

## **Introduction**

Let me begin by expressing our appreciation for the support received from the MFA during this study, our gratitude to Norad for being chosen to undertake a difficult and inspiring assignment, and for this opportunity to present our report in the presence of Erik Solheim, a very distinguished panel and what I take to be a concerned audience.

”Monday Morning quarterback” is a common American expression. A MMQ is someone who, after the event, offers advice or criticism concerning decisions made by others, from a position of hindsight. The Norwegian word for this is “etterpåklokskap”.

I am saying this at the beginning of this presentation because Erik Solheim, at our first meeting on this evaluation, told me that he was not interested in “etterpåklokskap” (I hope it is OK that I quote you on this).

In a sense, I guess all evaluations will contain elements of Monday Morning quarterbacking. After all, we know what happened in Sri Lanka and we may all see things more clearly or in a different light now. We may wish we did some things differently, which would not be surprising. Rather, the opposite would be surprising - that we have no regrets and no self-criticism.

I think there is a difference though between the unfolding of unpredictable events that could not be foreseen, and, on the other hand, long-term features of the Sri Lankan political system, or the economy, or the role of NGOs in Sri Lankan society, for example, where knowledge is and was available and where we would expect that a facilitator or anybody else intervening in Sri Lankan affairs would command such knowledge as the basis for making hopefully sound judgments.

In this report we try to make this distinction and hope not to be accused of just being a bunch of Monday Morning quarterbacks who are privileged to be researchers who do not have to make fast decisions at the spur of the moment (although we are acutely aware of the difficult decisions that had to be made). In Sri Lanka, there were many unexpected events (the ways in which 9/11 finally played out, the Karuna split, the tsunami, Rajapaksa’s marginal presidential victory) but there were also patterns and structures and some of them were “old tricks in the Sri Lankan book”, so there was no excuse for not anticipating them, or for lacking a strategy to deal with them. While we appreciate the enormous challenges Norway faced in Sri Lanka, and the challenges faced by domestic parties to the conflict, there was also often time enough. In fact, at one point (October 2004) a staff member of the Norwegian embassy with a sense of humor wrote a memo back to Oslo with the title “Waiting for Godot” (“Mens vi venter på Godot”).

A few words about what happened in Sri Lanka. Norway first officially offered to help facilitate a peace process between the Sri Lankan government and the LTTE in 1991. In May

1999 President Chandrika Kumaratunga and the LTTE formally invited Norway. After a difficult start, a new government, with Ranil Wickremesinghe as Prime Minister and with considerable Norwegian assistance and international support, signed a ceasefire agreement which was a major achievement, saved lots of lives, created hope as well as economic progress. A Nordic force was deployed to monitor the ceasefire (SLMM). Six rounds of talks were held, but problems related to the violation of the CFA, which in itself, had some weaknesses, to the organization of aid for the LTTE-controlled areas, and a proposal from the LTTE regarding an interim administration for the north-east, led to the LTTE suspending its participation in the process (April 2003). From then on, and despite Norwegian efforts the process was largely stalled and for many different reasons which we will come back to, the parties went to war again in 2006.

On 17 May 2009, the Sri Lankan army brought about the final defeat of the LTTE and a very large number of innocent people were killed, ending also in a humanitarian catastrophe. The Norwegian peace facilitation continued throughout this period although of course taking on different roles as the peace process died in 2006. During the very last phase, Norway played a very active role, trying to secure humanitarian access and save lives, with the US, the UN and the ICRC. Unfortunately, these efforts failed.

This means that during Norway's long engagement peace talks were relatively brief. There was a long germination period to talks and then a lot of time attempting to get them to the table – which itself shows Norway's perseverance and patience.

#### Main purpose and objectives.

The main purpose of this evaluation is to learn from the Norwegian experience as facilitator in the Sri Lankan peace process 1997-2009. This is important because the evaluation has implications more broadly for peace making and Norway's peace diplomacy.

The objectives:

- To tell the story
- To interpret and discuss choices made by Norway
- To assess the Norwegian understanding of the conflict
- To assess results at different levels and phases
- To provide recommendations to inform future peace processes
- To contribute to the international debate on conflict resolution.

#### Methodological challenges (needs to be brief – skip some?)

To evaluate conflict resolution and peace-making is a difficult and complex task. We have approached it with a sense of humbleness and we also have faced a number of methodological challenges. I will very briefly mention two of them:

Counterfactual history: Whether a different Norwegian strategy would have resulted in different outcomes is impossible to prove. Or whether the 'war for peace' and military defeat of the LTTE would have occurred without the peace process is equally difficult to judge.

