

Post Conflict Peace Building in Sri Lanka

An assessment and projection

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Intention of this paper is to discuss a projected post conflict peace building scenario, using a context of post conflict situation after Elam war-I as a point of departure. Therefore discussion of this paper focus around 1987-1990 period, and try to understand what went wrong in the post conflict implementation process, which per se represents a hastily arranged agreement and hard realist approach on the whole implementation process. Lack of planning by the implementations and low key political will of the Sri Lankan politicians, spoiler effects and implementation blunders can be identified as conspicuous features of this implementation process. In the discussion paper does not intend to cover all these contextual factors resulted for failure, nevertheless try to discuss about set of pertinent normative features which are an essential for the smooth implementation at the post conflict stage, along with some cross reference to Sri Lankan experience. By doing so, the paper intend to have projected idea of what policies and principles constitute for a enduring post conflict peace.

Abstract:

Two main ethnic groups dominant in Sri Lankan multi ethnic nation are Singhalese and Northeast/Sri Lankan Tamils. The Singhalese constitute 74 per cent of the population, while the North-eastern Tamils, the second largest group in the country, make up about 12 percent of the population. Although there has been tension between the two groups over several decades, which violence erupted only in around 1983.

The conflict stems from Tamil demands to form a separate state in the (mainly Tamil) Northern and Eastern provinces of the country. The separatist movement gave rise to the formation of a number of organizations intent on using violence to achieve political objectives. Of those, the Liberation Tigers for Tamil Ealam (LTTE) experienced the most rapid growth in size and military strength. By now LTTE has become sole militant group who wages separatist war against the Sri Lankan government. In early 1987, India entered into the conflict mediation to moderate between Sri Lankan government and Tamil militants. As a result in July 1987 Indo-Lanka Accord was signed¹. To ensure the post agreement peace process the Indian government send its troupes to serve as peacekeeping force in Sri Lanka. India initially send its troupes to the Northern and Eastern province as a peace making and peace keeping forces, but in the face of the resistance of the LTTE, the Indian forces, tried to suppress the Secessionist groups mainly the LTTE, while working with the more moderate group called Ealam People's Revolutionary Liberation Front (EPRLF) to bring about a post conflict peace to the Northern and Eastern provinces of the country.

However, during the following two years, the violence persisted and took on new dimension in post Agreement implementation process. Indian forces clashed with LTTE suffered unexpected losses. This phase of Sri Lankan conflict is now commonly known as the Elam war-I. In 1989, at the request of Sri Lankan government, India began to withdraw its "peacekeeping" forces from Sri Lanka.

The post agreement implementation period that is in between 1987-89 represents vast number of, historically crucial, political blunders and lack foresightedness in Sri Lankan political history. Lack of political will and capacity to "Identify and support structures which will tend to strengthen and solidify peace in order to avoid relapse into conflict-rebuilding the institutions and infrastructures of nation which torn by civil war and strife, deepest causes of conflict: economic despair, social injustice and political oppression²" had been

most conspicuous feature in this post conflict peace process in Sri Lanka. The close analysis of this period points out that the collapse of the post conflict peace in Sri Lanka were due to several prominent empirical and organizational factors.

1. The number of warring parties represented in the process:

If there are number of warring parties to be dealt with in a post agreement process, the strategies of the process become less predictable, balance of power become more tenuous, and alliance become more fluid which are essential to achieve proper peace. Exactly this was what happened in Sri Lanka, there were more than five major militant groups were in the front, out of them four groups accepted the Agreement and the most strongest group defied the agreement. The Indian were inclined to go along with the pro agreement groups by abandoning most powerful group.

2. Major political parties/groupings to the conflict, especially the LTTE did not represent at the implementation stage due to bad power political decisions³ of the government and no attempt was made to avert the defiance of the LTTE due to the fact that there were four other groups with the peace process.

3. The LTTEs' presence as a spoiler factor⁴ in the post implementation stage made daunting challenges to the people who were responsible for implementation.

4. Lack of political will of the Sri Lanka government or misrepresented will that undermined the restitution of state institution and their capacity to underpin the greater demands and aspirations of the people of those areas.

5. Lack of central government support for the newly established Provincial Councils' under the Agreement, in recourse wise and security wise.

6. Lack of conveyance of was given constitutional powers to the Northeast Provincial Council through the Agreement, by the government, which could have otherwise helped to develop social capital within the society by establishing the legitimate and powerful and efficient provincial government.

