

**KHAZAR UNIVERSITY**

**Faculty :** School of Humanities and Social Sciences

**Department:** Political Science and International Relations

**Major :** International Relations

**MASTER THESIS**

**TOPIC: The stand of the international community on the armed conflict  
between the government of Sri Lanka and the Tamil Tigers**

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**BAKU- 2016**

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## **LIST OF ABBREVIATIONS**

AIDMK All India Dravida Munetra Kazhakam  
APC All Party Conference  
CFA Cease-Fire Agreement  
CPC Criminal Proceedure Code  
DPU Deep Penetration Unit  
EPDP Eelam Peoples' Democratic Party  
EPRLF Eelam People's Revolutionary Liberation Front  
EROS Eelam Revolutionary Organisation of Students  
FP Federal Party  
GoSL Government of Sri Lanka  
IPKF . Indian Peace Keeping Force  
JHU Jathika Hela Urumaya  
JM Joint Mechanism  
JVP Janatha Vimukthi Peramuna  
LRRP Long Range Reconnaissance Patrols  
LTTE Liberation Tigers of Tamil Eelam  
MILF Moro Islamic Liberation Front  
MNLF Moro National Liberation Front  
MoU Memorandum of Understanding  
NSAGs Non-State Armed Groups  
PA Peoples' Alliance  
PAF Philippine Armed Forces  
PLOTE People's Liberation Organisation of Tamil Eelam  
PTA Prevention of Terrorist Act  
P-TOMS Post Tsunami Operation Management Structure  
RAW Research and Analysis Wing  
SLA Sri Lankan Army  
SLAF Sri Lankan Armed Forces  
SLFP Sri Lanka Freedom Party  
SLMC Sri Lanka Muslim Congress  
TELO Tamil Eelam Liberation Organisation  
TNA Tamil National Alliance  
UNP United National Party

# **1. INTRODUCTION**

## **1.1. Research Topic**

This dissertation is a contribution to civil war termination research and literature. It contributes by explaining the decision to come to the table and the related decisionmaking process in one of the parties in a civil war, the Non-State Armed Group (NSAG). The NSAG under study is The Liberation Tigers of Tamil Eelam (LTTE), fighting the Government of Sri Lanka (GoSL) for self-determination. Four occasions of the LTTE coming to the negotiating table in the last three decades, are compared with respect to the role of factors in its immediate internal and external environment around the time of each ‘coming to the table’ decision. The objective of this research, therefore, is to strengthen conflict resolution mechanisms for civil war termination by understanding and taking into consideration the internal workings of a NSAG. This chapter begins by situating the research topic within the broader civil war termination literature. This is followed by a comment on NSAGs in civil wars. Then, the chapter argues for the importance of studying the internal and external environments of the NSAGs, which is the focus of this research. The final sections of this chapter present the questions that guide this research and the significance of this research for future conflict resolution efforts in terminating civil wars. Lastly, I provide an overview of how this dissertation is structured.

## **1.2. Literature review**

Licklider defines civil wars as “large-scale violence among geographically contiguous people concerned about possibly having to live with one another in the same political unit after the conflict” (Licklider 1993).

However, there is no commonly agreed definition for civil wars<sup>1</sup>. Among the many definitions that exist, I start with the one by Licklider for two reasons: one, because

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<sup>1</sup> There are many definitions of civil wars. The varied definitions seem to emphasise various aspects of the civil wars such as, number of deaths per year, objectives of the different parties at war (secession, regime change, resource control), and duration of war (example: wars lasting for less than a year are not considered as civil wars in some studies). For more discussion see (Angstrom 2001).

I believe it indicates best the complexity of intra-state wars, very few of which end in separation or independence. Most often they are resolved through autonomy, federalism or just the old status-quo of warring sides living together in the same political unit with some power readjustments. The other reason is that this definition suits well the Sri Lankan case selected for study in this research. The Tamils and Sinhalese have lived in close proximity on this tiny island for centuries. Any kind of separation will not break the close ties between them and it would be hard to imagine a resolution in which there will be complete physical separation of the Tamils and Sinhalese involving no contact. Civil wars are therefore very difficult and complex in which the reality of having to live with the 'other' after the conflict is over needs to be factored into any resolution, a matter that parties would rarely have given a thought to during the fighting.

For the purpose of this dissertation, I define civil wars as:

- (1) an intra-state conflict, frequently identity based, in which there are two or more parties;*
- (2) the conflict is between the government of the country, which has a conventional army, and one or more non-state groups from the same country that are armed;*
- (3) the armed groups may use different tactics such as guerrilla warfare, acts of terror or regular military strategies;*
- (4) there is large scale violence, death, displacement and loss of property over an extended period of time<sup>2</sup>;*
- (5) the goal of the armed struggle can be one of many, such as regime change, selfdetermination (secession or autonomy) or resource control.*

Civil or intrastate wars have become an endemic and enduring feature of the post World War-II world and, according to the CIDCM report, in the post Cold War period, intra-state wars have become the biggest threat to civil peace and regional

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<sup>2</sup> Commonly, studies (such as PRIO, the Correlates of War (COW) project) use absolute number of battle deaths to classify armed conflicts as civil wars. Some studies suggest that when number of battle deaths reach 1000, the armed conflict qualifies to be classified as a civil war, others use 25 battle deaths a year as criteria and yet others use 1000 deaths a year. Few use terms such as high, medium or low using their own criteria for classification. I choose to include in my definition violence that is spread over a certain location, may move from being low intensity to high intensity and where both life and property are affected. I do not find it useful for the purpose of this dissertation to get into detailed specifics of number of deaths or duration of the war.

security (Gurr, Marshall, and Khosla 2001). A PRIO study “Armed Conflict 1946-2000: A New Dataset” identifies 220 armed conflicts of which are intrastate. Similar studies have also noted the high number of intrastate wars during this period leading up to the 1990s when armed conflicts peaked<sup>3</sup>, a period which also witnessed a final end to colonialisation in most parts of the world. Rajagopalan opines that de-colonialisation created unnatural boundaries inconsistent with earlier territorial boundaries and ethnic compositions and therefore led to an upsurge in identity-based conflicts. Many of these, she notes, have turned into civil wars (Rajagopalan 2001).

Civil wars by their very nature challenge a state’s social peace (Licklider 1993). They are very intense, complex and worrying (Rosenau 1964). The *intensity*, says Rosenau, comes from the depth of pre-war ties among the people, which are destroyed as the conflict deepens. The *complexity* arises because most civil wars include inter-ethnic conflict. Zartman distinguishes between civil wars and inter-ethnic conflict by explaining the former as mostly the consequence of unmet basic needs while the latter, he says, are driven by both greed and creed (Touval and Zartman 1985). However, I argue that most civil wars are identity related, that is, based on ethnicity, religion or language (see my definition of civil wars above). I therefore believe that in civil wars one sees this combination of need, greed and creed as mentioned by Zartman. And, when all three get mixed up, these intrastate wars get very complicated with each party having varied motivations and goals and become even more difficult to resolve. Intrastate wars are especially worrisome today, because in this increasingly interdependent world, they will attract attention and might easily move from being an internal issue (smaller arena) to an international issue (bigger arena)<sup>4</sup> (Licklider 1993).

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<sup>3</sup> The seminal Correlates of War (COW) project identified 43 civil wars, 12 international wars and 18 extrasystemic (colonial and imperial) wars between the years 1945 and 1980 (Small and Singer 1982). However, the CIDCM study has consistently reported that armed conflicts have actually decreased since the mid- 1990s. Their reports Peace and Conflict 2001 to 2005 record the decline in armed conflicts.

<sup>4</sup> In most cases of intrastate civil wars, one sees the hand of the neighbour or an ally either in supplying arms, providing refuge, resources and support for one or the other party

Understanding the internal dynamics of civil wars and the parties to them is critical to the field of conflict resolution, for it offers the opportunity for intervention, hopefully, before civil war costs increase and its impact spreads over a bigger geographic area.

Every aspect of civil war, from its sources to its termination, has attracted study from different disciplines of the social sciences. Termination continues to remain a challenging issue<sup>5</sup>. It is generally understood that civil wars could “terminate” or be “resolved” in two different ways: (1) a clear military victory for one side or (2) a negotiated compromise.

The literature on the termination or the resolution of civil wars in the field of conflict analysis and resolution is inadequate and inconclusive and this is better explained in the next chapter, which reviews the literature in the field. Post-conflict studies support or undermine some theories, yet a clear emerging pattern is hard to discern. Clearly, we need to know more about civil war termination. To summarise, the study of civil war termination or the intervention to bring parties to the table is crucial because

- (1) civil wars are still an endemic feature of today's world;*
- (2) the costs of civil wars is extremely high in terms of human life and resources;*
- (3) interventions to end civil wars have been expensive and largely unsuccessful.*

Therefore, it seems clear that the field of conflict resolution needs more theoretical and practical frameworks for designing and implementing interventions to end civil wars.

### **1.3. Non-State Armed Groups and Civil Wars**

Since the events of September 11, 2001 in the US, there has been increased interest in all armed groups operating in any part of the world. The primary concern for most is that many of these armed groups are linked to a bigger ‘terrorist’ network. The distinctions between the nature and the purpose for which armed groups exist under different conflict contexts have all become blurred and have given way to a

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<sup>5</sup> As the CIDCM study points out, most conflicts remain in the status of on-going at the end of the year

more generic international identity to the great angst of many of the armed groups themselves.

It has become a common practice, today, to label armed groups as ‘terrorists’. According to the Congressional Research Service of the Library of Congress, “politically motivated violence perpetrated against non combatant targets by sub national groups and clandestine agents is terrorism. Those who indulge in such form of violence are terrorists or terrorist groups”.<sup>6</sup>

Many NSAGs that are engaged in leading self-determination movements resent the tag of a ‘terrorist’. The LTTE is one of them. Their leader, Velupillai Prabhakaran made the statement “*We are not terrorists. We are actually freedom fighters*”. He appealed to the world to distinguish between those who engage in blind acts of terror as opposed to those who are fighting authentic liberation struggles. Groups such as the LTTE, thus labelled, resist strongly to being called a terrorist group for the very term delegitimizes their existence and their struggle.

Understanding processes of de-escalation and getting parties to the table is what the field of conflict resolution needs most. For which, engaging with armed groups is necessary.<sup>7</sup>

Therefore, a greater understanding of NSAGs in order to engage with them effectively is important for conflict termination through negotiation. There are many aspects to studying NSAGs such as the origins of the group, its ideology, motivation, goals and aims, the resources it controls, the people it attacks, its strategies and tactics, and its behaviour with the outside world. Martha Crenshaw

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<sup>6</sup> There are many definitions for terrorism and terrorist. And there is no consensus on them although most of them are variations of another. The UN’s academic consensus definition written by terrorism expert A.P. Schmidt reads “Terrorism is an anxiety inspiring method of repeated violent action, employed by (semi-) clandestine individual, group or state actors, for idiosyncratic, criminal or political reasons, whereby — in contrast to assassination— the direct targets of violence are not the main targets. The immediate human victims of violence are generally chosen randomly (targets of opportunity) or selectively (representative or symbolic targets) from a target population, and serve as message generators. Threat- and violence-based communication processes between terrorist (organization), (imperilled) victims, and main targets are used to manipulate the main target (audience(s)), turning it into a target of terror, a target of demands, or a target of attention, depending on whether intimidation, coercion or propaganda is primarily sought”.

<sup>7</sup> The Accord report ‘Choosing to Engage: Armed groups and peace processes’ notes that are four reasons for why we should engage with armed groups 1) in order to protect the local population 2) armed groups hold the key to ending violence 3) engagement increases the chances of a settlement process and 4) lack of engagement can strengthen hardliners



who has studied a number of “terrorist” groups lays stress on providing a historical context to any movement and situating them in a contemporary social, economic and political context. This, she believes, provides an understanding of the ideology and motivation of the group as well as the shape the organization takes.

However, the very nature of NSAGs is such that there is an aura of mystery about them. Because they function outside of the political realms, they often produce surprises and are fiercely secretive. We therefore know little about NSAGs. Some NSAGs have offered rare glimpses into their world and these are significant contributions to add to the literature on armed groups but they are few in number and mostly anecdotal.

The lack of information that comes from the NSAGs together with the growing misgivings about armed groups in general means that the gaps in our understanding of armed groups and their willingness to engage in negotiations will remain unfilled. This lack is what this dissertation hopes to tackle - at least in some small measure. An empirical study of one armed group, the LTTE and a careful examination of the internal dynamics of the organisation before its members decided to come to the negotiating table four times in their over three decades of existence, will hopefully throw light on ‘when and why’ an armed group chooses to engage with the government.

To summarise: for the reasons explained above, the study of armed groups in civil wars is important for three reasons:

- (1) We know very little about NSAGs and we definitely know less about them than we know about governments*
- (2) In the present global context, understanding and engaging with NSAGs is even more necessary than it was decades ago*
- (3) Understanding NSAGs and the workings of their internal environment fills one of the gaps in war termination literature*

## **1.7. Significance of this research**

This dissertation research is relevant, hopefully to three groups of people: (1) *Policy Makers*: As discussed above, NSAGs attract much attention in today's global environment. There is a lack of solid empirical information about NSAGs, which gives way to many myths and misrepresentations about them and which in turn leads to ill-conceived policies with regard to engagement or non-engagement with armed groups for civil war termination. Therefore, this research is most timely and will hopefully provide policy makers with many interesting analysis of past occasions of coming to the table, encouraging them to develop policies that are less alienating and more realistic.

(2) *Conflict Resolution Practitioners*: The field stresses sound analysis as the first step for successful resolution strategies. By providing an in-depth understanding of the working of a NSAG and its immediate internal and external environment, together with a comparative study of four cases of getting to the negotiating table, conflict resolution practitioners should have new ideas and models for what gets a NSAG to the negotiating table.

(3) *Students and Scholars of Conflict Resolution*: As pointed out in the very first section, in the field of conflict resolution there is need for revisions to the theories for what brings groups to the table. The next chapter deals with this in greater length. Lack of empirical evidence has been one of the key reasons for the inability to develop theory that treats all parties in the conflict separately. This research brings in empirical data to show the role and importance of the internal environment and organisation of the NSAG in decision-making. Hopefully, it will help refine some of the theories in the field on what brings a NSAG to the negotiating table through a focus on their internal environment.

## **2. RESEARCH METHOD**

### **2.1. Introduction**

This dissertation, primarily through empirical work, seeks to identify the relative influence of the factors in the environment, internal and external to a NSAG on its decision to come to the negotiating table. The research design and the methodology for this dissertation were selected and shaped to address the research questions, the research issue, and the gaps in the existing literature as detailed in the first two chapters. The methodology also provided the framework for the presentation of the findings from the empirical research done in Sri Lanka, India and the U.S.

However, what makes methodology an important and interesting topic for discussion in this research is that the data collection and analysis methods had to be adapted primarily to suit the challenges faced in doing field research on and among underground and secretive groups. The context therefore was crucial in the selection and use of the research methodology — it was the tool that could describe the context, but it was also the tool that guided me in manoeuvring the context in order to get to the research questions. The discussion of the data findings in the chapters that follow will provide an indication to the effectiveness of the methods used in this study, under the given set of circumstances.

### **2.2. Research Questions**

Recollect from Chapter I that this research is driven by three main questions . Each of these questions has a set of secondary questions that provide greater direction in the research process for this dissertation. These questions are:

***Q. 1. What kinds of influence do factors internal and intrinsic to a NSAG have on its decision to come to the table?***

*(a) How much of the vision, mission of the organisation is incorporated in making the decision to come to the table?*

*(b) How does leadership style shape and contribute to the decision to come to the table?*

*(c) What effect does the type of organisational structure have on the ease with which the group will come to the table?*

*(d) How do changing levels and patterns of recruitment impact the organisation's decision to come to the table?*

*(e) How is training and indoctrination relevant to a decision to come to the table?*

*(f) Does organizational culture support or undermine the decision to come to the table?*

***Q.2. What kinds of influence do internal events and processes have on the NSAG's decision to come to the table?***

*(a) How does the organization deal with internal or external crises and how are decisions about negotiation taken in such situations?*

*(b) What impact does the NSAG's dynamic relationship with the stakeholders have on their decision to come to the table?*

*(c) How does the organisation deal with internal power struggles, if any, especially at the time of coming to the table?*

***Q.3. What kinds of influence do factors external to a NSAG have on their decision to come to the negotiating table?***

*(a) How do the policies of the ruling government facilitate or hinder the NSAG's decision to come to the table?*

*(b) What influence does third party involvement have on a NSAG's decision to come to the table?*

*(c) How does the organisation's relationship with the other NSAGs impact its decision to come to the table?*

*(d) How does the global environment pressure or avert a NSAG's from making the decision to come to the table?*

The questions are exploratory and

*(1) seek to provide a description of the internal environment of a NSAG, the LTTE, of which so little is known.*

*(2) seek to draw connections between the nature of the organisation, its ideology, its functions and its decision making process with specific regard to its decisions to come to the negotiating table*

*(3) seek to assess the nature of impact of the actions of parties and events that are outside the NSAG's immediate environment on a decision to come to the negotiating table.*

*(4) seek to find the relationship, if any, between the different factors of the internal and external environment*

Note that there is an initial underlying question which lays the foundation for the three research questions. This question is “*what does the internal environment of the LTTE look like?*” This part exploratory, part descriptive question will be answered through the use of empirical data which will provide a first hand account of the structure and nature of the organisation.

