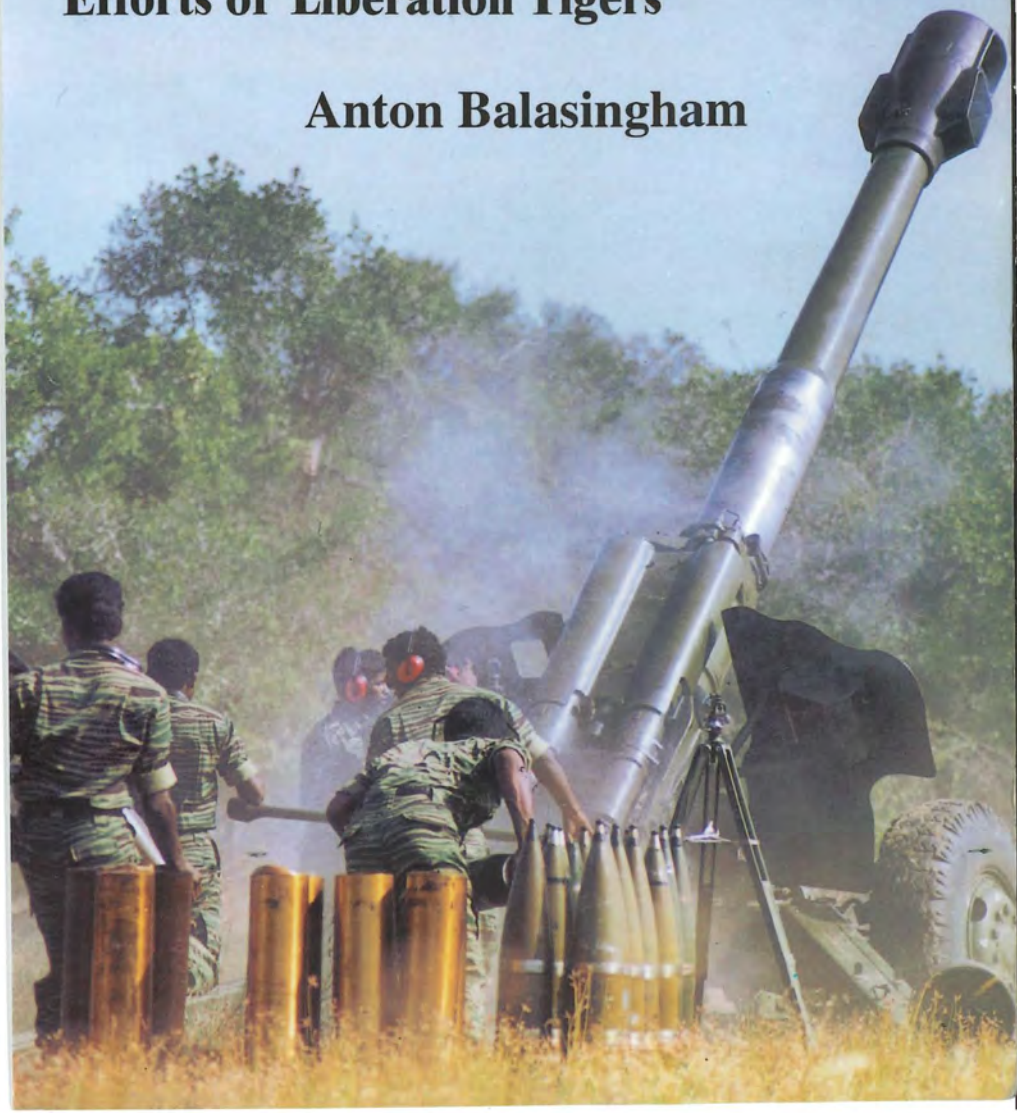


War and Peace

**Armed Struggle and Peace
Efforts of Liberation Tigers**

Anton Balasingham



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*This book is dedicated to
my loving wife
Adele Ann*

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INTRODUCTION

The Liberation Tigers of Tamil Eelam (LTTE) is the heart and soul of the Tamil struggle for self-determination. It is the national freedom movement of the people of Tamil Eelam, and a predominant actor in Sri Lankan politics. It is both a political organisation as well as a military power, running a de-facto administration in the majority of areas in north-eastern Sri Lanka, the historical homeland of the Tamil-speaking people. The LTTE has an evolutionary history extending over more than 32 years. Born as an underground guerrilla outfit in the early seventies under the leadership of Mr Velupillai Pirapaharan, it has grown, developed and expanded into a national liberation organisation with the overwhelming support of the Tamil masses.

The organisation, in its evolutionary growth, has faced severe obstacles, dilemmas and challenges. It has had to fight the most bloody and savage battles against formidable forces and treacherous enemies. It has had to engage in both war, and in peace processes. In the military field, it has achieved remarkable victories and gained global recognition as one of the most efficient fighting machines in the world. The organisation has made immense sacrifices in life and blood in the cause of national freedom. It has also engaged in the realm of peace, seeking a fair and reasonable political solution, without relinquishing the inalienable rights of the Tamil people. However, because the enemy has been deceitful, dishonest and defiant and refused fundamental justice to our people, accomplishment at the negotiating table has not matched the military feats on the battlefields. The intransigent attitude of the Sinhala political establishment had made the negotiating process difficult

and painful. From the Thimpu talks until the recent Norwegian facilitated negotiation process, the LTTE has involved in all the peace efforts, and made sincere attempts to seek a political solution. But all the talks collapsed or stalemated. The Sri Lanka government and the Colombo media blamed the LTTE as the villain of peace and the prime causal factor for failures at a negotiated settlement. The state inspired disinformation campaign in Colombo, and by some interested parties in India, discredited the LTTE in the eyes of the international community as an opponent of peace. This misconception, based on distortion of fact, compelled me to write this comprehensive book: to tell the truth with authentic records of historical events, of the active engagement of the LTTE in peace negotiations.

As the political advisor and theoretician of the organisation I have worked closely with the Tamil Tigers, and with their leader, Mr Velupillai Pirapaharan, for twenty-six years. I have participated in various peace talks, in most cases as the chief negotiator for the LTTE. During the period of Indian intervention, I was associated with Mr Pirapaharan in all encounters with Indian leaders and officials. With this wide personal experience with the organisation, its leadership and its political project, I feel that I am in a position to write the definitive history of the LTTE's political struggle, particularly the struggle in the negotiating arena.

This book is divided into five chapters. The first chapter deals with the non-violent political struggles of the post-independent era, as well as the birth, growth and development of the armed resistance movement of the Tamils, spearheaded by the LTTE. The history of the Tamil struggle for self-determination, spans a period of more than 50 years. The struggle has taken different forms and modes at different times in its evolutionary history. In the early stages, during the 1950s and 60s, the political struggle was peaceful and non-violent, confined to parliamentary and constitutional politics. The old generation of Tamil leaders were Gandhians, committed to the principles and philosophy of the great Indian leader. The non-violent political struggles of the Tamils based on the Gandhian philosophy of 'ahimsa', inspired the spirit of nationalism and mobilised the Tamil nation into a collective force. Caste fragmented society rose into a united nation demanding political liberties, equal opportunities and self-rule in their historical homeland.

The repressive Sri Lankan state reacted violently to the Tamil demand for political rights. Military repression soon quelled the non-violent political agitations. Having crushed the peaceful Gandhian struggles, the Sinhala government intensified state repression. The multi-faceted oppression deeply affected the socio-economic life of the Tamils. Deprived of education and employment opportunities, the rebellious Tamil youth adopted political violence. The state violence against the young Tamil rebels increased. The vicious cycle of repression and resistance aggravated the conditions of violence. As the state violence intensified, the Tamil resistance assumed the character of armed struggle, and the LTTE was born in the early 70s and grew into a fierce guerrilla movement. The first chapter narrates the historical background of the state repression and the growth and development of the Tamil armed resistance movement.

The second chapter deals with the turbulent history of Indian intervention in Sri Lanka. The Indian involvement began during the racial holocaust of July 1983 and culminated in March 1990, with the withdrawal of the Indian Peace Keeping Force (IPKF). India's intervention marked a critical and controversial period in Indo-Sri Lanka relations, having political, military and strategic ramifications. The intervention began as an overt diplomatic offensive on one side, and a covert military operation on the other, designed to bring the defiant Sri Lankan President Jayawardane, out from the fold of western powers, to the geo-political dominance of India. Later, in the course of time, Indian involvement transformed into a protracted mediatory effort, starting from Thimpu talks in 1985 and ending in the Indo-Lanka Agreement in 1987. Following the Agreement, relations between India and the Liberation Tigers, due to unforeseen events, became hostile and exploded into an armed conflict that lasted more than two years. In this intriguing and complex history of Indian intervention, the LTTE was involved in the covert Indian military training programme and in the Indian mediated peace efforts. Further, the LTTE became party to conflict with India. I have provided a concrete analysis of the crucial role played by our liberation organisation in different circumstances at different times in the complex and controversial history of the Indian involvement. Because of the centrality of the role played by the LTTE and the politico-military debacles India faced, the Tamil

Tigers became the object of negative criticism, particularly from Indian political analysts. While repudiating those criticisms as biased and unfair, I have presented, in this chapter, the authentic story of the challenges, difficulties and pressures the LTTE faced in the events of that time. The analysis in this chapter is important for Sri Lanka watchers and students of history, since it is the first time the Tamil side of the story of Indian intervention, is revealed.

The third chapter provides an analysis of the peace talks held between Premadasa's administration and the LTTE. This chapter is written by my wife Adele and taken from her book, 'The Will to Freedom'. I have added this piece of writing from her book with her kind permission since it is a comprehensive, objective study available on the subject. Adele played an important role in the Colombo talks as the secretary to the LTTE delegation, and assisted me in my role as the chief negotiator. I am of the view that the insertion of her analysis of the Premadasa-LTTE talks will add scholarship to my work, covering the entire spectrum of the LTTE's participation in peace talks. The inclusion of this phase of negotiations in the book is necessitated by the fact that it relates to the Indian intervention period, which I have treated extensively in the second chapter. The LTTE, as Adele has argued, entered into a dialogue with the Premadasa government with the objective of securing the withdrawal of the Indian army occupying the Tamil homeland. The politico-diplomatic effort eventually succeeded because Pirapaharan and Premadasa had common interests in the matter.

The fourth chapter deals with the ill-fated negotiations of 1994-95, between the Kumaratunga government and the LTTE. To comprehend the strategy adopted by President Kumaratunga today, a critical examination of the previous attempt to seek a negotiated settlement with the LTTE in the Jaffna peace talks, is relevant. This chapter is the revised version of my book entitled, 'The Politics of Duplicity', with all the important letters exchanged between President Kumaratunga and the LTTE leader. The analysis of the Jaffna talks demonstrates that Kumaratunga's peace making exercise was a duplicitous act undertaken in bad faith. There was no genuine political will or determination on the part of Kumaratunga administration either to alleviate the existential suffering of the Tamils or to find a permanent settlement to the ethnic conflict. Under the guise of peace negotiations the government prepared the

ground for a major invasion of the Jaffna peninsula. Since the President is still at the helm of power and making efforts to resume peace talks with the Liberation Tigers, it is extremely useful to revisit the Jaffna peace talks to understand the real reasons behind the breakdown.

The last chapter provides a comprehensive analysis of the six sessions of peace talks facilitated by the Royal Norwegian Government. The talks began on 16 September 2002, in the naval base at Sattahip, Thailand, and the sessions covered a period of six months, ending in the hot water resort of Hakone, Japan.

The commencement of peace talks was the result of years of Herculean effort by Norwegian peace envoys to bring the adversaries to the negotiating table. The major achievement of the Norwegians was the formulation of a comprehensive ceasefire agreement between the parties in conflict, which has lasted more than two and a half years to date, providing a stable ground for negotiations. There was goodwill and mutual trust between the negotiating teams, and the parties were able to engage in serious dialogue, with a commitment to advance the peace process in stages. As the LTTE delegation insisted on de-escalation of the conflict, normalisation of civilian life, and resolution to immediate, urgent humanitarian issues, the Sri Lankan government agreed to set-up a joint sub-committee to address those critical issues identified by the LTTE. The issues related to de-escalation and normalisation soon ran into serious difficulties, as the Sri Lankan armed forces controlling populated areas in the northeast refused to relax their grip of occupation and demanded the disarming of the LTTE and decommissioning of its weapons, as a condition to allow the displaced population to resettle in the military occupied zones. This led to the collapse of the Sub-Committee on De-Escalation, and the crucial issue of restoring normal civilian life became an insurmountable problem. The pledge to institutionalise an interim administrative structure was postponed indefinitely in the light of constitutional hurdles, and the Sub-Committee on Immediate Reconstruction and Humanitarian Needs (SIRHN), which was established as a provisional mechanism, became non-functional, without adequate funds and implementation authority. The enthusiasm and euphoria that manifested in the earlier stages of the talks, soon died down. Faced with a lack of progress, the facilitators and

the Sri Lankan government unfortunately claimed progress in the political process, by over-emphasizing a decision made by the parties to explore federal models, a conceptual misunderstanding which I have treated extensively within the theoretical framework of the right to self-determination.

The LTTE leadership became disillusioned and unhappy over lack of progress in the talks in face of the mounting existential and humanitarian problems of the war affected Tamil people. The hostility of the armed forces and the provocative incidents on the sea also aggravated the gloomy environment. Furthermore, the excessive internationalisation of the process, with the active involvement of world governments in pursuit of their interests and agendas, affected the status of equality, or rather, the power balance of the parties, to the disadvantage of the LTTE. The exclusion of the LTTE at the Washington Donor meeting held in April 2003, signalled the danger of marginalisation of the organisation, depriving it of the status of parity on the international forums. The LTTE leadership decided to suspend their participation in the peace talks and explained the reasons to Ranil Wickremesinge. Ultimately, when the LTTE leadership submitted its own proposals on an Interim Self-Governing Authority, executive President Kumaratunga struck back, triggering the downfall of Wickremesinge's government. The concluding part of the chapter provides a critical analysis of the shortcomings of the Norwegian facilitated peace talks.

The book provides a historical study of the growth of Tamil nationalism, which eventually took organisational form into an armed resistance movement headed by the LTTE. The early military history of the organisation and the whole series of negotiations held at different locations are accurately presented in detail. The work opens up new realms of material, hitherto unknown, and provides in depth detail and insight into the dynamics of the Tamil liberation struggle.

CHAPTER I

THE RISE OF TAMIL NATIONALISM AND ARMED STRUGGLE

Historical Background to the Ethnic Conflict

The island of Sri Lanka (known as Ceylon until the promulgation of the new Republican Constitution in 1972) is the historical homeland of two ancient civilizations, of two distinct ethno-national formations with different languages, traditions, cultures, territories and histories. The history of the Tamils in the island dates back to pre-historical times. When the ancestors of the Sinhala people arrived in the island with their legendary Prince Vijaya from the 'city of Sinhapura in Bengal' in the 6th century BC they encountered ancient Dravidian (Tamil) settlements. Even the Sinhala historical chronicles - Dipavamsa and Mahavamsa - document the existence of Dravidian kingdoms of Nagas and Yakkas before the advent of Sinhala settlers in the island. In an attempt to distort the authentic history of the original settlers, the Buddhist monks, who wrote the historical chronicles, depict the ancient Tamils as 'non-humans' as 'demons possessing super-human powers'. Though the question of original settlement is obscured by legends and mythologies, modern scholars hold the view that the Tamils were indisputably the earliest settlers. Because of the geographical proximity of southern India to the island, it is highly probable that the Dravidian Tamils were the original inhabitants before the sea landing of Prince Vijaya and his crew from northern India.