In respect of organizational factors, the planning represented the major contributive factor for the failure. There was no advance planning and projection to foresee the impending obstacles and dangers to the peace process. Instead of that the implementers merely relied on their state and international might. Following negative organizational behaviors contributed to the collapse of post conflict implementation process in Sri Lanka during 1987-89.

1. Lack of idea of scope, design and delivery of results in the different stages of the process.
2. Unable to identify the priorities, organize logistical support, security conditions, proper strategies for secession of hostilities, ceasefire monitoring mechanisms, demobilization and decommissioning aspects, importance of de communalization of security forces and police, mine clearing and establishing peace zones, etc.
3. Lack of strategic planning on developing collaborative relationships between conflicting parties, civil society and societal groups.
4. Lack of logistical planning in respect of refugee repatriation and replacement of internally displaced people.
5. Lack of strategic planning on possible strengthening of political institutions based on consocialization and capacity building.
6. Lack of idea on post conflict economic and social revitalization.

7. Unable to foresee spoiler factors and develop strategies to contain them in peaceful and consensual manner.
8. Total lack of national reconciliation strategy.

All these factors shows that the support structures in relation to strengthen and solidify peace in order to avoid falling back to the conflict was never an agenda of Sri Lankan experience. To further analyze this scenario, various sub goals related post conflict peace will be discussed from now on.

1. **Reestablishing the rule of law and reconstruction of war torn society:**

In any intrastate conflict situation the central government is the ultimate authority that decide whether or not ethno political identity of a conflicting party would be cemented with the general socio-political practice of the polity in an autonomous arrangement or they are to be allowed to have separation. If the state concern is in favor of providing autonomy to a particular ethno political demand within the state structure through an mutual agreement central government has to take constructive and creative steps to establish the framework of the agreement with supportive institutions that ensure the particular political aspirations of the ethno political grouping. Nevertheless, in the case of Sri Lanka, the state had been miserably failed to achieve this objective in the aftermath of the Indo-Lanka Agreement. The Provincial council that has been introduced under the agreement was never supported by the Central government. This tendency was prominent from the bequeathing the conferred power to the Provincial Councils as well as providing essential financial resources to function it as a legitimate body. This has been in return, affected the institutional legitimacy of the whole process which ultimately doomed to be a failure.

As rule of law always connected to the good governance, and when the people see no difference between what they have experienced from pre agreement period, post conflict peace had become illusion to the people. Therefore, the Sri Lankan experience the institutional transformation and establishment of rule of law, which in totality connotes with the good governance has become a mockery of the whole effort.

2. Decommissioning and Demilitarization:

Demobilization is usually seen as an important development effort in post conflict situation. The reintegration of ex-combatants and others, in to productive society is considered as one of the priority of post conflict peace building. Effective support efforts must be focused on ex-combatants-particularly in the first phase of demobilization and resettlement and also especially on child soldiers and those seriously handicapped or traumatized. This type of Successful post conflict demobilization requires, an accurate data for planning, effective logistics and substantial resources. A Political will of the all parties is an essential factor for disarmament process and central authority to provide protection, monitor the disarmament, guide and secure process of resettlement and reintegration. In parallel to these activities security sector reforms and policy on human rights Protection should be formulated.

It was estimated roughly that the strength of Cadre of LTTE in the period of 1987 around 2500-5000, the strength of the Sri Lankan total defense forces including police and the Auxiliary forces was estimated around 125,000. The four other Tamil militant groups, whose strength was coming around 10,000-15,000. The basic nature of this Sri Lankan war is that the military confrontation was demarcated clearly on communal line. Though the Sri Lankan Society is a multi cultural society, the composition of the Sri Lankan Defense forces and the

Police at that time was almost homogeneous only 1-2 percent represented by non-Singhalese who was Muslims.

Against this back drop the Agreement only concentrated on decommissioning of the militants and de communalizing of the Sri Lankan security forces which was an essential element in legitimization of whole process or demilitarization of the whole society was never an agenda of the post Agreement period. Only surrendering arms by the militant groups and providing general amnesty to the militants and Tamil political prisoners were on the implementation plan. Though the clause 2.11 speaks briefly about the rehabilitation of the militant youths, there was no elaboration on that issue neither by the agreement nor in the post Agreement implementation plans.

Glaring omission was that there was no attempt to address the issue of security sector reforms. The security sector was allowed to remain in the post agreement period without any orientation, or reforms. The only provision that dealt with Sri Lankan security forces was to confine them in the barracks, at the time of surrendering of the weapons to the persons designated by the Sri Lankan government.