. The elements of the two environments identified are individually studied in the secondary set of questions. Once again this dissertation does not suggest that the two environments are separate entities. Rather they overlap with interactions constantly taking place between them. However, treating the factors in each environment separately helps the reader obtain an in-depth understanding of the nature of each factor and the relationship it has with other factors in both the internal and the external environment. These ideas behind the research questions, together with a review of the literature in Chapter II, generate two broad hypotheses for this dissertation. These hypotheses are not strong enough to be tested but they provide a framework for the dissertation. They are:

*(1) Conflict resolution efforts will be strengthened if they take into consideration and treat separately those events and processes internal and intrinsic to a NSAG that influence its decision to come to the table.*

*(2) The environment external to the NSAG may provide options, but it is its internal environment that largely drives the choices it makes.*

The hypotheses are more intuitive in nature and serve to connect the research questions to the other aspects of the research design that is detailed in the following sections.

### **2.3. Research Design**

This research explores the phenomenon of one NSAG “coming to the table” and the following section explains the research design<sup>19</sup> for this dissertation.

The exploratory and descriptive nature of the questions is supported by a research design that is a mix of grounded theory approach and a comparative case study analysis within a qualitative research framework. Research design evolved throughout the study. Initial decisions were made on how research may be directed, but methods were developed as an ongoing process throughout the study. This process evolved throughout the study and was also modified for practical considerations associated with empirical work. Each of these is discussed below:

#### **2.3.1. Qualitative Research**

I chose to do a qualitative research study that follows two methodological traditions of inquiry: case study and grounded theory approach. Scholars have suggested that qualitative research is undertaken when a study is done in its natural setting, where the researcher gathers information to create a holistic picture, and then interprets and analyses it after presenting the views of those researched in detail .

##### ***2.3.1.1. Comparative Case Study Analysis***

The exploratory nature of this research is supported through the case study approach. The case study method complements the grounded theory approach in the goal of gathering rich empirical data.

This dissertation uses an embedded case study research method. An embedded case study is one where there is a single case within which there are multiple units of analysis (Yin 1994). One NSAG, the LTTE (Sri Lanka) is my main case study for this research. The unit of analysis is the event of the LTTE coming to the table.

The four occasions the LTTE came to the negotiating table: 1985, 1989-90, 1994-95 and 2001-02, are the cases embedded within the main country study.

The LTTE was selected as the case study keeping in mind some of the objectives of this research. The LTTE is fighting the government of Sri Lanka. It began as a separatist movement (identity-based) where the demand was for self-determination through territorial control - although over the years autonomy has become an acceptable alternative goal. The nature of the armed conflict is a combination of guerrilla warfare, conventional warfare and terror tactics.

The disadvantage of doing a single case study is the most obvious one - that is its weakness on external validity - the inability to generalize the findings to other armed groups (Robson 1993). While external validity is helpful it is necessary to remember that armed groups are unique to their political, economic, social, and cultural context and hence generalizability will be, in any case, limited.

The units of analysis (the cases) will be compared on as many elements of the internal and external environments as possible. Comparisons will also be drawn between stages in the decision-making process during each event of coming to the table to comment on the broader decision making process in the LTTE.

The comparison of the four cases is in the nature of a case-oriented comparative method. The case-oriented comparative method in practice uses “the method of agreement to resolve a simple paradox”. Basically, this method says that if there are two objects (events) that have the same outcome (getting to the table) then the objective is to locate the causally relevant similarities between the two objects that explain the common outcome. The biggest strength of this method, says Ragin, is that it stimulates rich dialogue between ideas and evidence. Thus, the case-oriented comparative method that is used for this research will help in linking the research questions to the empirical data collected, making the analysis stronger.

### **3. THE CONFLICT IN SRI LANKA**

#### **3.1. Introduction**

*It is possible to live in peace.*

*Mahatma Gandhi (1869-1948)*

The protracted, intractable and violent conflict in Sri Lanka has deprived its citizens of peace. Parties disagree over what constitutes 'peace', over how to reach 'peace' and over how to maintain 'peace'. The history, both past and recent, of the island is replete with bloodshed and gory violence. Over the years, the goals of the parties in conflict have changed, newer parties have joined the conflict and there have been changes to the alliances among parties. In addition, the dynamics of the conflict have undergone many transformations but the struggle and search for 'peace' has continued. The cry for peace that reverberates the country has been heard loud and clear for centuries, albeit intermittently and carrying a variety of meanings. Peace, however, has eluded this tiny island for centuries.

This chapter traces the history the conflict on the island as it took shape and evolved over the years. The latter sections are about the different efforts made to bring lasting peace to the island. Lastly, there is a comment on the current situation on the island and the failure to maintain peace.

#### **3.2. The Colonial History**

In the 16th century the Portuguese arrived in Sri Lanka, attracted by the commercial and strategic advantage the island held. The Portuguese established their control over large territories of Sri Lanka. At the time, there existed three separate kingdoms in Sri Lanka: Kotte, Kandy and Jaffna. Kotte was split and in their internal wars, the Portuguese intervened at the invitation of the King of Kotte. After many battles, Kotte came under the control of the Portuguese. Jaffna finally fell to the Portuguese in 1621 A.D., after they repeatedly invaded the centre of the Tamil kingdom. The Portuguese continued to fight battles and gained control of the Eastern provinces of the island, despite increasing resentment of the people to



these 'foreign' invasions. Slowly, the entire country came under their control - except Kandy.

Kandy fiercely retained its independence. When the Dutch began making overtures in the early 17th century to the Kandyans for furthering their trade interests, the Kandyan king conspired to use the Dutch naval resources to get the Portuguese out of the island. However, relations between the Sinhalese rulers in the Kandyan kingdoms and the Dutch were always fraught with tensions and mistrust. The Dutch used their naval power to oust the Portuguese from the Eastern province, and similarly freed areas of the south, together with the Sinhalese rulers. However, the Dutch and Kandyan Sinhalese rulers were constantly cutting deals with one another. Around this time, the United Provinces and Spain (that governed Portugal) signed a treaty that forced a truce between the Dutch and the Portuguese. The Kandyans realised that they would lose in the face of this new partnership between the two invaders and, determined to retain their Independence, they began to fight the Dutch. When the treaty ended in mid 17th century, the Dutch fought the Portuguese again and slowly took over the island from them. They began to oust the Portuguese and refused to hand over areas they gained to the Kandyans. The Kandyans retreated to their mountain kingdoms and the Dutch became the new colonial rulers of the island.

During the Portuguese and Dutch colonial rule, the difference between lowcountry (coastal and peripheral) and high-country Sinhalese (central, Kandyan) increased. The low-country Sinhalese were influenced by Western customs and laws, received western-style education, enjoyed greater literacy and better standards of living than the high-country Sinhalese. The high-country Sinhalese considered themselves politically independent and superior to the low-country Sinhalese because they never came under foreign power.

In the late 18th century the British invaded and annexed the northeast part of Sri Lanka from the Dutch. This time, the Kandyans approached the British to oust the Dutch. The British made a deal with the Kandyans to oust the Dutch in return for control over the cinnamon trade in the east. The Kandyan rulers realised a little too

late that they were only replacing one colonial master with another. They were also dealing with internal strife in the Kandyan kingdom. The rebels within sought the help of the British in ousting the king of Kandy. By early 19th century the British had signed a treaty in which the Kandyan king was removed and the traditional chieftains held power under a British administration. The British played their cards right and established their rule over the whole island. Thus, for the time since the 12th century, the ethnically-divided island came under one control, but with deep divisions between north and south, and between high country and low-country populations.

Amidst all the wars that were fought over the centuries, the cry for peace was barely heard. Peace, for those who had power and who yearned to be powerful, became synonymous with control over territory. The cries of the ordinary person for peace remained muffled.

### **3.3. Independence**

With Independence, the Sri Lankans were finally responsible for their own people and had control over their land. It seemed as if their yearnings for peace would finally be met. It did not, however, turn out as the people might have wanted it; in fact, the relationship between the majority Sinhalese-speaking community and the Tamil-speaking minority community deteriorated and tensions turned into a civil war in the 1980s.

Unlike in neighbouring India, there was no national movement in Sri Lanka that sought independence from the British. Some scholars opine that it is this lack of a national consciousness owing to the absence of a freedom struggle movement which has failed to unite the diverse population. The following sections discuss the various aspects of the post-independence conflict: the policies of the government that were unable to transcend the historical hostility between the communities, resulting in a more pronounced difference in an independent Sri Lanka. However, first a look at the demographics of independent Sri Lanka.

### ***3.3.1. The Conflict***

The origins of the conflict in Sri Lanka are rooted in history, but it also has its contemporary dimensions. The conflict in Sri Lanka is an example of a protracted conflict that has, over the years, become an interlocked conflict, with issues and parties added over the years. On the most basic level, the conflict is between the Sinhala-speaking and the Tamil-speaking populations of Sri Lanka. The Tamil-speaking people opted for an armed struggle for self-determination, having failed to gain power through non-violent political means.

The conflict in Sri Lanka is complex with many dimensions to it. Some of these intricacies are discussed below:

#### ***3.3.3.1. The Linguistic Dimension***

In Sri Lanka, ethnicity includes language and religion. These terms tend to get used interchangeably. The conflict, as it is played out today, is primarily between the Sinhalese and the Tamils.

The post-Independence period saw power centred in the hands of English speaking elites on both sides, in what was a continuation of the style of the colonial administration. For the vernacular-speaking people, independence brought less change. This increased the tensions between the Sinhala -speaking rural elites and the English speaking Sinhala elite in Colombo. The former also resented the power in the hands of the English-speaking Tamil elite.

It was this group, the Sinhala speaking rural elite who came together as a political party, the Sri Lanka Freedom Party (SLFP), led by S.W.R.D. Bandaranaike. The party campaigned on making Sinhala the language of the state, in order to remove the barriers placed in front of them by the English language and also to restore Buddhism to its “rightful” place in polity.

Having won the general elections in 1956, the SLFP passed the Official Language Act in July 1956. Referred to as the ‘Sinhala only’ act, this completely denied Tamil language rights and made Sinhala the official language. In the process, Tamils were disadvantaged in employment and other areas of government.

This sparked off non-violent campaigns from the Tamils and for the first time, there was violence against Tamils, particularly in the south and east. The divide between the two communities was only growing.

### ***3.3.3.2. The Ethnic Dimension***

Ethnicity in Sri Lanka has two characteristics: language and religion, which creates four distinct ethnic groups: the Sinhalese, the Tamils, the Muslims and the Burghers.

The Sinhalese are the largest ethnic group. In 1981, they were about 74 % of the population. Their language - Sinhalese - has many words and constructs from Tamil and some European languages, especially English.

There is a clear difference between Kandyan high country and low-country Sinhalese. These divisions are clearly spelt out in the social relations, such as kinship and caste, cultural practices and educational system.

The Tamils are about 18 % of the population (according to the 1981 census). Their language is Tamil. The Tamil language, as spoken in India, is over 2000-years-old and is considered to be a Dravidian language that existed in South Asia before the arrival of Indo-European languages.

-Tamils in Sri Lanka are divided into Sri Lankan Tamils and Indian Tamils. (12.7% are Sri Lankan Tamils and 5.5 % are Indian Tamils.) Sri Lankan Tamils are those who trace their origin to a very distant past and are the minority group in Sri Lanka. Indian Tamils, on the other hand, are those who were immigrants from Tamil Nadu in India and were brought by the British to work in plantations. Known alternatively as Indian Tamils and Plantation Tamils, this group is separate from Sri Lankan Tamils.

-Muslims in Sri Lanka are about 7% of the population. They are separated from the other communities by their customs, religion, culture and even language. The Muslim community in Sri Lanka is divided into three main sections: Sri Lankan Moors, Indian Moors, and Malays. The Sri Lankan Moors make up the majority of Muslims. They trace their ancestors to Arab traders who came to India and Sri Lanka. They speak Tamil. They initially settled in the coastal areas, but because of

Portuguese persecution moved to the Central Highlands. Indian Moors are Muslims who came from India during different colonial periods. Coming from different parts of India and Pakistan, they retain the languages and customs of their ancestral homelands. Malays come from Southeast Asia, mainly Indonesia, when both Sri Lanka and Indonesia were Dutch colonies. Their language is Malay, and includes words from Sinhalese and Tamil.

-Burghers originally meant any European national living in Sri Lanka during the Dutch colonial period. It later came to signify any one who could trace their ancestry back to Europe; so there are Dutch Burghers and Portuguese Burghers. They have generally remained Christian, retaining European customs and language. With most of them having emigrated, they are just 0.3 % of the population today.

The divisions among the Sinhalese continue to play out in the political sphere, which makes the government in the south unable to make and adhere to firm and consistent policies. The Tamils, concentrated mainly in the northeast, stand separate from the Tamil-speaking Muslims and the Indian Tamils, neither of whom harbour any aspirations of a separate homeland.

### ***3.3.3.3. The Religious Dimension***

Buddhism reinforces the identity and the ethnic solidarity of the majority community. In 1988, approximately 93 % of the Sinhalese-speakers were Buddhists and 99.5 % of Buddhists spoke Sinhalese. Buddhism is accorded high importance in family and social life. Monks are accorded great respect and the important role of Buddhism in culture and politics of the island is stressed.

Eighty percent of Sri Lankan Tamils and 90 % of Indian Tamils in Sri Lanka are Hindus. Further divisions in the Tamil community are those who have converted to Christianity: 4.3 % of Sri Lankan Tamils and 7.6 % of Indian Tamils.

At the time of Portuguese colonial rule, many of the Sinhalese and Hindu places of worship were destroyed. Mass conversion to Catholicism took place, largely in the coastal areas. The Dutch colonialists continued to persecute other religions and tried to get Catholics to accept Protestantism. It was only during the time of British

colonial rule that adherents to the Sinhalese or Hindu religions could once again practice their religion with some freedom. In fact, there were then many converts from Christianity to Hinduism or Buddhism.

The conflict in Sri Lanka is not a conflict about or over religion or even between religious groups. However, with the majority of the Sinhalese following Buddhism and the majority of the Tamils following Hinduism, the conflict begins to assume religious connotations. Further, the amendments to the 1972 constitution in which Buddhism was accorded the foremost place ensured further dissatisfaction among the Hindu Tamils. More recently, the entry of Buddhist monks into the political arena by forming a political party of their own, the Jatiya Hela Urummya (JHU), has made the religious dimension to the conflict a more important one to note.

#### ***3.3.3.4 The Political Dimension***

It has been over five decades since Sri Lanka achieved Independence from the British. Independence and a unified constitution have failed to bring the two ethnic communities (the Sinhalese and Tamils) of the island together. The UNP, to whom power was handed by the British, represented right-wing English-educated elite who had the Christian community as their allies. Eight years later, in 1956, the SLFP won on a campaign of Sinhala chauvinism; their policies laid the ground for further distance between the two communities. The passing of the ‘Sinhala only’ Act in 1956 was followed by non-violent protests by Tamils. The SLFP finally gave in to the Federal Party’s (FP) demands (a federal constitution, parity of Sinhalese and Tamil languages, citizenship to Indian Tamils, and a halt to Sinhalese re-settlement in Tamil-speaking areas). The then SLFP Prime Minister, Bandaranaike, signed a pact with the leader of the P.S.J.V. Chelvanayakam. The pact, known as the Bandamaike-Chelvanayakam pact, offered devolution of powers to the Tamil regional councils and recognised Tamil as a national minority language. However, the opposition in the south to the pact was so strong that in April 1958, Bandarnaike publicly abrogated the pact, causing a sharp fall in the trust between the Tamil and Sinhalese leaders.

The frustrations of the Tamil people grew as the Federal Party tried to continue to demand rights for the Tamil people and to repeal the 'Sinhala only' Act. In 1965, the FP negotiated with the new UNP government and signed another pact, the Senanayake- Chelvanayakam pact. This pact was similar to the previous pact and in return the FP promised to support the coalition government at the centre. However, once again the government failed to keep up its promises. It gave in to the pressures of the opposition and failed to implement the Tamil Language Regulations, which was published in 1966. By then, the Tamils had completely lost all faith in the government, and the stalwarts of the FP were losing the support of their own people.

The final let down came from the government in 1972, when a new constitution was adopted in which the country name was changed from Ceylon to Sri Lanka, Buddhism was given the foremost place in society, and Sinhala became the official language. This was also when the government imposed its standardisation policy<sup>8</sup> to the detriment of Tamil students.

Until the 1970s, the demand of the Tamils was for a federal or decentralised state for the Tamils, but following 1972 constitution, the first demands for secession were heard. Tamil parties came under one banner and called themselves the Tamil United Front (TUF) and later the Tamil United Liberation Front (TULF). The TULF enjoyed popular Tamil support and continued to seek political solutions to their demands, but by 1976 they split because of internal divisions after the death of their leader, and a new option emerged. This new option came from the more militant Tamil youth groups who believed that Tamil independence was a must and that the only way to attain it was through armed force. One of these armed groups was the Liberation Tigers of Tamil Eelam (LTTE), which was created in 1976.

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<sup>8</sup> Under this policy, a system of standardisation of marks was introduced for admission to the universities, obviously directed against Tamil-medium students. The standardisation system did not last, and in 1972 it was changed to a 'district quota system' to compensate for the fact that within each language constituency, certain groups had access to considerably better educational facilities. Jaffna Tamils would still be disadvantaged under this new system and this led to many protests in the north.

### ***3.3.3.5 The Economic Dimension***

After independence, the link between language and economy became more apparent. In the years of colonial rule, especially under the British, the Wet Zone (coastal) of Sri Lanka was more developed than the Dry Zone (mainland). For better prospects, the Sinhalese from the Dry Zones began moving towards the Wet Zones, coming into contact with the Tamils after years of separation. This made them aware of the better status of the Tamils, their proficiency in the English language, and greater representation in the public services. Resenting the Tamils for having a greater share of the per capita income and better employment opportunities, the Sinhalese majority feared that the Tamils and the Moors (who also spoke Tamil) would dominate the economy and thus pose a challenge to the Sinhalese Buddhist race.

