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War Front

Kumaratunga intends to wreck the ceasefire

The permanent ceasefire between the Liberation Tigers and the Sri Lankan armed forces which began on Saturday is a key and welcome step on Sri Lanka's road to peace, coming as it does after many years of ethnic conflict. As we argued last week amid the widespread speculation in the regional press and renewed opposition from Sinhala right wing forces, the foundation of any successful negotiations must surely be a stable and indefinite truce between both protagonists. The establishment of just such a ceasefire within two months of the United National Front government coming to power is a triumph for Norwegian diplomacy, particularly given the present political circumstances in Colombo. As in all successful compromises, both sides are set to benefit from the ongoing tranquillity and protections the agreement provides. The permanent ceasefire has therefore been - quite rightly - warmly welcomed by the international community. India, the United States, Britain and Japan publicly hailed the deal within hours of its unveiling Friday by the Norwegian government. Other countries have subsequently sent their commendations as has United Nations Secretary-General Kofi Annan.

The necessity for the prompt expressions of international support quickly became apparent. No doubt the endorsements came as great relief to Prime Minister Ranil Wickremesinghe for Sri Lanka's President Chandrika Kumaratunga reacted to the truce with characteristic belligerence and resentment. This week, whilst the peoples of Sri Lanka begin to look forward to life devoid of military violence and conditions of war, the Sinhala militarists are mobilising in opposition to the ceasefire under Kumaratunga's banner. As this edition goes to print, Kumaratunga's People's Alliance (PA), the Sinhala-nationalist Janatha Vimukthi Peramuna (JVP) and the Tamil paramilitaries of the Eelam People's Democratic Party (EPDP) were reportedly seeking legal mechanisms to torpedo the agreement. Their purported argument is that due constitutional process has not been followed. However their real motives are clear to all: to wreck the ceasefire, perpetuate the war, frustrate Norway's peace efforts and undermine the UNF's longevity in the process.

We have consistently argued that President Kumaratunga, her occasional pro-peace rhetoric notwithstanding, will prove the greatest impediment to a successful resolution of Sri Lanka's conflict. Amid the raging battles of the late nineties, Kumaratunga's public relations efforts and the distance maintained by the international community enabled the President to conceal the

endemic racism which underpinned her military project. But in the past few months the international community has had ample opportunity to reevaluate its original assessment of the Sri Lankan quagmire and the characteristics of its principal actors. Furthermore, as we have cautioned before, Prime Minister Wickremesinghe's sometimes embarrassing efforts to develop consensual cohabitation between the office of the President and Parliament as Sri Lanka's preferred mode of governance were always doomed to failure. Not because the idea itself was unworkable per se but because Kumaratunga's tyrannical nature and personal enmity will not permit such political coexistence. We recall that flush with electoral success, senior members of Mr. Wickremesinghe's United National Party (UNP) last December urged him to move swiftly against Kumaratunga. The Premier opted to extend his hand of cooperation instead. He may come to regret his magnanimity in the coming weeks. The Premier has taken a bold gamble with regards to the permanent ceasefire: after Kumaratunga's refusal to authorise what to all rational minds is a vital necessity for Sri Lanka's future, Wickremesinghe chose to sign the deal on the government's behalf instead.

Kumaratunga's grounds for opposing the ceasefire deal are in themselves baseless. The present truce draws on past agreements including, crucially, the ceasefire she herself undertook with the LTTE in the abortive peace process of 1995. The events that led to the termination of that agreement is partly behind the elaborate monitoring mechanisms built into the new truce. Furthermore, the protections and obligations for both sides enshrined in the present ceasefire are based on the specific concerns and requests put forward by them during the Norwegian-sponsored discussions of the past two months. With regards to negotiating authority, Mr. Wickremesinghe's government has - by virtue of its victory in the December polls - the trust of the Sinhala people while the Liberation Tigers have been endorsed by the Tamil people as their sole representatives. Kumaratunga, whose government was unceremoniously thrown out last year, has no public mandate save that being presently extended by the forces of Sinhala chauvinism. However, the extraordinary powers she wields could - against the wishes of most Sri Lankans - plunge the island back into turmoil and then bloodshed. If the Norwegian peace process is to continue unscathed and Sri Lanka is to sustain its slow climb out of the abyss, both Oslo and Wickremesinghe's government will need the close support of the international community in the weeks ahead.