Access: The team was not able to gain access to a number of key people. The government did not want to talk and refused to grant a visa to visit Sri Lanka,. The LTTE leadership is either dead or out of circulation (in prison). We recognize these limitations although two team

members to some extent remedied this inability because in earlier research, they have interviewed some key people involved with the peace process, on the government side, the LTTE side, among civil society and the donor/diplomatic community.

#### Evaluation approach (needs to be briefer than the text here)

First, we base our evaluation on an analysis of the very complex context in which it took place, the unfolding of the conflict and its nature, Tamil and Sinhalese nationalism, the politics of economic reforms, the legacy of failed attempts to resolve the conflict (which added new layers and entrenched positions), the nature of the political system. In brief, a political economy analysis which helps place international intervention, and particularly the role of Norway in perspective. Our assumption is that “success” in peacebuilding terms must ultimately involve shifts in the structural determinants of conflict (mapped out in Chapter 3).

Second, we combine an ‘inside out’ approach (a detailed account of Norway’s involvement in the peace process) with an ‘outside in’ approach (the broader structural context, conflict and peacemaking dynamics) and then seek to construct linkages between the two.

Third, we identify a number of turning points which mark key moments of change and have a profound impact on Norway’s room for manoeuvre as a peace facilitator.

- Kumaratungs formally invites Norway (May 1999)
- UNP government comes to power (December 2001)
- LTTE suspends participation to the talks (April 2003)
- Presidential take-over (November 2003)
- Karuna split ((March 2004)
- Tsunami (December 2004)
- Rajapaksa’s presidential victory (November 2005)
- The Mavil Aru incident sparks open warfare (July 2006)
- Government forces capture Kilinochchi (January 2009)
- The defeat of the LTTE (May 2009)

We also assess Norwegian efforts against *the claims* made. The most important claims are those made by the Norwegians themselves.

Very briefly, the Norwegian official ‘story’ goes like this: Norway put in great efforts (some say ‘honest’ efforts) and there were important achievements, but the process failed because of domestic politics in Sri Lanka and other external factors beyond the control of Norway.

There are other more critical stories. In Colombo, Norway has often been portrayed in very negative terms (particularly by the press), being accused of meddling in domestic affairs, of helping to legitimize the LTTE, and having a Tamil bias.

These are our main findings.

#### Regarding the peace process.

**A combination of factors undermined the peace process: the reform resistance of both parties; particular features of Sri Lanka’s political culture; international shifts; and contingent events. Also, the collapse of talks and the subsequent military victory were as**

**much a story of the LTTE ‘losing’, as of the government ‘winning’, or the Norwegians ‘failing’.**

Almost all of Norway’s achievements occurred during the Wickremesinghe government. There was a unique constellation of factors and events: (a) a hurting stalemate on the battle field; (b) an economic crisis which had to be addressed; and (c) the election of a UNP-led coalition on a peace ticket, with a strong pro-West and pro-liberalization agenda.

This constellation of factors which provided an important entry point for Norway, turned out not to last for very long, for different reasons, domestic as well as international:

First, Ranil Wickremesinghe was unable to sell the peace process to the Sinhalese population. The economy recovered, growth rates rose, inflation fell, but people still felt squeezed. When he lost the next election (and barely so), people were not necessarily voting against ‘liberalization’, but against a leader who did not manage to make the right kind of populist gesture.

Second, the factors that were conducive for the start of the peace process did little to change the underlying structures. There is no time here to go into details on this, but a peaceful solution was not only dependent on an agreement between the government in Colombo and the LTTE, but also an agreement between the two dominant political parties SLFP and UNP that the conflict could not be solved militarily and that there was need for a political package involving devolution of power and state reform. During the 1990s, a common understanding emerged, but unstable coalition governments, a miserable relationship between Ranil and Chandrika, and the growing strength of the ethno-nationalist parties JVP and JHU made it impossible to stick to it.

The pattern of Southern opposition parties playing the ethnic card became a central destabilizing factor, combined with the inter-party and interpersonal rivalry between SLFP (Chandrika) and UNP (Ranil). This is important. Any move forward had to start by neutralizing the possibility of party political destabilization in the south. Instead it was decided that the president could be kept on the fringe, thus allowing Ranil to dominate. This was clearly a mistake. It also became a problem, which the Norwegians tried to do something about, that the Muslim population felt sidelined by the peace process.