At the time of independence, Sri Lanka was economically among the better off countries in South Asia. Its GDP was higher than that of many of its neighbours. However, owing to the tensions between the two communities and the fact that economic development was not uniform across the country, there was a lot of frustration among both the Sinhala and Tamil youth. The Marxist Janata Vimukta Peramuna (JVP), which was formed by Sinhala youth in the south rebelled against the lack of economic development and opportunities available to them. This was not very dissimilar to what the Tamil youth felt in the north and the east<sup>9</sup>.

The economic component to the conflict only worsened with the country fighting a war against militant youth of the north and south.

### ***3.3.3.6. The Military Dimension***

There were a few overtures of peace in the late 1970s from the Sri Lankan government (the UNP), yet Tamil militancy demanding a separate homeland grew. By 1983, the anti-Tamil sentiments in the country reached an all-time high. Riots

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<sup>9</sup> The JVP led a revolution in 1971 in which over 15000 lives were lost. The JVP's effort to seize power was met with brutal force by the state



broke out all over the country led by the JVP<sup>10</sup>. In response, the government declared advocacy of secession as unconstitutional, thus giving the Tamil militancy a greater boost in terms of leading the war against Sinhala chauvinism. TULF, then the main opposition Tamil party and which had won on a separatist platform, had to resign and thus the Tamils had no political representation.

Since 1983, the armed conflict has intensified. Spearheaded mainly by the LTTE, the country has witnessed violence in the form of armed insurgency and counterinsurgency, especially in the north and east of the island. Over 64000 people are said to have died. Sri Lanka has one of the worst records of human rights abuse.

When the British left Sri Lanka, the country was under a unified administrative system, and this was after centuries of having been a divided land. The political leaders were prepared to work together to take charge of their country and to end foreign rule in Sri Lanka. Yet, with Independence, relationships only seemed to worsen. Policies and strategies adopted by political parties and leaders were detrimental to the common good of the country. Ethnic identities became more important than a national identity. In short, peace - of which there was glimmer when the British rule was ending - was ruined in independent Sri Lanka.

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<sup>10</sup> The 1983 anti-Tamil violence were the worst in the country. The country had witnessed riots on numerous occasions since Independence but the violence in 1983 was unprecedented and it became a turning point in the conflict

## **4. THE LIBERATION TIGERS OF TAMIL EELAM (LTTE)**

### **4.1. Introduction**

This chapter examines the origins and nature of this NSAG, which has grown from being a small guerrilla group to a military-politico institution that runs a parallel government in the territories it controls. It continues to use guerrilla and terror tactics, and is equally comfortable in conventional warfare. The LTTE and especially its leader have essentially remained elusive; it has also been the subject of much speculation regarding the beliefs and motivations behind the actions of its cadres.

First hand information on the LTTE is hard to find in scholarly or journalistic writings. However, as a consequence of the recent peace process, the LTTE opened political offices, making access to its mid-level leadership somewhat easier.

### **4.2. The Origins of the LTTE**

On 5th May, 1976, 22-year-old Velupillai Prabhakaran formed the Liberation Tigers of Tamil Eelam (LTTE)<sup>11</sup>. Nine days later, on 14th May, 1976, came the Vaddukoddai Resolution<sup>12</sup>, which called for “restoration and reconstitution of the Free, Sovereign, Secular and Socialist State of Tamil Eelam based on the right of selfdetermination inherent to every nation”. The Vaddukoddai resolution was initiated and led by The TULF, which brought under its banner many Tamils<sup>13</sup>. The resolution was built on the notion that self-determination had become “inevitable in order to safeguard the very existence of the Tamil Nation in this country”.

This was not the first call for separation since Independence; it was, however, the first time that the main Tamil political party was calling for an independent Tamil homeland (Tamil Eelam). Tamil NSAGs from the early 1970s had been making the

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<sup>11</sup> Prabhakaran had founded the armed group, Tamil New Tigers (TNT) in 1974. When he founded the LTTE in 1976, the TNT was disbanded; the LTTE was built on the foundations of TNT

<sup>12</sup> The resolution was adopted at a convention of the TULF at Vaddukoddai

<sup>13</sup> The Ceylon Working Congress (CWC), which represented the Plantation Tamils, saw themselves as distinct from the TULF with distinct demands - they did not aspire for a separate Tamil homeland. TULF in the Vaddukoddai resolution recognised the reservations of the CWC

demand for self-determination and in the Vaddukoddai gathering, for the first time, the Tamil political parties had endorsed this call for Tamil Eelam. The TULF may not have been fully in favour of the demand for Tamil Eelam and probably would have liked to downplay the violent dissent and resistance against discrimination and accumulated grievances by the Tamil youth, but the growing popularity of the armed groups and the increasing ethno-nationalist fervour that these NSAGs had been able to whip up in the Tamil population were hard to ignore. If the TULF did not “go” with the popular demand, their membership and support would have gone down significantly. This also signified that the route of violence taken by young Tamil militants, was becoming more acceptable, primarily because of the failure of the moderate Tamil parties to bring any significant changes to what they saw as the Sinhala Buddhist policies. So, Prabhakaran was encouraged by the Vaddukoddai resolution. He even interacted with the leaders closely in the gathering; but, was disappointed with TULF’s seeming inertia. After the 1977 general elections, most Tamil NSAGs seemed to have had enough of the moderate Tamil parties. Prabhakaran in an interview said *“The political opportunism of the TULF is a well-known factor. They are power hungry politicians who have been cheating our people due to their selfish political ambitions. In the 1977 general elections, they obtained a mandate from our people to struggle to establish an independent Tamil State, but never made any effort to fulfil the pledge. Rather, they sought to negotiate for meager concessions. I would categorise this as gross betrayal and opportunism”* .

The NSAGs now seemed to have greater justification for the use of arms in the struggle for liberation, although it would be hard to pinpoint the precise beginning of the Tamil armed struggle. It is, however, important to note that it began well before the LTTE came into existence. (See Annexure C for the origins of the LTTE.) Subsequent to the LTTE, many more groups joined the armed struggle, either splitting from one of the former groups or by amalgamating with another. Moreover, members seemed to move from one group to another whenever differences arose.

When asked the question as to why he decided to take up arms and create the LTTE, Prabhakaran said *“It is the plight of the Tamil people that compelled me to take up arms. I felt outraged at the inhuman atrocities perpetrated against an innocent people. The ruthless manner in which our people were murdered, massacred, maimed and the colossal damage done to their property made me realise that we are subjected to a calculated program of genocide. I felt that armed struggle is the only way to protect and liberate our people from a totalitarian Fascist State bent on destroying an entire race of people”* .

The LTTE’s primary goal was the creation of a Tamil homeland for the Tamils of the northeast. According to Prabhakaran *“It is wrong to call our movement "separatist". We are fighting for independence based on the right to national self determination of our people. Our struggle is for self determination, for the restoration of our sovereignty in our homeland. We are not fighting for a division or separation of a country but rather, we are fighting to uphold the sacred right to live in freedom and dignity. In this sense, we are freedom fighters not terrorists”* .

In the first decade of its existence, the LTTE was one among many Tamil NSAGs. After this time, the LTTE began a systematic process of eliminating the other Tamil groups - a process that intensified after the end of the Indian Peace Keeping Force (IPKF) debacle. In this time period, the LTTE gained in strength and grew to become the group that dominated armed struggle.

Almost three decades later, it is the LTTE that is spearheading the struggle for an independent nation. Their growth has been stunning. This NSAG, which began with a handful of members specializing in urban guerrilla warfare tactics, has today a conventional army with sophisticated weapons, the kind that many states cannot boast of; and are feared as one of the most ruthless forces in the world.

### **4.3. The Structure**

The structure of an organisation has a very important bearing on its behaviour. Organisational structure defines the way an organisation is configured into work groups, and the reporting and authority relationships that connect individuals and

groups together. The LTTE's structure can be described as a highly centralised structure<sup>14</sup>. The following discussion explains this aspect of its structure.

So in the past, even up until the early 1990s, the LTTE was top heavy - narrow, with a few leaders, most of them military, and with a top to bottom flow of communication.

The LTTE was a military-politico organisation. The political wing is subordinate to the military wing but in times of peace (such as during the current peace talks), the political wing plays a more active and public role making it seem equally important as the military wing. Gunaratna draws up a structure of the LTTE organization as it would have looked like the early to mid-1990s. In it he describes the two main wings: the Political and the Military. All LTTE members said that there were no interactions between the units, and one unit was not aware of what another unit was engaged in or had done.

Another important characteristic of the organizational structure of the LTTE is that it is a hierarchical one. The structure has always been tall and while in the past it was lean, more recently, it has widened horizontally and there are more layers to the structure today. A few units of the LTTE on which I gathered empirical information are detailed below:

#### ***4.3.1. The LTTE Women***

The LTTE women are a formidable force in the organisation. They have their own military unit and have contributed significantly and in large numbers to the struggle. When they first took on this role of women with arms, women who played protector, it clashed with the traditional characterisation and position of a woman in Tamil society. Their new identity was viewed with both admiration and condescension.

Adele Ann, in her book on the LTTE women, takes a look into the beginnings and development of this unit of the organisation. Full of admiration for the women in

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<sup>14</sup> Centralisation is the extent to which authority for decision-making in the organisation is centralised so that it rests with top management (Brooks 1999).

having taken up the challenge and for achieving ‘equality’ in the movement and respectability in their society, Ann provides an insider’s perspective on the ‘metamorphosis’ of the Tamil women and their role in the LTTE. She is, however, quick to point out that male chauvinism in the highly patriarchal Tamil society has not been eradicated, but there is ‘greater respect, pride and appreciation for the achievements of the women combatants’ (Ann 1993).

The most significant contribution of the women cadres of the LTTE has been in the military area. They are the fighters. The Women’s Front of the Liberation Tigers (*Vituthalai Puligal Makalir Munani*) was formed in 1983. Training for the women cadres began on August 18, 1985, in Tamilnadu. On October 12, 1986, the women cadres were first inducted into the battle in Mannar. The first all women’s training camp in the northeast was set up on July 1, 1987, in Jaffna and around this time the second group of women were recruited. Women fighters from the first training were in charge of this second group of trainees. In this second training camp, the cadres gained the titleb “*Suthanthira Paravaigal* (Freedom Birds), which subsequently became identified with the women fighters of the LTTE. In December 1984, the first issue of the journal *Suthanthirap Paravaigal* was published. It highlighted the women in the liberation struggle and the oppression of women in society and in the context of the civil war. On September 26, 1989, a women’s military division, with its own leadership structure, was established with Sothia (one of the first women fighters) as the leader. Their new office was named “*Vidyal*” (dawn). On August 13, 1990, the first training camp for women was opened in the Eastern Province. Since Eelam War II in 1990, the women cadres have been involved in all types of battles, from guerrilla ambushes to conventional war

Women cadres of the LTTE play a very important role in the LTTE. There have definitely been changes in their role in society since their picking up arms. The conservative Tamil may still have to come to terms in accepting these “new” women and those in the external environment might continue to question the position of the women within the organisation, but there seems to be no doubt that

for Tamil women there is no going back. Their future may need to be shaped, but the past is well left behind.

#### ***4.3.1.2. The Black Tigers***

The LTTE are well known for their deadly Black Tigers (*Karum Puligal*) – the suicide bombers. It is said that the LTTE have mastered the art of suicide bombing and are pioneers, having passed on their knowledge to many other groups around the world. Pratap, who met some of the Black Tigers in 1991, writes that she found them more reticent, more disciplined, more motivated and utterly emotionless. All of the Black Tigers she met told her “*/ feel honoured that my death will take our struggle one step closer to Eelam*”. Any emotion they displayed, according to her, was only when speaking about Prabhakaran: “*He is mother, father, God all rolled into one*”. Their biggest fear was that they would let their leader, Prabhakaran, down. They prayed that their death should cause so much damage that it would make *Annai* (Prabhakaran) happy - and his happiness is all that mattered to them.

The first LTTE suicide bombing operation was carried out on July 5, 1987<sup>15</sup>, in Jaffna to prevent the Sri Lankan Army (SLA) from entering the town. This first mission was carried out by Wasanthan, alias Captain Millar, who loaded a vehicle full of explosives and rammed into the army camp in Nelliaddy, killing about 40 soldiers. In the LTTE, it is the suicide bombers who lead most of the military operations. It was during Eelam War II that the LTTE incorporated Black Tigers in the land and sea fighting forces - where a suicide bomber/s would first run in and attack. While the enemy was still recovering from the shock, the other LTTE cadres attacked, and attempted to vindicate the sacrifice made by the Black Tigers. It was also at the time of Eelam II that the LTTE began aimed at off battlefield targets, such as politicians and intellectuals. The success rate of the suicide bombers is high. Since the first attack in 1987, the LTTE have carried out over 200 suicide missions<sup>16</sup>, including one overseas mission, in India, where they

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<sup>15</sup> Since then, July 5th is commemorated as Black Tigers Day

<sup>16</sup> In Sri Lanka, the suicide bombers of the LTTE have been responsible for the death of many prominent politicians and leaders, such as: Clancey Fernando (1992), Chief of the Sri Lankan Navy; Ranasinghe Premadasa (1993), President of the country at the time of his death; and Neelan Thiruchelvam (1999), a moderate leader of

assassinated the former Indian Prime Minister, Rajiv Gandhi, during an election rally.

The LTTE have carried out more suicide bombings than any other group in the world. There are also known to have perfected the art of carrying out suicide bombings; their body suits are considered far more sophisticated than the ones used by other groups. The LTTE also has a Black Sea Tigers force, which have successfully carried out many operations in the waters of the northeast.

The LTTE recruits both men and women to be suicide bombers. It is said that the women suicide bombers, also known as the Black Tigress are in higher proportion to men in the deadly unit. Women are better able to avoid detection (hiding bombs under their clothes, pretending to be pregnant) and can pass through security and crowds more easily than men. The LTTE explain this phenomenon of female suicide bombers as their contribution to the emancipation of women. The inclusion of women in other groups around the world maybe a planned act and had actually to be allowed but with the LTTE, it was allowed by history; they modelled it on the participation of women in the

Usually, after the regular training, cadres go through a process of identification, where those qualified to be Black Tigers are selected for their commitment and for their dedication. If the cadre gives his/her consent, the person undergoes further rigorous training, and then joins the regular forces, until the services are required. To be a Black Tiger invites deep admiration from all, for it is not something everyone can do.

In death, the Black Tigers are glorified. Their deaths are the equivalent of attaining martyrdom. There are shrines and monuments constructed to honour them all over the northeast. July 5th, the anniversary of the first suicide bombing, is celebrated every year as Black Tigers Day (*Karum Pulligal Naal*). In 2002, there was a shrine built at the site of the first suicide bombing in Nelliady. In the LTTE cemeteries,

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TULF. Suicide bombings have also destroyed or caused damage to the Joint Operations Command, the nerve-centre of the Sri Lankan security forces; the Central Bank; the World Trade Centre; the Temple of the Tooth Relic, the most holy Buddhist shrine in Sri Lanka; and the oil storage installations in Kolonnawa. Their failed suicide bombing attempts (which in every case succeeded in killing some, but not the main target) includes Chandrika Kumaratunga, current President of Sri Lanka, who lost her right eye permanently in the attack



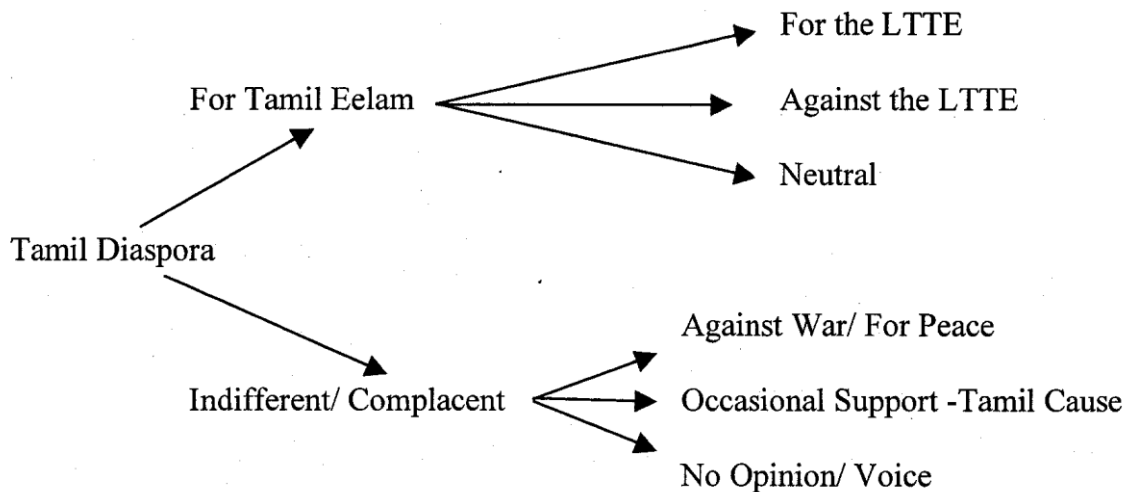
the suicide bombers have tombstones over graves that have no bodies. On Black Tigers Day, the LTTE radio broadcasts the brave deeds of the Black Tigers with their operational details; in the cemeteries, a lamp is lit in front of every Black Tiger tomb. There is a commemoration ceremony in which the Tiger Flag is hoisted and the family of the Black Tiger is publicly honoured. The family of the suicide bomber is well looked after by the Tigers (usually they are paid a monthly compensation).