Talking Points

The Tamil language has continuously been undermined

On February 21, officially designated International Mother Language Day, the United Nations Educational, Cultural and Scientific Organization (UNESCO) published a startling report on the world's languages. Half of the six thousand languages spoken around the world are seriously endangered or dying, it said. The areas affected are varied. Up to 50 European languages are under threat, while in the US, only 150 native Indian languages survive out of the hundreds spoken before European settlers arrived. India's policies, UNESCO said, were sustaining the subcontinent's tongues. Despite the alarming rates of deterioration - out of Africa's 1,400 languages, 250 face extinction while 500 are declining - UNESCO expressed optimism many could be saved. Ainu - spoken by only eight people on the island of Hokkaido in Japan in the late 1980s - is now being revived, for example. UNESCO Director-General Koichiro Matsuura argued last Thursday that "all languages be given equal recognition, for each is a unique response to the human condition and each is a living heritage we should cherish."

The matter is of course particularly important in the context of the world's ethnic conflicts. In Sri Lanka, for example, the start of the spiral of - primarily anti-Tamil - violence which began decades ahead of Tamil armed resistance was undoubtedly legitimised by the passing of the Sinhala-Only Act in the fifties. Contempt for Tamil language quickly expanded into ethnic hatred for its speakers. The begrudging repeal of such blatantly racist legislation has not changed matters in practice. Sinhala domination of Sri Lanka's armed forces and government has itself fuelled Tamil discontent and official racism has also arguably contributed to the perpetuation of the

conflict. In 1974 for example, Sri Lanka unsuccessfully demanded that the International Association of Tamil Research hold its conference in Colombo and not the Tamil cultural heartland of Jaffna. The infamous police action on the last day of the conference became a key catalyst in igniting Tamil armed resistance.

The countless small acts of discrimination over the years have had as much impact as the large-scale atrocities and anti-Tamil riots. Tamil detainees having to sign statements or confessions in Sinhala, the dispatching of official correspondence in Sinhala to Tamils and the acute shortage of Tamil-language textbooks - especially without the customary spelling and grammatical errors - are more protested about slights. Others, equally glaring, include the clumsy spelling and appalling grammar on road signs in some Tamil areas, particularly the Sri Lanka Army garrison towns like Vavuniya. The tensions are - as can be expected - more widespread in the eastern province where state-sponsored Sinhala colonisation of Tamil territory has, over the past few decades, created latent points of friction.

Whether, in the new spirit of ethnic reconciliation, the new government attends to these language related issues remains to be seen. But the sentiments of the Tamil community, after decades of seeing their mother tongue undermined by Sinhala officialdom, were summed up last year by Justice C.V. Vigneswaran in his acceptance speech on being appointed to the Supreme Court: "The sterile and impotent provisions now appearing in Sri Lanka's constitution have little meaning to the Tamil-speaking people of the northern and eastern provinces. They need to govern themselves in their own language with little interference from outside."



First milepost on the road to peace

Writing in *The Sunday Leader*, **DBS Jeyaraj** tracks the hectic tripartite diplomatic activity that culminated with the signing of last week's historic ceasefire.

FEBRUARY 22 was a proud day for Norway the peace-maker. The small Scandinavian nation responsible for bringing about peace accords in the Middle East and South America had achieved another feat in this direction in Sri Lanka. Norwegian Foreign Minister Jan Petersen flanked by his Deputy Foreign Minister Vidar Helgeson and Peace Envoy turned Special Adviser Erik Solheim announced at 10 a.m. (Norwegian time) in Oslo that a ceasefire agreement had been entered into by the government of Sri Lanka and the Liberation Tigers of Tamil Eelam (LTTE). The ceasefire would come into force from Sunday, February 24 midnight.