The Buddhist historical chronicles record the turbulent historical past of the island from 6th century BC, the history of great wars between Tamil and Sinhala kings, of invasions from southern Indian Tamil empires, of violent struggles for supremacy between

Tamil and Sinhala kingdoms. The island was ruled by Sinhalese kings and by Tamil kings at times and the intermittent wars compelled the Sinhala kings to move their capital southwards. From the 13th century onwards, until the advent of foreign colonialism, the Tamils lived as a stable national formation in their own kingdom, ruled by their own kings, within a specified territory of their traditional homelands embracing the northern and eastern provinces.

Marco Polo once described Sri Lanka as the island paradise of the earth. The British colonialists called it 'the pearl of the Indian ocean'. Separated from the southern coast of India by only a twenty-two mile stretch of water, the island has a territorial area of 25,332 square miles. For centuries before colonial penetration, the island had a traditional self-sustaining economy with a reputation of being the granary of the East. The mode of economic production in the pre-colonial epoch was feudal in character. Structured within the feudal mode, the economic organisation of the Tamil nation had a unique set of relations of production characterised by caste stratification with its hierarchy of functions. The extensive hydraulic agrarian system with its network of tanks and canals for which the mediaeval Ceylon was famous, had fallen out of use and was decaying and disappearing under the thick jungles in the north as well as in the north central provinces. The Sinhalese feudal aristocracy, by this time, had moved to the central highlands and established Kandy as the capital.

When the Portuguese first landed on the island in the beginning of the 16th century, they found two ancient kingdoms, the Tamils in the north-eastern region and the Sinhalese in the south, two distinct communities of people with different cultures constituting themselves as separate nations ruled by their own kings with sovereign state structures. The Portuguese entered into treaties and then fought battles and finally in the battle of 1619 they conquered the Tamil kingdom and hanged the Tamil king *Sankili Kumaran*. Yet the Portuguese and the Dutch, who came after them, governed the Tamil nation as a separate kingdom, recognising the integrity of the Tamil homeland and the ethnic identity of the Tamil people. In 1796 the British colonial empire took control of the island from the Dutch and in 1833 imposed a unified state structure amalgamating the two national formations irrespective of the ethnic differences. Thus foreign colonialism laid the foundation for the present

national conflict. Though the British, for administrative purposes, created a unitary state, they recognised that the island had been the homeland of two separate nations. In 1799 Sir Hugh Cleghorn, the first Colonial Secretary observed in the well known 'Cleghorn Minute', 'two different nations, from very ancient period have divided between them the possessions of the island: the Sinhalese inhabiting the interior in its southern and western parts from the river Wallouve to that of Chillow, and the Malabars (the Tamils) who possess the northern and eastern districts. These two nations, differ entirely in their religion, language and manners.'

Though the Sinhalese and the Tamils have an ancient past with deep historical roots buried beyond the Christian era and possess elements of distinct nations, the island of Sri Lanka, in the course of history, developed a heterogeneous culture. There are other ethnic groups living in the island, of which the Muslims and the plantation Tamils constitute themselves as significant communities of people with distinct cultural identities.

The Sri Lankan Muslims, whose origins can be traced back to the 10th century, arrived in the island as traders from Arabia. The Muslims adopted the Tamil language as their mother tongue and settled down predominately in the eastern region and in the southern districts. Though they embraced Tamil language and shared a common economic existence with the Tamils as a peasant community in the east, it is their religion, Islam, which provides them with the consciousness of collective cultural identity as a distinct ethnic group.

British Colonialism and the Tamils

The effects of Portuguese and Dutch colonial rule on the island's pre-capitalist economic formation are minimal when compared to the profound effects of British colonial domination. The most significant event of British colonial rule was the imposition of an exploitative plantation economy.

It was in 1815, with the conquest of the Kandyian kingdom by the British, the painful history of the Tamil plantation workers begins. It was during that time the British colonialists decided to

introduce the plantation economy in the island. Coffee plantations were set up in the early 1820s, a crop which flourished in high altitudes. Speculators and entrepreneurs from England rushed to the newly conquered mountain areas and expropriated vast tracts of land, by deceit, from the Kandyian peasantry. The Kandyian peasants refused to abandon their traditional subsistence holdings to become wage earners on these new capitalist estates. The pressure exerted by the colonial state to draw the labour power from the indigenous Sinhalese peasantry did not work. The British colonial masters were thus compelled to draw on their limitless reserves of labour from India. A massive army of cheap labourers were conscripted from southern India who, partly by their own poverty and partly by coercion, moved into this Promised Land to be condemned to an appalling form of slave labour. A notorious system of labour contract was established which allowed hundreds of thousands of Tamil labourers to migrate to the plantation estates. Between the 1840s and 1850s a million people were imported. The original workers were recruited from Tamil Nadu districts of Tinneveli, Madurai and Tanjore and were from the poor, oppressed castes. This army of recruited workers were forced to walk hundreds of miles from their villages to Rameswaram and again from Mannar through impenetrable jungles to the central hill-lands of Ceylon. Thousands of this immiserated mass perished on their long hazardous journey, a journey chartered with disease, death and despair. Those who survived the journey were weak and exhausted and thousands of them died in the nightmarish, unhealthy conditions of the early plantations.

The coffee plantation economy collapsed in the 1870s when a leaf disease ravaged the plantations. But the economic system survived intact with the introduction of a successor crop - tea. Tea was introduced in the 1880s on a wide scale. The tea plantation economy expanded with British entrepreneurial investment, export markets and consolidated companies transforming the structure of production and effectively changing the economic foundation of the old feudal society creating a basis for the development of the capitalist economic system. Though the plantation economy effectively changed the process of production, the Tamil labourers - men, women and children - were permanently condemned to slave under the white masters and the indigenous capitalists. The British

planters who brought the Indian Tamil labourers into Sri Lanka deliberately segregated them inside the plantations in what is known as the 'line rooms'. Such a notorious policy of segregation condemned the Tamils permanently to these miserable ghettos, isolated them from the rest of the population and prevented them from buying their own land, building their own houses and leading a free social existence. British colonial rule built up the Tamil plantation community within the heartland of the Kandyian Sinhalese and manipulated the Tamil-Sinhala antagonism to divide and rule. Reduced to conditions of slavery by colonialism, the Tamil plantation workers toiled in utter misery. Their sweat and blood sustained the worst form of exploitative economy that fed the English masters with the surplus value and enriched the Sinhala land owning classes.

The impact of British colonial domination on the indigenous Tamil people of the northern and eastern provinces had far reaching effects. On the political level, British colonial rule imposed a unified administration with centralised institutions, establishing a singular state structure. This forceful annexation and amalgamation of two separate kingdoms, of two nations of people, disregarding their past historical existence, their socio-cultural distinctions and their ethnic differences are the root causes of the Tamil-Sinhala racial antagonism.

The Tamil social formation was constituted by a unique socio-economic organisation, in which feudal elements and caste systems were tightly interwoven to form the foundation of this complex society. The notorious system of caste stratification bestows, by right of birth, privilege and status to the high caste Tamils. The most exploited and oppressed people are from the so-called depressed castes who eke out a meagre existence under this system of slavery. Privileged by caste and provided with better educational facilities by foreign missionaries, a section of the high caste Tamils adopted the English educational system. A new class of English educated professional and white-collar workers emerged and became a part of the bureaucratic structure of the civil service. The English colonial masters encouraged the Tamils and provided them with an adequate share in the state administration under a notorious strategy of divide and rule, that later sparked the fires of Sinhala chauvinism.

The Tamil dominance in the state administrative structure, as well as in the plantation economic sector, the privileges enjoyed by the English educated elites and the spread of Christianity are factors that propelled the emergence of Sinhala nationalism. In the early stages, nationalist tendencies took the form of Buddhist revival, which gradually assumed a powerful political dominance. Under the slogan of Buddhist religious renaissance, a national chauvinistic ideology emerged with strong sediments of Tamil antagonism. The Buddhist religious leadership attacked both the Tamils and European colonialists and spoke of the greatness of the Sinhalese Aryan race.

Anagarika Dharmapala, a Buddhist thinker, wrote in his popular work, *'History of an Ancient Civilization'*, 'ethnologically, the Sinhalese are a unique race, inasmuch as they can boast that they have no slave blood in them, and were never conquered by either the pagan Tamils or European vandals who for three centuries devastated the land, destroyed ancient temples and nearly annihilated the historic race. This bright, beautiful island was made into a paradise by the Aryan Sinhalese before its destruction was brought about by the barbaric vandals....'

The Sinhala national chauvinism that emerged from the Buddhist religious resurgence viewed the Tamil dominance in the state apparatus and in the plantation economy as a threat to 'national development'. Such anti-Tamil antagonism articulated on the ideological level began to take concrete forms of social, political and economic oppression soon after the island's independence in 1948 when the state power was transferred to the Sinhala ruling elites.

State Oppression Against Tamils

Soon after the transfer of political power to the Sinhalese majority, national chauvinism reigned supreme and fuelled a vicious and violent form of state oppression against the Tamil people. State oppression has a continuous history of more than half a century since independence and has been practised by successive Sri Lanka governments. The oppression has a genocidal intent involving a

well-calculated plan aiming at the gradual and systematic destruction of the essential foundations of the Tamil nation. The state oppression therefore assumed the multi-dimensional thrust, attacking simultaneously on different levels of the conditions of existence of the Tamil people. It imperilled their linguistic rights, the right to education and employment; it deprived them of their right to ownership of their traditional lands; it endangered their religious and cultural life and as a consequence posed a serious threat to their very right to existence. The state oppression, in essence, struck the very foundations of the ethnic cohesion and identity of the Tamil people. As an integral part of this genocidal programme, the state organised periodical communal holocausts, which plagued the island, resulting in mass extermination of Tamils and the massive destruction of their property.

Soon after the independence of the island the Sri Lanka Parliament became the very instrument of majoritarian tyranny where racism reigned supreme and repressive laws were enacted against the minority communities. The first victims of the Sinhala racist onslaught were the Tamil plantation workers. A million of this working people, who toiled for the prosperity of the island for more than a century, were disenfranchised by the most infamous citizenship legislation in Sri Lankan political history, which robbed these people of their basic human rights and reduced them to an appalling condition of statelessness. Having been deprived of the right of political participation, the state Parliament was closed for this huge mass of working people. Before the introduction of these laws, seven members of Parliament represented the plantation Tamils. In the general election of 1952, as a direct consequence of these citizenship laws not a single representative could be returned.

The Citizenship Act of 1948 and the Indian Pakistani Citizenship Act of 1949 laid down stringent conditions for the acquisition of citizenship by descent as well as by virtue of residence for a stipulated period. These Acts were implemented in such a manner that only about 130,000 out of more than a million people were able to acquire citizenship. The cumulative effects of these notorious legislations were so disastrous that made the conditions of life of these working people miserable and tragic. Having been reduced to a condition of statelessness, nearly a million Tamils were denied the right to participate in local and national elections;

were denied employment opportunities in the public and private sectors; were denied the right to purchase lands; were denied the right to enter business of any sort. Such a condition of statelessness condemned this entire population of workers, the classical working class of the island, into a dehumanised people devoid of any rights and dumped them perpetually in their plantation ghettos to suffer degradation and despair.

The most vicious form of oppression calculated to destroy the ethnic identity of the Tamils was the aggressive state aided colonisation, which began soon after Independence, and has now swallowed nearly three thousand square miles of Tamil territory. This planned occupation of Tamil lands by hundreds of thousands of Sinhala people, aided and abetted by the state, in the areas where a huge population of landless Tamil peasantry had been striving for a tiny plot to toil, was aimed to disrupt the demographic pattern and to reduce the Tamils to a minority in their own historical lands. The worst affected areas are in the eastern province. The gigantic Gal Oya and Madura Oya development schemes have robbed huge bulks of land from the Muslim people of Batticaloa district. Sinhala colonisation schemes in Allai and Kantalai and the Yan Oya project have engulfed the Trincomalee area. This consistent policy of forceful annexation of Tamil traditional land exposes the vicious nature of the racist policies of the Sinhala ruling elites.

The state oppression soon penetrated into the sphere of language, education and employment. The 'Sinhala Only' movement spearheaded by Mr SWRD Bandaranayake brought him to political power in 1956. His first Act in Parliament put an end to the official and equal status enjoyed by the Tamil language and made Sinhala the only official language of the country. The 'Sinhala Only Act' demanded proficiency in Sinhala in the civil service. Tamil public servants, deprived of the rights of increments and promotions, were forced to learn the Sinhala language or leave employment. Employment opportunities in the public service were practically closed to Tamils.

Education was the sphere where state oppression struck most deeply to deprive a vast population of Tamil youth of access to higher education and employment. A notorious discriminatory selective device called 'standardisation' was introduced in 1970, which demanded higher marks from the Tamil students for

university admissions whereas the Sinhalese students were admitted with lower grades. This discriminatory device dramatically reduced the number of admissions of Tamil students to universities and seriously undermined their prospects of higher studies.

State oppression also showed its intensity in the economic strangulation of the Tamil nation. Apart from a few state-owned factories built soon after independence, Tamil areas were totally isolated from all national development projects for nearly fifty years. While the Sinhala nation flourished with massive development projects, the Tamil nation was alienated as an unwanted colony and suffered serious economic deprivation.

The anti-Tamil riots that periodically erupted in the island should not be viewed as spontaneous outbursts of inter-communal violence between the two communities. All major racial conflagrations that erupted violently against the Tamil people were inspired and masterminded by the Sinhala regimes as a part of a genocidal programme. Violent anti-Tamil riots exploded in the island in 1956, 1958, 1961, 1974, 1977, 1979, 1981 and in July 1983. In these racial holocausts thousands of Tamils, including women and children were massacred in the most gruesome manner, billions of rupees worth of Tamil property was destroyed and hundreds of thousands made refugees. The state's armed forces colluded with Sinhalese hooligans and vandals in their violent rampage of arson, rape and mass murder.

The cumulative effect of this multi-dimensional oppression had far reaching consequences. It threatened the very survival of the Tamil people. It aggravated the ethnic conflict and made reconciliation and co-existence between the two nations extremely difficult. It stiffened the Tamil militancy and created conditions for the emergence of the Tamil armed resistance movement. It paved the way for the invocation of the Tamil right to self-determination and secession.

Tamil National Movement and the Federal Party

Tamil nationalism as an ideology and as a concrete political movement thus arose as a historical consequence of Sinhala chauvinistic state oppression. As a collective sentiment of an oppressed people awakening their national self-consciousness, Tamil

nationalism contained within itself progressive and revolutionary elements. It was progressive since it expressed the profound political aspirations of the oppressed Tamil masses for freedom, dignity and justice. It had a revolutionary potential since it was able to mobilise all sections of the Tamil people and poised them for a political struggle for national freedom.

In the early stages of the evolutionary political history of the Tamils, Tamil national sentiments found organisational expression in the Federal Party. (The Tamil designation of the Federal Party was *Ilankai Tamil Arasu Kadchi*. The late Mr SJV Chelvanayakam founded it in December 1949). At the general election of 1956, the Federal Party swept to victory in Tamil electorates and emerged as a powerful political force to spearhead the Tamil national movement. As a national movement championing the cause of the Tamil nation, the party did contain progressive and democratic contents and was able to organise and mobilise various strata of classes and castes into a huge mass movement.