#### ***4.3.1.3. The Diaspora***

The statement, “*the Diaspora is part of the freedom struggle*”, signifies the importance of the Diaspora for the LTTE. As in many conflicts, the Tamil Diaspora plays a major role in forming, maintaining and advocating opinion in the host countries on the war at “home”. The Sri Lankan Tamil Diaspora stands out as a group in the role it plays in support for the organisation and the Tamil Eelam cause, spreading propaganda, collecting and remitting funds, and assisting in various other needs and requirements of the LTTE.

The Diaspora is not just responsible for keeping the war going or supporting the LTTE who are fighting for a Tamil Eelam—a homeland that the Diaspora would like to return to, they are the ones who keep the war-weary economy going. Economic development in Jaffna since the peace process is attributed to the middle class Tamils who fled the peninsula and sought refuge in other countries. This is reflected not just in Jaffna having the slight edge over most other cities in the north and the east in terms of development but also in the development and maintenance of sites, such as the LTTE’s great Heroes’ Cemetery. The cemetery in Jaffna, which was demolished by the army in 1995 and rebuilt in 2002 after the ceasefire, was rebuilt with generous donations from the Diaspora who had lost family members. LTTE members acknowledge this economic support from the members of the Diaspora.

The Tamil Diaspora that is spread across many countries<sup>17</sup> in the world is not monolithic. There are divisions among the Diaspora, which are based on group affiliations held in the past, personal experiences of ethnic discrimination and war, number of years away from Sri Lanka, and present family connections in Sri Lanka. In a broad sense, the Diaspora is split into two main groups and six sub-groups:



These differences in the composition of the Diaspora are very critical for the LTTE. It shows how much support they may have, from whom and for how long they can expect this support to last. The latter is something the LTTE needs to consider because the second generation is generally not in favour of war and are ready for a change from the strategy of armed struggle. The LTTE might “condemn” them as the generation that has not suffered and, hence, are betraying the sacrifices and sufferings of the generation of their parents; but, the fact is that going against these opinions means alienating a whole generation, which the LTTE cannot afford to do.

The LTTE is resourceful and if possible that they will find a way to carry on their operations in the event that financial support from the Diaspora decreases. However, they cannot do without the Diaspora in conveying the message of the

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<sup>17</sup> Prominently and in large numbers is UK, U SA, Canada, Australia, France, and Switzerland

LTTE to the world, and without them the messages of the international community may not come back to the LTTE. International opinion, censure and approval, have become crucial for the LTTE and it is the Diaspora who is the messenger, the gatekeeper and the salesperson in the West.

## **5. THE LTTE AT THE TABLE IN 1985, 1989-90 AND 1994-95**

### **5.1. Introduction**

The chapter examines the circumstances leading up to the LTTE deciding to come to the table in 1985, 1989-90 and 1994-95. The three occasions have some similarity in terms of the conflict context, but there are significant differences in the three cases with regard to the motivation behind the LTTE's decision to come to the negotiating table. One of the significant contextual differences at the time of the three decisions to come to the table is that of organisational growth. Recollect from the previous chapter that the LTTE was in its fledgling state at the time of the first talks in 1985, had grown in size and scope at the time of the 1989-90 talks, and was running the civic administration in Jaffna at the time of the 1994-95 talks. The changes within the organisation are explored under the section of internal environment under each case.

Through a careful review of the context under which the LTTE made the choice to come to the negotiating table, together with a study of the happenings at the table and the subsequent reasons and context at the time of resumption of war, it is possible to learn about the elements in the LTTE's decision-making process to terminate war and talk peace. Most of the data for this chapter comes from secondary sources, although some interviewees did make references to what had happened in the past.

### **5.2. The 1985 Thimpu Talks**

The 1985 talks are also known as the "Thimpu Talks", because they were held in Thimpu, Bhutan. The Thimpu Talks were brokered by India, but the negotiations were conducted directly between the GoSL and the Tamil parties. The Tamil parties included the TULF, and five Tamil NSAGs: PLOTE and the Eelam National Liberation Front (ENLF), which was comprised of four NSAGs (EROS, EPRLF, TELO and LTTE). The ENLF was founded in April 1984 by the EROS, EPRLF and TELO. The LTTE subsequently joined them in April 1985. The GoSL side at the talks was represented by President Jayawardane's brother, Hector

W.Jayawardane, who was a lawyer by profession. The others in the team were civil servants and legal experts.

Two sessions made up the Thimpu Talks. The first was from July 8 to 13, 1985, and the second was from August 12 to 17, 1985. The talks were preceded by the Cessation of Hostilities agreement that came into force on June 18, 1985. From the beginning the talks were fraught with hurdles. There was too much mistrust between the parties and non-acceptance of the four principles the Tamil parties put forward as key to any agreement that would be reached between the two sides. The four principles were<sup>18</sup>:

1. Recognition of the Tamils of Sri Lanka as a distinct nationality
2. Recognition of an identified Tamil homeland
3. Recognition of the inalienable right of self-determination of the Tamil nation
4. Recognition of the right to full citizenship and other fundamental democratic rights of all Tamils.

The Tamil side, on the other hand, did not accept the proposals put in front of them by the GoSL, which they felt fell short of devolution of political power to the Tamils. In spite of the Indian representatives facilitating the talks, they collapsed on August 17<sup>7</sup> when the Tamil parties pulled out of the talks, citing the government's inability to stop the continuing violence in the northeast.

The Tamil parties at the talks were represented by their senior members, not their leaders. One Tamil negotiator present at the talks explained "*The top leadership will never sit at the talks because it could be a trap*". The Government of India (GoI) arranged for the leaders of the Tamil NSAGs who were in India to communicate to their representatives in Thimpu through a specially set-up hotline from Chennai, India. The talks were also happening at a time when there was a growing chasm between the TULF and the NSAGs. While the Tamil NSAGs maintained a united political front at the talks, militarily they followed their own particular strategy in the war against the GoSL.

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<sup>18</sup> <http://www.tamilcanadian.com/article/3960>

The Thimpu Talks were a key event in the period of intense Indian involvement, which began soon after the 1983 Black July events and ended with the withdrawal of the IPKF in 1989. In 1983, India was the worried and concerned neighbour who provided humanitarian assistance to victims of the riots, but very quickly the powerful neighbor began flexing her muscles and playing a strategic game to bring the parties to a negotiated settlement of the conflict. The Thimpu Talks then led to India's further and deeper involvement in the conflict.

### **5.2.1. Why did the LTTE come to the table in 1985?**

In the answering the research question: 'What made the LTTE decide to come to the table?' the following sections assess the influence of the factors in the internal and the external environments on the LTTE's 1985 decision to come to the table.

#### ***5.2.1.1. Internal Factors***

There were four main factors of the internal environment that seem to have had an impact on the decision of the LTTE, together with the other Tamil NSAGs, to come to the negotiating table at Thimpu. These are the People, Diaspora, and Organisational and Military.

#### ***5.2.1.2 The People Factor***

Following the July 1983 anti-Tamil riots all over the country, the Tamil insurgency grew as a means of protection for the Tamil people. While the violence in the beginning was contained in the northern part of the country, it spread to the eastern parts in the latter half of 1984. The Tamil population, who became natural victims of the violence between the various Tamil NSAGs and the SLAF, suffered a great deal. They were also targets of the excesses committed by the SLAF. Disappearances, torture and killings of youth became more and more frequent. Life in the northeast became more difficult.

In short, the Tamils believed in the violent strategy adopted by the NSAGs because they did not see an alternative to the government's brutal repression. However, the impact of the violence on them was hard and they would have supported a way out of the violence if there was one. The people probably did not expect much to come

from the Thimpu Talks, yet although they would have hoped that it would bring a peaceful solution so they could return to their normal lives.

I conclude that the “People Factor”, therefore, did not really motivate or pressurize the LTTE to come to the table at Thimpu, but it definitely played a big role in determining the overall strategy of the LTTE and the other Tamil NSAGs.

### ***5.2.1.3. The Diaspora Factor***

In the period before the Thimpu Talks, the Tamil Diaspora was growing in numbers. The events of July 1983 contributed in a significant way to the growing number of persons seeking asylum in India, Europe, Australia and Canada.

The GoSL raised strong objections to the involvement of the Diaspora in the conflict. Its primary concern was over the collection and remittance of funds to the Tamil NSAGs. President Jayewardene had complained to the UK and the US asking them to curb the activities of the Tamils in their countries and prevent them from collecting funds to support an insurgency in Sri Lanka. In response, the Eelam Solidarity Campaign, which represented Tamils in Britain, wrote to Prime Minister Thatcher denying the charges, but admitting to running campaigns against gross violations of human rights in Sri Lanka.

Similarly, in September 1984 the President of the Eelam Tamil Association of America denied allegations by the GoSL that the Tamil Diaspora was raising funds to support the insurgency in northern Sri Lanka. The funds were meant for the refugees in south India, he said. Lie further added that the Association was lobbying for the American and Indian governments to pressurize GoSL to protect Tamil human rights. In 1981, the same group persuaded the State of Massachusetts to adopt a bill which prohibited the use of state funds for investment in any company with holdings in Sri Lanka .

Balasingham argues that, at the time of the Thimpu Talks, the Diaspora Tamils were neither organised nor mobilized, and definitely were not in a condition to contribute resources to the armed struggle. His argument is supported by the fact that the Tamils who were just fleeing would have been in no condition to

contribute. Those who had left the country at an earlier stage and were settled in foreign countries could have contributed and petitioned, but the question would be how were they disposed to the military strategy involving terror tactics adopted by the NSAGs?

The Diaspora then, appears to have been unable to advocate the ideology and position of the Tamil Liberation Struggle in their host countries. They were, however, definitely active, conscious and closely observing the situation in Sri Lanka. With this it would be safe to conclude that at the time of the Thimpu Talks, the LTTE and the other NSAGs enjoyed the support of the Diaspora for their actions primarily because of the Diaspora's resentment, anger and opposition to the actions of the GoSL. The Diaspora, therefore, could not have played a major role in bringing the LTTE to the table in 1985. However, the LTTE must have felt pressured to communicate their actions (of coming to the table or leaving it) to the Diaspora to keep them included in the struggle and to receive their continued crucial support.

#### ***5.2.1.4. The Military Factor***

Balasingham writes in his book that the LTTE had no choice but to go with the covert operations (providing military assistance to Tamil NSAGs) launched by India. The LTTE would definitely benefit from the assistance, but they had no doubts about the underlying motivations behind India's actions. In many ways, they (the NSAGs) he writes were only being used as a leverage to bring the GoSL militarily to its knees and to the negotiating table. The LTTE was one of the last groups to approach the Indians for assistance. The TELO, EPRLF and the EROS had already been accepted for Indian training. Replicating the Indian training camps with camps of their own in Tamil Nadu, the LTTE were able to train a large number of cadres between 1983 and mid-1984. The euphoria over India's military assistance and the support for the Tamil liberation struggle and, more specifically, for the LTTE, made large numbers of Tamils join the armed movements.



In August 1984, the LTTE cadres, having returned to their bases in north and eastern Sri Lanka, began a military offensive against the SLAF. At the same time, the other NSAGs, having returned from their training, launched their own guerrilla war against the SLAF. These simultaneous offensives from the NSAGs were too much for the SLAF to handle - or so it seemed. These offensives continued into 1985.

Furthermore, one of the biggest problems for the SLAF and for the GoSL had been allegations of a highly undisciplined and poorly trained force. One Western official known to have commented that *'With the possible exception of certain African countries, Sri Lanka has the worst Army in the world'*.

However, with some training and assistance, the SLAF launched its own offensive against the NSAGs, turning the north into a war zone. In mid-December of 1984, the GoSL finance minister, Ronnie de Mel, stated that the defence expenditure of Sri Lanka was now eight times that of what it was in 1977.

At the time of coming to the table in 1985, the debate over whether there was a stalemate or a victory for one side remains unsettled but the war was intense. India made use of the opportunity to force both sides to the negotiating table, and the Tamil NSAGs, including the LTTE, came because they could not go against India at that point or they would lose their sanctuary there. The GoSL came to the table because they knew the Indians were on a military offensive against them through the Tamil NSAGs.

#### ***5.2.2.2. External Factors***

Before the Thimpu Talks there were two factors in the external environment that contributed in varying degrees to the pressure in bring the LTTE and the other NSAGs to the negotiating table. These two factors are discussed in detail in this section.

##### **5.2.2.2.1. The India Factor**

The Indians played a strategic game in getting the adversaries to the Thimpu Talks. Their motivations for bringing everyone to the table can be questioned, but the fact

is that they succeeded in putting themselves in a position in which they could literally dictate terms to the two sides to find a peaceful solution. In the context of Cold War dynamics, the involvement of the US and other allied countries in providing military assistance to the GoSL was threatening the regional power balances, and India was deeply concerned. It needed to reiterate its position as the regional superpower, and having control over the parties in the Sri Lankan conflict was one such way.

India's goal was to make the Tamil NSAGs dependent on India and thus receive acknowledgement of its regional superpower status. Of all the Tamil parties, the LTTE was the most reluctant to agree to the cessation of hostilities in June 1985. They felt it was a ploy for the SLAF to regroup and rearm and were doubtful that the GoSL would come up with concrete political proposals to resolve the Tamil question. As part of the ENLF they made their objections known to India and demanded that there be a condition requiring the GoSL to submit concrete proposals before the talks.

India's direct involvement in the conflict began when Ms. Gandhi was in power, so her assassination on October 31, 1984, spelt gloom for the Tamils and the NSAGs. Loganathan and Balasingham both write that a pall of gloom descended over Jaffna; Jaffna was in mourning. Mrs. Gandhi was more sympathetic to the Tamil cause and was also sensitive to the sentiments of the Tamils in south India. On the other hand, Rajiv Gandhi, who succeeded her, was aggressively keen to seek some outcome to the conflict in Sri Lanka.

#### **5.2.2.2.2. Global Environment Factor**

A small country like Sri Lanka made good use of the Cold War climate to seek the benefits it deemed necessary to tackle the insurgency in its country. It sought to balance the pressure and interference of India, as the regional superpower, by increasing its contact and seeking assistance from Pakistan, Israel, China, the US and the UK. While Israel provided the GoSL with military and counter-insurgency training, the US and the UK sought to set up other economic and developmental

links in the country. The US negotiated to set up the biggest relay station of the VOA outside of the US in Sri Lanka. Many visits were exchanged with China for the development of bilateral relations. Also during this period, Sri Lanka continued to receive economic aid from Japan.

However, the GoSL realised that world opinion was not in favour of its hard, military stance. There was growing pressure on the GoSL from India, the US and the UK to find a political end to the conflict. The World Bank, too, speaking for Sri Lanka's aid donors, creditors and investors, insisted on a restoration of political stability (Silva 1984).

In early December 1984, General Vernon Walters (a special envoy of President Reagan) visited Sri Lanka to discuss supplying American equipment to help fight the Tamil insurgency. The GoSL pinned hopes on receiving the US support in fighting 'terrorism'. However, Walters stressed to President Jayewardene the need to seek a political rather than military solution to the conflict. Further, he strongly recommended taking up India's help (where he flew after his meeting in Sri Lanka) in the matter. He also promised that if there was a devolution package offered to the Tamils, the US would provide military help to crush the guerrillas.

Thus, the NSAGs, including the LTTE, realised that "the world" neither understood nor supported their struggle. In fact, the world saw them as terrorists. The only saving grace for them was that the world also condemned the actions of the SLAF and sympathized with the sufferings of the Tamil people. So, if the GoSL attempted to sit down and negotiate, their legitimacy would go up in the eyes of the international community.

To gain legitimacy for themselves and highlighting the atrocities of the government were probably two important reasons that seem to have prompted the LTTE to come to the negotiating table.

### **5.3 The Premadasa-LTTE Talks**

The talks between the LTTE and President Premadasa (UNP) took place over a period of fourteen months between April 1989 and June 1990. The process

involved a series of informal meetings between key negotiators on both sides and three formal meetings between representatives of the GoSL and the LTTE. The unilateral offer for a ceasefire which the LTTE at first refused to reciprocate came from the GoSL. However, with President Premadasa later making a public statement against the Indian Peace Keeping Force (IPKF) presence in the northeast, the LTTE found enough common ground to sit again at the negotiating table.

In this period of talks, getting the IPKF out of the country became the centre of discussion. Both the LTTE and the Premadasa-led GoSL characterized the IPKF as an ‘occupational’ force. Premadasa was under major pressure from the JVP. The organisation had just been resurrected in the south, was protesting against the IPKF and, once again, raised Sinhala Buddhist sentiments. Within his own party, the UNP, Premadasa had to deal with leading ministers who had supported the Indo-Sri Lankan accord under the Jayewardene-led UNP.

While Premadasa worried about the situation after the IPKF left, for the LTTE it was clear that the Northeast Provincial Council (NEPC), which they characterised as the puppets of India, would have to go. The LTTE felt the EPRLF had won the elections only because of Indian support and demanded from the GoSL that the NEPC be dissolved and fresh elections held. For this, there were two main demands to be dealt with by the GoSL:

1. Repeal the sixth amendment to the 1978 Constitution. The sixth amendment reads “No person shall, directly or indirectly, in or out side Sri Lanka, support, espouse, promote, finance, encourage or advocate the establishment of a separate State within the territory of Sri Lanka.
2. Dissolve the NEPC, which meant repealing the thirteenth amendment to the Constitution. This amendment read “the ‘Central’ Government could not without cause, dissolve a Provincial Council.

For Premadasa, both of these demands were tricky because they would involve antagonising the JVP and the Sinhala chauvinists in the south. Besides, Premadasa himself was very committed to the idea of one nation, one people, and one culture.