The Norwegian minister made the announcement on behalf of his country in its capacity as the mutually agreed facilitator trying to evolve a negotiated peace in the island. Both sides had consented to refrain from publicising details of the ceasefire until Norway made the formal announcement at the designated time.

The document governing the permanent ceasefire known officially as 'The Ceasefire Agreement between the government of Sri Lanka and the Liberation Tigers of Tamil Eelam' stipulates that the 'jointly agreed ceasefire shall enter into force on a date specified as 'D-Day' by the Norwegian Minister of Foreign Affairs.' It is noteworthy that contrary to expectations that a formal memorandum of understanding governing a ceasefire was going to be signed, the actuality was a 'ceasefire agreement' and not a bilateral memorandum of understanding.

Although Petersen enjoyed the limelight by being at 'the right place at the right time' to make the announcement, the real kudos for achieving the current ceasefire goes to four Norwegians. Deputy Foreign Minister Helgeson, Special Adviser Solheim along with Oslo's Ambassador in Colombo Jon Westborg and Foreign Ministry Official Krjeste Tromsdal comprised the quartet whose untiring efforts for nearly two months resulted in the permanent ceasefire coming into place. They engaged in a rare brand of shuttle diplomacy between Europe and Asia to complete their task.

There was a crucial difference between this agreement and earlier ones like the Indo - Lanka accord signed by Rajiv Gandhi and Junius Jayewardene on July 29, 1987 and the 'Cessation of Hostilities' entered into by Chandrika Kumaratunga and Velupillai Prabhakaran on January 8, 1995. The earlier ones were bilateral pacts without a third party intermediary.

The current ceasefire however was a trilateral effort with Norway facilitating the process. Thus in this case the ceasefire agreements have been signed separately by Wickremesinghe and Prabhakaran instead of jointly as in earlier instances. Instead of the documents having both signatures on all the document papers the endorsements though identical are separate.

The documents relating to the ceasefire are of three categories. Firstly of course,

the ceasefire agreement incorporating the basic outline of the ceasefire that has been agreed to by both sides. Secondly, identical letters of acceptance and pledging adherence to the ceasefire to the Norwegian Prime Minister. Thirdly, several annexures to the ceasefire agreement providing assurances and guidelines for matters connected to implementing the ceasefire.

Both parties were required to sign all three categories. The formulation of the ceasefire agreement as well as the composition of some annexures drew on past experience. Some of the provisions regarding international ceasefire monitoring etc. were duplicated from the abortive 1995 Kumaratunga - Prabhakaran cessation of hostilities agreement. Some other clauses from 1995 have been included in the annexures too. Some provisions from the memorandum of understanding document drafted by Norway last year have also been utilised. The draft MOU never saw the light of day because of the stonewalling tactics of the Kumaratunga - Kadirgamar duo. Now some aspects have been incorporated as annexures. For example the annexures regarding staggered time tables to send essential items into the Wanni and the quantities involved are from those worked out earlier by Kadirgamar and Kumaratunga.

Wickremesinghe, according to sources close to the prime minister, he signed and initialled the relevant documents in the early hours of the morning on February 21 itself. Astrological considerations are said to have played a part in choosing the right time.

Wickremesinghe signed the letter, agreement and annexures and also initialled pages concerned in triplicate. Two copies were handed over to Norwegian envoy Jon Westborg within a short time. Thereafter, around noon, Westborg accompanied by his spouse helicoptered to Kilinochchi in the north. The Westborgs were met and escorted to the LTTE political office in Skanthapuram by the Tiger leader in charge of political administration S. Thangan and another senior political wing cadre Pulithevan who also functions at times as interpreter. Westborg was received at the office by LTTE Political Chief SP Thamichelvan to whom the diplomat gave a copy of the documents endorsed by Wickremesinghe.