The whole process was destined to become failure from the beginning. There was no accurate data on the militants. No proper planning on decommissioning methodology. Hastily arrange logistics for surrendering and no plan on absorbing the militants socially and economically to the main stream.

The Election Process:

The Indo-Lanka Agreement, made provisions for holding elections for the newly introduced provincial councils within the span of nearly six months from the signing of the Agreement. Until then the Agreement provides an interim administration to the province. Also the

Agreement provides a provision that before holding election to amalgamate two provinces where the Tamils claim as their home land.

Though the Agreement talked about the interim administration it was not specific about the composition about the individuals. This made a rift between the Government and the LTTE, which ultimately made a one of the reasons to LTTE to back off from the post agreement implementation process.

The election was proposed for the achievement of legitimized provincial autonomy for the Tamil people. But the politico-social conditions were not conducive to hold such an election at that period; anyhow the authorities have forced the war-ravaged society into an election and asked them to choose their representatives. Striking feature of this situation that there was no civil society action in this election. The old main stream Tamil political party the Tamil United Liberation Front (TULF), most trusted political party among the moderates, refrained from contesting the election. The refugees and IDPs were still at the camps that have come from India, the government support to restart their life in the respective villages never came in meaningful way, but the election was held in 1988 without giving them even semblance of idea about the new structures or their rights in those institutions. The LTTE boycotted the election as well as disrupted the whole election process by force, nevertheless the EPRLF lead coalition comprising former militants who decommissioned after the agreement formed the Northeastern Provincial government.

It is still a political question whether this new institution had been able to gain the legitimacy from the society and by forming this achieved the desired goals of post conflict peace. But this instance shows how complex and delicate as per decision to hold an election in post conflict peace process.

Return of Refugees and IDPs

In the post conflict society, repatriation of refugees and IDPs is considered as a vital factor in peace building. It is estimated that, in Sri Lanka, by 1987 over 450,000 families have been affected by the civil disturbances between 1983-1987⁵. The status of these affected people were various. 50 percent of these people had been lived in welfare centers and with friends and relatives. 40 per cent of the people were in India as refugees and rest got refuge in Western countries. The resettlement of communities after conflict could have infused huge strains on a society unless it was done in a proper manner. Therefore, international assistance and monitoring of refugees and IDPs was needed to prevent these strains becoming divisive and leading to further conflict. Also the International Humanitarian Agencies could play bigger role in this sector by harmonizing longer-term goals and projects of the macro and micro level economic agendas and programs. Nevertheless, this was never happened in Sri Lanka in this particular period. It was totally state centered affair. Though government had funds to face such a situation they have not handled the situation with proper synergy with short and long term goals. It was estimated at that period to resettle this whole number of people would cost the government US\$ 221 million but government spend only US\$103 million in this whole period⁶. The difference between estimated cost and actual spending alone shows the inappropriateness of the whole program of the resettlement of refugees and IDPs.

Economic Assistance:

Economic policy during post conflict transformation must aim to secure not only stabilization and growth but also equity and stabilization of peace. Short-term macro economic strategy should accompany by micro economic or institutional policy that directly target improving the equity of the society. Yet, though there has been little systematic discussion of

economic policy should be reshaped in special circumstances of a country emerging from civil war, three broad sets of economic issues are identified in the adjustment period towards peace in ordinary circumstances, the first problem will be the finding of immediate costs for peace including; the establishment of new democratic institutions, the re integration of ex-combatants in to civilian life, and repair of infrastructure. Along with this requirement, the need for macro economic stability, and long-term interrelationship among economic growth, income distribution and peace also considered as most important requirements in post conflict peace building.

The Sri Lankan Ministry of Rehabilitation and Reconstruction estimated that total damage to the Northeastern province in the period of 1983-1994 is US\$400 million; nevertheless this estimation was done in 1994. This cost had been estimated in district wise as well as the sector wise basis .In the post conflict peace process this amount plus immediate costs of peace such as establishment of provincial councils, reintegration of ex combatants to the society, resettlement of refugees & IDPs and expenses for reconciliation would have been the major financial commitment for the implementation in the post agreement period. It is estimated that for full demobilization process would cost some were around US\$56 million⁷. The micro economic and social revitalization was coasted which was coming under the sectoral expenditure had been estimated around US\$65 million. All other costs were to be spent on infrastructure development. But immediately after the Agreement there was no proper plan or estimation how much would had been spent for the post conflict peace implementation except hurriedly prepared ad hoc estimates.