Repealing the sixth amendment was difficult for him because he was a strong believer in maintaining the unitary nature of the Sri Lankan state.

So, while he took the steps to get the IPKF out of the country, he hesitated for a while over dissolving the NEPC. At the same time, there were a few scattered incidents in the east between the SLAF and the LTTE and soon thereafter, Eelam War'II, broke out.

### **5.3.1. Why Did the LTTE Come to the Table in 1989-1990?**

The following sections assess the relative influence of factors in the internal and external environments of the LTTE at the time of making the decision to come to the negotiating table in 1989-1990.

#### **5.3.1.1. *The Internal Factors***

Mainly through scholarly and journalistic writings it is possible to comment on the situation within the LTTE that seem to have influenced them to choose the negotiating table as an option.

#### **5.3.1.2. *The People Factor***

The IPKF landed in Sri Lanka in July 1987. The Premadasa-LTTE talks took place almost two years later, beginning in April 1989. During this period, the IPKF and the LTTE engaged in fierce fighting, while the SLAF was confined to the barracks. Fighting a war was the world's second largest army<sup>19</sup>, and both sides used guerrilla tactics and conventional methods of warfare. The violence in this period was intense, sustained and brutal. While most facts in this period are contested, there seems to be consensus on the fact that many of the Tamil NSAGs who had supported the Indo-Sri Lankan Accord also ended up fighting the LTTE, which steadfastly remained against the Accord. Caught amidst this crossfire were the people of the northeast.

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<sup>19</sup> The Indian Army is considered to be second largest in terms of military personnel after China

In this period, support for the LTTE went up. People saw the LTTE as their only saviour and, having had terrible experiences in the hands of the “foreigners”, they were ready to not just support and give cover to the LTTE cadres, but to join them in the fight to get the IPKF out of their areas. With the result that for the IPKF, every Tamil became a Tiger and “collateral damage” numbers increased.

The experience of the people in the north and in the east remained slightly different. In the north, the antagonism towards the IPKF was very strong. The LTTE was seen as the alternative protective force, while in the east many people feared for their situation in the absence of the IPKF.

One of the reasons the LTTE put forward for coming to the table was to give the people a break from the violence. Because of the support the LTTE enjoyed in this period, it seems likely that the LTTE would even take steps, such as stopping war and negotiating at the table, to show its concern for the peoples’ sufferings.

#### ***5.3.1.3. The Diaspora Factor***

This was again one of the periods when Tamils fled Sri Lanka en masse, seeking asylum in Europe, North America and Australia. Most of those who left in this period were victims of the on-going violence between the IPKF and the LTTE. There were others who fled in fear of being part of the collateral damage.

There is evidence to show that the Diaspora in this period was more settled and able to be both supportive and encouraging of the LTTE. This generation of the Diaspora had suffered much in the hands of the state and they felt the only way was to further empower the LTTE to fight on their behalf. Funds were collected for the insurgency and there was assistance with lobbying in their host countries.

On the other hand, this was also the time when divisions in the Diaspora began because of the internal divisions among the NSAGs themselves. However, the LTTE would have continued to enjoy significant support because of the ongoing atrocities against Tamil people.

The Diaspora, therefore, would not necessarily have been united in support for the LTTE to come to the negotiating table. Many would have continued to support

war, but would have been equally supportive of any LTTE strategy at this time, because they did not see an alternative to the LTTE.

#### **5.3.1.1.4. *The Military Factor***

The fact that the LTTE requested arms from Premadasa is a clear indication of the fact that militarily they faced a severe depletion of arms and ammunitions. The LTTE was fighting a group of NSAGs and the Indian army alone for over two years. Obviously it was a force that was tired, lower in numbers and depleted in terms of resources.

So, while it might seem obvious to conclude that military resource shortage or damage might have helped to motivate the LTTE to come to the table primarily to oust the IPKF, there is a need for caution in concluding that this was “the” reason for such a decision. This is because, as admitted later by some Indian military and intelligence persons, the LTTE was not a dying force.

So, while it might be hard to speculate about what could have happened if the war had continued, it is hard to conclude that on this consideration alone the LTTE decided to come to the table.

#### **5.3.1.2 *The External Factor***

There were many elements in the environment external to the LTTE that seem to have played some part in motivating the LTTE to come to the negotiating table, both the Sri Lankan government and the politics in the south as well as the presence and role of India in the northeast, display the power politics all parties engaged in. The LTTE wanted to capitalise on the situation and there were good chances that the talks could have gone further and succeeded in bringing them in to mainstream politics, but it did not happen.

##### **5.3.1.2.1. *The Global Environment Factor***

As one church official put it “*Nobody cared about us. The world was not looking and did not care, and neither do the GoSL We are all alone*” . There was not much

attention being given to the situation in Sri Lanka. The world watched primarily because they saw the regional superpower, India, directly involved in fighting the guerrillas. India definitely would not have welcomed it although the GoSL might have. Premadasa did his lobbying with representatives of many of the European countries and the US, but he did not get much support.

The LTTE, too, was seeking international attention in this period. They wanted to draw the world's attention to the atrocities committed against the Tamil people by the IPKF and their propaganda machine was working overtime to deliver the news to the world. However, given the media restriction imposed and India's control, it was hard to get an unbiased opinion out from the northeast.

On the other hand, the LTTE most probably sought to bring some legitimacy to itself in the eyes of the international community by staying at the table following the withdrawal of the IPKF. The following figure captures the sequence of events before the LTTE's 1985 decision to come to the table for the Thimpu Talks.

#### **5.4. The 1994-1995 Kumaratunga-LTTE Talks**

The Kumaratunga-LTTE Talks lasted for just six months, between October 1994 and April 1995. In this period, there were four direct, face-to-face talks between GoSL and LTTE representatives. Each of the talks lasted for a day or two, with only a few hours spent each day in actual negotiations. In addition during this period, a series of letters were exchanged between LTTE leader and Chandrika Kumaratunga, first in her capacity as Prime Minister and then as President.

The Kumaratunga-LTTE talks took place amidst great hope and, to a large extent, this hope came from Kumaratunga's promise of peace in her election campaign. After over seventeen years of UNP rule, in which the last series of talks between Premadasa and the LTTE had collapsed, the return of the SLFP-led Peoples' Alliance (PA) coalition party came as a breathe of fresh air. Kumaratunga's initiative has been characterized by many as one that was based on good intentions. However, the entire peace process ended up to be an exercise in which the LTTE convinced the world of its misgivings towards any government in the south. The



LTTE's primary demand and greatest concern at the time of the talks was that of removing the embargo placed on goods to Jaffna. In return they offered a ceasefire. The government agreed to a partial lifting of the embargo, although it failed in terms of actual implementation. The LTTE offer of a ceasefire was not reciprocated and for most of the time when the talks took place, the violence continued. In November 1994, the LTTE maintained a one-week unilateral ceasefire in support of Kumaratunga's coming to power as President and lifting the embargo on a few goods going into Jaffna. This ceasefire was maintained by the LTTE, but it was not until almost the end of the week that the Government actually acknowledge the ceasefire offer and publicly informed the people (who had not been informed of the ceasefire) regretting their inability to match the offer.

The representatives of the GoSL were trusted confidantes of the President and not ministerial-level persons. This was another cause for LTTE concern: that Kumaratunga was not serious about politically-resolving the Tamil question.

Another incident that the LTTE viewed with suspicion was Kumaratunga's suggestion to bring in a retired French diplomat as a third party mediator.

In spite of the mistrust and reservations, both sides signed a cessation of hostilities agreement on January 8, 1995. While there was a slight lull in the violence, the unofficial embargo continued, the barriers to people going about their normal tasks, such as fishing, remained, and the movement of LTTE cadres was still restrained by the SLAF. As a result, the LTTE warning the government by announcing that April 19th would be the deadline before which they expected the government to act or else be prepared for a renewed military offensive. Kumaratunga chose to ignore the deadline; the LTTE officially withdrew from the peace negotiations on April 19, 1995, and Eelam War III began.

Soon after the talks broke down, Kumaratunga's government released a devolution package to resolve the political crisis. This was yet another 'too little too late' event in Sri Lankan history.

### **5.4.1. Why Did the LTTE Come to the Table?**

The following two sections examine the influence of factors in the internal and external environment of the LTTE at the time of the talks. Again, the data comes largely from secondary sources.

#### **5.4.1.1 *The Internal Environment***

Three factors in the internal environment that may have played a role in bring the LTTE to the negotiating table - People, Organisation and Diaspora - are discussed below:

##### **5.4.1.1.1 The People Factor**

The war between June 1990 (when the Premadasa-LTTE talks ended) and October 1994 (when the Kumaratunga-LTTE talks began) was brutal. Having already suffered the violence from the crossfire between the LTTE, the IPKF and the other NSAGs, the people desperately needed to have a break. It was not just the violence, but the fact that the entire northeast was a devastated land in which there was nothing left to live on. Electricity generating plants were bombed, there were no telecommunication links, and travel within and to and from the north and east was severely restricted. The fishing community of Jaffna was deprived of their only livelihood, which resulted in further marginalization of the community. However, the most damning aspect for the communities of the north and east was the embargo, the bans and restrictions placed on essential items and commodities. There were over a hundred items on the list that were banned with the goal of depriving the LTTE of the essentials to continue a war. In the process, the government committed a huge humanitarian offensive against the ordinary citizens.

It did not seem as if the people revolted or objected to their situation with the LTTE. On the contrary, it seemed that the growing anger against the 'Sinhalese' government strengthened their resolve and they continued their support for a military resolution to the Tamil question. However, it does seem as though the people had reached the end of their human limits to continue to support the LTTE in any practical way and this definitely seemed to play the key role in bringing the

LTTE to the negotiating table. If the people had nothing to give, then how long could the LTTE continue?

#### **5.4.1.1.2 The Diaspora Factor**

During these talks the Diaspora was definitely very concerned about the happenings in the country. They were not necessarily mobilized enough to create an international opinion, but growing numbers of refugees and asylum seekers meant that the host countries were more aware of the conflict in Sri Lanka.

The Diaspora, however, was certainly not in a position to pressure the LTTE to end the war and come to the negotiating table. On the contrary, in this period the Diaspora, many of whom had been recent victims of the IPKF violence and were aware of the subsequent terrible suffering of the people owing to UNP policies, were much in support of the LTTE in order to ‘punish’ Sinhala ‘chauvinism’ with force. However, it is possible that they could have appealed to the LTTE to save their families, left behind, from starvation and suffering. This seems likely to have been one more reason for the LTTE making the decision to come to the table.

#### **5.4.1.1.3 *The Military Factor***

Apart from the short break of fourteen months during the Premadasa-LTTE talks, Eelam War I and II had lasted for over a decade. At the time of the LTTE coming to peace talks in 1994-95, military fatigue had set into the organisation. The LTTE had suffered years in a very hostile environment between 1990 and 1994. The economic embargo and restrictions placed on the LTTE had its impact on the organisation. Materials and day-to-day survival of the cadres needed special attention. Besides, the organisation was low on manpower and, for the first time since its inception, was facing difficulty in recruiting cadres. The LTTE had resorted to forced recruitment and child recruitment in this period and this caused a strain in its relationship with its own people.

The LTTE’s network to procure arms in this period widened. This was important for the LTTE, as it had faced severe depletion of its military resources in its war

against the IPKF. Although the GoSL had provided some assistance at the time of the 1989-90 talks, the LTTE needed to stock up again. Additionally, after the IPKF left in 1990, the LTTE began systematically eliminating the other Tamil NSAGs. When leaving, the IPKF had abandoned arms and ammunitions for the members of other Tamil NSAGs to pick up. Some of it was taken away by the LTTE. In effect, there was an unprecedented amount of arms and ammunition available for everyone and the ensuing war was, therefore, even more brutal than previous ones. In the meantime, the Sri Lankan military was also suffering from war weariness. Fighting a brutal war had taken its toll. Besides, they were still frustrated over their inaction during the time the IPKF was present. Many of the military felt that they had to pick up the pieces after the IPKF left and, as a result, morale was at an all-time low. Military fatigue on both sides required both sides to take a break. The argument that many put forward to the effect that the LTTE came to the table in 1994-95 in order to give time to rearm and regroup, is not hard to believe.

#### ***5.4.1.2 The External Environment***

This section examines the two factors in the external environment that appear to have strongly contributed to the LTTE's decision to come to the negotiating table.

##### ***5.4.1.2.1 The Government of Sri Lanka Factor***

The change in government in Sri Lanka was a positive factor in motivating the LTTE to seize the opportunity to come to the negotiating table. Adopting a new strategy to deal with a new 'face' seems to have been a face-saving tactic. Once the strategic relationship - to oust the IPKF from Sri Lanka - between the LTTE and the Premadasa government had ended, the two sides had gone back to the mistrust and antagonism that always existed. After more than four years of war during which the resentment against Premadasa's insincerity at the time of the break down of talks had only grown, it was hard for the LTTE to once again sit down at the table and negotiate with him. The change in government was the first chance the

LTTE had of breaking from violence and, accordingly, they welcomed Kumaratunga's public statements of peace.

#### **5.4.1.2.2 Global Environment Factor**

In the aftermath of the break down of the Kumaratunga-LTTE talks, the international community was kept well-informed about the LTTE's rigid stance, noncommitment to peace and their untrustworthy attitude and behaviour. Lakshman Kadirgamar, the foreign minister, called press conferences in Colombo and had personal conversations with leaders of different nations. Balasingham feels that both before and after the Kumaratunga-LTTE peace talks, the media's access to LTTE as well as to the north and east was virtually non-existent (Balasingham 2004). As such, the international community was not really aware of the condition of the people there. Other than LTTE propaganda, there were few media or human rights reports coming from the Tamil areas.

Although the international community may not have had the war in Sri Lanka in their focus, the conflict was one that had drawn attention in recent times. The two main reasons were: the IPKF debacle and the assassination of Rajiv Gandhi. The latter especially saw India crack down heavily on the Tamil NSAG support base in Tamil Nadu, India. India and the world reaction to Gandhi's assassination brought attention to the LTTE and the war in Sri Lanka.

However, the international community did not exert sufficient pressure to end the war, although the assassination did affect the LTTE's negative reputation in the world and it can be argued that, to some extent, it played some role in forcing the LTTE to come to the negotiating table.

### **5.5 Conclusion**

The context at the time of the LTTE coming to the negotiating table in 1985, 1989 and 1994 varied. In 1985 the LTTE was forced to the table by the Indians, the third party. India put the LTTE in a position where the option of not coming meant being completely left out of the negotiations and possible deals being made with

the other Tamil NSAGs. In 1989, the LTTE, weary from fighting the Indian Peace Keeping Force (IPKF) entered into negotiations with the government of Sri Lanka in a joint bid to oust the Indian army from the island. The negotiations failed once the primary motivation for sitting at the table was achieved.

The peace talks in 1994 were the first 'real' peace negotiation between the LTTE and the GoSL. The new government, led by Chandrika Kumaratunga brought new hopes for peace for the people of the country, especially those in the northeast. Both sides, weary from years of war, were willing to sit down at the table to discuss the political issues. However, in what is a pattern in Sri Lanka - 'too little too late' - the political solutions offered came long after the break down of peace talks and Eelam War III broke out.

In all three events of coming to the table, it was the leader of the LTTE, Prabhakaran who made the final decision to come to the negotiating table. He did so after gathering information from both the internal and the external environments. Information flow varied from the time of the 1985 talks to the 1994-95 talks. In the initial years of the organisation, when information was received from the external environment, it was largely unsolicited but a decade later, the organisation actively sought out information and had many layers within the organisation for information gathering and processing. In short decision making became a more timely but complex process.

War weariness in the people was a constant factor before all three peace talks. Moreover, the LTTE did seem to consider the war weariness of the people in making the decision to come to the negotiating table. This is obvious from many of their statements and through inferences that, without people support, an organisation like the LTTE would find continued existence difficult. Similarly, the growing role and importance of the Diaspora signified that the LTTE had to consider the opinions and experiences of the persons in Diaspora when taking the decision to come to the table.

Decades of war, with short periods of peace only increased the mistrust and lack of confidence both parties had in one another. The resumption of war and the increase in hostility brought immense suffering to the people of the northeast.

## **6. THE LTTE AT THE TABLE IN 2001-2002**

### **6.1. Introduction**

At the start of the 21st century, and after three failed attempts at making peace in three decades, the LTTE and GoSL were once again engaged at the table discussing peace. This chapter examines the various factors that influenced the LTTE to make the choice to come to the negotiating table in 2001-2002. As with the previous three instances of their coming to the table, the immediate environment both internal and external to the LTTE is the focus of study. Scholarly and other reports of the context at the time of the LTTE coming to the table are supported and elaborated by interviews held with a broad spectrum of people, including members of the NSAG. These help in assessing the influence of factors from the two environments when making the decision to come to the table.

### **6.2 The 2001-2002 Peace Negotiations**

Before the 2001 talks got underway, the LTTE had made overtures for peace over the years. In 1999, when the LTTE made ceasefire a necessary prelude for any peace talks, the GoSL rejected the initiative<sup>20</sup>. Also in 1999, both sides agreed to observe four days of tranquillity<sup>21</sup> in order to facilitate immunisation programs organised by UNICEF (Reporter 1999). On May 26, 2000 the LTTE requested a ceasefire to be observed on the next day for the safe movement of people from Chavakacheri (north) to safer places. However, the government rejected the ceasefire offer and the bombing and violence continued<sup>22</sup>. Once again, in December 2000 the LTTE again initiated and maintained a unilateral ceasefire from December 24 to January 24, but the government did not reciprocate in spite of urgings from various Tamil parties. The LTTE kept renewing their self-imposed

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<sup>20</sup> President Chandrika in rejecting this idea of a ceasefire said Prabhakaran had “not responded positively” to efforts of negotiations which she had sought “through acceptable international organizations”. She said the LTTE had not responded to three approaches that she had made in the last two months through respected and accepted international organisations. She further added that “talks would commence and continue only when the conflict was on” (Sambandan 1999)

<sup>21</sup> September 10 and 11 and October 15 and 16, 1999 were agreed by both sides

<sup>22</sup> The GoSL claimed that they had never received the LTTE request and offer sent through UNHCR on the 12 hour ceasefire. (Agencies 2000)



ceasefire for a month at a time for a period of four months. Finally, in April, 2001 they said they were withdrawing the ceasefire to protect themselves from the continued government attacks and launched a fresh offensive against the SLAF.