Third, the LTTE was also reform resistant. There is no indication that Prabhakaran was committed to an alternative to Tamil Eelam, and while this may not be true for Balasingham who mediated the contact with Norway, he probably had less authority than some would like to believe. Sinhala critics claimed that the LTTE were simply using the ceasefire as an opportunity to regroup, re-arm, and generally prepare themselves for a final conclusive fight. The LTTE argument was that they had to keep their military strength, based on their earlier experience with governments in Colombo who did not honor agreements. But what we do know is that when in the Oslo communiqué (December 2002) ‘federalism’ was introduced as an arrangement to explore, there was backtracking on both sides. What might have become a springboard, also for the Norwegian facilitators, turned out to be a bridge too far.

A fourth and very important point is this: Shifts in the international environment, the changing role and interests of key international players influenced Norway’s role and shaped the peace process more generally. Both parties, the government and the LTTE, wanted to internationalize the process, but with different motivations. Ranil needed to do so because of

the economic crisis, his own views on economic reforms and because he thought that economic aid to the LTTE-controlled areas (and development) would make the Tigers more accepting of a political solution within a unitary state. The LTTE was also keen on receiving aid for development and rehabilitation and wanted legitimacy (post 9/11) and attention as well. The donor community pledged large amounts of aid to both parties, conditional on progress, but there were no mechanisms for securing compliance and aid became caught up in the politics of the peace process.

But it became increasingly difficult for foreign players to deal with the LTTE which came on the list of terrorist organizations in an increasing number of countries, not just because of the “war on terror” but also because some of their actions could not be tolerated, The assassination of Kadirgamar (August 2005) was particularly hard to swallow and in 2006, Canada and the EU were the last major Western actors (and donors) – except for Norway - banning the LTTE. This left Norway increasingly exposed as the sole conduit to the LTTE, contributing to the notion that Norway was biased. It also had very negative effects on the SLMM because the monitors from the Nordic EU member countries were asked to leave by the LTTE, leaving Norway alone with Iceland.

India also increasingly distanced itself from the struggle for Tamil Eelam, which by the way they had never accepted just as they never approved of the LTTE, one reason of course being the assassination of Rajiv Gandhi in 1991. As Narayan Swamy writes in his book “The Tiger Vanquished”, the murder of Rajiv Gandhi ultimately cost the LTTE its Tamil Eelam – and Prabhakaran his life. When Rajapaksa came to power, there was also increasing Indian concern about Chinese involvement in Sri Lanka. As one Indian observer told us, when the war started, ‘it was led by Indian silence’. And while Rajapaksa framed his operations within the discourse of the “war on terror”, he very cleverly constructed for himself his own international safety net (with an eastwards tilt) and diluted Western influence and leverage.

It must also be mentioned that the international dimensions of the peace process had a number of effects in the south. It all played into the hands of nationalists, undermined the legitimacy of Ranil, led to attacks on NGOs which received support from Norway and other donors; and generally gave space for political entrepreneurs to mobilize and recycle old insecurities.

As a final point, we must mention the role of contingent events, particularly (a) the Karuna split within the LTTE which was one of the most important turning points (coming at a level which was not expected) and which weakened the movement and, very importantly, tilted the military balance in favor of the Sri Lankan army (the story is not just about political shifts but also about war making capacities); and (b) the tsunami which provided a last chance for the peace process where the Norwegians helped putting together an arrangement for the provision of aid which might have been the beginning of a new rapprochement, but which was undermined by the opposition parties in the south (and the Muslims who were worried about becoming dominated by the LTTE) and annulled by the Supreme Court.

From then on, we started moving towards the final war.

### **Assessment of Norway’s role**

Norway could do little to influence the forces at stake in the war and the changing international context in which it took place.

Norway became increasingly exposed, used as a pawn in domestic politics but also by external players who found it convenient for Norway to continue its role while silently accepting that the Sri Lankan government pursued “war for peace”.

Domestic ownership (which was an important aspect of the Norwegian facilitation) became a challenge when the owners changed and had different opinions about “peace” and the process. There were also problematic exclusions: Chandrika was sidelined. The Norwegian team tried to brief her regularly about developments but did not see it as their mandate to get a dialogue going between the two main parties. It was more important to keep the momentum than to secure broader support, which turned out to be poor judgment. We will never know if an alternative strategy would have succeeded, but it became the Achilles heel of the peace process and was a major reason for its downfall. And it was predictable.