After a brief discussion handed over the relevant documents signed by Tiger Leader Prabhakaran in the same manner as Wickremesinghe to the Norwegian envoy. The documents had already been obtained from Prabhakaran. Westborg returned to Colombo in the evening without meeting Prabhakaran but with his official consent. It is learnt that the relevant documents were sent to the Wanni beforehand by the Tiger Political Adviser and Chief Negotiator Anton Balasingham based in London.

With the consent of both parties embodied in explicit documents, the Norwegians naturally were in their seventh 'Valhalla'. The peace

process leading to a ceasefire had progressed in fits and starts for nearly two years under Kumaratunga's hegemony. The Kumaratunga - Kadirgamar duo were working diligently to undermine it while professing vocal support for it.

The turning point came with Wickremesinghe's ascent to power as Prime Minister in December last year. The premier invited Norway into the process again formally through official missives and direct telephone calls. This was supplemented when LTTE chief Prabhakaran also re-invited Norway formally by letter addressed to Prime Minister Magne Kjell Bondevik.

The Norwegians moved very fast. On January 4, a team led by the new Deputy Foreign Minister Vidar Helgeson visited the British capital of London to meet with the LTTE's Anton Balasingham who is authorised by his leader Prabhakaran to engage in the spade work necessary to establish a viable peace process.

Balasingham, assisted by his Australian born wife Adele Anne functioning as secretary to the LTTE chief negotiator, has been instrumental in getting the Tigers on board the peace process. It is he who almost single-handedly initiated it on behalf of the LTTE. It is he who persuaded the LTTE hierarchy into remaining committed to it despite all the negative tactics of the Kumaratunga - Kadirgamar duo.

Balasingham is in a unique position of being trusted to a great extent by his leader Velupillai Prabhakaran on this issue. It is openly acknowledged in diplomatic circles that it was Balasingham who brought the peace process to this level from the Tiger side. From the government side it was none other than Wickremesinghe himself who spared no effort to make the peace process a veritable success.

After the groundbreaking meeting with Balasingham, the Norwegians came to Colombo on January 9, to commence a series of meetings with Sri Lankan actors in the important political drama. This was followed by several rounds of discussions with Balasingham in London and Wickremesinghe in Colombo. While envoy Westborg handled the Colombo angle mainly Solheim along with Tromsdal dealt with London. Balasingham of course was keeping Prabhakaran informed of every turn and twist in the process.

Every conversation and discussion concerning peace talks with the Norwegians was recorded in English by Mrs. Balasingham. This along with a Tamil translation by Balasingham were sent regularly to Prabhakaran. As the process progressed each and every proposal and suggestion was communicated to Prabhakaran for his response. This was obtained and duly forwarded to Oslo by Balasingham. Apart from direct meetings there were numerous telephonic conversations and facsimile messages.

As a result of all this activity the Norwegians succeeded in drafting a preliminary ceasefire agreement in the first week of February. Both the government and LTTE were observing unilaterally declared parallel ceasefires separately. What Oslo wanted was to harmonise these into a single, stable and structured ceasefire. The ceasefires extended on a monthly basis were due

to lapse on February 24. The goal therefore was to get the permanent ceasefire in place before so that the ones in use need not be extended again.

It was with this hope that the Norwegian Deputy Minister Helgeson led a team to Colombo on February 7. The arrival of the Norwegians with a draft document was naturally highlighted in the national and international press. In spite of the clear knowledge that the draft was subject to changes after further consultations and discussions with both parties some sections of the Sri Lankan and foreign press presented facts in a manner that suggested this draft was in reality the final version. Also certain outstanding issues of a contentious nature, yet to be resolved, were projected as matters concluded. This led to two types of reaction.

The LTTE was annoyed at what it termed as 'deliberate leaks' in the media contrary to the norms of confidentiality emphasised to both parties by Oslo. LTTE Political Adviser and Chief Negotiator Anton Balasingham complained to Norway about the situation. He pointed out that the leaks had been at Colombo's and not the London end.

The Tigers were irritated at the impression created that the ceasefire draft was final whereas several issues remained incomplete. The LTTE felt that sensationalising prickly issues prematurely would jeopardise the negotiating process.