By the end of August, 2001, the Sri Lankan Government led by Chandrika Kumaratunga, of the People's Alliance was making official statements that it was exploring all options to stay in power. Their statements were in response to a noconfidence motion threat from the main opposition party, the UNP (United National Party) made in mid-July<sup>23</sup>. The UNP had demanded that the parliament be re-summoned.

President Kumaratunga had bought the maximum two-month time possible in order to create new alliances. The official statements from the government mentioned that the PA did not rule out the possibility of an alliance with the political party, Janatha Vimukti Peramuna (JVP).<sup>24</sup> The JVP had offered to support the government for a year, but, only if the Government promised *not to engage* in peace talks with the LTTE during this period<sup>25</sup>.

To stay in power, the PA opted for an alliance with the JVP but continued to call upon the LTTE for peace negotiations<sup>26</sup>. The PA-JVP alliance that came into effect on September 6, 2001 was over by October 2001<sup>27</sup>. The President ordered snap polls and the UNP came into power on December 5, 2001. By the 20th of December, the LTTE had offered a one-month unilateral offer for ceasefire to begin on Christmas Eve. Earlier, on November 27, the leader of the LTTE, in his annual speech on Hero's Day, said that the organization still strongly held the view that the conflict was resolvable through peaceful means even though it had

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<sup>23</sup> The no-confidence motion threat from the UNP came in the wake of the defection of 9 SLMC members who were part of the PA alliance

<sup>24</sup> The statements came from the then Minister for Urban Development, Mangala Samaraweera in a press conference after the failure of talks between PA and UNP on power-sharing (Reporter 2001)

<sup>25</sup> While this was broadly what was reported, after the signing of the MoU with the JVP the PA clarified that there was nothing in the agreement that prevented them from talking to the LTTE. In fact even devolution proposals could be agreed upon but because they required a broader consensus, through mutual agreements amendments could be made to the MoU (Reporter 2001)

<sup>26</sup> In response to criticism from all sections of society for her decision to join with the JVP, the group responsible for the killing of her husband, Kumaratunga responded that she would make a deal with any devil to end the crisis that was threatening her government. (Dugger 2001)

<sup>27</sup> The President dissolved the Parliament without any warning fearing a defeat in a no-confidence motion to be initiated by the UNP. With the defection of nine members from her own SLMC, she felt she did not hold a chance

assumed the character of a civil war. It was the first time in a long time while that he had spoken of ending the bloody military war and ushering in peace. Prabhakaran did not stress the idea of a separate homeland, but reiterated that it was not a separatist war but one where the Tamils were demanding their right to selfdetermination. (Prabhakaran 2001). The new UNP government matched the LTTE's unilateral offer of ceasefire and finally, on 24 December 2001, the guns (at least most of them) went silent at midnight.

This one month ceasefire agreement was extended at the end of the one month period for another month and then for one more month. Osgood's GRIT strategy can explain the cautious and strategic behaviour of both sides to build trust and show desire to end war. On February 22, 2002, the GoSL (led by the UNP) signed a Memorandum of Understanding (MoU) with the LTTE. The MoU came after a series of frequent and consistent conversations between the UNP members and the LTTE that were brokered by the representatives of Norwegian Government.

In all of this, one needs to recognise the role played by Norway in initiating peace. Beginning in 1998, once they were accepted as third party mediators, they worked silently behind the scenes for years to bring both sides to the table. Starting as the messenger between the two sides, they gained enough trust to be able to encourage a negotiated settlement, which became feasible with the change in the government in Sri Lanka.

On January 15, 2001, the UNP lifted the seven-year-old embargo on commodities against the rebel held areas of the northeast. The international community saw this as a major trust building exercise. The LTTE controlled areas starved of essential commodities and medicines for years, welcomed this move by the government with sincere gratitude. Wickremesinghe, the then President, later lifted travel restrictions to the north of the island and he made a visit to Jaffna and other LTTE controlled areas.

Wickremesinghe turned out to be a great strategist. He undoubtedly came at a time when it was clear to him and others (who were outside of the conflict situation) that the time was ripe for some kind of peace process to take place. The LTTE was

making peace overtures, the government really could not carry on any further, and external mediators were available. Wickremesinghe was firm and from the very beginning he stated clearly that a separate state for the Tamils was not on his agenda. He repeated this over and over again in spite of the LTTE holding on to that demand. He met a group of Buddhist monks who had fears of conceding to such Tamil demands and assured them that it would not happen. He thus kept them on his side, promising them an end to all the violence and at the same time gave some concession to the Tamils - involvement in the local administration - to bring peace to the island. It was well received by the *Bhikus*<sup>28</sup>.

Another demand from the LTTE was that the ban imposed on them since 1998 be lifted before any peace talks. The LTTE insisted that they would only enter negotiations as a legitimate political group. In spite of opposition from Kumaratunga and others in the south, in a bold move Wickramasinghe lifted the ban in September 2002. While the grumbling in the south continued, they died down. The following two sections deals with the MoU and the six rounds of peace talks that took place between September 2002 and February 2003.

### **6.2.1 Key Components of the Memorandum of Understanding**

The MoU is basically a ceasefire agreement for no specified period between the LTTE and the GoSL. The MoU acknowledges the sufferings of all those affected by the conflict including the Muslims.

The MoU contains four articles. The first article is about military operations. Key agreements are: both sides refrain from military offensives and no moving of arms and ammunition into territories controlled by the other side; disarmament of Tamil paramilitary groups; and free movement of unarmed soldiers and combatants.

The second article specifies confidence-building measures to be undertaken by both sides to restore normalcy to the people. These include parties refraining from hostile acts against civilian population; places of worship, schools and public

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<sup>28</sup> Buddhist Monks

building occupied by either side to be vacated in thirty days; opening of roads; streamlining checkpoints; and voiding the Prevention of Terrorism Act (PTA) while reinforcing the Criminal Procedure Code (CPC).

The third article details the agreement to set up a Sri Lankan Monitoring Mission (SLMM)<sup>29</sup> to be under the coordination and facilitation of the Royal Norwegian Government. Both parties agreed to cooperate with the SLMM and facilitate their work and movement. The article also includes a clause on facilitated communication at the level of local LTTE commanders and SLAF commanders.

The final article specifies that the process for termination of the agreement is through a notice by either side fourteen days before such termination. One clause provides for amendment and modification through mutual agreement of both the LTTE and the GoSL.

This MoU, alternatively known as the ceasefire agreement (CFA), was a precursor to the peace talks and was drafted mainly by Norwegian intermediaries. The purpose of the MoU was to find a negotiated solution to the ongoing ethnic conflict. Many have pointed out that the CFA although detailed was ambiguous in some places. For example, the CFA does not explicitly say much about arms control which can be interpreted as the right of either side to rearm at will (Rupesinghe 2006). There were no clauses on how violations would be treated. Nor was there much reference to territorial lines over water which seems to be a major shortfall given the fierce battles at sea. In spite of all this, what the agreement did make very clear was the spirit underlying the MoU. It was something agreed by both sides without being enforced by anyone from the outside and, most importantly, it gave parity to both sides.

### **6.3.1 Six Rounds of Peace Talks**

Between September 2002 and February 2003, six rounds of peace talks were held. All of the talks were hosted by the international community and held outside of the country in what was hoped to be a neutral venue.

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<sup>29</sup> There was a separate Status of Mission Agreement (SOMA) on the establishment and management of the SLMM. This agreement was signed between the Royal Norwegian Government and the GoSL.

Balasingham notes that the frustration over non-implementation of joint decisions made at the peace talks reached its peak at the end of the sixth round of peace talks. People had yet to see any of the peace dividends (Balasingham 2004). The final straw that broke the camel's back was when the LTTE was not cleared to attend a donor conference in Washington D.C. because of its status as a proscribed organisation in the US. The LTTE recorded its protest in writing, withdrew from the Tokyo Donor Conference and finally on April 23, 2003 informed the GoSL of its withdrawal from the peace talks.

#### **6.4. Why did the LTTE decide to come to the Table?**

The period between the breakdown of talks between the LTTE and Kumaratunga in 1995 and the unilateral offer of ceasefire in December 2001, was a very violent one. Both sides, the SLAF and the LTTE claimed military victory while some analysts add a stalemate element to the debate. The question of what motivated and/or pressurized the LTTE to consider coming to yet another negotiation did not produce a simple or clear answer from those in the field. Obviously, and as expected, the responses were biased, differently informed, differently attributed and at times unsubstantiated. Yet, everyone had an opinion and in the end a story does build up.

On the other hand, those sitting on the other side from the LTTE would always sum up with the analysis by stating that the LTTE came to the table because of pressures from external factors such as war weariness and the adverse effects of 9/11 (Hoglund and Svensson 2003).

Given below is an examination of how people on the ground evaluated the relative influence of the factors in the internal and external environment on the LTTE's decision to come to the table.

### **6.4.1. Internal Factors**

The LTTE has surprised and repeatedly proven on numerous occasions that it is an organisation that neither fears nor feels threatened by outside forces<sup>30</sup>. It may not be able to ignore forces in the external environment but the hypothesis of this study is that major policy decisions such as, coming to the negotiating table, might come about only when the internal environment creates its own pressures for a change of strategy.

This section identifies those elements within the internal environment of the LTTE that appear to have motivated and pressurised the organisation to make the decision to come to the negotiating table in 2001-2002.

#### ***6.4.1.1. The People Factor***

Field research indicates that the voices of the Tamil people of the northeast although muffled had a significant role to play in determining “when and why” the LTTE decided to come to the negotiating table in 2001-2002. It seems as though there was a point when the voices of the people rose against the continuing the war and their suffering made it impossible for this to be ignored - and even more difficult to suppress with force.

Many in the northeast clearly thought that the war weariness of the people influenced the LTTE to end hostilities. One church member actively involved at different levels in the conflict and who communicates with the different parties, said that, among other factors, war weariness played an important role in the LTTE making the decision to negotiate.

Another reference made by many to get an insider perspective on the thinking of the LTTE, is to Prabhakaran’s annual Heroes’ Day speeches. His speeches refer to the tragedies of war that have befallen the Tamil people but his Heroes’ Day speech on November 27, 2001 only makes implicit references to the sufferings of the Tamil people of the northeast. In fact, he did not make references to the

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<sup>30</sup> Most would refer to their taking on the IPKF - a strong army - single handedly as an example of their ability to face someone more powerful and other instances such as their victories against the SLAF and their strength or ruthlessness in dealing with other Tamil NSA G s

sufferings of the people in either 2000 or 1999. The last speech where he made explicit statements of the sufferings of the Tamil people was in 1998<sup>31</sup>.

These sentiments illustrate the LTTE's rationale to stop fighting; people were getting tired and the LTTE was aware of it. Could they really ignore the war weariness even if they did not want to accept it? Some may read this as a subtle, unknowing attempt or wishful thinking on peoples' part to show that the LTTE was being responsive, attentive and concerned for the people.

However, members of other Tamil NSAGs vehemently opposed to the LTTE felt the organisation did not have a heart to be concerned about the sufferings of the people. Many of them declared that the LTTE did not think beyond themselves and did not care for anyone's survival and growth, especially the leader. Hence, they did not see this as a significant reason for coming to the table. In their opinion, the LTTE was causing untold suffering on the people. When questioned as to how an NSAG like the LTTE could function without the support and sympathy of the people, they said the LTTE got their support through force and by establishing a climate of fear.

To conclude, the LTTE admits that people's support and sympathy is crucial. While they may not publicly want to admit that the very people for whom they were fighting the war forced them to stop the fighting, the fact is that they could not ignore the wishes of these people. They have considered relief for the people in the past, in fact made it an issue at every peace talk including this one in 2001-2002. This leaves very little doubt that war weariness among the people is an important factor to be considered in the decision on whether to come to the negotiating table or not.

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<sup>31</sup> In his Heroes' Day speech of November 27, 1998, Prabhakaran said "Our people are facing unbearable suffering in the form of death, destruction, displacement, hunger and starvation. They live as prisoners in their own homeland, facing daily, various forms of military atrocities. Our people want their day-to-day urgent problems resolved immediately. They cannot wait over an indefinite time until the peace talks resume and the ethnic conflict is discussed, resolved and the solution implemented. They want the war to come to an end and the occupation army that torments them to withdraw and their urgent existential problems addressed immediately...."

#### ***6.4.1.2. The Diaspora Factor***

There is a strong view that the Tamil Diaspora which is now very powerful became impatient because of the global environment and forced the LTTE to end the war and come to the negotiating table. The primary argument supporting this view is that the 'war on terror' and the LTTE, which is classified as a terrorist organisation by the US State Department made living very uncomfortable for the Diaspora in their host countries.

Another argument that is frequently added to this is that the LTTE could not collect funds from the Diaspora in the post 9/11 world as the organisation was banned in many countries. Since Diaspora funding was so important to the LTTE, they were forced to come back to the table and re-gain legitimacy.

The LTTE's claims that funding did not go down is actually supported by a scathing Human Rights Watch Report in 2006 which reported that the LTTE continued to use terror tactics to gather funds from members of the Tamil Diaspora. There are stories in this report from Tamils before and after 2001 who had been pressured by the LTTE to contribute funds. The report further states that owing to the climate after post 9/11 and the signing of the MoU between the LTTE and the GoSL, the Diaspora was reluctant to contribute money as they felt there was no more a need to do so.

With this, a number of points can be established: one, the Diaspora is very important to the LTTE; two, there must have been some reluctance from the Diaspora to contribute post 9/11 and post MoU but overall funding did not really go down. The latter point shows that the argument that the LTTE were affected financially because of 9/11 does not hold.

It is certainly important to consider is that key members in the Diaspora were likely to be advising the LTTE leadership in the post 9/11 environment and their possible need to make a change to its strategy.

In conclusion, there is some evidence to show that the Diaspora was more inclined to come to the negotiating table and if not out-right pressuring the LTTE, they



would have definitely advised the LTTE to choose the negotiation option, given world opinion.

#### **6.4.1.3. Organisational Factor**

Many respondents opined that the LTTE had become a military-politico organisation by the time of the 2001-2002 talks, but decisions were still made with a military focus. In the words of one respondent” *the LTTE’s paradigm is military. They came to the table as a military strategy. They approach negotiation as a zero sum game*”. However, with so much of international community attention focussed on them and given the global environment, it seemed the LTTE, felt compelled at least to speak in a language that was not purely military.

The key person in this was Anton Balasingham, the man who interacted with the west and spoke a language different from the others in the LTTE. The fact that he continued to enjoy Prabhakaran’s trust became the strength of the organisation.

This brings us to the role of leadership in making the decision to come to the negotiating table. People who label the LTTE and its leader as an autocratic, one man organisation, are unwilling to say that the “crazy” leader (or the “genius”) Prabhakaran was the one who decided to end the war and come to the table. They seem to struggle with his having ‘peaceful’ attributes, after having characterised him as a crazy, insecure, and a megalomaniac. They would then prefer to argue that the LTTE is a rational organisation that weighs the pros and cons of all its choices and minimising its risks takes the optimal path.

In contrast, there were those who felt the leader was key when it came to making decisions in the LTTE. Hence, they attributed personal motivations to his coming to the table. One respondent analysed the LTTE leadership and felt that Prabhakaran is the sole decision maker and he had decided to come to the table because “*Prabhakaran is mellowing down. He is realizing it is enough. He will die. His son is asking him to stop*”. Some journalists said they know for certain (and it is even open knowledge) that the wives of the top LTTE fighters come to Colombo to get their hair done and for beauty treatment. They were sure that Prabhakaran’s

wife was nagging him for being forced to live in the jungle and therefore, he made the decision to end the war and come to the peace table!

LTTE members point out that their leader is very open to listening to any one who has an opinion, and this how they believe he made the decision to end war via negotiating - through gathering information of how others felt about the situation. They believe he takes all of this into consideration and weighs it with his past experiences and thus gives direction to the organisation.

#### **6.4.2. External Factors**

This section examines the elements in the External environment that seem to have been influential in pushing the LTTE towards the negotiating table. The three factors are: the Global Environment Factor, the Government of Sri Lanka Factor and the Norway Factor.

##### ***6.4.2.1. The Global Environment Factor***

The LTTE and the GoSL came to the table in the months following the 2001 September 11 events (popularly referred to as the 9/11 events) in the US. The 9/11 events had a global impact in terms of not just the violent repercussions in other parts of the world but in that they changed relationships among various religious and ethnic communities the world over. The foreign policies of the US - that of cracking down on armed groups and movements around the world and seeking the support of other governments in this effort - had increased pressure on armed groups in different parts of the world. Strengthened by the support from the US, some national governments took the opportunity to crack down heavily on the NSAGs in their own countries. Added to that is the fact that in a globalised world, all parties are heavily connected to one another, it became impossible if not extremely difficult for the NSAG s to continue to carry out their customary activities.