The failure of the Left movement to establish a strong political base among the Tamil people was due to its lack of political vision in comprehending and situating the concrete conditions of national oppression. Positing the class struggle over and against the national struggle of an oppressed nation they conceived the national patriotic upsurge of the Tamil masses as the manifestation of a reactionary form of ethno-nationalism ignoring the progressive and revolutionary potential of the struggle. Their lack of theoretical perspective in this crucial domain allowed them to speak of 'proletarian internationalism' without realising the political truth that national oppression is the enemy of class struggle and that working class solidarity is practically unattainable when national oppression presents itself as the major contradiction between the two nations. The success of the Federal Party in securing popular mass support lies in the fact that they apprehended the onslaught of Sinhala state oppression against the Tamil nation. The thrust of the multi-dimensional oppression, the leadership rightly perceived, would jeopardise the identity and cohesiveness of the Tamil national formation. Warning of this impending danger, they campaigned and organised all sections of the Tamil masses, invoking the spirit of nationalism. The Federal Party thus emerged as a powerful national movement unifying the formless conglomeration of classes and castes into

popular mass movement poised for sustained democratic struggles.

The adamant determination of the government of Mr Bandaranayake to implement the Sinhala Only Act became a crucial political challenge to the Federal Party, which decided to launch a Satyagraha campaign (passive, peaceful, sit-in protests of Gandhian non-violent method) as a form of popular resistance. It was on the morning of 5 June 1956, when Parliament assembled to debate the Sinhala Only Act the Federal Party Parliamentarians, party members and sympathisers in their hundreds performed satyagraha on the Galle Face green just opposite the Parliament building in Colombo. Within hours the satyagrahis were mobbed by thousands of Sinhala hooligans who stoned and assaulted the peaceful picketers. When the situation became uncontrollable and dangerous, the Federal Party leaders called off the protest. The rioters, who harassed and persecuted the satyagrahis, went on a blood-thirsty rampage in the capital city assaulting the Tamils and looting their property. The riot soon spread to several parts of the island with violent incidents of murder, looting, arson and rape. In Amparai, more than one hundred Tamils were massacred. Irrespective of the spreading communal violence and the Tamil protest campaign, the Sinhala Only Act was passed and the Tamil language lost its official status.

Following the implementation of the Sinhala Only Act, the Federal Party organised mass agitation campaigns demanding a federal form of autonomy for the Tamil nation. In the elections of 1956, the Federal Party won an overwhelming victory, obtaining a clear mandate from the Tamil people for a federal form of self-government. The Federal Party also made a decision to intensify the Satyagraha campaign to achieve its demands. The demand for political autonomy for the Tamil nation, along with the rising wave of Tamil nationalism, alarmed the Sinhala ruling elite. Mr Bandaranayake, in a desperate attempt to arrest the growing conflict, agreed to give concessions to the Tamils. A pact was signed between him and the Federal Party leader, Mr SJV Chelvanayagam, that provided some elements of political autonomy under *regional councils*, with a promise to stop Sinhala colonisation of Tamil areas. The pact sparked suspicion and resentment among the Sinhala racist elements. The man who exploited this explosive situation was a JR Jayawardane, who later became the powerful President of Sri

Lanka. Jayawardane, with the support of Buddhist monks, organised a massive protest march to Kandy demanding the abrogation of the pact. This Sinhala chauvinistic upsurge even inspired some ministers of Mr Bandaranayake's Cabinet to organise a protest of their own against the pact. Led by these ministers, a long procession of bhikkus (monks) and their racist sympathisers marched to the Prime Minister's residence carrying a copy of the pact in a coffin. The communal drama finally ended with the ceremonial burning of the coffin in front of the Prime Minister's official residence at Rosemead Place in Colombo where Mr Bandaranayake made a solemn pledge to abrogate the pact.

This great betrayal by the Sinhala political leadership blew up all hopes of racial harmony and the relations between the two nations became hostile. The ethnic friction gradually became intense and exploded into violent racial riots in 1958. This communal fury that ravaged throughout the island stained the pages of Sri Lanka's history with blood. The horror and savagery perpetrated against innocent Tamils are indescribable. Several hundreds were butchered, pregnant women were raped and murdered; children were hacked to death. In Panadura a Hindu priest was burnt alive. Several mutilated bodies were found in a well at Maha Oya. In Kalutara a Tamil family, while attempting to hide in a well, had petrol poured over them and when they begged for mercy they were set on fire. As the cries of agony arose when they were being roasted alive in a huge fireball, the racist spectators laughed and danced, enthralled by sadistic ecstasy. Hundreds of thousands lost their homes and several billions worth of Tamil property were either looted or burnt to ashes. While the flames of racial horror were consuming the whole island, Mr Bandaranayake watched this tragic holocaust with amusement and refused to declare a State of Emergency until the Tamils, as he was reported to have said, 'get a taste of it'. After twenty-four hours of calculated delay, a State of Emergency was declared. When the situation was brought under control, ten thousand Tamils were refugees, most of them civil servants, professionals and businessmen from Colombo who had to be shipped to the northern and eastern provinces for safety.

The Satyagraha Campaign

The 1958 racial holocaust cut a deep wedge in the relations between the Tamil and Sinhala nations. Tamil national sentiments ran high and erupted into massive agitation campaigns on the Tamil political arena. It was in the early part of 1961 that the Federal Party decided to launch direct action in the form of satyagraha in front of government offices in the northern and eastern provinces. The objective was to disrupt and disorganise the government's administrative structure in the Tamil homeland thereby exerting pressure on the government to accept the Tamil demand for federal autonomy.

The Satyagraha campaign of 1961 was a monumental event in the history of the Tamil national struggle. The campaign unfolded into a huge upsurge of the popular Tamil masses to register a national protest against the oppressive policies of the Sinhala ruling elites. This Civil Disobedience Campaign, which was inaugurated on the 20 February 1961 and lasted nearly three months, brought hundreds of thousands of Tamil people onto the streets to express their defiance and dissent to the oppressive state. Within a couple of weeks the whole government administrative machinery in the north and east was paralysed and the Tamil nation was practically cut off from the writ of the central government. This unprecedented historical event displayed the fast growing national solidarity of the Tamils and demonstrated their collective determination to fight for their political rights.

The campaign started as massive picketing in front of the government's main administrative office in Jaffna and soon spread to Vavuniya, Mullaitivu, Mannar, Trincomalee and Batticaloa and other towns. All sections of the Tamil speaking people, irrespective of religious and caste differences, enthusiastically participated in this peaceful popular protest. Thousands of plantation workers from the hill country areas converged in the north and east to express their militant solidarity. This massive national uprising encouraged the Federal Party leadership to open a postal service on the 14 April 1961 and Tamil national stamps were issued in thousands as an act of defiance against the state authority.

Alarmed by the rising tide of Tamil nationalism and the extraordinary success of the Civil Disobedience Campaign, the state

oppressive machinery reacted swiftly, mobilising the military. Large contingents of armed forces were dispatched to Tamil areas with 'special instructions' under Emergency powers. In the early hours of the 18 April 1961, troops suddenly swooped down on the satyagrahis in Jaffna and brutally attacked them with rifle butts and batons, fracturing skulls and limbs. This barbarous military violence unleashed against the non-violent agitators resulted in hundreds of them sustaining serious injuries. Under the guise of Emergency and curfew, military terrorism was let loose all over the Tamil homeland, suppressing the agitation with brutal violence. The Tamil leaders were arrested, the Federal Party offices were ransacked and the situation, in the government's view 'was brought under control'. Thus the violence of the oppressor silenced the non-violence of the oppressed; the armed might of Sinhala chauvinism crushed the 'ahimsa' of the aggrieved Tamils. This historical event marked the beginning of a political experience that was crucial to the Tamil national struggle, an experience that taught the Tamils that the moral power of non-violence could not challenge the military power of a violent oppressor whose racial hatred transcends all ethical norms of humanness and civilized behaviour. To the oppressor this event encouraged the view that military terrorism is the only answer to the Tamil political struggle and that the non-violent foundation of the Tamil political agitation is weak and impotent against the barrel of the gun.

In 1965 the United National Party (UNP) assumed political power. The Federal party decided to collaborate with this so-called 'national government' with the expectation of wrenching some concessions for the Tamils. This collaborationist strategy, the Tamil leadership vainly hoped, would bring a negotiated settlement to the Tamil question. The UNP government, in a shrewd move to placate the Tamil nationalists, appointed a senior Federal Party member to its Cabinet and in the following year promulgated regulations defining certain uses of the Tamil language in the transaction of government business. A secret pact was also made between SVJ Chelvanayagam, the Federal Party leader and the UNP leader and Prime Minister, Dudley Senanayake, making provisions for the establishment of district councils.

Neither the regulations for the use of Tamil language nor the promise of decentralisation of political power to regional bodies

were implemented. The communal politics of the Sinhala political leadership never allowed for a mechanism of negotiated settlement. A typical historical pattern was established that when the party in power attempted a negotiated settlement to the Tamil question, the party in opposition invoked anti-Tamil sentiments to undermine the move, thereby scoring political victory over its opponent as champions and guardians of Sinhala 'patriotism'. Caught up in this political duplicity, the UNP government abrogated the pact when confronted with the pressure of Sinhala opposition. Thus, the collaborationist strategy of the Federal Party suffered the inevitable fate of betrayal and, in humiliation, the party withdrew its support to the government in 1968.

JVP's Insurrection

Critical events of far-reaching political significance dominate the pages of Sri Lankan political history during the period from 1970 to 1977. This historical conjuncture marked the reign of an infamous regime constituted by left wing politicians who, under the slogan of 'democratic socialism', brought havoc and disaster to the entire country. This period was characterised by insurrectionary youth rebellion in the south and heightened political violence in the north, denoting the mounting frustration and anger of the younger generations against the repressive state. It was during this period that ethnic contradiction between the Tamils and the Sinhalese became acute with the introduction of a new republican constitution that gave institutional legitimacy to Sinhala-Buddhist hegemony in the island. This eventful period gave birth to the Tamil Tiger guerrilla movement and the growth of the armed resistance campaign of the Tamils. It was during this period that the Tamil national movement opted to invoke the Tamil's right to self-determination and resolved to pursue the path of secession and political independence.

An alliance between Srimavo Bandaranayake's Sri Lanka Freedom Party (SLFP) and the traditional old Left, the Trotskyite Lanka Sama Samaja Party (LSSP) and the Communist Party of Sri Lanka (CPSL), brought to political power in 1970 what is mistakenly called the 'Popular Front' government. As soon as the new

government assumed power it was confronted with a Sinhala youth insurrection. In an ill conceived and adventurous attempt to wrench power from the state, the newly formed Marxist militant organisation, the Janatha Vimukthi Peramuna (JVP or People's Liberation Front) rose in rebellion in the south. The rebellion was poorly organised, without a command and control structure, without a coherent policy and strategy. The leadership of the 'revolution' was thoroughly disorganised and lacked any understanding or practical experience in armed revolutionary struggle. Rohana Wijeweera, the JVP's leader was an amateur in the art of armed struggle but ambitious enough to mastermind a major insurrection with the limited textual knowledge gathered from the Russian October Revolution, Mao Zedong's military writings and Che Guevara's notes on guerilla warfare. While ignoring the objective and subjective conditions of a revolutionary situation, the movement mobilised unemployed militant youth and sections of the landless peasantry for a popular rebellion. Beginning on the 5 April 1971, this sudden uprising took the form of widespread armed assaults on local police stations. Within days, ninety-three local police stations were overrun by the JVP's militant cadres and several administrative districts in the south fell to rebel hands. Though this sudden uprising took the government by surprise, the state machinery took swift counter-insurrectionary measures to contain the situation. State of Emergency and curfews were declared and the government called for urgent military assistance from foreign countries. India, China, Pakistan and Britain rushed in military equipment. India provided a contingent of commandos to protect the capital, Colombo. Armed to the teeth by foreign military assistance and invested with draconian emergency powers, the Sri Lankan armed forces launched a brutal counter-offensive against the young, inexperienced 'revolutionaries'. It was the most barbaric military suppression in Sri Lankan history. To bring the situation under control more than ten thousand Sinhalese youth were mercilessly slaughtered and another fifteen thousand imprisoned. This violent counter offensive campaign wiped out a whole generation of radical Sinhala youth who sincerely believed that a revolutionary insurrection would redeem them from the misery and despair of unemployed existence. The stream of blood that ran from these butchered innocents stained every inch of the acclaimed holy land of compassionate Buddhism.

The shame of history befell on those who masterminded this mass extermination, on those who wiped out thousands of their own children to stabilise their own political power. In this Hitlerian determination to wipe out by brutal force any further rebellion emanating from the oppressed sections, the governing elite enacted Emergency Laws and other repressive legislations and strengthened its grip on state power.

Having violently suppressed the militant Sinhala youth, the new regime turned its oppressive measures towards the Tamils in an attempt to legalise and institutionalise state oppression. The most important measure in this respect was the adoption of a new Republican Constitution, which reaffirmed Sinhala as the sole official language, and conferred a pre-eminent status on Buddhism. The new constitution not only removed the fundamental rights, privileges and safeguards accorded to 'national minorities' under section twenty-nine of the previous Soulbury Constitution, but also made Mr Bandaranayake's racist laws on language and religion as the supreme laws of the land.

Chapter 3, Article 7 of the new constitution stated: 'the official language of Sri Lanka shall be Sinhala as provided by the Official Language Act, NO33 of 1956'. The primacy of Buddhism was accorded in the following words: 'the Republic of Sri Lanka shall give to Buddhism the foremost place and accordingly it shall be the duty of the State to protect and foster Buddhism while assuring to all religions the rights granted by Section 18 (1) (d)'.

The Constituent Assembly categorically rejected all amendments and resolutions proposed on behalf of the Tamil speaking people. A comprehensive federal scheme proposed by the Federal Party was tuned down without even discussion. All efforts to secure a place in the new constitution for the use of the Tamil language ended in fiasco. Sinhala national chauvinism reigned supreme in the deliberations of the Assembly, which resulted in most of the Tamil members of Parliament walking out in utter frustration and hopelessness. This infamous constitution, which was passed on the 22 May 1972, brought an end to Tamil participation in the sharing of state power and created a condition of political alienation of a nation of people.

It must be noted that the major political parties that represented the Sinhala nation, the UNP and the SLFP, have consistently and

deliberately denied the basic political rights of the Tamils. The Trotskyite LSSP and the Communist Party, who championed the rights of the Tamils in the 50s, succumbed to political opportunism in the early 60s and embraced the politics of Sinhala-Buddhist chauvinism. The persistent arrogance and determination of all major Sinhala political parties to deny them their rights drove home to the Tamils the utter futility of striving for ethnic reconciliation. The political forces of the Sinhala nation converged for confrontation rather than co-existence, and compelled the Tamil people to opt to determine their own political status and destiny. This objective condition led to the consolidation of Tamil political forces into a united national movement to struggle for a common cause. The major event in this direction took place at an all-party conference held at Trincomalee on 14 May 1972 in which the Federal Party, the Tamil Congress and the Ceylon Workers Congress united to form the Tamil United Front (TUF). This unprecedented move demonstrated the unitary cohesion and resolve of the Tamil people to fight to preserve their national identity and political liberty.

