.

The UNP Deputy Leader also stressed the importance of working with the international community to maintain the peace and resume a dialogue with the LTTE.

The following morning, Wednesday, April 26, 2006 the aerial attacks continued and information was received at Temple Trees that the LTTE too was marshalling its forces in the Wanni for an offensive.

Prior to so doing, the LTTE was to ask the government through the facilitators whether the GOSL had withdrawn from the CFA, to which a prompt response was sent in the negative.

The LTTE too had by this time informed the Norwegian facilitators, that they would launch counter-strikes if the aerial bombardment did not stop forthwith and that message was duly conveyed to the President.

The extremists crying for war must realize how can the government which cannot protect its own military headquarters in the heart of the city face the challenges of a full scale war?

The present situation calls for a much broader understanding and greater sacrifices by all than that of the Mahinda Chinthana. Mere All Party Conferences alone will not do. The only way to counter the LTTE now is for the president Mahinda Rajapakse's party to join hand with the UNP, to arrive at a common understanding to tackle this problem of LTTE.

Responding to heavy international pressure, President Mahinda Rajapakse has suspended the retaliatory attacks that commenced in Trincomalee District after the assassination attempt on Sri Lanka Army Commander Lt. Gen Sarath Fonseka. Representatives of major donor nations as well as India exercised intensive diplomacy on the Sri Lanka government to suspend all reprisal actions harming innocent civilians of the north-east.

While sympathizing with Colombo and commanding President Rajapakse for his 'patience' the international community representatives also impressed on him the imperative need to ensure the safety and security of all civilians at all times regardless of ethnicity. The LTTE attack was condemned severely but the government was told gently yet firmly that what ever the provocation civilian lives, limbs and properties should be protected at all times.

President Mahinda Rajapakse was under great pressure to retaliate effectively. His political allies, the Janatha Vimukthi Peramuna wanted him to be tough with the Tigers while the Jathika Hela Urumaya is for calling off the ceasefire and declaring open war.

The government decided to launch retaliatory attacks in the form of an undeclared war against the LTTE. Instead of attacking the LTTE headquarters in Kilinochchi operations were launched against Tiger positions in the eastern district of Trincomalee.

The entry-exit points at Omanthai in the Vavuniya District and Uyilankulam in the Mannar District were also shut down at 2.30 p.m. The Muhamaalai Point in the Jaffna peninsula was closed down at 3 p.m. Hundreds of people and vehicles were stranded by this sudden move.

India in particular and many Western nations in general became extremely concerned about resumption of attacks on the second day. They were worried about civilian casualties.

Both the Sampur jetty in the LTTE controlled area and Muthur jetty in GOSL controlled area suffered attacks.

Bombs also fell on areas extending up to three kilometers from the Muthur Jetty. These are clearly demarcated government controlled by Muslims. After protests were lodged by Muslims in Muthur to the security authorities the bombing ceased.

One area affected badly was the Muslim settlement called Thakwa Nagar. A Muslim Moulavi or Mullah Junaideen Mohammed was killed on the spot. His injured wife Akram Mulfikha (25) and sister Munira Junaideen (18) died after being admitted to the Trincomalee hospital. Another seven injured persons from Muthur are receiving treatment there. Another injured Muslim civilian also died later.

According to informed sources at least 13 civilians have been killed and 37 injured in the artillery and aerial bombardment of Muthur areas on April 25 and 26. Around 65 people had minor injuries. With Muslim casualties the overall civilian toll had gone up to 17 killed and 44 badly injured.

One estimate said 43,158 people from 10,718 families were currently displaced in all parts of Trincomalee district. The bulk of these were from the Muthur region. Some displaced people are returning to their homes.

Embarrassed at bombing government controlled areas and killing Muslim civilians attempts were made to deny the fact. It was said that the Muslims of Muthur suffered because the LTTE fired shells.

In a separate development armed Sinhala home-guards from Seruwila attacked Tamil residents in Thanganagar on April 26. Three Tamil civilians Sivalingam, Jeevarasah and Pathmanathan were hacked to death. Two other civilians Alagusingam and Yogarajah were taken away by the mob and are presumed to be killed.

Tamils from the village in the neighbourhood fled to LTTE controlled areas in Verugal-Eechilampattu area in the Trincomalee District. Nearly 1500 families are reportedly displaced.

Meanwhile the government maintained a tough posture. "If the LTTE continues attacking, there will be coordinated retaliation in the form of defense," Plan Implementation Minister Keheliya Rambukwella said. "This would continue as long as the LTTE targets the security forces."

Despite this claim, reports from Muthur indicated that the brunt of the undeclared war has been borne by Tamil civilians.