The LTTE began with a unilateral offer for ceasefire in the months after the 9-11 events. Paradoxically, many people interviewed, felt that the events had little if

anything to do with bringing the LTTE to the negotiating table. First an examination of evidence that supports the argument of those who say that it was 9-11 that brought the LTTE to the table.

He went on to talk about political violence and how one needed to distinguish between state violence, which is the oppressor's violence and the violence of the oppressed, which is what the LTTE's brand of violence is in the case of Sri Lanka. He then spent some paragraphs talking about the two kinds of violence in Sri Lanka calling the Sinhala state "the terrorists" and the LTTE the "freedom fighters". He further questioned some of the western governments that had banned the LTTE saying that they should look at introspectively at their own racist and oppressive regimes. He blamed western governments for paying heed to the false propaganda led by the GoSL. And lastly, he made the point that unless the LTTE is de-proscribed it would not lead to a peaceful negotiated settlement of the conflict. This speech indicated that the LTTE was very concerned about the label of "terrorist" and seemed to want to justify that they were not a terrorist group. The terrorist label troubled them tremendously. This statement was released on November 27, 2001 and less than a month later they would offer a unilateral ceasefire. In my field research, I also came across people who strongly believed that 9-11 had something to do with the LTTE's decision to come to the table.

The global environment at the time of the 2001-2002 talks was hard to ignore. Even those who felt that the 9/11 event was not brought the LTTE to the table felt that the global environment at least contributed to the decision. One has to take note of what the LTTE members said about 9/11 not being the deciding factor and that they were making peace overtures years before September 2001. However, one interviewee said it all about the LTTE with this statement "*when the LTTE indicates they are walking north they will actually be walking south*"

#### **6.4.2.2. The Norway Factor**

Most people seem to think that Norway had played a major role in encouraging the LTTE to come to the table. Balasingham refers to his meetings with the

Norwegians for years before things began to come out in the public. The Norwegians have made comments and so have others from the GoSL side that Balasingham always seemed more amenable to discussion. This fact about Balasingham was also shared by some of the church leaders in the northeast who recollected the hours he would spend discussing with them the situation and what could be done. The church leaders said they always found him to be a man of reason who both ‘listened’ and ‘talked’.

The LTTE it seems felt a little wary about entering into the peace arena with the Norwegians in the picture. Even their previous offers for peace they said were made with the Norwegians in the picture and felt the GoSL had cheated not just them but the Norwegians too. However, all of them expressed happiness with the involvement of the Norwegians and ridiculed the accusation from the Sinhalese that Norway favoured the LTTE.

## **6.5. Summary**

LTTE members continue to insist that no factor in the external environment can force them to come to the table. Said one of them “*External forces did not push us to peace negotiations. No external pressure can bring us to the table. It is just the LTTE is always ready to explore viable alternatives*” .Those outside of the LTTE continue to insist that it was the external environment that put pressure on the LTTE.

However, analysis of the 2001-2002 decision to come to the negotiating table indicates that it was a combination of factors in both the internal and external environments that prompted the LTTE to make the decision to come to the negotiating table.

It is not uncommon that most seem to focus on the motivations of the leader in interpreting the decision of the LTTE to come to the negotiating table. This case study, as with the previous cases’ shows that it is the leader who makes the final decision to come to the negotiating table. The leader is central to the organisation. Power is centered on him and, although in the period before coming for these talks

the LTTE had grown into a huge organisation with many layers, the leader retained control. The organisation's culture and structure supported and reinforced the status of the leader making the communication of his decision within the organisation and made gaining commitment to it from the rank and file easier.

Norway was the third party intervenor in this last peace process and their actions also had some role to play in the LTTE considering the decision to come to the negotiating table. Norway's involvement and role and created a situation different from that of the previous three examples of coming to the table. The following chapter compares the relative influence of the factors in the internal and the external environments in the period before each peace talk and draws some conclusions about the LTTE's decisions to come to the table.

## **7. COMPARING ENVIRONMENTS AND THE DECISIONS TO COME TO THE TABLE**

### **7.1. Introduction**

Since its inception over three decades ago, the LTTE has evolved from being a small guerrilla group to a large and complex military-politico organisation running a parallel government in the areas it controls. The LTTE is characterised by many as a oneman organisation, the “one” being the founder-leader, V Prabhakaran, whose role has developed over the decades into a much-feared, but elusive, demi-God. To some, therefore, the question of asking how the LTTE makes or particularly made the decision to come to the table on four different occasions in the last three decades is a superfluous one, for there is only one person who dictates and controls the direction and the happenings in the LTTE, that is, the leader. However, the fact that there is no empirical research that can support, prove or disprove this premise on decision making in the LTTE, means that a closer examination of the internal environment of the LTTE is necessary in the development of a theory of decision making in a huge, underground and secretive organisation.

This chapter compares the conflict context and the environment at the time of the four decisions to come to the table. In doing these comparisons, the chapter makes some broad conclusions about the relative role and influence of the factors in the two environments on the decision to come to the table. The conclusions address the research questions posed at the beginning of this dissertation.

### **7.2. Comparing Conflict Context**

In the last three decades, the LTTE has been at the negotiating table on four different occasions. A comparison of the conflict environment preceding each decision to participate in peace talks and the conflict dynamics at the time of each of the talks sets the background for the next section that compares the extent to which elements in the environment appear to have influenced the LTTE to make the decision to come to the table.

The eight conflict variables listed below, for each case, emerged from the research questions and from a review of the literature about war termination. They are:

1. Duration of talks
2. Third party intervention
3. Nature of talks
4. Issues at the time of talks
5. Intensity of violence - before and during talks
6. Ceasefire during talks
7. War after talks

The focus is on talks and the data describing each variable come from the case studies. The consequences of the fifth variable, intensity of violence, is significant as a factor that influenced the LTTE's decision to come to the table. To measure 'Intensity of violence' I provide three indicators, defined below:

- 1. High Intensity: Extensive damage to area, property, infrastructure; continuous violence - armed clashes with terror tactics used in some areas, high number of deaths and injuries to warring parties and targeting of civilians.*
- 2. Medium Intensity: Moderate damage to area, property, infrastructure, occasional spurts of violence - armed clashes, death and injuries to warring parties and civilians.*
- 3. Low Intensity: Slight damage to area, property, infrastructure, sporadic violence – low level armed clashes, few deaths and injuries to warring parties.*

Talks, which began in 2001-2002 is the longest lasting peace process in the history of the conflict in Sri Lanka. In 1985, (two years into Eelam War) I, the Thimpu talks lasted for a mere two months. In 1989-90, (after four years of continued Eelam War I), the Premadasa-LTTE talks went on for fourteen months while the Kumaratunga-LTTE talks in 1994-95, also after four years of Eelam War II, collapsed in just seven months.

With regard to ceasefire at the time of talks, it is important to note that ceasefire was not a precondition to talks on two of the occasions, that is, in 1989-90 and 1994-95, and, on both of these occasions, there was no third party involved. At the

time of the LTTE-Premadasa talks in 1989-90, the parties were technically supposed to hold a ceasefire from the time the Indo-Sri Lankan accord came into effect, that is, July 30, 1987. From that time on, the Sri Lankan military was confined to the barracks but the

LTTE, that was fighting the Indian peace-keeping force, was frequently engaged in skirmishes with the Sri Lankan forces. Two year later, on June 28, 1989, the Sri Lankan government and the LTTE declared a bilateral and official ceasefire as part of their newfound alliance to counter the IPKF, but India derided it for finally accepting the ceasefire agreed through the accord. Similarly, during the LTTE - Kumaratunga talks, the cessation of hostilities agreement was signed on January 5, 1995 much after the peace process had begun and after much debate

VARIABLES	1985 THIMPU TALKS	1989-90 PREMADASA-LTTE TALKS	1994-95 KUMARATUNGA-LTTE TALKS	2001-2002 TO PRESENT
Duration of Talks	July to August, 1985	April, 1989 to June, 1990	October, 1994 to April, 1995	February, 2002 to date
Parties at the table	(i) GoSL (ii) ENLF (EPRLF, LTTE, EROS, TELO) (iii) TULF (iv) PLOTE	(i) GoSL (ii) LTTE	(i) GoSL (ii) LTTE	(i) GoSL (included Muslim representation) (ii) LTTE
Third Party Intervention	Yes – India	No	No	Yes - Norway
Nature of Talks	Face to Face	(i) Face to Face (ii) Private conversations	(i) Face to Face (ii) Exchange of letters	(i) Face to Face (ii) Behind the scenes discussions facilitated by Norway
Issues at the time of Talks	(i) GoSL's devolution proposals – not accepted for discussion by the LTTE at the talks (ii) Thimpu Principles on Tamil rights of self-determination	(i) Ousting the IPKF from Sri Lanka (ii) Dissolution of the NEPC led by EPRLF; hold fresh elections in which LTTE can contest (iii) The above meant repealing the sixth and the thirteenth amendment to the constitution	(i) Sufferings of the people; lifting embargo, relief, rehabilitation reconstruction (ii) Cessation of Hostilities (iii) Movement of LTTE cadres in the east	(i) Humanitarian relief, rehabilitation and reconstruction for the people of the northeast (ii) Human rights (iii) Child recruitment, demining, Muslim rights (iv) A possible federal solution
Intensity of Violence				
Pre-Talks	High	High	High	High
During talks	Medium	Low	Low	Low
Ceasefire during talks?	Yes	Ambiguous	Midway through talks	Yes
War after talks?	Yes	Yes	Yes	Ambiguous



Except for the Thimpu talks when the issues at the table were relating to selfdetermination rights of the Tamils, on all other occasions, the talks invariably began with immediate issues relating to relief and reconstruction or a specific one, such as ousting the IPKF and broke down before serious political issues came to the forefront. Sri Lankan peace talks have never reached the stage of political discussions to bring about a resolution to the conflict.

The intensity of violence in the period before every peace talk was high. The case studies provide details on the nature of the violence and the significant key violent events that immediately preceded the talks. For example, Eelam War II had peaked during the Kumaratunga-LTTE talks, with the LTTE winning territories and almost reaching Jaffna. Before the Premadasa-LTTE talks, the country was reeling not just from the violence between the LTTE and the Indian Peacekeeping Force and the other Tamil NSAGs, but also from the violence unleashed by the JVP in the south. Extortions, killings, mass destruction of public property and armed clashes were the highlights of this period. Similarly, the period before the 2001-2002 peace talks was bloody and among the significant terror tactics used by the LTTE in this period was the attack on the airport that crippled the economy.

On all four occasions, there were ceasefire violations during the talks. During the Thimpu talks, the level of violence was of medium intensity, while during the Kumaratunga-LTTE talks and in talks, the intensity of violence during the talks was low. The level of violence during the Premadasa-LTTE talks was also of low intensity and it was mainly between the LTTE and the Indian Peace-Keeping force. The violence in this period went down because of the ongoing discussions between Sri Lanka and India for the departure of the IPKF. The intensity of violence variable directly relates to the war weariness in the people, and therefore helps to explain the circumstances under which the LTTE made the decision to come to the table.

On every occasion, breakdown in talks led back to full scale war. Even in the current round of peace talks, the country is unofficially at war, although both parties seem to be shying from being the first to call it war.

This comparison of the conflict context at the time of each “coming to the table” event shows that the four cases had more similarities than differences. Perhaps the most significant difference is the role India played in 1985, in bringing the parties to the table, as opposed the other three occasions when there was either a limited or no role for a third party. This comparison also provides background for the following two sections in which the factors in the internal and external environment at the times of talks is compared.

## **AFTERWORD: SINCE THE PEACE PROCESS**

### **Peace Talks and Ceasefire Violations**

Six rounds of peace talks were held between September 2002 and April 2003 following the February 2002 MoU signed between the GoSL and the LTTE<sup>32</sup>. The six rounds were fraught with tensions over continuing incidents of violence, differences over key issues of de-escalation and the removal of the High Security Zones (HSZs). The differences over the High Security Zones in the northeast came to the forefront around the time of the third round of peace talks and were aggravated by the non-function of the Sub-committee for Immediate Humanitarian and Rehabilitation Needs (SIRHAN) and the LTTE pulling out of the Sub-committee on De-escalation and Normalisation (SDN).<sup>33</sup> In April 2003, after the sixth round of peace talks, annoyed over the fact that they were not invited to the Donor Conference in Washington, D.C., owing to their status as a proscribed organization in the US, the LTTE withdrew from the Tokyo Donor conference and decided to “suspend” their participation in the peace talks. The LTTE cited the nonfulfilment of promises by the government, lack of normalisation in the northeast and accused the GoSL of continuing to marginalise the LTTE among the international community as reasons for why they left the table.

The LTTE’s demands towards the end of the peace talks had centred on securing interim administration for the Tamils. On October 31, 2003, the LTTE—for the first time in the history of the conflict—put forward their first document proposing a solution to end the war. The Interim Self-Governing Authority (ISGA) proposal suggested that an interim administration would be led by the LTTE giving them powers over development, reconstruction, rehabilitation, resettlement, raising and disbursing revenue (including the right to borrow locally and abroad), trade, foreign aid, natural resources (including controlling access to the adjacent seas),

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<sup>32</sup> The dates and venue for the talks are as follows: 1. Thailand (16-18 September, 2002) 2. Thailand (31 October-3 November, 2002) 3. Norway (2-5 December, 2002) 4. Thailand (6-9 January, 2003) 5. Germany (8-9 February, 2003) 6. Japan (18-21 March, 2003)

<sup>33</sup> The issues covered in the six rounds of talks included: POW; child recruitment, disarmament of the LTTE, looking at federalism as an option, human rights violations, de-mining, continuing violence and resettlement of Internally Displaced Persons (IDPs)

land issues, and all administrative structures (for example: Police and Courts). The government rejected the document and refused to even use it as a base for future discussions as suggested by many.

The next time the two parties met to face to face it was three years later, and in this period both sides technically upheld the CFA and considered the peace process to be still in effect. The talks were held in Geneva from 22-23 February, 2006. One of the main issues for the LTTE at the Geneva talks was the government's failure to disarm paramilitaries, especially the breakaway Karuna faction. The talks ended with both sides agreeing to uphold the CFA, the government promising to do their share of disarming paramilitaries and the LTTE giving their word on refraining from attacks on the security forces and the police.

The two parties also agreed to meet again in Geneva from April 19 to 21 for another round of talks that was termed Geneva II. Days before the talks were to begin, the LTTE pulled out over the issue of safe travel arrangements for their members - from the northeast to Colombo en-route to Geneva.

Ceasefire violations began even as the peace talks got underway in September 2002. They peaked in the period between 2004 and 2005 when the nature of the violations turned into targeted political killings<sup>34</sup> with incidents of confrontation between the two sides and the inevitable collateral damage of civilian deaths.

Violations to the ceasefire agreement included, among others, the nondisarmament of the paramilitary groups by the government, continued child recruitment by the LTTE, human rights violations, such as: abductions and harassment and, of course, the political killings<sup>35</sup>. Also on the increase were the clashes between the Tamils and Muslims in the Eastern Province<sup>36</sup>.

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<sup>34</sup> Casualties under political killings included those who were seen as civilian informants and military intelligence personnel, anti-LTTE Tamil NSAG members, key LTTE members and those whose affiliation could not be established following the split of the Karuna group, and Sri Lankan security forces

<sup>35</sup> Some of the key targeted killings during this period were Keetheshwaran Loganathan (Deputy Sri Lanka Peace Secretariat) in 2006; Kaushalyan (LTTE), Major Muthalif (Military Intelligence, Dharmaretnam Sivaraman (Journalist), Dikkan (LTTE-Sea Tiger), Lakshman Kadirgamar (Sri Lankan Foreign Minister), Col. Meedin (Military Intelligence), Joseph Pararajasingham (TNA MP) in 2005; Col. Neelan, Vasu, Senathiraja, Bawa (all LTTE leaders), Sivanathurai alias Reggie (Karuna's brother) in 2004; Varathan group member (considered informants to the SLAF) in 2003

<sup>36</sup> Key incidents of Tamil-Muslim clashes: Tamil-Muslim killings in Muttur in 2003 following allegations of abduction of Muslims by LTTE. The pre and post election violence and the attack on the Akkaraipattu Grand

The SLMM website reports that there were 4173 ceasefire violations up until the end of 2006. Of these, the LTTE was responsible for 3827 violations and the GoSL for 346 violations.

One of the biggest loopholes of the CFA was that, unlike land, it did not comment on and consider movement and boundaries on the seas. As a result, there were many violations and increased hostilities on the sea and the inability to address this meant the CFA became more and more a ceasefire in name only.

Yet, in spite of all this, both sides made statements about upholding the CFA. In fact, the Geneva talks were about continued deference to the CFA. With regard to the violations of the CFA, it is important to note the role of the SLMM. The monitoring mission was set up with a mandate to monitor and record the violations, to assist in the group implementation of the CFA and to support all local interactions between the two sides. The SLMM had no mandate to impose sanctions on either of the parties. “Monitors without sanctioning power” was impossible to translate at the local level. People of every ethnic group complained that *“the SLMM folks come and listen to us, write everything down, check every detail and then get up and walk away”*.

The SLMM has played a difficult role, a thankless job, in which not only were the people frustrated with their inability to take action but where both the LTTE and the SLAF pointed fingers alleging bias and accused the mission of being partial to the ‘other’ side. The biggest crisis came when the EU banned the LTTE on 30 May, 2006 and the LTTE retaliated by giving the EU members in the SLMM an ultimatum to leave and expressing their inability to guarantee the safety of the members of the mission. Thus, the people experienced a very brief period of peace with the signing of the MoU between the GoSL and the LTTE. Quality of life of the people improved and remained significantly better in spite of the continuing

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Mosque in November 2005 leading to the killing of an UNP supporter in Muttur were all Tamil-Muslim clashes. The Muslims from Muttur and Sampoor displaced in 2006 following the closure of the Mavil-Aru sluice gates by the LTTE and the subsequent attacks by the SLAF. Later came the attacks on Tamils and the LTTE in Muttur and Sampoor by the SLAF

tensions, the breakdown in the peace process, than they would have been during war. The next section looks at the impact and the role of other actors in the peace process.