Political Violence of the Tamil Youth

Though the leadership of the Tamil United Front (TUF) realised the urgency of unity and collective action based on a pragmatic political strategy, differences of opinion among the leaders prevented them from formulating an action plan. The out-right rejection of the proposals submitted on behalf of the Tamil nation at the Constituent Assembly was a serious matter of concern. It entailed total denial to the Tamil people of any meaningful access in government. It also meant absolute marginalisation of the Tamils from the Sri Lanka political system. The leaders did realise that the political future of the Tamil nation was in serious danger. Yet they could not work out a practical programme of action to advance the struggle to secure the political rights of our people. The following six-point programme adopted at the Trincomalee conference clearly betrays the inadequacy of the political vision of the TUF leadership:

1. A defined place for Tamil language.
2. Sri Lanka should be a secular state.

3. Fundamental rights of ethnic minorities should be embodied in the constitution and made enforceable by law.
4. Citizenship for all who applied for it.
5. Decentralisation of the administration.
6. Caste system to be abolished.

While the Sinhala political parties, with a wider consensus, formulated and promulgated a rigid, entrenched constitution creating a Sinhala-Buddhist autocratic state structure, the Tamil leaders could only work out a few vague demands that fell woefully short of their original goals and failed to address the political aspirations of the Tamil people.

The politically conscious Tamil militant youth became disenfranchised with the Tamil leadership for their lack of vision and political inaction. Disillusioned with the political strategy of non-violence, which the Tamil nationalist leadership had been advocating for thirty years and had produced no political fruits, the Tamil youth demanded drastic and radical action for a swift resolution to the Tamil national question. Caught up in a revolutionary situation generated by the contradiction of ethnic oppression and constantly victimised by political brutality, the youth were forced to abandon the Gandhian doctrine of 'ahimsa' (non-violence), which they realised was irreconcilable with revolutionary political practice and inapplicable to the concrete conditions in which they were situated. The political violence of the youth, which began to explode on the Tamil political scene in the early seventies and took organised forms of resistance in the later stages, became a frightening political reality to both the peace-loving, conservative Tamil leadership and to the oppressive Sinhala regime.

The determinant element that hardened the Tamil youth to militancy, defiance and violence was that they were the immediate targets and victims of the racist politics of successive Sinhala governments. The educated youth were confronted with appalling levels of unemployment, which offered them nothing other than a bleak future of perpetual despair. The government's discriminatory programme of 'standardisation' and the racial Sinhala Only policy practically closed the doors to higher education and employment.

Plunged into the despair of unemployed existence, frustrated without the possibility of higher education, angered by the imposition of an alien language, the Tamil youth realised that the

redemption to their plight lay in revolutionary politics, a politics that could pave the way for a radical and fundamental transformation of their miserable conditions of existence. The only alternative left to the Tamils under the conditions of mounting national oppression, the youth perceived, was none other than armed struggle for the total independence of their nation. Therefore, the radical Tamil youth, while making impassioned demands pressuring the old generation of the Tamil United Front leadership to advocate secession, resorted to political violence to express their militant strategy. The political violence of the Tamil youth that manifested in the early seventies should be viewed both as a militant protest against savage forms of state repression as well as the continuation of the mode of political struggle of the Tamils. The most crucial factor that propelled the Tamil United Front to move rapidly towards the path of secession and political independence was the increasing impatience, militancy and rebelliousness of the Tamil youth.

In documenting the historical origin of youth violence in Tamil politics, we should give credit to an organisation that moulded the most militant political activists and created the conditions for the emergence of the armed resistance movement of the Tamils. This organisation was the Tamil Students Federation, which produced the most determined and dedicated youth whose single-minded devotion to the cause of national freedom became an inspiration to others. The most outstanding freedom fighter that emerged from this tradition and became a martyr was a youth named Sivakumaran. The earnestness, courage and determination of this young militant in defying and challenging the authority of the Sinhala state, particularly the repressive police apparatus, became legendary. The revolutionary violence by which he kindled the flame of freedom became an inextinguishable fire that began to spread all over Tamil Eelam.

Political violence flared in the form of bombings, shootings, bank robberies and attacks on government property. A Sinhalese Minister's car was bombed during his visit to the north. An assassination attempt was made on Mr R Thiyagarajah, a Tamil Parliamentarian who betrayed the Tamil cause by supporting the Republican Constitution. An ardent government supporter, Mr Kumarakulasingham, former chairman of the Nallur village council was shot dead. Violent incidents erupted throughout Tamil

Eelam on the day the new constitution was passed. Buses were burned, government buildings were bombed and the Sinhala national flags were burned.

Confronted with widespread violence, which expressed none other than protests and rebellion against oppression, the state machinery reacted with repression and terror delegating excessive powers to the police. Empowered by law and encouraged by the state, the police practised excessive violence indiscriminately against the innocent people and primarily against the Tamil youth. The police tyranny manifested in the horrors of torture, imprisonment without trials and murders. The most abominable act of police brutality occurred on the night of the last day (10 January 1974) of the Fourth International Conference of Tamil research held in Jaffna. It was during this great cultural event, when nearly a hundred thousand Tamil people were spellbound by the eloquent speech of the great scholar from southern India, Professor Naina Mohamed, that grim tragedy struck. Hundreds of heavily armed Sinhala policemen launched a well planned, sudden attack on the spectators with tear gas bombs, batons, and rifle butts, which exploded into a gigantic commotion and stamping resulting in the tragic loss of eight lives and hundreds, including women and children, sustaining severe injuries. The event cut a deep wound in the heart of the Tamil nation; it profoundly humiliated the national pride of the Tamil people. The event betrayed the vicious character of the state police, which, in the eyes of the Tamils, became a terrorist instrument of state oppression.

The reactive violence of the Tamil youth against the terrorist violence of the racist Sinhala state assumed the character of an organised form of an armed resistance movement with the birth and growth of the Liberation Tigers of Tamil Eelam.

The Birth and Growth of the Liberation Tigers

The resistance campaign of the Tamil militant youth against the repressive Sinhala state, which manifested in the form of disparate outbursts of political violence in the early seventies, sought concrete political expression in an organisational structure built on a radical political theory and practice. Neither the Tamil United Front

nor the Left movement offered any concrete political venue to the aspirations of the rebellious youth.

The political structure of the Tamil United Front, founded on a conservative ideology, could not provide the basis for the articulation of revolutionary politics. It became very clear to the Tamil people, and particularly to the militant youth, that the Tamil national leaders, though they fiercely championed the cause of the Tamils, had failed to formulate any concrete practical programme of political action to liberate the oppressed Tamil nation. Having exhausted all forms of popular struggle for the last three decades, having been alienated from the power structure of the Sinhala state, the Tamil politicians still clung to Parliament to air their disgruntlement, which went unheard, unheeded like vain cries in the wilderness. The strategy of the traditional Left parties was to collaborate with the Sinhala ruling class and therefore their political perspective was subsumed by the ideology of that dominant class, which was none other than Sinhala- Buddhist chauvinism. This collaborationist politics made the Left leaders turn a blind eye to the stark realities of racist state oppression against the Tamils and led them to ignore the historical conditions generated by the Tamil national struggle; it made them incapable of grasping the political aspirations of the Tamil militant youth.

The Tamil Student Federation, which was formed in 1970, articulated radical politics and encouraged student activists to take up the militant path. The Federation organised massive student protests against the government's discriminatory educational policy of 'standardisation' and arranged seminars and conferences providing platforms to voice protest. Privately, the leaders of the Student Federation encouraged an armed resistance campaign as an effective and revolutionary mode of struggle against state oppression. Driven by the passion for the freedom of their motherland, dedicated young men sought guidance and leadership from the Federation. The leaders of the Federation were capable of verbal inspiration only; they were not prepared to offer leadership and guidance to carry out an effective programme of action. They lacked the knowledge and the courage to organise and spearhead an armed campaign against the repressive state apparatus. Frustrated with the impotency of the leadership of the Student Federation the disenchanted young militants resolved to launch violent

campaigns, individually and as groups. As a consequence, violence flared in the form of political assassinations, bombings, shootings, arson against government property and raids on state banks. The state's security forces, particularly the police, counter-attacked; extreme violence was used against the Tamil militants. Mass arrests, detention without trial, torture and extra-judicial killings became the order of the day. Having learned that the Tamil Student Federation was the organisation that provided encouragement and moral support to the militant youth, the police raided the offices of the Federation and arrested the leaders, including the chairman, Mr Sathiyaseelan. Subjected to intolerable torture, the leaders of the Federation confessed the names of important militant activists engaged in political violence. Faced with the threat of police hunt, the most noted militant activists went underground.

Amongst those driven underground was a dedicated young man passionately devoted to the freedom of his people. He was sixteen years old when he became a hunted fugitive, the youngest of that generation of freedom fighters. He was none other than Mr Velupillai Pirapaharan, the founder and leader of the Tamil national freedom movement - the Liberation Tigers of Tamil Eelam (LTTE).

Mr Pirapaharan was born on 26 November 1954 in Valvettiturai, a northern coastal town in the Jaffna peninsula. Historically Valvettiturai is renowned for its adventurous seafarers and daring smuggling exploits. But it is also famous for its militant resistance against Sinhala state repression and has produced outstandingly courageous rebels fired with the spirit of patriotism and national freedom.

Mr Pirapaharan is the last child of Vallipuram Parvathy and her husband, Thiruvenkadam Velupillai. He has two sisters and a brother. His father was a government civil servant working as a District Land Officer. He is a man of exemplary character, an affable person with gentle manners, always helpful to the needy and very popular amongst his people.

In his early teens, Pirapaharan, a perceptive and sensitive person, became acutely aware of the oppressive environment in which he and his people lived. He absorbed from various sources - his family, friends, teachers and village elders - the horrendous nature of the racist oppression and the brutal atrocities perpetrated against

his people. These nightmarish stories of persecution aroused intense anger and outrage in the heart of the young Pirapaharan. He felt that his oppressed people should not continue to suffer in silence but should rise up and resist the oppressor. He realised that freedom is a right to live freely in accordance with one's choices, a state of being independent from external coercion or subjugation. He came to understand that freedom is an ideal quality of life to be fought and won requiring, in some instances, supreme sacrifices. Thus, for Pirapaharan as a young rebel, freedom became a passion and the struggle for freedom became an obsession. He lost interest in the course of study at school but was driven to learn more about human freedom and about the history of human struggles for freedom.

The turbulent history of the Indian freedom struggle fascinated Pirapaharan. While Mahatma Gandhi and his mode of political struggle based on the principle of 'ahimsa' attracted the Tamil politicians of that time, two famous Indian rebels who challenged British colonial rule, Subas Chandra Bose and Bhagat Singh were far more interesting to him. In particular he admired Subas for forming a national liberation army to launch a military campaign against British rule than the young Sikh rebel Bhagat, who confined himself to underground resistance. Pirapaharan read widely on the life and thoughts of that great Indian freedom fighter. Subas's famous speeches became a source of inspiration to him. Pirapaharan also read Ghandi's works. Though he admired the moral and spiritual values underlying Ghandi's philosophy of 'ahimsa' he was deeply sceptical about its application as a mode of liberation struggle in the Sri Lanka context where the Sinhala state had already revealed its ugly racist face as a callous, merciless repressive apparatus. Pirapaharan was allured by the Indian epic of 'Mahabarata', which related the fascinating story of a great war between the forces of good and evil. Legendary Tamil emperors and their wars of conquest also enamoured him.

Inspired by the lives and works of great Indian national heroes who resisted the alien colonial rule with daring bravery, enchanted by the glorious and heroic exploits of legendary Tamil emperors, the young Pirapaharan made a resolute determination to dedicate his life to the liberation of his people. He knew the risks and perils involved in the life of a rebel fighting against an oppressive regime.

Yet he was prepared to risk death for a common cause of national freedom. His underground life as a wanted fugitive at the age of sixteen turned into a nightmare when the police tightened surveillance in his village and made regular midnight raids on his house. To avoid arrest he was compelled to separate from his family and adopt a solitary life. He drifted like a gypsy, with no permanent place to rest. He hid during the daytime and moved around at night only. He often snatched a few hours of sleep on the roof of temples, in abandoned houses and hidden amongst the foliage on the ground in vegetable gardens. He was tormented by hunger. The difficulties and challenges he faced in these embryonic years of his life as a freedom fighter further strengthened his character and entrenched an iron resolve to carry on with the struggle for freedom.

As a determined young rebel living an underground life and fighting a lonely battle against formidable state machinery, Pirapaharan soon realised the futility of individual acts of political violence. His political contemporaries were, one after the other, arrested by the police and incarcerated. He also felt that some of the 'individual operations' were amateurish and clumsy jobs, which ended in fiasco. Having studied the incidences of militant youth violence, the negative political effects they produced and the oppressive conditions they generated, Pirapaharan realised the urgency and the historical necessity of a revolutionary political organisation to advance the task of national liberation through an organised form of armed resistance. His hope that the leaders of the Student Federation would eventually provide leadership, guidance and an organisational structure for an armed struggle soon crumbled when the leaders showed no inclination to undertake such a revolutionary task. The Federation was finally reduced to political impotency with the arrest and imprisonment of its leaders. Confronting a political vacuum and at the same time caught up in a revolutionary situation which necessitated the creation of a radical organisation to challenge the rising tide of state oppression, Pirapaharan was compelled to make a crucial decision. He finally decided to form an armed organisation under his leadership. It was in these specific historical circumstances; in 1972 the Tamil Tiger movement took its historical birth. At the time of its inauguration the movement called itself the *Tamil New Tigers* (TNT). Later, on 5 May 1976, the members renamed the organisation as the

Liberation Tigers of Tamil Eelam (LTTE).

Initially the Tamil Tiger movement structured itself as an urban guerrilla unit. Pirapaharan took into its ranks a group of highly dedicated and zealous young rebels who were loyal to it and prepared to die for the cause of freedom of the Tamil people. From the outset the Tamil Tigers functioned as a clandestine underground organisation practicing stringent disciplinary codes of conduct and taking an oath of allegiance to the political cause. Pirapaharan chose guerrilla warfare as a mode of armed struggle since he realised that it would be the most effective form of resistance suited to the objective ground conditions. Learning from the historical experiences of anti-colonial armed struggles in Africa and Latin America, the Tiger leader perceived that the guerrilla form of armed struggle was the classic method that could be adopted by a weak, oppressed nation to resist and fight back the organised military power of a modern state.

The disastrous failure of the JVP's armed rebellion in southern Sri Lanka taught invaluable lessons to Pirapaharan in the art of insurrection. Theoretical models of revolutions and liberation struggles that were successful in other parts of the world could not be adopted and blindly applied in the Sri Lanka context. The specific political and historical conditions and the realities of the local ground situation had to be taken into account. The other issue of crucial importance was training in the use of weapon systems and methods of combat. Though the Tiger movement was formed in the early seventies, Pirapaharan committed a lengthy period of time to train his cadres and organise underground cells. He always resisted foreign training. He rejected an offer given to him for training in Lebanon under the Palestinian Liberation Organisation. He wanted to train his cadres on the local terrain because he knew that ultimately that was where the fighting had to take place. Pirapaharan insisted on well thought out strategy and correct tactics. There was no space for impetuousness or adventurism. From the outset of the armed campaign he has been careful to ensure the safety of his cadres and the survival of the organisation. Even though the Tamil Tigers were involved in acts of armed violence against the state police, informants and traitors, Pirapaharan kept the existence of the organisation a secret. It was not until 25 April 1978 the movement officially claimed responsibility for a series of armed

operations.

