

# Provocative naval attack threatens future of Sri Lankan peace talks

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The sixth round of peace talks between the Sri Lankan government and the Liberation Tigers of Tamil Eelam (LTTE) went ahead in Japan on March 18-21 despite threats by LTTE leaders to pull out following the sinking of one of their vessels by the Sri Lankan navy on March 10. No agreement was reached, however, on preventing future confrontations, or indeed on any substantive issue, thus putting a question mark over the future of the negotiations.

The attack on the LTTE vessel was a deliberate and provocative act by sections of the Sri Lankan military top brass who are intent on undermining the peace talks being pursued by the United National Front (UNF) government. According to LTTE chief negotiator Anton Balasingham reported, eleven LTTE members were killed, including “important cadres very close to the leader [Velupillai Prabhakaran]”.

The LTTE insisted that the ship was part of its merchant fleet and had been in international waters when fired on. The navy claimed that the vessel had no identifiable markings and no flag and was “well within” the country’s economic zone that stretches 200 miles out to sea. It also asserted that it had prior information than an LTTE ship carrying arms was sailing towards the east coast of the island.

Even if the navy’s claims were true, the terms of the ceasefire agreement signed between the government and the LTTE in February 2002 do not provide for the interception, much less sinking, of LTTE vessels. It prohibits the LTTE from moving arms into areas under government control. It also permits the Sri Lankan armed forces to safeguard “the sovereignty and territorial integrity of Sri Lanka from external aggression”. The navy has extended its mandate to include searches of LTTE vessels in the presence of international monitors from the Sri Lankan Monitoring Mission (SLMM).

Moreover, the navy’s own account leaves a large number of unanswered questions. If the military had prior information that arms were on board the vessel, why were no SLMM monitors taken on board the naval warship for the operation? And if it knew that the boat belonged to the LTTE, why was no attempt made to defuse the situation as required under the terms of the ceasefire agreement which prohibits “offensive operations against the LTTE”?

The military gave different figures for the distance of the

LTTE ship from Sri Lanka casting doubt on its claim that the boat was within the country’s economic zone. The government’s Secretariat for Coordinating the Peace Process first informed the SLMM that the navy had located a suspicious ship 240 miles off the coast—that is, in international waters. The SLMM personnel informed LTTE officials, assured them that monitors would be visiting the scene and that there was no need for concerns if the boat was in international waters.

But the SLMM never had a chance to get to the scene. When the SLMM head Major General Tryggve Tellefsen contacted the navy, he was told that a firefight had already taken place—around 30 minutes before the SLMM was first informed. Exactly how and why the boat sank some five hours later remains unexplained. The reported distance of the LTTE vessel from the coast shrank from 240 miles to 185 miles—conveniently placing it within the economic zone. There were no survivors from the LTTE boat to challenge the story or the navy’s account.

These tragic deaths follow a similar incident immediately prior to the previous round of talks in early February. A standoff between a LTTE fishing vessel and a naval gunboat developed off the Sri Lankan coast. The navy was insisting on searching the boat and the three LTTE members on the trawler declared they would commit suicide if that was attempted. As the SLMM, along with government and LTTE negotiators in Berlin tried to work out a means for defusing the situation, President Chandrika Kumaratunga took the provocative step of ordering a naval search. The three set fire to the ship and then blew it up.

Kumaratunga’s action—using her powers as commander-in-chief to override the government of the day—exposed the deep rift in ruling circles in Colombo over the peace talks. The UNF backed by the major powers and sections of big business are seeking a powersharing arrangement with the LTTE to end the country’s protracted civil war. But Kumaratunga, her opposition Peoples Alliance (PA) and sections of the military top brass—representing powerful entrenched interests that have profited from the war—are intent on sabotaging what the president has branded “the peace carnival”. The navy’s attacks on the LTTE boat on March 10 is just the latest attempt.

The sinking of the boat and the deaths of eleven LTTE cadre further inflamed tensions within the LTTE. A number of local leaders insisted that the LTTE had to pull out of the scheduled peace talks in Japan as a mark of protest. The LTTE leadership was forced to call an emergency conference of its area leaders but there was never any real doubt that the negotiations would go ahead.