### **Crisis and Change in the LTTE**

The biggest crisis the LTTE faced in the post peace process period is that of a split in their tight ‘monolithic’ organization. The Military Commander of the East, Col. Karuna was discharged from the LTTE on 6 March, 2004 by a directive from the LTTE’s leader. Three days earlier, on March 3, Karuna had written to the leader expressing unhappiness and frustration over the continued discriminatory policies of the LTTE leadership against the Eastern Tamils.

Many have opined that it was the ceasefire that prevented the LTTE from starting an all out war between the two factions in the LTTE. Instead, a low intensity war began between the LTTE and the Karuna faction. Members of the two sides and supporters were targeted and killed and the identities of the perpetrators were always hard to discern.

In the east, following the split, the atmosphere was one of fear, intimidation and threat. In Batticaloa, one could “touch the tension in the air”. The people seemed to measure every word they spoke, every step they took, and it was extremely difficult to get them to reflect on the situation with even an iota of honesty. As one respondent remarked “*people in Batticaloa now open their mouth for two reasons - to eat or to drink*”.

Estimates vary as to how many supporters defected with Karuna. LTTE members downplayed both the figures and the magnitude of the split. The LTTE also accused the GoSL of giving protection to the Karuna faction.<sup>37</sup> Most LTTE members remained ambivalent and dismissed the Karuna episode as just a small irritant that they could easily handle. However, there is no doubt of the impact of

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<sup>37</sup> Karuna subsequently established his own group ‘*Tamil Makkal Viduthalai Pulligal*’ which translates as the Tamil People’s Liberation Tigers. In mid 2006, the group opened its own political offices in the east and in Colombo. These offices were located inside army camps, giving further evidence to the allegations that the group remained protected by the SLAF

the split. The organisation itself went through major upheavals. Members were moved from one region to another. Cadres from the north took positions in the east; the intelligence wing was all the more in the forefront and many of eastern cadres came under suspicion. There was a hunt for all associated with Karuna and the closest the LTTE came to getting him was when it killed Karuna's brother.

Many opined that this crack in the monolithic facade maintained by the LTTE could have happened only because of the on-going peace process. It was impossible they said "*to imagine this split could have happened during the war*". The peace process had opened up the internal environment and the interactions with the external environment had increased reducing the control the leader had over the organisation. It had also made it possible for sub-cultures within the organisation to emerge, once again affected by the interactions with the external environment.

Another major loss for the LTTE was the death of their political ideologue Anton Balasingham on December 14, 2006. Balasingham, as the reader would have noted from the case studies, was extremely close to the leader and enjoyed his trust. For the LTTE, he was its face in the west and he was definitely well received by most in the international community. Balasingham was also seen as the moderate face of the LTTE and the Norwegians remarked that in his death they had lost a listener; a person with whom they could reason. His death definitely was a big loss for the LTTE, which will find both the absence of his moderating voice and his negotiating capacities hard to replace.

An event that happened in the post-peace process period but did nothing for the peace process is the Tsunami. The impact of this event on the conflict is discussed below.

### **The Tsunami: A missed opportunity?**

The Indian Ocean Tsunami of December 26, 2004 was a great human tragedy. Two-thirds of Sri Lanka's coastline was hit and 13 out of a total of 25 districts were affected. The east was the worst hit, especially the districts of Mullaitivu,

Ampara and Batticaloa. Over 30,000 people died and 500,000 were displaced. Thousands of others went missing and a large number of persons suffered injuries. Hundreds of children became orphans and many families lost their breadwinners. The destruction to property was huge.

The Tsunami happened two years after the peace process had begun. In this period, the two parties had been at the table and had walked away. The little trust the parties had started building was broken; violence was rocking the northeast and the east was reeling with the split in the LTTE.

The heart warming stories of the three communities coming together because of their common grief and helplessness could only be topped by the stories of a dramatic change in the relationship between the SLAF and the Tamil Community. Many Tamils interviewed mentioned the mistrust, fear, anger and hatred towards the SLAF who, for them, symbolised the 'other'. For the people of the northeast, in the absence of any contact with the Sinhalese community or the Government of Sri Lanka, the SLAF was the only contact they had with the enemy. For the SLAF, again, in the absence of any real contact with the Tamil community, the distinction between a Tamil and a 'Tiger' (LTTE) was blurred.

When the Tsunami struck and people, animals, and homes were floating away, hundreds of army personnel jumped in repeatedly into the waves and saved lives. In the process, many of the SLAF cadres drowned. This was a sacrifice that many, many people in the east recounted with deepest gratitude. Not only that, the army used all their rations to cook food and serve the people for days.

On an individual basis, some of the SLAF members formed deep and lasting relationships with the Tamil people. However, this grassroots level of harmony between the three communities and between the Tamil community and the SLAF was short-lived and not capitalized on owing to the politics in the south and the ongoing breakdown of the peace talks.

The government and the LTTE continued to disagree on rehabilitation and policies for reconstruction. At the same time, donor pledges made on condition of an ongoing peace process prompted the government and the LTTE to negotiate on a



mechanism for distribution of aid and rehabilitation. Finally, in June 2005, the Post- Tsunami Operation Management Structure (P-TOMS) was negotiated. The JHU and the JVP strongly opposed this agreement because it meant the LTTE would have control over foreign assistance and distribution. The JVP, as a mark of protest, crossed over to the opposition, leaving the UPFA with a minority support in the parliament and effectively brought down the government. The matter was challenged in the courts and in July 2005, the Supreme Court put a stay on the execution of the P-TOMS. This effectively ended any joint rehabilitation mechanism between the LTTE and the government and also further soured the relationship between the two. There was also increased dissatisfaction among the Tamil people about the genuineness of the government and, once again, the anger against the government translated into support for the LTTE. The Tsunami was definitely a missed opportunity to resolve the conflict. The brief period of camaraderie between the communities and the solidarity between the armed forces and the Tamil people did not find support at the national level. The policies pursued at the top level between the two sides contributed in destroying any relationship building and healing taking place on the ground.

## **8. EELAM WAR IV - THE FINAL WAR**

Campaigning for election in 2005, Sri Lankan President Mahinda Rajapaksa rejected autonomy for the country's ethnic Tamil minority, and vowed to win the decades-old struggle against the Liberation Tigers of Tamil Eelam (LTTE or Tamil Tigers) by military means. In February 2009, to the surprise of many, Sri Lankan forces seemed on the verge of a comprehensive armed victory<sup>38</sup>.

International humanitarian organisations, worried about civilian casualties and accusations of human-rights abuses, have appealed to both sides to protect 250,000 civilians trapped in the war zone. The Sri Lankan government's hard line has risked alienating the international community at a time when it is almost certain to require external assistance. Meanwhile, Rajapaksa's ethnic Sinhalese-led government must develop a plan to administer the Tamil districts it has wrested from LTTE control, as it confronts a difficult economic situation nationally.

The government has established relief camps within 'civilian safety zones'. Leaflets were dropped urging civilians to enter the zones, and the Ministry of Defence later said it would not be able to ensure the safety of civilians outside them. Yet few locals responded to this call, perhaps because the Tigers refused to let them leave rebel-held territory, or because they feared for their safety in camps run by the security forces and by Tamil paramilitary groups opposed to the LTTE. The military accused the Tigers of killing civilians attempting to flee the war zone, while the Tigers' official website blamed the military for shelling civilian areas. Since the government has denied media access to the war zone, no independent verification is possible<sup>39</sup>.

The International Committee of the Red Cross, the only international humanitarian organisation operating in the Wanni region, has evacuated hundreds of sick and wounded to Trincomalee. Red Cross staff reported the serial artillery bombing of a hospital in Puthukkudiyiruppu, in Tiger-held territory, resulting in deaths, injuries

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<sup>38</sup> The Tamil Tigers' last stand? Strategic Comments, Volume 15,2009,issue 2

<sup>39</sup> The Tamil Tigers' last stand? Strategic Comments, Volume 15,2009,issue 2

and evacuation. In February, US Secretary of State Hillary Clinton and Britain's Foreign Secretary David Miliband called for a truce to evacuate casualties and allow in humanitarian assistance, as did Amnesty International and the United Nations refugee agency, UNHCR. These demands were rejected by Rajapaksa, who believed the 'complete defeat' of the Tamil Tigers was imminent.

### **National challenges**

The government's post-conflict strategy will be complicated by looming economic problems. Defence expenditure, already at record levels, may have to rise further to consolidate the military gains already made. Tourism has been badly affected by the security situation and may struggle to recover during the global recession. Remittances from migrant workers, Sri Lanka's highest export earner, may be affected for the same reason<sup>40</sup>.

Although funding by international agencies will be in demand for some time, donors will not unconditionally bankroll government plans for the north unless humanitarian and human-rights concerns are addressed. International concerns also extend to the harassment, coercion and even assassination of journalists who have criticised the government. The case of *Sunday Leader* editor Lasantha Wickrematunge gained international attention with a highly critical piece he had written to be published after his death. He was shot dead in January.

There are faint glimmers of hope, however, in the bleak overall outlook. Before he adopted his current hawkish stance during the 2005 elections, Rajapaksa was a backer of a negotiated peace process with the Tamil community. Optimists believe that if he made a renewed attempt now to address underlying Tamil grievances, it could lead to a more enduring political solution. They argue he could leverage recent military victories to silence the most hardline Sinhalese nationalists in his government.

In 1987, an amendment was made to Sri Lanka's constitution, aimed at devolving powers to the provinces. Some commentators, including former President Chandrika Kumaratunga, have been saying that finally implementing that 13th

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<sup>40</sup> The Tamil Tigers' last stand? Strategic Comments, Volume 15,2009,issue 2

amendment could improve the political climate – granting some Tamil autonomy within a wider framework of regional devolution, without necessarily laying the groundwork for a separate Tamil state. Rajapaksa recently indicated that he intended to press swiftly ahead with implementing the amendment.

Others, though, consider this an inadequate gesture to divert attention from the government's military onslaught. There are also serious concerns about the impact the unfolding humanitarian crisis in the north could have on any long-term prospects for peace.

## **Conclusion**

The post peace process period in Sri Lanka was not a peaceful one. Violence, ceasefire violations and, above all, a huge natural tragedy marked the years following the LTTE's decision to come to the table. In spite of the breakdown in talks, the quality of life of the people, both in the northeast and in the south improved, at least for the first couple of years after the peace process began.

The Tsunami of December 2004, a huge catastrophe, complicated the ongoing peace process but it was not a turning point in the conflict as it was in Aceh, Indonesia. The tragedy brought the affected communities together very briefly. The government at the centre, however, failed to capitalise on these improved relations. In fact, the decades old misgivings and mistrust between the parties just spilled over to the post-Tsunami relief and rehabilitation work. This, in turn, drove the two sides further apart on the peace process.

The Rajapakse government in the south has followed a brutal military strategy against the LTTE since they came into power. This, combined with the split of Col. Karuna from the LTTE and his joining forces with the government, has brought defeat to the LTTE in many areas. As the violence continued, the people of the northeast were the worst sufferers, but the war is far from over; no side has emerged victorious. Thus, once again, bringing home the point that a military solution to the conflict is not plausible and coming back to the table is nearly an inevitable option for the warring parties.

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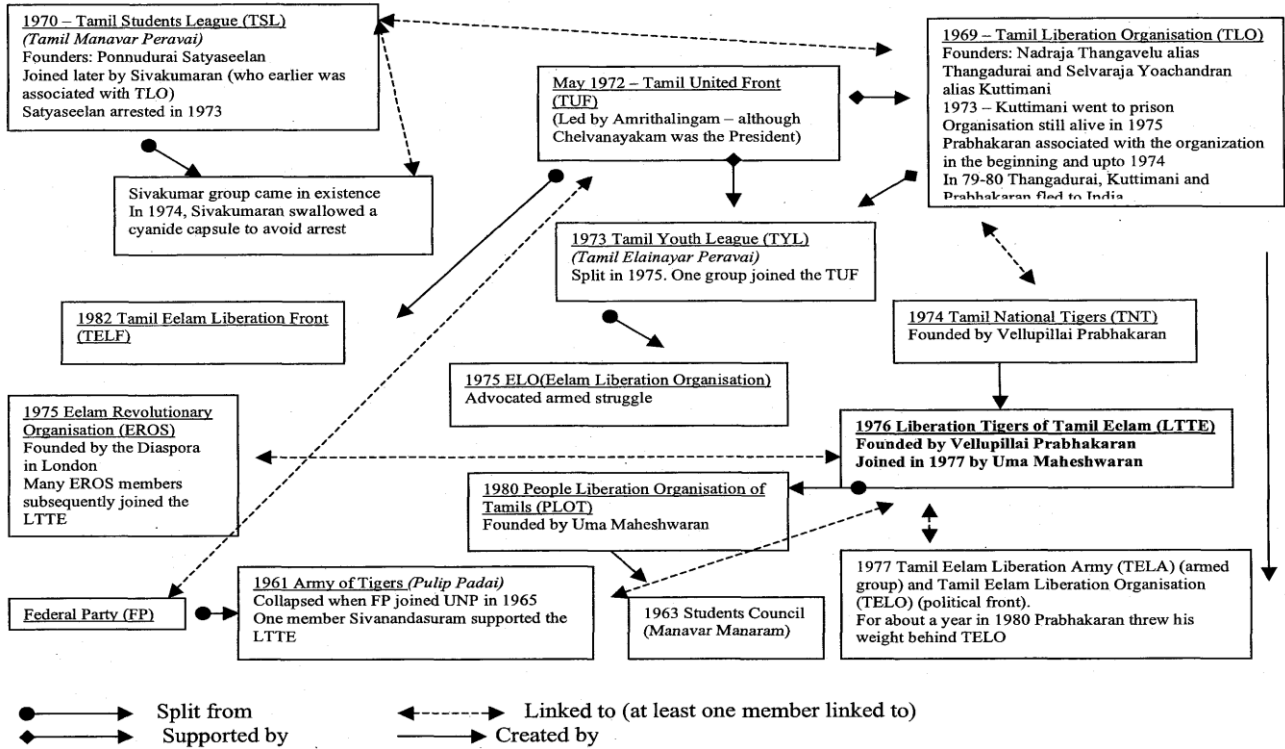
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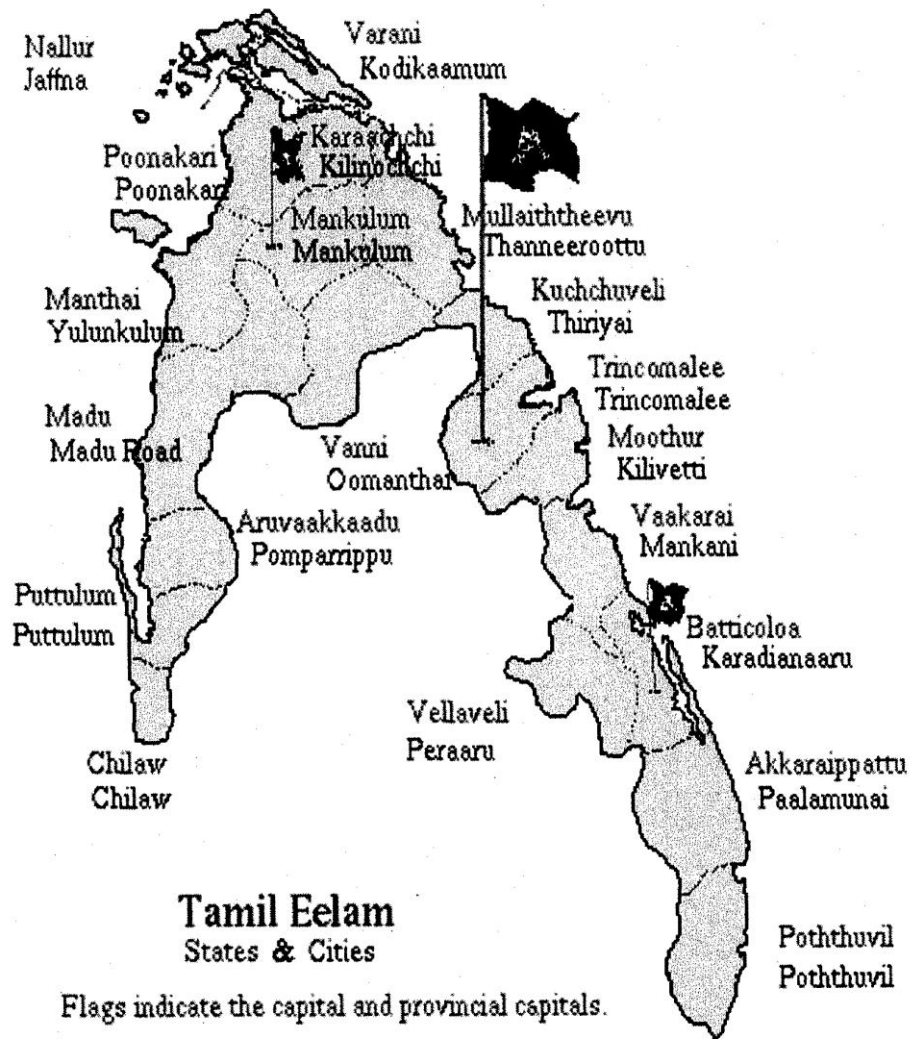
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Annexure A :Origins of the LTTE





Annexured B: Tamil EELAM map