The emergence of the Tamil Tiger guerrilla movement marked a new historical epoch in the nature and structure of the Tamil national struggle extending the dimension of the agitation to popular armed resistance. The LTTE soon developed a political and military structure that provided organisational expression to the aspirations of the rebellious Tamil militants who had become disenchanting with non-violent political agitations and resolved to fight back the repressive state through armed struggle. Demonstrating extraordinary talent in planning military strategy and tactics and executing them to the amazement of the enemy, Pirapaharan soon became a symbol of Tamil resistance and the LTTE he founded evolved into a revolutionary movement to spearhead the Tamil national liberation struggle.

Popular Mandate for Secession

While the Liberation Tigers were engaged in organising and developing their politico-military structure, unprecedented events of great historical significance began to unfold in the Tamil political domain. State oppression against the Tamil people deepened and became intolerable. Conciliation and co-existence between the Tamil and Sinhala nations were no longer possible. It was the time when the armed resistance movement of the LTTE emerged as a potential force demanding concrete action from the Tamil political parties. It was in these particular circumstances that, in May 1976, the Tamil United Front convened a national convention at Vaddukodai in Jaffna, where a historic resolution was adopted calling for the political independence of the Tamil nation. SJV Chelvanayakam presided over this crucial assembly where it was decided that the Tamil United Front changed its name to the Tamil United Liberation Front (TULF). The convention resolved to restore and reconstitute an independent state of Tamil Eelam. This famous resolution was as follows:

'The First National Convention of the Tamil Liberation Front, meeting at Pannakam (Vaddukodai Constituency) on the 14th day of May 1976, hereby declares that the Tamils of Ceylon, by virtue of their

great language, their religions, their separate culture and heritage, their history of independent existence as a separate state over a distinct territory for several centuries till they were conquered by the armed might of the European invaders and above all by their will to exist as a separate entity ruling themselves in their own territory, are a nation distinct and apart from the Sinhalese and their constitution announces to the world that their Republican Constitution of 1972 has made the Tamils a slave nation ruled by the new colonial masters, the Sinhalese, who are using the power they have wrongly usurped to deprive the Tamil nation of its territory, language, citizenship, economic life, opportunities of employment and education and thereby destroying all the attributes of nationhood of the Tamil people. And therefore, while taking note of the reservations in relation to its commitment to the setting up of a separate state of Tamil Eelam expressed by the Ceylon Workers' Congress as a Trade Union of plantation workers, the majority of whom live and work outside the Northern and Eastern areas.

This convention resolves that the restoration and reconstitution of the Free, Sovereign, Secular, Socialist State of Tamil Eelam based on the right to self-determination inherent in every nation has become inevitable in order to safeguard the very existence of the Tamil nation in this country.'

The General Election of July 1977 was a crucial testing ground for the secessionist cause of the Tamil United Liberation Front. The TULF asked for a clear mandate from the Tamil people to wage a national struggle for political independence and accordingly the Front explicitly state in its manifesto as follows:

'The Tamil nation must take the decision to establish its sovereignty in its homeland on the basis of its right to self-determination. The only way to announce this decision to the Sinhalese government and to the world is to vote for the Tamil United Liberation Front. The Tamil speaking representatives who get elected

through these votes, while being members of the National State Assembly of Ceylon, will also form themselves into the National Assembly of Tamil Eelam which will draft a constitution for the state of Tamil Eelam and establish the independence of Tamil Eelam by bringing that constitution into operation either by peaceful means or by direct action or struggle.'

In reference to the Tamil national question, the verdict at the elections was particularly critical. The elections were fought precisely on a mandate to create an independent Tamil state. The Tamil people voted overwhelmingly in favour of the mandate electing 17 TULF candidates in the northeast. Thus, the results of the elections placed a serious, irrevocable commitment on the shoulders of the TULF leadership to take concrete steps to establish an independent Tamil state. But the Tamil Parliamentary leaders had neither political vision nor a pragmatic strategy to achieve the goal for which they were elected. They clung to their Parliamentary seats and failed to take any meaningful steps towards the path of political independence.

The general election of 1977 resulted in a massive victory for the right wing United National Party (UNP) under the leadership of JR Jayawardane which secured 85% of the seats in Parliament. The traditional Left parties were completely wiped out without a single seat and the Tamil United Liberation Front, for the first time in Sri Lanka's political history, became the leading opposition party in Parliament. The stage was set for a confrontation: the Tamils demanding secession and separate existence as a sovereign state and the Sinhala ruling party seeking absolute state power to dominate and subjugate the will of the Tamil nation to live free. Soon after the elections, the ethnic contradiction intensified manifesting in the form of a racial holocaust unprecedented in its violence towards the Tamils.

In this island-wide racial conflagration, hundreds of Tamils were massacred and thousands of them became refugees. Millions of rupees worth of Tamil property was destroyed. The state police and the armed forces openly colluded with hooligans in their gruesome acts of arson, looting, rape and mass murder. Instead of containing the communal violence that was ravaging the whole

island, government leaders made inflammatory statements with racist connotations that added fuel to the fire.

This racial violence had a profound impact on the Tamil political scene. While it reinforced the determination of the militant youth to fight for political independence, it exposed the political impotency of the Tamil Parliamentary leadership who, having failed to fulfil its pledges to the people, sought a collaborationist strategy to justify their political life. JR Jayawardane, in his Machiavellian shrewdness, soon realised that the TULF leaders were not seriously committed to the creation of an independent Tamil state but were seeking alternative political solutions. Therefore, the real threat to the Sinhala state, Jayawardane perceived, emerged from the radical politics of the militant youth. The newly elected government therefore utilized all means to crush the revolutionary youth, the very source from which the cry for freedom arose. A ruthless policy of repression was adopted by the new regime, delegating extra-powers to the police and military to clamp down on the Tamil youth. The politics of repression and resistance began to unfold into a deadly struggle intensifying the armed campaign in the Tamil homeland.

LTTE Comes to Light

The political and military significance of the LTTE's armed resistance campaign can only be comprehended by studying various evolutionary stages of its historical growth and development. Tamil police officers and well paid civilian informants comprised a sophisticated state intelligence network, which aimed to crush the Tamil resistance campaign. The intelligence structure posed a serious threat, particularly to the newly emerging liberation movement and hence to the Tamil national cause in general. Hundreds of Tamil militants and politically active students were hunted down, tortured and imprisoned during the counter-insurgency campaign. Inevitably the LTTE, in its formative years, directed its armed campaign against the intelligence network and ultimately succeeded in severely disrupting its structure and function.

During this early stage of the guerrilla campaign the Tamil Tigers killed several intelligence police officers and informants and

quislings. Yet it was a particular armed attack that alarmed the Sinhala state. A police raiding party, headed by a police intelligence officer notorious for the persecution and torture of militant Tamil youth, was wiped out in the northern jungle. On 7 April 1978 acting on information about the location of an LTTE military training camp, a police raiding party headed by Inspector Bastiampillai approached the site deep in the jungle near Murunkan. The police team suddenly surrounded the training camp and held the guerrillas at gunpoint. Though taken completely unawares, the LTTE fighters remained calm. One of the Tiger commando leaders, Lieutenant Chellakili Amman skilfully leapt at a police officer, snatched his sub-machine gun and shot down the police party. Inspector Bastiampillai, Sub-Inspector Perampalam, Police Constable Balasingham and police driver Sriwardane were killed on the spot. The killing of Inspector Bastiampillai was a major blow to the government. The incident created euphoria among the militant youth and signified a courageous episode of armed resistance against the repressive police.

On 25 April 1978 the Tamil Tigers, for the first time, officially claimed responsibility for the annihilation of the police raiding party and the earlier killings of police officers and Tamil informants. The press highlighted the LTTE's claim. Thus the LTTE came to the limelight announcing itself to the world as the armed resistance movement of the Tamils committed to the goal of national liberation through armed struggle. The officially announced list claimed the assassination of Mr Alfred Duraiappah Mayor of Jaffna and the SLFP organiser for the northern region, Mr C Kanagaratnam MP for Pottuvil and some prominent police intelligence officers.

The revelation of the existence of the Tamil underground resistance movement alarmed the Sinhala state. The government reacted swiftly by enacting a law in Parliament in May 1978 proscribing the LTTE. The Act was called the Proscription of Liberation Tigers of Tamil Eelam and Other Similar Organisations. This draconian piece of legislation invested the state's security forces with extraordinary powers to crack down on the militants. It created conditions for security forces to carry out arbitrary arrests, detention without trial for lengthy periods, torture and extra-judicial killings. The law also empowered the government to confiscate the

property of any persons who supported the activities of the LTTE. Having proscribed the LTTE the government despatched to Tamil areas several contingents of armed units for the 'Tiger Hunt' and brought the Tamil nation under total military occupation.

Having intensified the military repression in Tamil areas, Jayawardane introduced a new constitution on 7 September 1978 which bestowed upon him absolute dictatorial executive powers and gave Sinhala language and Buddhist religion extra-ordinary status and relegated the Tamil language to second-class status. The new constitution made the President the 'Head of State, Head of Executive and the Government and Commander-in-Chief of the Armed Forces' with powers to appoint and dismiss the Cabinet of Ministers and to dissolve the Parliament. The new constitution entrenched the unitary structure of the Sinhala state requiring two thirds majority in Parliament and approval of the people in a referendum for amendment or repeal of the constitution. The Tamil nation did not participate in the formulation and promulgation of the new 1978 constitution as well as the earlier 1972 constitution. While the Tamil Parliamentary party failed to organise any mass protests, the LTTE brought Tamil displeasure to the attention of the international community by blowing up an AVRO aircraft, the only passenger plane owned by the national airline on the day the new constitution was introduced to Parliament.

To stamp out the growing armed resistance, the government took repressive measures. On 20 July 1979 Jayawardane's regime repealed the Proscription of Liberation Tigers law and replaced it with the Prevention of Terrorism Act (PTA). This notorious law denied trial by jury, enabled the detention of people for a period of eighteen months and allowed confessions extracted under torture as admissible evidence. Having enacted the law the government declared a State of Emergency in Jaffna, and dispatched to Tamil areas more military units under the command of Brigadier Weeratunga with special instructions to wipe out 'terrorism' within six months. Empowered by law and encouraged by the state Brigadier Weeratunga unleashed unprecedented military terror on the Tamils. Hundreds of innocent youths were arrested and subjected to torture. Several were shot dead and their bodies dumped on the roadside. These oppressive measures caused massive outcry and protests in the Tamil Diaspora. The International Commission

of Jurists and Amnesty International in particular condemned the Terrorism Act. Brigadier Weeratungas's six-month military campaign ended up swelling the ranks of the Liberation Tigers and turned the angry Jaffna population towards the cause of national liberation.

While the Sri Lanka state was intensifying its military domination and repression in the Tamil homeland, the LTTE leadership embarked on a plan of action to expand and consolidate the organisation. To confront the government's counter-insurgency measures, the Tiger leaders decided to strengthen the guerrilla infrastructure and broaden the political wing. The LTTE therefore suspended all hostile armed activities against the state during the years of 1979-1980 and concentrated on the consolidation of the liberation organisation. It was during this time a programme of political action was undertaken to mobilise, politicise and organise the broad civilian population towards the national cause. A powerful international network of LTTE branches was also established in several foreign countries to carry out propaganda work.

The events that have unfolded after 1981 involved intensified military and police repression against the Tamils and increased resistance from the Tamil Tigers against the armed forces.

On midnight 31 May 1981 Sinhala police went on a wild rampage of burning in the city of Jaffna. State terrorism exploded into a mad frenzy of arson, looting and murder. Hundreds of shops were burnt to ashes; the Jaffna market square was set on fire. A Tamil newspaper office and the Jaffna MP's house were gutted. The most abominable act of cultural genocide was the burning of the famous Jaffna public library in which more than 90,000 volumes of invaluable literary and historical works were destroyed, an act that outraged the conscience of the world Tamils. Two Cabinet Ministers, Cyril Mathew and Gamini Dissanayake of Jayawardane's regime who were in Jaffna at the time, planned the episode and supervised the police violence.

An island wide racial conflagration flared up again just three months after the burning of Jaffna, a racial onslaught on the Tamils organised by leading members of the government, assisted by the armed forces and executed by gangs of Sinhala thugs. Hundreds of Tamils were slaughtered, thousands made homeless and millions of rupees worth of property destroyed. The repetitive pattern of this

organised violence that brought colossal damage in terms of life and property to the Tamil people signified the genocidal intent underlying this horrid phenomenon. As a consequence of this heightened repression, Tiger guerrilla resistance increased with such vehemence it threw into disarray the state administrative system in Tamil areas. The LTTE's armed campaign, at that stage, was aimed at paralysing the police administrative structure. Well-planned attacks were directed at police patrols and at police stations effectively disrupting the law and order system that was functioning as a powerful instrument of state terror.

On 2 July 1982 Tamil Tiger guerrillas ambushed a police patrol at Nelliady, a town 16 miles from Jaffna city. In this lightning attack, four police officers were killed on the spot and three others were seriously injured. The LTTE fighters escaped without injury taking the captured weapons with them.

Lieutenant Sathiyathan (Shankar) played a leading role in the Nelliady ambush. In a different incident he was shot in a shoot out with the police and on 27 November 1982 succumbed to his injuries in the lap of the Tiger leader Pirapaharan. He was the first martyr in the LTTE. The Tamil people mark the anniversary of his death as Heroes' Day.

The successful commando raid on the well-guarded police station at Chavakachcheri on 27 October 1982 was another major guerrilla offensive that alarmed Jayawardane's government. It occurred just before dawn. A Tiger assault unit arrived near the police station in a hijacked minibus. Some LTTE fighters took up positions to seal off the Jaffna-Kandy Road, while the heavily armed assault unit moved cautiously into the compound of the police station. When the police sentries noticed the intruders the Tiger guerrillas promptly opened machine-gun fire. One sentry was killed on the spot and the others fled with the injured. The LTTE commandos then stormed into the main building amid a hail of bullets. The charge room where the arms and ammunition were kept was the first to come under attack. Two police officers were killed defending their positions. The LTTE fighters broke open the armoury and the strong box and removed 19 repeater guns, 9 rifles, 2 submachine guns, 1 revolver and a huge quantity of ammunition. While one LTTE unit raided the armoury, the other stormed upstairs. Two police officers were gunned down and one officer

leapt from the balcony.

One constable returned fire during the raid injuring two LTTE fighters, including Lieutenant Lucas Charles Anthony (Aseer, Seelan) the commander of the attack unit. Lieutenant Charles Anthony was an outstanding military commander of the LTTE in the early period of the guerrilla campaign. He was a close and trusted friend of Pirapaharan. He was killed in combat at Meesali on 15 July 1983.

The state repression against the Tamils took an ugly turn in the latter part of 1982 when the government used the notorious Prevention of Terrorism Act against Tamil intellectuals and clergy. University lecturers, doctors and prominent Catholic priests who were arrested on charges of supporting the armed resistance campaign. Mr P. Nithiyandan and his wife, Nirmala, both Jaffna University lecturers, Dr Jayakularajah and his brother Reverend Jayatilakaraja, two reputed Catholic priests, Father P Sinnarasa and Father A Singaraya, were incarcerated in the infamous Welikada Prison. Following this incident the LTTE launched a propaganda campaign through their international branches calling for the release of these prisoners of conscience.