But none of these omissions were ever an issue for the Sri Lankan Government or the International Donor Community. At the special Aid group meeting on 4th December 1987 the Donor community endorsed the proposed program which was prepared by the Sri Lankan Government and pledge US\$ 493 for its implementation.

Out of the total pledges of US\$493 million initially made a sum of US\$396.4 million translated into agreements. Out of this amount it is reported that US\$ 235.5 million had been utilized. Approximately US\$155 million would go unutilized.

This example amply shows that the nascent problem with Sri Lankan was not with raising enough money for the post conflict peace but some thing else.

Reconciliation:

Sri Lankan conflict is a result of weakened social cohesion and low social capital which has been derived out of majority rule of the decision making process for the last five decades. This tendency of majority rule which resulted anger and frustration among the minorities have been divided the population by undermining interpersonal and communal trust in numerous ways; it has destroyed the norms and values that underline cooperation and collective action for common good, and made the polity into horizontal and vertical compartmentalization in the society. This tendency damaged national social capital, the norms, values, social relations that bond communities together as well as the bridges between communal groups (civil Society) and state. Nevertheless the post conflict implementation process did happen in the 1987-90 period had been never able to adopt a strategy to address this scenario, which was crux of the whole implementation process.

Though there are several causes for the Sri Lankan conflict, main structural conflict can be identified as an issue of governance. When the accumulation of the social capital along the vertical and horizontal axis have been severely curtailed by the lack of governance and minority apprehensions based on security dilemma, resulting a major civil war in the country and inversely the relationships between the two communities soured, compartmentalization of the two societies has become reality of the day. Unfortunately Agreement itself or in the

post conflict implementation period had not taken any action fulfill this requirement in the society which was crucial for sustainability of the whole process.

NGOs Civil Society and Peace initiative:

Organized voluntary activism has long history in Sri Lanka. Compared to many other countries affected by conflicts, Sri Lanka has rich and diverse civil society and NGO sector which reflects this diversity. Although in the South Sri Lankan NGOs are very active in a variety of sectors, from community development to micro-credit to human rights and policy advocacy, in the Northeast, international NGOs tend to be the major players. Also these NGOs, like Save the Children Fund (UK), OXFAM, and CARE, and also act as intermediate donors to local NGOs and community groups working in conflict affected areas.

Nevertheless, NGO civil society contribution for post conflict peace process in this particular period could be rated as minimum compared to global experiences. The state attitude towards NGOs and civil society mainly attribute to this setback. But the lack of orientation towards conflict sensitive programs and low capacity and low networking ability with one community to another could not be overlooked as reason for this omission.

The message from the post conflict peace experience in Sri Lanka provide substantial amount of lessons to the Sri Lankan government, civil society and also to the donors. It is shown through this experience unlike in the other nations post conflict aid was never been a problem to achieve desired objectives. The failure in Sri Lankan case, attribute to the lack of rational analysis of the problem it seems. It is obvious the three main actors in the Sri Lankan crisis management the Sri Lankan Government, the civil society actors as well as the foreign donors happen to be suffering from this deficiency. The post conflict peace process took place in Sri Lanka can be analyzed in different ways; political and policy

making process which help to analyze on the cost, benefit and alternatives of the issue on hand, organizational structure which was available for the implementation process, were the main point of views where help us to understand the inherent weakness on the process.

It is obvious that the answer for the issue of instant case would not a favorable one. The organizational structure, which manned the whole affair, was hopelessly inadequate and political and policy decisions, which made in the process, were irrational in the final analysis. Interesting scenario is after going through several failed initiatives starting from Indo Lanka Accord up to the present, this organizational and policy deficiency have been persisting and still not have been able to cure. The illusion entangled with this lacuna is that policy formulators as well as foreign donors still believe that structures and values which are existing within the polity coupled with economic and social achievements gain by the country compared to the other developing nations require some institutional changes related to the specific conflict issue to deal with the conflict in the society. But the problem is much deeper and entrenched one against this superficial analysis. Consecutively from the induction of Provincial councils to several other institutional changes introduced up to now has shown that institutional changes alone will not help to solve the political problems in Sri Lanka. The crisis in Sri Lanka is engulfed with the whole society which has to deal with overall organizational and policy overhaul.

New approaches are not only need to develop constructive and creative mechanisms but also placed them on the deep politics of the society as well as the high politics of the state. This what the international community who concerned about Sri Lanka must realize, the NGOs and societal actors must act upon. With this backdrop it is pertinent to analyze

strategies of the Donor community who provide much needed liquidity to the Sri Lankan government to play with its superficial concepts, which have no bearing on progressive development of the society.