The Tigers also said they would retaliate if the government continued the attacks; “It is like a war situation in Trincomalee. If the attacks continue, the LTTE would be forced to take military defensive action. We are in a state of readiness and are awaiting instruction from our leadership to respond with a force that would be catastrophically disabling and devastating to the enemy,” said S. Elilan, Trincomalee district political head of the Liberation Tigers of Tamil Eelam, commenting on the current situation in Muthur East, in a Tamilnet report.

Whatever the pros and cons of differing viewpoints, the actual position was that the Sri Lankan Government launched an undeclared war for the purpose of teaching a lesson to the LTTE. This was done both as an act of vengeance as well as to show the south the government was acting tough.

## **Peace Process in the Balance**

The second round of talks between the Government and the LTTE now hang in the balance with LTTE still not decided.

LTTE is interested on three matters. Firstly they want to remove Karuna from the scene. Secondly the LTTE seeks by its increased confrontations to keep bringing pressure to accept its claim for the sea off Sri Lanka for its own purposes, despite the MoU signed with the Government, excluding the sea from LTTE control. India also has stated very categorically that there is no room for three Navies in this part of the Indian Ocean. Thirdly, the LTTE wants to fly to other countries without going through the Sri Lankan immigration and emigration formalities. It is obvious that they want to ignore the Sri Lankan passport and this is nothing but another step towards establishing a separate state.

Having used the CFA to the maximum to recruit cadres, and collect arms, the LTTE is now ready for Elam War IV. LTTE’s decision not to participate in Geneva talks came on 20 April 2006. It was on the same day three years back (2003) that the LTTE decided to keep out of peace talks with the UNF government. This is nothing new. The dates and their decision fit the agenda perfectly. What is surprising is the continued failure by the international community, the peace facilitators and Sri Lankan governments to understand the LTTE. The LTTE uses violence to distract attention when it is tied down to a commitment and wriggles out of it later.

The LTTE’s pattern of befriending leaders, trick them and later eliminating them continued from Indian Prime Minister Ragine Gandhi and Sri Lanka President Premadasa.

LTTE leader Prabakaran wants only one solution to the problem – a separate Tamil state in the North East. 18,000 militants and 80,000 civilians have been killed during the struggle for the “Tamil Elam” separate state.

He has not gone back on this pledge in any occasion. All his statements on his birthday celebrations has been: “Kill me, if I deviate from the sacred path of achieving a separate Tamil Elam state.”

There were times when Prabakaran made strategic deviations but that was only momentarily. When the Indians bundled him into a helicopter and flew him out to New Delhi and held him a virtual prisoner in the Ashok Hotel, he went along with the Indian proposal. But on coming back to Jaffna within months he was at war, with mighty India. When the Indian troops finally had him cornered after a long and hard struggle he did a strategic retreat, and entered into negotiations with President Premadasa. When the Indians left, he once again took on the Sri Lankan troops and finally killed President Premadasa and also a significant part of the UNP leadership. In 1994, when Chandrika Kumaratunga offered to negotiate peace he simply could not refuse. He did commence negotiations but broke it off and once again warred. He missed assassinating her by a hair’s breadth.

## **Karuna Factor**

One of the main demands of the Geneva round - I, was disarming the Karuna faction. The LTTE complained that by allowing the Karuna faction to continue, the government was violating the CFA.

Karuna LTTE Eastern Regional Commander broke away from the LTTE roughly a year after the LTTE pulled out of talks and quickly exposed Prabhakaran's duplicity and preparatory plans to get back to war.

Karuna has formed a new political party Tamileela Makkal Viduthalai Puligal (TMVP) teamed up with Eelam National Democratic Liberation Front (ENDLF) to throw its biggest challenge.

ENDLF general secretary R. Rajaratnam alias Mano Master, who was a minister in the India-backed North East Provincial Council and now lives in the Tamil Nadu capital Chennai, made the surprise declaration of the two parties coming together.

When the IPKF troops withdrew in March 1990, scores of ENDLF guerrillas and their family members retreated to India. They set up camps, with the help of Indian authorities, at Malkangiri, a tribal-dominated area in Orissa. Even now ENDLF maintains the Orissa camp and another one in Salem in Tamil Nadu. It also runs a school for Sri Lankan Tamil children in Karnataka.

The ENDLF-Karuna's statement is very harsh on the LTTE and equally critical of the Norwegian facilitators and the Scandinavian Sri Lankan Monitoring Mission.

The second important aspect brought out in the TIVM statement is that the LTTE should not be allowed to rule the north and east. This again is curious as the government and the LTTE are expected to begin negotiations on setting up a modified ISGA with Tiger dominance.

The statement also says, "Tamil will tolerate no more the prolonging treacherous and barbarian act of LTTE Leader Pirabakaran."

## **International Community**

Showing solidarity with the government was of course US Ambassador Jeffrey Lunstead whilst Indian High Commissioner Nirupama Rao maintained absolute silence.