As a concession to the LTTE ranks, Prabhakaran snubbed the Norwegian Deputy Foreign Minister Vidar Helgessen who visited the LTTE-held town of Kilinochchi on March 13 for talks with the LTTE leader. Norway has played a key role in facilitating the negotiations currently underway. However, he gave the green light for the talks to go ahead as scheduled in the Japanese city of Hakone five days later.

What the LTTE is seeking on behalf of sections of the Tamil elite is a powersharing arrangement that will end the war, encourage foreign investment and allow for the mutual exploitation of the working class. As a result, the LTTE leadership quickly fell into line following warnings that any walkout would lead to a withdrawal of international financial assistance and investment.

World Bank country director Peter Harold told the *Sunday Times* on March 16: “If the momentum [of the peace talks] stalls, if it goes backwards, the donors will react accordingly. For the donors it is the quality, depth and speed of the peace process that will determine the quantity and speed of delivery of the aid commitments.”

The talks in Japan opened on March 18 with a protest by the LTTE over the sinking of its ship. In the course of the discussion, a comment by Balasingham revealed just how deep the split between President Kumaratunga and the government is. As reported in the *Sunday Leader*, Balasingham complained that some of the senior military commanders had told the SLMM that they were not bound by the ceasefire agreement as the President, formally the commander-in-chief, has not signed the document.

The government negotiators did not refute the claim at the time. And Kumaratunga and the military have not repudiated the allegation following its publication. If true, it means that a section of the military top brass no longer regards itself as bound either by the government of the day or the ceasefire agreement. It confirms a state of advanced political crisis in which there are effectively two centres of state power—the presidency and the government—with the loyalty of the military divided.

Perhaps even more extraordinary was the response of Balasingham whose proposed solution was to ask Kumaratunga to sign the ceasefire document. “Isn’t there a possibility to get her also to be a signatory to it? Then we can avert such clashes which threaten the ceasefire agreement,” he plaintively asked. The government negotiators did not deny the problem but simply pointed to the obvious difficulties in getting the president to sign a document that she has bitterly criticised for

more than a year. Both sides then agreed to sweep the matter under the table by agreeing to “strengthen the hand of the SLMM” which had manifestly failed to prevent the two previous naval clashes.

On this, as on every issue discussed, the LTTE gave ground.

\* Japanese special envoy Yasushi Akashi presided over the second session devoted to discussing financial arrangements. He re-emphasised the point that no international assistance would be forthcoming unless substantial progress was made at the talks. When the LTTE urged more attention for immediate relief and humanitarian assistance for war torn areas, the government insisted “more progress” had to be made and the matter stopped there.

\* The government dismissed the LTTE’s repeated demand for the relocation of more than 100,000 Tamil families displaced to establish the military’s High Security Zones (HSZ). The military insist that the LTTE disarm before Tamil civilians are allowed back into their homes. Balasingham pleaded for a reduction of the 40,000 troops stationed in the north, even suggesting that the military establish a rapid reaction force. But the government refused to change the military’s presence in the north or allow any refugees to return to the HSZs.

\* Notwithstanding Colombo’s systematic abuse of democratic rights, Norwegian Deputy Foreign Minister Vidar Helgessen took the occasion to one-sidedly lecture the LTTE on the issue—and to remind those present of the question of money. “If the LTTE does not accept the universal application of human rights, they [the peace facilitators] will not be able to sell it to the donors and that the donors will not accept a situation where international monitors are kept out on the subject of human rights”.

The whole affair had an air of unreality. After months of the “peace process,” the most minimal steps have not been agreed to provide for the basic needs and democratic rights of people who have been caught up in two decades of war. Talks have not even begun on the underlying political issues and a powersharing deal that would involve limited devolution of powers to the north and east of the island. And in the background, Kumaratunga and sections of the military are openly scheming with Sinhala chauvinist groups to sabotage anything that is finally agreed.

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