Mapping Aid in Sri Lanka:

Sri Lanka has historically been one of the highest per capita recipient countries in developing world. Aid in 1960s and 1970s was initially focused on support to the state. After 1977, its primary concern focus has been the promotion of liberalization and structural adjustment. In recent years, added to this has been an increased focus on governance, human rights and poverty alleviation. Since the 1980s donors also provided humanitarian aid to the Northeast to mitigate the impacts of the confection of the defining characters of aid in Sri Lanka is its special division between relief and rehabilitation aid to the Northeast and development aid to the South. Sri Lanka has received on average of total of US\$898 million per annum in official development assistance through loans and grants in recent years, an amount equivalent to 7% GDP, slightly larger than the government's public investment budget⁸.

Further defining feature of aid to Sri Lanka is the dominant position in financial terms of three donors: 80 per cent of development funding comes through the World Bank, Asian Development Bank and Japanese External Assistance program. Development aid to the government has mainly focused on liberalization, structural adjustment, infrastructure development and range of sectoral issues.

1. Development aid to civil society covering the range of issues such as community development, human rights, reconciliation, the media and electoral monitoring.

Significant donors in this area include CIDA, SIDA, USAID, Asia Foundation, Holland, and Norway.

2. Humanitarian aid to the Northeast. The main operational agencies are the UN, the ICRC and International NGOs. The main bilateral donors are Germany, France, Sweden, UK, Norway, Holland, Italy and US. In 1998, bilateral donor commitment for emergency aid amounted for US\$17.8 million.

The aid disbursement scenario in Sri Lanka often provides wrong inference that the Sri Lanka donor community is selective on their preferences. This implies that the peace related is much of the concern of the bilateral donors and multi lateral donors are disinterested on peace building and humanitarian assistance. Nevertheless, the real issue is not that the concern but inability of Sri Lankan donor community to develop a common agenda and strategy to provide assistance to achieve sustainable development in Sri Lanka which also encompasses peaceful resolution of conflict. Therefore it is high time to now for the Sri Lankan aid community to develop such a strategy in concert. First of all this strategy must include agreed "entrance strategy" based on common vision¹⁰ and should be based on the principles of growth and equity. Also it must contain causes of the conflict in respect of the whole society and causes for the specific conflicts, the rationale for external involvement, defined and elaborated shared aid principles, joint need assessments, aid priorities, defined responsibilities of aid providers and recipients. Assessment of the receiving state capabilities, in respect of planning, implementation and also resource capabilities will give added impetus to this strategy.

This type of strategy will not only enhance the impact of the assistance but also improve the disbursement policy options. The strategy itself may work as conditionality of aid, which will

be a positive conditionality, and help to deal with the high politics of the state. Finally it will be used optimally when the donors and recipients able to develop accountability policy through this same process. In order to develop such an entrance strategy, the donors must be conscious about the rationale behind the peace in relation to development. Long term economic policy after civil war must not only economic adjustment, but also process of political adjustment; the consolidation of peace. Therefore humanitarian and development agencies should act consciously in concert to build bridging and linking social capital along horizontal and vertical axis with communities and state and between civil societies, by implementing their respective macro and micro economic development programs and relief and rehabilitation programs with objective of change the orientation of society based on equity and growth.

Such an approach will create low cost, possible high pay off opportunities linking short-term implementation success in relief, reconstruction and micro economic programs to long term peace building efforts based macro economic growth based programs. This should be ultimate goal of the post conflict peace building.

End Notes:

¹ The Indo Lanka Accord was not a result of a negotiated settlement of warring parties it was result of Indian pressure whom the Sri Lankan government as well as the LTTE bowed down.

² UN Secretary General Boutros Gali UN Policy paper on Post conflict peace

³ Issue of the refusal by the government to appoint Tamil nationalist nominee to the Interim Administration & issue over the release of captured LTTE members after the agreement.

⁴ LTTE was never a willing party for the Agreement, they were forced to accept the Agreement by Indian

Gun Boat diplomacy.

⁵ Ministry of Rehabilitation and Reconstruction in Sri Lanka

⁶ Ministry of Rehabilitation and Reconstruction estimates.

⁷ Saman Kelegama, Sanjay Kalpage, Nirugunana Thiruchelwam,
Kmanikawasakar (1995) The Economic Cost of North-East Conflict in Sri Lanka,
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⁸ Jonathan Goodhard, (2000) Conflict Assessment: Aid, Conflict and Peace
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¹⁰ Shepard Forman and Stewart Patrick (ed)(2000), Pledges of Aid for Post
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