At the same time, a hurried meeting of the Co-Chairs was also convened in Oslo on Friday 28 April, 2006 which was attended by Norway's International Development Minister Erik Solheim, US Assistant Secretary of State Richard Boucher, EU Deputy Director of External Affairs, Harve Jovanjean and Japan's Special Envoy Yasushi Akashi.

The meeting was convened to take stock of the unfolding developments in Sri Lanka and bring pressure to bear on both parties to resume negotiations.

World opinion was turning against the LTTE. They were no longer being considered 'liberation fighters' in the West which was accommodating expatriate Sri Lankan Tamils who were filling up the LTTE war chest with their contributions. The LTTE was being proscribed by these nations as a foreign terrorist organization. LTTE leader Pirabakaran under pressure of the 'International community' signed the Cease-fire agreement with Ranil Wickremasinghe.

Prabhakaran then fell into a Peace Trap. The all powerful 'international community' after organizing the peace negotiations between the LTTE and the GOSL, promised reconstruction rehabilitation and economic assistance. But all this would come when democracy is established in a federal state where human rights are guaranteed.

Prabakaran has all along fought not for a federal state but a separate independent Tamil state under his jackboot. He called off negotiations claiming ‘nothing had been achieved’ although his mouthpiece Balasingham, has been claiming success after each round of negotiations.

To get out of this peace trap, he got his constitutional experts to formulate the ISGA proposals, which is a blueprint for a separate state. As the eminent lawyer H.L. De Silva said it would be impossible for any government agree to these proposals because it constitutes a virtual epitaph for the Sri Lankan state.

Since 8 April, 2006, the LTTE had carried out at least 21 claymore attacks against the military, killing more than 80 civilian and military personnel and injuring more than 120 others.

The Co-chairs promised the sun and the moon after the signing of the CFA but today they are not in a position even to make the Tigers talk let alone stop violence.

LTTE using the latest violence spree, which came in the aftermath of the Canadian ban, to send a strong message to the international community that it is capable of going completely out of control and doing a lot of damage to the peace process.

The LTTE need to be told by the International Community in no uncertain terms that it must renounce violence and negotiate a settlement. Pressure is the key to success in dealing with a group like the LTTE. The EU ought to stop dilly dallying and give the Tigers a choice between talking peace and being banned. The EU should learn from Canada, which has at last found ways and means of handling the LTTE.

### **Broader Understanding is the need**

Recent events have shown that the country is on the brink of an open, brutal war. Only effective international pressure could pull both sides back from the edge.

Norway alone cannot do this. Greater coordinated action from the big players like USA, Japan and more importantly India is required to save peace in Sri Lanka.

It is clear that the peace process has suffered major reversals since November 2005. It was after President Rajapaksa’s victory that the LTTE commenced its new tactic of attacking the Sri Lankan military and denying responsibility for those attacks through negotiation. President Rajapaksa has affirmed his government’s commitment to the peace process and sought to end those attacks. But so far the government has found no way to protect its soldiers from the claymore mines and grenade attacks of the LTTE. Its only hope has been to seek talks in Geneva that would bring an agreement to end these attacks.

At the first round of Geneva talks in February, both the government and LTTE reached agreement to stop violence against each other. But both sides failed to live up to those obligations. Less than two weeks after the Geneva talks, the killings on both sides re-commenced. Most notably, the breakaway Karuna group was active and engaged in killing that the LTTE blamed on the government.

It has been downhill from then on. The LTTE claimed that the government had agreed to disarm the Tamil paramilitary groups, which the government denied on the basis of the Geneva agreement, which did not specify such disarmament. It is basic that there must be a measure of goodwill, and a readiness to oblige the other, if talks are to result in anything good.

A situation of limited war is more likely to favour the LTTE than the government. The government system is open whilst the LTTE system is closed. Hence it will be much more difficult for the

government to prevent the LTTE from infiltrating government-controlled territory and attacking its vital assets than for the reverse to happen.

The LTTE too must realize that its strategy of a limited war, while advantageous to itself in a military sense, is costing the Tamil people dearly. While heavy handed government reactions to LTTE violence may alienate the Tamil people from the government, those people will also know that it was the LTTE that precipitated the government reactions.

It appears that the LTTE's present motivation to go to Geneva for talks would be to try and stave off the imminent EU ban on them. The global war against terrorism has created an international environment that is hostile to the LTTE. The LTTE has been at the receiving end of international sanctions, the most recent being the Canadian ban on them as a terrorist organization.

The LTTE may wish to get back to the Geneva talks and thereby seek to avoid international sanctions. If the LTTE wishes to truly represent the aspirations of the Tamil people it must seek to spare them the suffering they are now undergoing by engaging positively with the government at the negotiating table rather than on the battlefield.

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