The freedom struggle spearheaded by the LTTE came to the international limelight when the organisation, for the first time, submitted a memorandum to the Seventh Summit meeting of the Non-Aligned nations held in Delhi from 7-15 March 1983. The document, titled *Tamils Fight for National Freedom*, explained to the world community the emergence of the Tamil armed resistance of the Liberation Tigers in the following terms:

‘The struggle for national freedom having failed in its democratic popular agitations, having exhausted its moral power to mobilise the masses for peaceful campaigns, gave rise to the emergence of armed resistance movement in Tamil Eelam in the early seventies. Armed resistance as a mode of popular struggle arose when our people were presented with no alternative other than to resort to revolutionary resistance to defend themselves against a savage form of state terrorism. The armed struggle therefore is the historical product of intolerable national oppression; it is an extension, continuation and advancement of

the political struggle of our oppressed people. Our liberation movement which spearheads the revolutionary armed struggle in Tamil Eelam is the armed vanguard of the national struggle. The strategy of revolutionary armed struggle was formulated by us after a careful and cautious appraisal of the specific concrete conditions of our struggle, with the fullest comprehension of the historical situation in which the masses of our people have no choice other than to fight decisively to advance the cause of national freedom..... The armed struggle of our liberation movement is sustained and supported by wider sections of the Tamil masses since our revolutionary political project expresses the profound aspirations of our people to gain political independence from the autocratic domination and repression of the Sri Lankan state.'

In the conclusion of the memorandum, the LTTE appealed to the Government of India and the leaders of the Non-Aligned world to support 'the freedom struggle of the Eelam Tamils' and to condemn the genocidal oppressive policies of the Sri Lanka government.

Cataclysmic Racial Upheaval

1983 was a stormy time in the turbulent history of the ethnic conflict, a grim period characterised by increased state repression and intensified rebel resistance. This spiral of violence and counter-violence finally exploded into a cataclysmic racial upheaval. The historians describe this ugly episode as Black July, a horrendous month during which thousands of Tamils were mercilessly exterminated.

In the early months of the year the LTTE stepped up both its military and political activities posing a menacing challenge to the state. There was a series of guerrilla operations against the Sinhala police and the armed forces stationed in the north. On 18 February 1983 a police patrol party was ambushed in which Inspector Wijewardane and his jeep driver Rajapaksa of the Point Pedro police station were killed. On 4 March the LTTE guerrilla fighters

ambushed a military convoy at Umaiyalpuram, Paranthan, destroying an armoured car and seriously wounding five soldiers.

On the political front, the LTTE launched an effective political campaign calling upon the Tamil people to boycott the local government elections to be held in the north on the 18 May as a mark of protest against the state's repressive policies. Mr Pirapaharan, issued a statement appealing to the Tamil people to reject the civil administrative system of the Sri Lanka state and to support the armed campaign of the Tamil Tigers directed towards national liberation. Responding to the mass campaign launched by the LTTE, the majority of the Tamil people in the north staged a mass boycott of the elections. Such a widespread boycott, unprecedented in the political history of the Tamils, constituted a great political victory for the Liberation Tigers. The Tamil United Liberation Front (TULF), which defied the LTTE's appeal and stood for the elections, suffered a degrading humiliation and irreparably damaged its political credibility when 95% of the voters rejected the party's appeal to vote at the elections.

On election day, an hour before the polling ended, the LTTE guerrilla fighters attacked the military and police personnel guarding a polling booth at Nallur, Jaffna. In the gunfight that broke out a Sinhala soldier was killed and another soldier and two police officers were seriously injured. Angered by the successful boycott of the elections and the attack on the security personnel, the government imposed new Emergency Regulations empowering the armed forces to take drastic action against the Tamil rebellion. That night a contingent of 600 soldiers deployed within the Jaffna city limits, went on a violent rampage setting ablaze shops, houses, petrol stations and vehicles, looting public property, assaulting and terrorising civilians. It was the second time in two years that the city of Jaffna went up in flames as state terror vented itself against the Tamil population.

June 1983 marked a violent period of heightened state terrorism. The Sinhala armed forces, empowered by Emergency Regulations, went on a wild frenzy in Vavuniya and Trincomalee towns shooting Tamil civilians and setting ablaze shops, houses, schools and temples. Gangs of Sinhala hooligans joined the armed forces in the killing spree in Trincomalee. Nineteen Tamils were butchered, 200 houses, 24 shops and 8 Hindu temples were razed

to the ground. Army personnel rounded up several Tamil youth in Jaffna and shot them dead. A well calculated, state inspired genocidal onslaught on the Tamils had begun. President Jayawardane's statement, 'I am not worried about the opinion of the Jaffna people ... Now we can't think of them. Not about their lives or their opinion about us,' to Mr Ian Ward, a British journalist, which appeared in the Daily Telegraph on 11 July 1983, confirmed without doubt that the Sri Lanka state was condoning the systematic extermination of the Tamils by the Sinhala armed forces.

In the context of ethnic repression and intolerable state terror against the Tamil people the LTTE planned a major attack on the Sinhala armed forces. The strike was also planned as retaliation for the irreplaceable loss of the outstanding LTTE military commander Charles Anthony (Seelan) who was killed on the 15 July in combat with the Sinhala troops.

Deeply distressed over the loss of his close confidante Seelan and outraged by the atrocities committed by the armed forces, Mr Pirapaharan undertook the task of working out the entire assault plan. He aimed to impress upon the government that the perpetrators of state violence would not go unpunished. Having secured the necessary intelligence regarding the movement of military convoys at night in the Jaffna metropolitan area, the LTTE leader finally mapped out the famous Tinnaveli ambush. Though he appointed Lieutenant Chellakili Amman as the leader of the assault unit, Mr Pirapaharan commanded the entire operation.

Midnight 23 July. Fourteen battle dressed, heavily armed commandos of the LTTE, including the top brass, Pirapaharan, Chellakili, Kittu, Victor, Pulendran, Santhosam and Appiah, waited in ambush on the Pallaly-Jaffan Road at Tinneveli, approximately 2 miles from the center of Jaffna city. The road had been mined and sealed off from commuting vehicles and pedestrians. The guerrillas had taken up positions and waited in readiness. The Tigers knew an army patrol would pass at midnight.

An army convoy consisting of a truck and a jeep with a detachment of 15 Sinhala soldiers from the company of the First Battalion of the Sri Lanka Light Infantry based at Mathagal camp, travelled to the ambush site. As the jeep passed, the Tiger commandos pushed the detonating plunger, instantly triggering the landmine. A huge explosion rocked the area. The military jeep was propelled

into the air and fell to the ground in pieces. The following truck came to an abrupt halt. Panic stricken and terrified soldiers jumped out of the vehicle into a volley of gunfire. Pirapaharan, renowned for his sharp shooting, gunned down several soldiers as they scrambled out of the military truck. Confronted with a hail of fire, some soldiers crawled under the vehicle and started shooting back blindly. Hand grenades silenced the return fire.

The ambush was brief and executed with military precision. Thirteen Sinhala soldiers were killed on the spot and two were injured. That was the end of the army patrol unit code named 'Four, Four, Bravo'. It was the heaviest loss of life for the Sri Lanka army during that period. The LTTE suffered one casualty, a major loss. Lieutenant Chellakili, the leader of the attack unit and a freedom fighter reputed for his courage, died in battle.

The killing of 13 Sinhala soldiers at the hands of the Tamil Tigers guerrillas was a severe blow to a racist regime that firmly believed in a military solution to the Tamil question. President Jayawardane was a tyrant and ruled the island with an iron fist. His senior Ministers, Lalith Athulathmudalai, Philip Gunawardane, Cyril Mathew, Gamini Dissanayake were reputed chauvinists committed to a ruthless policy of military repression to crush the Tamil struggle. For a political regime with such a calibre of leadership, the rise of Tamil insurgency causing serious loss of life to Sinhala troops was an intolerable humiliation. The nervous Jaffna population anticipated a swift and harsh retaliation from the military. It came in the form of a military rampage on the following day at Tinneveli and Kantharmadam where frenzied soldiers massacred 60 Tamil civilians. This horrific retaliatory assault in Jaffna was reduced to insignificance when compared to the communal holocaust that rocked the capital and swept across the island causing unprecedented destruction to life and property of the Tamils.

Tamil people had faced frequent outbursts of communal violence in the past. But the July '83 holocaust was unparalleled, qualitatively different in its ferocity, brutality and in its scale of destruction. Most importantly it was not a spontaneous reactive violence to the killing of Sinhala soldiers by the LTTE but rather a well organised, state sponsored pogrom of genocidal proportions. The complicity of the state in this racial violence was evident in the adroit manner in which the government handled the post Tinneveli

ambush scenario. Firstly, inflammatory news reports projected in banner headlines in newspapers the following day, incited hysteria amongst the Sinhalese. Further, the government announced that all 13 'fallen heroes' would be buried at Kanatai, Colombo's main cemetery, with full military honours. These arrangements brought unprecedented numbers of Sinhala people into the heart of the capital. However, the funeral failed to take place as announced. There was a delay in the arrival of the soldiers' bodies at the cemetery. Subsequently, the government announced that the remains of the soldiers would be handed over to the relatives. The crowd was confused and increasingly restless. As the evening grew darker so did the mood and the angry grievors turned into an unruly mass that ultimately went berserk, unleashing bloody and brutal violence. The extermination of the Tamils and the destruction of their property were set in motion. The holocaust continued for days, unabated in the capital city and the provincial towns deep in the south leaving a trail of death and devastation. Estimates put a total of 3000 defenceless Tamils savagely murdered. Most were hacked or beaten to death by mobs. Several Tamil families were burned alive. Thousands of Tamil owned homes, shops, buildings, industrial enterprises, cinemas, and petrol stations were razed to the ground. Approximately 150,000 Tamils in Colombo city became homeless overnight and reduced to refugee status. Observers were surprised that the mob violence was neither blind nor indiscriminate, but well organised and co-ordinated. The riotous gangs had precise information concerning the location of Tamil residences, business premises and industrial enterprises. In several instances rioters carried voters lists to single out and identify Tamil persons and their properties, clearly demonstrating the connivance of state officials in the communal upheaval. In the capital alone, over 100 Tamil owned factories and business establishments were gutted. The Financial Times correspondent who witnessed the riots in Colombo observed:

'The violence was vicious and bloody. But what distinguished it from many other communal Asian riots was the way that the mob singled out specific business premises. In street after street in Colombo groups of rioters hit only at factories (as well as homes) owned by Tamils. The careful selectivity is

apparent now. In each street individual business premises were burnt down, while others alongside stood unscathed. Troops and police either joined the rioters or stood idly by....' (Financial Times 12 August 1983)

It became apparent that the July riots were a planned exercise to destroy the economic foundation of the Tamils in the capital city. It was genocidal in its thrust since the mob violence was directed against the life, property and economic existence of the Tamils as an identified ethnic national formation. The communal convulsion continued for six days. Though curfew was declared, the armed forces refused to enforce it.

One of the most abominable episodes during this dark period of Tamil history took place on 25 July at Welikade Prison where Sinhala prisoners, with the collusion of the prison officials and guards, stormed the cells and battered and butchered 35 Tamil political prisoners. Among those bashed, slashed and torn to death by the rampaging criminals were Thangathurai, Kuttimani and Jegan, celebrated freedom fighters, and the founding leaders of the Tamil Eelam Liberation Organisation (TELO) and Dr Rajasundaram founder, of the Gandhiam Society.

The rioting eventually ended and Colombo appeared as a heavily bombed city of charred, skeletal buildings with smoke spiralling up from the burnt debris. When the Sinhala political leaders eventually broke their silence after the riots, not one had a word of sympathy for the victims of the barbarous outrage. Scandalously, Jayawardane, in his address to the Sinhala nation, implied that the communal carnage was fair retribution for the fallen heroes at Tinneveli. Thus ended a monumental tragic episode that left a deep scar in the collective soul of the Tamil nation, irreparably damaging the relationship between the two communities.

The Sinhala state earned global condemnation. The international community pondered as to how such despicable barbarism and inhumanity could unfold in the serene land of compassionate Buddha. The Indian government was outraged. Mrs Indira Gandhi expressed her grave concern and dispatched her Foreign Minister, Narasimha Rao to Colombo to convey Delhi's deep displeasure. Tamil Nadu ignited. Hundreds of thousands of people demonstrated and protested in Chennai and other cities throughout the state.

Tamil Nadu leaders demanded that the central government send Indian troops to protect their brethren in Sri Lanka.

The July racial catastrophe opened the flood gates and Tamil nationalism swept across the continents fanning the flames of ethnic consciousness, identity and fraternity among Eelam Tamils. Fired by the passion of national patriotism, outraged by the unimaginable atrocities, thousands of Tamil youth flocked to join the armed resistance movement. The ranks of the LTTE suddenly swelled into the hundreds while thousands more yearned to join the freedom struggle. Mr Pirapaharan prudently decided not to inflate the strength of his guerrilla formations beyond the limits of the financial resources of the organisation. For the other defunct Tamil groups hiding underground in Tamil Nadu, the new developments offered a golden opportunity for recruitment. With funds from the Tamil diaspora and with new recruits, these groups were resurrected from oblivion.

By unleashing the July genocidal riots the Sinhala racist forces paved the way for the resurgence of Tamil ethno-nationalism and created the subjective and objective conditions for a secessionist struggle. 'Black July' changed the course of political history of the Tamils. It also created the fertile ground for Indian intervention.

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CHAPTER II

INDIAN INTERVENTION IN SRI LANKA

The Negative Critique

The Black July communal holocaust created the necessary space, the right conditions and the rationality for Indian intervention in Sri Lanka. Indian involvement began during the July riots of 1983 and ended in March 1990 with the withdrawal of the Indian Peace Keeping Force (IPKF) from the island bringing to conclusion a critical and controversial period in Indo-Sri Lanka relations. During this lengthy period of seven years, India's interference assumed different forms at different stages gradually evolving into an extremely difficult and complex engagement. It had political, military and strategic ramifications.

On the political level, the process began as an urgent humanitarian intervention to prevent the genocidal violence unleashed against the defenceless Tamil civilian population. This politico-diplomatic effort soon transformed into a prolonged mediatory exercise lasting nearly four years and ending in the formulation of a bi-lateral agreement, the famous Indo-Lanka Accord. The Accord provided a package of devolution for the resolution of the ethnic conflict. On the military level, the initial interventionist approach consisted of covert operations during which India helped to build-up the armed resistance movement of the Tamils. Military training facilities and arms were provided to the Tamil militant organisations to militarily pressurise the obstinate and reluctant Jayawardane regime to seek a negotiated political settlement to the Tamil national question. In the latter stages, the military involvement became direct and overt with the induction of the Indian

Peace Keeping Force (IPKF) to disarm the Tamil Tigers and to implement the obligations of the Indo-Sri Lanka Accord. Finally, on the geo-strategic level, Indian involvement sought to remove the presence and interference of adverse external forces, which the Indians feared could create conditions to destabilise India's security and strategic environment. This strategic objective was achieved with the inclusion of certain binding clauses in the exchange of letters that accompanied the Indo-Sri Lanka Accord.