The second was the negative reaction from the Sinhala hawkish elements. Various organisations, political parties and sections of the Buddhist clergy began protesting jointly and separately against some of the provisions outlined in the press. The vocal critics opined that too much was being conceded to the LTTE and that the long term security of the country was being compromised.

The fact that the proposed memorandum of understanding treated both the government and Tigers as equal partners in the agreement was also frowned upon. As overt protest demonstrations by Sinhala hardliners increased the Royal Norwegian Embassy in Colombo was compelled to engage in some damage control exercises.

It issued a press release saying that the work over a ceasefire was incomplete yet 'the Norwegian government would like to make it clear that no formal proposal so far has been presented to the government of Sri Lanka and the LTTE,' the statement said. Oslo's position on this was further amplified and clarified by both Prime Minister Ranil Wickremesinghe and LTTE theoretician Anton Balasingham separately.

The Norwegians paid two successive weekly visits to London to meet Balasingham. Intense contact was maintained on the telephone too. In Colombo, Ambassador Westborg was in constant contact with Wickremesinghe and Ministers G. L. Peiris and Tyrone Fernando.

Oslo took into account the divergent responses of both parties and evolved an accommodative synthesis of both viewpoints. Certain areas had been identified as contentious issues. All these matters were resolved amicably through consultation and compromise by the Norwegians.

Some concerns were addressed in the ceasefire itself

and others through annexures. The fresh draft submitted for consideration by Colombo found government approval. On Tuesday 19, Wickremesinghe was to tell trusted confidantes over dinner that he was awaiting good news from Oslo.

Almost simultaneously in a different time zone in London Erik Solheim and Krjeste Tromsdal were going over the draft agreement and proposed annexures etc. in minute detail with the Balasinghams. Despite some reservations Balasingham was satisfied about the outcome. The contents of the final version was faxed to Prabhakaran in the Wanni. After lengthy discussions with Balasingham, the Tiger leader agreed to accept it. This decision was formally conveyed to Colombo through Norway.

Meanwhile, the draft documents were formally sent to Prabhakaran for ratification. It was decided thereafter that Norway would announce the ceasefire on Friday, February 22, (D - Day) for it coming into force would be 24th midnight. Thus the need to extend ceasefires in vogue were done away with.

Both parties made a solemn pledge that they would release provisions of the ceasefire only after Norway announced it at 10 a.m. Thus the government and LTTE in Wanni began releasing details after 3 p.m. on 22nd while Balasingham did so in London after 10 a.m.

The urgent necessity in ushering in a permanent ceasefire was underscored by a confrontation off the coast of Mullaitheevu on 21st. If the ceasefire declaration had not been preplanned the incident may have affected the peace climate considerably. But with the ceasefire on the cards, the incident did not escalate further tensions.

Ranil Wickremesinghe met President Kumaratunga on the 20th for two and a half hours from 5 to 7.30 p.m. where he briefed her of all developments and provided copies of the ceasefire. Her endorsement of the ceasefire agreement was requested. Kumaratunga declined saying she would consider the matter and comment in due course.

Thereafter, Wickremesinghe met and briefed the cabinet for one and a half hours from 7.45 p.m. onwards. The cabinet accepted the provisions unanimously. It was only after cabinet approval that he went on to sign the agreement on February 21st morning.

In a symbolic gesture the prime minister went to Vavuniya on Friday morning from where the signing of the ceasefire pact was announced in the afternoon. Wickremesinghe also inspected the newly opened stretches of the A - 9 highway (Jaffna - Kandy Road) and addressed the soldiers stationed there.

The A9 highway known as 'highway of death' was fought over for control from 1997 to 1998 resulting in over ten thousand casualties both dead and injured from both sides. Now, it was being opened for civilian traffic peacefully. The road that denoted war at its crudelest was now a metaphor for peace. The prime minister's visit therefore indicated that the war had failed. Reunification was possible only through peace. It was a lengthy road to peace. The ceasefire agreement was only the first significant milestone on that long, long road.