Central to Norway’s approach to ownership was also the notion of impartiality. Maintaining impartiality in an asymmetric conflict is not straightforward, however. Combined with the defensible idea that Norway should help build LTTE’s capacity to engage in negotiations (also in order to transform the movement) this provoked accusations of anti-state bias.

We believe stronger and clearer conditions for engagement should have been negotiated from the start.

Another challenge turned out to be Norway’s multiple roles and the tensions between them, as pragmatic peace facilitator, transparent monitor, prominent donor (particularly providing aid to Sri Lankan NGOs to support the peace process, which came at a cost), and principled humanitarian actor. Tensions particularly grew when the war re-escalated.

We devote a separate chapter on the SLMM in our report. Basically our point is that the Mission was tailored to a peace-oriented mission (designed to be weak and unthreatening), but fielded in a volatile and violent situation. The Mission produced a number of positive effects, particularly when there was still a peace process, but it was unable to bring about a reduction of ceasefire violations and operated in an ad hoc way with occasional tensions with the Norwegian peace team as they felt they were not being used or the peace team thought heads of mission made the wrong public statements. The mission’s dealings with the naval question and statements in the media damaged both the Mission and the Norwegian peace efforts.

In April 2001, Erik Solheim pronounced that “If one day we become convinced that one side or both are not serious and only use our efforts as a cover for fooling the world, we will discontinue our efforts” (Lanka Academic. Ask Erik! Questions and Answers).

A withdrawal was discussed in 2006 as was the issue of becoming a pawn in Sri Lankan politics. It was decided to stay because the ground situation might change and because Norway had ‘special access’ which might help mitigate the humanitarian consequences of the war that had started.

This is an understandable decision. However, a Norwegian withdrawal as official facilitator would not have changed events in any major way. But it would have clarified the situation and sent a clear signal to domestic and international parties, both of whom had used Norway to displace pressure and accountability. And to have pulled back would not have precluded keeping channels open, including with the LTTE. It would not mean that Norway would wash

its hands of Sri Lanka and “on demand” mediation might still have been possible if it had come to that.

Even more importantly, the peace process contributed to a transformation of Sri Lanka’s political landscape. The peace process played a role in facilitating this power shift in which ultra-nationalism moved from the margins to the center of Sri Lankan politics. There were a lot of intervening variables, like contingent factors, international trends and longer-term patterns in relation to Sinhala nationalism, but the peace process also helped fuel a nationalist backlash. We believe, therefore that ethical issues surrounding such a transformation and its consequences should (the moral hazard argument) have been in the forefront of a Norwegian discussion on withdrawal. After all, peace efforts are about life and death and to have noble intentions are not enough. The Ministry has communicated to us that such issues were indeed on the table continuously, but this is not much reflected in the (rich) archives nor from the interviews we held. We need to be keenly aware of the potential for intervention to unintentionally do harm.

### **Concluding remarks**

Norway played a serious and sustained role in the Sri Lankan peace process and can in no way be held primarily or solely responsible for the failure to bring about a peaceful solution.

Norway could do little to influence the many different forces at stake in the war and the changing international context in which it took place.

Under the circumstances it is difficult to imagine how a different mediator or a different approach would have done better.

However, there were weaknesses (as we have discussed) and it is our assessment (“skjønn in Norwegian) that Norway should have withdrawn earlier.

There are several broader lessons to be learned from the Sri Lankan experience. We discuss such lessons at the end of our report.

They include: (a) the perverse effects and moral hazards associated with peace negotiations; (b) issues related to a multi-lateralized approach vs. the solitary mediator without buffers; (c) limitations of the ownership model; (d) role compatibility issues; (e) the role of aid in peace processes; (f) non-state actors, power asymmetries and the war on terror; and (g) new global powers (particularly China) and implications for international peace efforts.

### **What’s in a title?**

Finally, it is necessary to explain the title “pawns of peace”. As some of you will know there are pawns and pieces on a chessboard. The Norwegian term is ‘bonde’.

First, it highlights that external intervenors are never neutral referees, but active players in a peace process.

Second, pawns tend to be minor (rather than game changing players), but they can also become significant players at certain moments in the game, when power is evenly balanced – they can tip the game in one direction or another.

Another meaning of the term is someone being used to further the purposes of others.

We believe this metaphor is a useful way to look at Norway's role. There is a danger that those who intervene in conflict write scripts for themselves which may tend to inflate their importance and influence and our analysis supports the truism that peace must be made primarily by domestic actors who take the risks and bear the costs of peacemaking.