For the Indian government this immense interventionist exercise, with all its ramifications, ended up as a diplomatic disaster and a foreign policy debacle. The Indo-Lanka Accord and the behaviour of the IPKF did nothing to contribute to the resolution of the ethnic conflict. Both the Sinhalese and the Tamils, for different reasons, opposed the signing of the Indo-Lanka Accord and the presence of Indian troops in the Tamil homeland. The disarming campaign of the IPKF turned into a low-intensity guerrilla war, which brought phenomenal suffering to the Tamil people with heavy loss of life and massive destruction of property. The Indian troops behaved as an occupation army and committed war crimes that shocked the Tamil nation, which had previously looked to India as a guardian and protector.

The presence of the Indian troops and the signing of the Accord generated an explosive situation in the Sinhala south. The militant Marxist movement, the Jathika Vimukthi Peruma (JVP), organised an insurrectionary rebellion against the Sri Lanka state as a protest against the Indian military presence on Sri Lankan soil. When President Premadasa assumed power in 1988, he initiated peace talks with the LTTE and demanded the withdrawal of the IPKF from the island. As a consequence, relations between the governments of India and Sri Lanka soured and came under severe strain. Ultimately the Government of India, under the Premiership of VP Singh decided to withdraw the IPKF. In March 1990 the last contingents of Indian troops withdrew from the island bringing to an end India's highly controversial interventionist episode. This bitter, humiliating historical experience impelled Indian policy makers to adopt a cautious, hands-off policy of non-interference in the ethnic conflict in Sri Lanka.

Indian intervention in Sri Lanka became a topic for critical elucidation from different sources. The most vehement critiques came

from India. Critical commentaries from Indian academics, political analysts and journalists blamed their own government for 'unwarranted intrusion' into the neighbouring island to sort out an 'internal conflict' and, in so doing, damaging India's image in the world 'as the champion of non-alignment'. Some analysts argued that Indian involvement to contain a major humanitarian crisis of genocidal proportions was unavoidable, yet it should have been limited to political and diplomatic engagement. They severely criticised the induction of the Indian army under the guise of a peacekeeping exercise. Other commentators, mostly Indian journalists, blamed the intransigence of the LTTE leadership and the ingratitude of the Sinhala government, particularly the Premadasa administration, for the failure of the Indian mediatory effort. Some of the military commanders of the IPKF, wondered in their memoirs, how a peacekeeping mission aimed to protect a friendly people turned into a war making exercise resulting in unacceptable casualties to their troops. On the Sri Lanka side there were critical articles, mainly from Sinhala journalists, whose commentaries, heavily prejudiced against the Tamil struggle, blamed India for training and arming Tamil rebel movements and criticised the IPKF for not completing their military mission of wiping out the LTTE guerrillas. Rohan Gunaratna's work entitled 'Indian Intervention in Sri Lanka' is not a serious historical study on the topic but rather focuses on the role of India's intelligence agencies in their 'secret war' against Sri Lanka.¹

On the Tamil side, the LTTE's critique targeted two aspects of Indian intervention. These were areas that directly and adversely affected the Tamil people. One aspect severely censured the IPKF for the atrocities committed against the Tamil civilian population. The other criticised the set of proposals envisaged in the Indio-Sri Lanka Accord for the resolution of the Tamil national conflict. The organisation released wide-ranging critical material on those two issues. The LTTE publication 'The Satanic Force', a voluminous work for which I wrote a lengthy introduction, contains critical commentaries, eye witness accounts, statements by victims of rape and torture, signed affidavits and photographs, all implicating material that exposed the war crimes and the gross human rights violations committed by Indian troops in the Tamil homeland. The LTTE also published papers and documents offering critical

analysis of the inadequacies of the framework of proposals conceived in the Accord. Though factual and based on actual events, the Indian side rejected as 'negative polemics' the LTTE's revelations of the misbehaviour of the IPKF. One Indian commentator characterised the LTTE's publication 'The Satanic Force' as 'an exercise in malevolent propaganda against the Indian army'.²

In the intriguing, complex story of Indian involvement in Sri Lanka, the Tamil Tigers played a critical role. The state organisers of the July holocaust attributed the Tiger ambush at Tinneveli as the casual factor for the racial calamity that generated the conditions for Indian intrusion. From the outset, the LTTE was one of the Tamil rebel organisations involved in the clandestine Indian programme of military training. Drawn into the play of the Indian politico-military chess game, the Tamil Tigers participated in all the mediatory efforts undertaken by India to resolve the Tamil national question. Ultimately, in the final stages of Indian intervention, the LTTE became the protagonist, the principal party in armed confrontation with the Indian peacekeeping troops, also assumed the role of the chief negotiating party with the Sri Lanka regime seeking to end Indian military occupation. The LTTE's role during this span of history has been complicated and politically sensitive, chartered with risks and danger. Nevertheless, the organisation survived the multiple hazards it faced. It is not surprising that the centrality of the LTTE's role made it the object of negative criticism - primarily from the Indian side - for the politico-military disasters India suffered in the Sri Lanka affair. The bulk of the criticisms have been unfair and biased, based on a misreading of the true intentions and sincere commitments of the organisation. Reputed for its single-mindedness and deep commitment to a set of principles, the LTTE, during those turbulent times, made policy decisions and acted for the purpose of protecting and promoting the interests and aspirations of the Tamil people. Sometimes critical decisions were made, even at the risk of self-annihilation. In this chapter I wish to recount and discuss some critical events and episodes to explain the role and motivations behind the LTTE's policy decisions during these times. As a person directly involved in these affairs, as the representative and advisor to the organisation, my intention is to counter unfair and biased criticism levelled against the LTTE and to record the historical process of events in proper structure and

perspective reflecting the sentiments of the Tamil people.

India's Strategic Concerns

The early 1980's marked the last phase of the Cold War period of the Old World order. It was a tense period of heightened antagonism between the two super-powers. Soviet military intervention in Afghanistan alarmed the Reagan administration. As a consequence, the United States entered into a strategic partnership with Pakistan to contain the sinister designs of the 'Evil Empire' in the central Asian region. Exploiting the close military alliance with the Americans, Pakistan schemed to build-up its strategic capabilities to confront its traditional adversary, India. Meanwhile, fearing Soviet expansionism, China provided military and technical assistance to promote Pakistan's covert war in Afghanistan. India felt insecure with these developments. Bound by a bi-lateral friendship treaty with the Soviet Union following the Chinese invasion, India could not claim to be a non-aligned power. Western powers situated India as an ally of the Soviet Union. When Afghanistan turned into a hotbed of super-power hostility, India became more concerned about the growing military partnership between the US and Pakistan. It was in these circumstances that Sri Lanka opened its doors for the penetration and consolidation of external forces adverse to Indian interests. Suspicious of 'Indian hegemonic designs' the Jayawardane regime turned towards the US, Pakistan, Israel, South Africa and China for arms assistance and military training to repress the Tamil insurgency.

The US operated in co-ordination with Israel and channelled military and technical assistance to Sri Lanka through the Jewish state. An Israeli 'Interest Section' was opened in the American Embassy in Colombo. Israel began to build up the Sri Lanka naval capacity and brought in intelligence agents from the Internal Security Service (Shinbet) to train the Sri Lanka armed forces and, especially the Special Task Force (STF) in counter-insurgency warfare. In the meantime, the US expanded the 'Voice of America' relay station with electronic intelligence facilities in Chilaw, north of the capital Colombo. Furthermore, the Americans also attempted to gain a contract for the Trincomalee oil tank farm through an overseas firm (an American outfit based in Singapore). The visits

of General Vernon Walters, a senior figure in the US defence and intelligence establishments, to Colombo in October 1983 followed by Casper Weinberger, US Defence Secretary, further heightened Indian apprehensions concerning greater American involvement in Sri Lanka. The visits of these two high ranking American foreign policy makers generated suspicion in Delhi as to whether a secret defence agreement between the US and Sri Lanka was being formulated.

Following the July riots, Jayawardane invited into the country, operatives from the Keeny Meeny Service, a mercenary outfit involved in counter-insurgency activities. Having its operational headquarters in the Channel Islands, UK, the Keeny Meeny service provided special training to Sri Lanka's police commandos. Sri Lanka also sought the assistance of Pakistan to train its military personnel. A special unit of Pakistan military instructors, who arrived in Sri Lanka following the July riots, trained a contingent of Sri Lanka troops. Pakistani training created the black garbed 'Black Panthers' or 'Black Devils', infamous for their massacres of Tamil civilians in the east, particularly in Trincomalee.

The growing involvement of the US, Israel and Pakistan and the presence of foreign intelligence operatives and counter-insurgency experts in the strategically important neighbouring island alarmed Delhi. Additionally, China was supplying a substantial amount of military material to Sri Lanka. At that juncture Delhi conceived this steady build up of external forces inimical to Indian interests as a serious threat, to her security and geo-strategic environment. What annoyed Mrs Indira Gandhi, who was at the helm of power in Delhi during that tense period, was the calculated exclusion of India by Jayawardane's regime in seeking military and training facilities from foreign countries. Delhi was indignant with Jayawardane because he completely disregarded India's strategic sensibilities and invited external forces adverse to Indian interests.

Mrs Gandhi had a compassionate understanding and sympathy towards the Tamils of Sri Lanka. From the beginning of the 1980's she was fully briefed on the nature of the racist oppression the Tamil people faced. Apart from the government intelligence and diplomatic sources, Tamil political leaders from Sri Lanka and Tamil Nadu had made regular representations about the plight of the Tamils. Mrs Gandhi, a mature and seasoned politician, was

aware of the Machiavellian mindset of Jayawardane and detested his racist policies. The Tamil ethnic issue made the inter-personal relations between the two leaders unfriendly and hostile. Mrs Gandhi was also deeply aware of the strong sentiments that prevailed among the people of Tamil Nadu towards the plight of the Eelam Tamils. Bound by the historical roots of ethnic and cultural affinities, the Tamils of South India and their political leaders were sympathetic and supportive of the aspirations and struggle of the Eelam Tamils.

The communal holocaust of July 1983 and the mass extermination of Tamils provoked an emotional upheaval in Tamil Nadu inflaming the passions of Tamil nationalism in the state. The Dravidian political parties competed with each other in staging mass protests and demonstrations in support of the Eelam Tamils bringing hundreds of thousands onto the streets. The Chief Minister of Tamil Nadu, Mr MG Ramachandran, an ally of Mrs Gandhi, demanded urgent Indian intervention. The Tamil Nadu leader called upon the Indian government to request the United Nations to send troops 'to prevent the genocide of Tamils'. The political turmoil and the rising tide of nationalism in Tamil Nadu generated apprehensions in Delhi as to the possibility of a resurgence of Tamil secessionist tendencies. The other crucial factor that compelled Indira Gandhi to intervene in the Sri Lanka affair was the mass influx of Tamil refugees into South India following the July riots. Of the half a million people uprooted by the racial cataclysm, two hundred thousand sought asylum in India and the rest fled to western Europe, Canada and Australia as political refugees. Hence, the ramifications of the July riots precipitated critical conditions in Tamil Nadu compelling the Government of India to take action. Combined with this internal political compulsion was the external factor i.e. the penetration and consolidation of adverse external forces in her backyard island causing serious strategic and security concerns to India. These developments made Indian intervention in Sri Lanka an unavoidable historical necessity. On the issue of India's involvement JN Dixit, former High Commissioner in his work, *'Assignment Colombo'*, observed:

'India's involvement in Sri Lanka in my assessment, was unavoidable not only due to the ramifications of Colombo's oppressive and discriminatory

policies against its Tamil citizens, but also in terms of India's national security concerns due to the Sri Lankan government's security connections with the US, Pakistan and Israel.³

Mrs Gandhi, who was the chief architect of India's foreign policy determinations at that time, made the historical decision to intervene in Sri Lanka. Her advisors formulated a two-pronged action strategy to achieve two cardinal objectives. It was an overt and covert operation, involving a transparent diplomatic mediatory effort on the one side and a clandestine military exercise to build-up and strengthen the Tamil armed resistance movement on the other. Though mutually contradictory, it was a well-conceived strategy to bring the cunning 'old fox' Jayawardane to his senses. One objective was to bring the island state under the sphere of influence of India by effectively shielding Sri Lanka from the penetration of external de-stabilising forces adverse to Indian interests. Exerting necessary military pressure through the Tamil rebel movements to compel Jayawardane's administration to seek a negotiated political settlement was the second objective.

Mrs Gandhi's politico-diplomatic initiative began soon after the outburst of ethnic violence in 24 July 1984. The brutal nature and the scale of violence unleashed against the Tamil civilians affected her deeply. Her immediate response was to telephone Jayawardane and express her displeasure. On her instructions, the Indian Foreign office released a statement warning Jayawardane that India could not remain unconcerned over the disturbing events taking place in her backyard. On 26 July, as the fury of racial violence continued for the third day, Mrs Gandhi despatched her Foreign Minister, Mr Narasimha Rao, to Colombo as her Special Envoy to study and report on the situation. Jayawardane received the Indian Minister and presented his assessment of events, naturally omitting how the state orchestrated the whole episode. Narasimha Rao's visit was primarily aimed to initiate a mediatory process. Rao conveyed a message from the Prime Minister that India was willing to mediate for a negotiated settlement to the ethnic conflict, to which Jayawardane agreed. Following Narasimha Rao's visit, Mrs Gandhi appointed Mr Gopalasamy Parthasarathy as India's mediator.

G Parthasarathy was a Tamil Brahmin and a friend of the Nehru family. He was one of Mrs Gandhi's chief advisors on foreign

relations. A brilliant diplomat and tactician, as chairman of India's Policy Planning Committee, he enjoyed Cabinet status. He was popular in Delhi and Tamil Nadu political circles.

To appease the agitated Tamils in both Tamil Nadu and Tamil Eelam, and since he was renowned for his wide political vision and would act to uphold Tamil interests and aspirations, Mrs Gandhi wisely chose him to be the mediator. Having accepted this difficult mission, Parthasarathy visited Sri Lanka on 25 August 1983 and commenced his negotiating process. However, the appointment of a Tamil Brahmin as India's mediator irritated the Sinhala chauvinist elements, particularly the Buddhist clergy, the Sangha, who created serious obstacles to Parthasarathy's efforts. Nevertheless, after extensive discussions with the political leaders of both communities and an indepth study of the issues underlying the ethnic conflict, Parthasarathy formulated a set of proposals called 'Annexure C', which envisaged regional administrative structures devolving power to provincial units.

Jayawardane and his senior Ministers opposed the proposals, yet the government, under Indian pressure, agreed to convene an All Party Conference (APC) to discuss the framework. Tamil political leaders reluctantly decided to participate in the APC knowing full well that it would turn out to be a futile exercise. The conference convened on 10 January 1984 and lasted for one year with 37 sessions being held. During the rounds of discussions Jayawardane allowed all the political parties and groups, including hard-line Buddhist monks, to deliberately complicate the negotiating exercise. At one stage the opposition Sri Lanka Freedom Party (SLFP) walked out of the APC, opposing the devolution package. This gave an excuse for Jayawardane to back track from the peace initiative, complaining of lack of consensus. Eventually the mediatory effort initiated by Mrs Gandhi to resolve the Tamil question through negotiations collapsed when Jayawardane's Cabinet, on 26 December 1984, decided to drop the proposals.

From the outset, Mrs Gandhi was sceptical about the probability of success with the mediatory efforts to gain a fair deal for the Tamil people. She was aware that Jayawardane was a hardliner, a difficult and complex personality unsympathetic to the Tamil demand for political rights and freedoms. She also knew that he favoured a military solution to the Tamil issue.

Mrs Gandhi confided her deep distrust of Jayawardane to Parthasarthy during a briefing on his mediatory mission to Colombo. She was doubtful that Jayawardane would do justice to the Tamils and therefore the peace effort might not succeed.⁴ With this foresight, she formulated a two pronged strategy involving a covert military programme to enhance the fighting capacity of the Tamil freedom movement with the calculated objective of frustrating Jayawardane's militaristic approach.

The covert operation was planned and executed by a team of three persons who were close confidantes of Mrs Gandhi and enjoyed powerful positions in India's Defence and intelligence agencies. The principle strategist who masterminded the operation was RN Rao, the National Security Advisor, the person in charge of executing the clandestine exercise was Girish Chandar Saxena, head of the Research and Analysis Wing (RAW), the external intelligence agency of India. The third person was Shankaran Nair, the Director of the Prime Minister's Secretariat who advised Mrs Gandhi on foreign relations. This three-person team under Mrs Gandhi constituted the 'Third Agency' or the Cabinet Secretariat (Security) who made crucial decisions on matters of national security and defence.

Having despatched Mr Parthasarthy on the overt mediatory mission, Mrs Gandhi launched the covert military operation through the 'Third Agency'. The RAW undertook the most sensitive task of organising the military training programme for the Tamil militant organisations.

Indian Training of LTTE Cadres

In mid-August 1983, Mr Pirapaharan, from his guerrilla training camp in the northern jungles of Vavuniya, sent an urgent message to London, requesting my wife Adele and me to return to Madras (now Chennai) immediately. The Tiger leader's message indicated that rumours were afoot in the Tamil homeland that the Government of India had started a covert programme to train Tamil fighters and the Tamil Eelam Liberation Organisation (TELO) was recruiting large numbers of youths and despatching them across the sea to Tamil Nadu. Describing the Indian initiative as a serious

development, Mr Pirapaharan urged me to go to Tamil Nadu immediately to study the situation and inform him of the real facts. He also indicated that we might be permanently stationed in Chennai this time as Indian involvement had transformed the mode of the struggle. Adele and I had visited Tamil Nadu in 1979 and again in 1981 and spent several months each time working with Pirapaharan and his fighters, the history of which is written in my wife's autobiographical work, *'The Will to Freedom'*. Adele's book also provides details of events and episodes during our stay in Tamil Nadu from August 1983. To avoid repetition, I will only deal with issues pertaining to India's involvement, particularly the relations between India and the Tamil Tigers.

Baby Subramaniam (Illam Kumaran), a senior leader of the LTTE who received us the Meenambakam Airport Chennai, found us accommodation at Woodlands, a modest vegetarian hotel in the heart of the city. Nesan (Ravi) and a few other senior cadres met us at Woodlands. Since the LTTE had no office accommodation or 'safe houses' in Chennai, two adjoining rooms in the hotel became our operational headquarters. Mr Kalimuttu, a senior Minister in Tamil Nadu Chief Minister MG Ramachandran's government, offered to pay the hotel expenses until we found proper office premises. From Woodlands we made enquiries concerning the Indian training project. A Tamil Nadu journalist friend who himself was investigating the matter, advised me to contact RAW officials. In the meantime, an acquaintance, Dr Rajendran, a professor at the Singapore University and an LTTE supporter, visited me at the Woodlands Hotel with firsthand information concerning the Indian training programme.

Dr Rajendran informed me that three Tamil militant organisations, TELO, Eelam People's Revolutionary Liberation Front (EPRLF) and Eelam Revolutionary Organisation of Students (EROS) had already been accepted by the Government of India for the project and were in the process of sending their cadres to military training camp, somewhere in north India. He revealed that RAW was responsible for the programme and the whole clandestine affair was being co-ordinated by Mr C. Chandrahasan, the son of the late Mr SJV Chelvanayagam, the leader of the Federal Party. Dr Rajendran slowly unravelled a hidden strategy by RAW that located Chandrahasan at the helm of affairs in the Tamil freedom

struggle. He commented that Chandrahasan was willing to recommend the LTTE for the training programme, but on one condition. Naturally I enquired from him what the condition entailed. To my utter astonishment and annoyance, he had the audacity to propose that Mr Pirapaharan should accept Chandrahasan as the political leader of the Tamil liberation movement. He further said that all militant groups, after finishing the Indian training, would form the Tamil national army and carry on a guerrilla campaign while Chandrahasan led the political struggle on behalf of the Tamil nation. Adele had been following the conversation. On hearing this proposal she lost her composure. 'Under no circumstances would Mr Pirapaharan or our fighters accept Chandrahasan as their leader. If that's the condition we don't need this Indian training,' she shouted at him. A heated exchange followed. I supported Adele's position. Dr Rajendran arrogantly asserted that the LTTE would never be able to gain access to Indian military assistance without Chandrahasan's influential contacts in the intelligence agency circles and this would have disastrous consequences for the future growth and development of the organisation. He walked out of my room in anger.

I informed Mr Pirapaharan of the role Chandrahasan played and the conditions stipulated for the LTTE to gain access to the Indian training programme. Mr Pirapaharan outrightly rejected both Chandrahasan and the conditions and requested that I establish direct contacts with the Indian intelligence agencies. This posed a real challenge for me. How was I to circumvent Chandrahasan and establish contacts with a clandestine intelligence agency with no 'office' premises in Tamil Nadu? To my good fortune, we moved to a two-bed-roomed flat in Santhome, a suburb of Chennai. The local police and intelligence operatives were quickly informed of the presence of new residents in the locality. The contacts soon led to a meeting with Mr Alexander, Deputy Inspector General (DIG) of the Special Branch, Tamil Nadu Internal Intelligence. We subsequently met on several occasions and established a close rapport. He impressed me with his in depth knowledge of Sri Lankan politics and the characters involved. He knew of the covert military training programme and of Chandrahasan's relations with RAW officials.

According to Mr Alexander, Chandrahasan occupied a floor of

the Blue Diamond Hotel in the city and it was from there he operated. He further said that some of the RAW officials involved with Chandrahasan were corrupt and unscrupulous and advised me to avoid contacting them. In fact one of the RAW officials with whom Mr Chandrahasan dealt, Mr Unni Krishnan, was later arrested by the Intelligence Bureau (IB) and imprisoned for passing information concerning the Indian training programme to CIA operatives.

I conveyed to him LTTE's concern that they should also have access to the training programme. Mr Alexander advised me to write a comprehensive letter to Mrs Gandhi introducing the LTTE as the authentic armed resistance movement of the Tamils with a long history of guerrilla campaign and stating that the organisation wanted India's military assistance. He further advised me to send a copy of the letter to Mr Saxena, the head of RAW in Delhi.

Within weeks of writing, Mr S Chandrasekaran, a south Indian Tamil holding a top position in the RAW establishment flew to Chennai to meet me. A secret meeting took place in a lodge on the outskirts of the city.

The authorities in Delhi assigned Chandrasekaran to deal with the LTTE and our initial conversation revealed a man determined to fully comprehend the thinking of the movement with whom he would be working. He was an impressive personality. The nature of the questions concerning the LTTE's ideology, political objectives and the structure of the organisation were shrewdly phrased and sophisticated and it was apparent that I was in discourse with a highly intelligent man particularly well informed in the art of covert warfare. Inevitably the subject of Mr Pirapaharan's personality and political vision cropped up in the conversation. After a lengthy discussion he insisted that he should meet him to make arrangements for the training of LTTE cadres in India. He introduced me to a junior official called 'Nayar' as the contact between himself and the LTTE.

The details of this determining meeting with Mr Chandrasekaran, along with my advice for him to come to India to facilitate the arrangements for the training of his cadres, were immediately conveyed to Mr Pirapaharan. He dispatched two of his senior cadres, Mathya and Ragu, to Tamil Nadu to clarify the issue of his safety and freedom. Mathya and Ragu, when we met them in Madurai, were full of suspicion and viewed the offer of training as

a trap by the Indian intelligence agencies to arrest their leader. Mr Pirapaharan was wanted by the Tamil Nadu law and order authorities following his escape from bail after the Pondy Bazaar shooting incident.⁵ I spent several hours, from midnight till morning, explaining to them that no harm would come to Pirapaharan since the Tamil Nadu Police and RAW had assured me of his security in India. Furthermore, I explained, their leader would be safe since the Indian Government had invited him to facilitate a covert military operation. I also wrote a lengthy letter to Pirapaharan giving an assurance of his safety and explaining the necessity of his mission. Mathya and Ragu left for Jaffna immediately carrying my correspondence. The following day I received a message from Tamil Eelam that the Tiger leader would be in India soon. I was relieved and pleased that Pirapaharan was convinced of my assessment and judgement of the situation and decided to come to India.

In October 1983, Pirapaharan arrived in India along with his senior cadres. He was staying in a rented house at a secret location in Pondicherry, a small neighbouring state of Tamil Nadu. A meeting was set up between the RAW officials and the LTTE leader. Adele, two bodyguards and I travelled the long journey to Pondicherry. I spent several hours with Pirapaharan relating details of the background events since we landed in Chennai. That night, at around midnight, Mr Chandrasekaran and his associates visited our residence. A closed-door meeting between Pirapaharan, Chandrasekaran and myself took place. An instant rapport was established between the top RAW official and the Tiger leader. Mr Chandran (he wanted us to call him by his shortened name. We referred to him as Mr Moon) offered to train 200 LTTE cadres in two batches of 100 at a time. The first batch would commence in early November. It would be necessary for the LTTE cadres to travel by train to Delhi where they would be met and transported in military trucks to an army complex in Dehra Dun, in the hills of Uttar Pradesh. He requested a complete list of details of the LTTE trainees as soon as possible. Pirapaharan enquired about the nature of the military training and the weapons systems to be provided. Chandran explained that highly skilled Indian military officers would provide the training in all aspects of modern warfare, and the use of small arms to heavy weapons. The training programme would include map reading, mine laying and the use of explosives

and anti-tank and anti-aircraft weapon systems. Chandran made no commitment on the nature of arms assistance that India would provide, but said he would discuss the matter later. At the end of the meeting Mr Chandran invited the Tiger leader to Dehra Dun to observe the training of his cadres.

The Strategy Behind India's Involvement

Pirapaharan was pleased with the meeting he had with Chandran. We avoided raising any controversial issues pertaining to the motivations behind India's offer of military assistance. We wanted to establish a cordial relationship with the hierarchy of RAW. Mr Chandran, knowing that the Tamil Tigers were the most active guerrilla organisation militarily active in Tamil areas, got a detailed picture of the ground situation from the Tiger leader. Pirapaharan also assured him his cadres would be ready for training and that he would also accompany them to Dehra Dun. He carried out his pledge in a short space of time.

Hence, the LTTE became a player in the covert game launched by India. We made a conscious, calculated choice to participate because we had no alternative other than to swim with the currents of an inexorable historical process. The Indian intervention was unavoidable. It was a moral, altruistic urgency and geo-strategic necessity for India to contain a ruthless racist state bent on genocidal destruction of a minority Tamil nation in collusion with international forces with subversive intentions. Yet from the very beginning, we could grasp the motive behind India's action. In this grand clandestine scheme, the Tamil resistance movement had been allocated a specific, limited role. It was purely a military function to destabilise Jayawardane's regime and to frustrate his militaristic approach. The ultimate objective was to militarily compel Jayawardane to seek a negotiated political settlement with the Tamils. The LTTE leadership knew from the advent of Indian intervention that Mrs Gandhi had no intention of staging a Bangladesh type operation to create a separate Tamil state. The Tamil fighters were not given the role of Mukti Bahani' (East Bengali rebels) to create a ground work for an Indian military invasion.⁶ The task assigned to Tamil guerrillas was to pressurise the Sinhala armed

forces to a specific level of intensity until Jayawardane was tamed of his military arrogance. In this strategic plan, Mrs Gandhi envisaged a political settlement within a united Sri Lanka, a settlement that did not infringe the sovereignty and territorial integrity of the island. Having misread India's overall strategy, some political leaders in Tamil Nadu as well as in Tamil Eelam entertained an illusion that Mrs Gandhi was planning a military invasion. Mr Pirapaharan did not have such fantasies. He was conscious of the fact that India was offering military assistance to engage the Tamil fighters as mercenaries to achieve a limited political goal. Even such a politico-military gamble, the LTTE leader was convinced, would ultimately fail because of the stubborn and inflexible attitude of Jayawardane's regime. Though we realised the limited scope and the vulnerability of the Indian effort, we decided to take part in the programme, to be an active player in the process and enhance our military capability. If we did not participate in the Indian project our organisation, in the course of time, would be politically and militarily marginalised and eventually overwhelmed by other militant organisations who opted to receive Indian assistance to expand their manpower and firepower.

On the positive side, the Indian involvement was a morale boost for the Tamil struggle. India's diplomatic engagement with Colombo internationalised the Tamil cause. The news of India's offer of military training created such elation, euphoria and hope in the Tamil homeland it prompted thousands of young men to scramble to join the armed struggle. The young Tamils preferred to join the Liberation Tigers because of their dedication, discipline, achievements and, above all their growing popularity among the popular Tamil masses. But Mr Pirapaharan was not enamoured by the idea of over-inflating the ranks of the organisation by embracing every enthusiastic youth. Already hundreds had joined the movement immediately following the July riots. Pirapaharan was realistic and cautious. For him discipline was the more crucial than expansion. Furthermore, he was a firm believer in the systematic evolutionary growth of the organisational structure, particularly the military. Abnormal expansion, in his view, would cause serious problems of discipline leading to disintegration, a phenomenon that occurred later in the other militant organisations. The Tiger leader's adherence to a strict code of conduct as the basis of recruitment

opened the floodgates of youth to other militant groups. Thus, the Indian covert programme suddenly resurrected to active life all other dormant Tamil groups hibernating in Tamil Nadu. This upset the balance of forces to the disadvantage of the LTTE, which had been active on the ground in Sri Lanka and was evolving systematically into a highly disciplined guerrilla organisation. This sudden, unprecedented expansion of other militant organisations, some of whose ranks enlarged into thousands, posed a serious challenge to the LTTE but Mr Pirapaharan was not seriously disturbed. He had his own scheme to gradually strengthen and expand his liberation organisation in time. The opportunities came in the year 1984 during which period the LTTE underwent massive structural transformation from a small underground guerrilla organisation into a well-organised national liberation army.

The Indian military training to experienced, battle hardened Tiger guerrillas enhanced their skills, knowledge and fighting capability. The LTTE learned from the Indian military hitherto unknown elements of the art of modern warfare. But the scope of the training was limited to only two hundred fighters. The quantity of the arms supplied was small and the quality was very poor. Pirapaharan was deeply disappointed with the weapons systems. Most of the rifles, machine guns and mortars (60mm) were antiquated and unusable, he told me. We realised later that the Indian authorities did not want to provide modern, sophisticated weapon systems. It was a calculated policy to restrain the military capability of the Tamil rebel movement to a particular level of development. For Pirapaharan, who entertained a vision of creating an elite fighting formation with modern weapons systems, the Indian military inputs were totally inadequate. Though disillusioned with the weapons system he felt that the military training was useful. The other major obstacle that frustrated Pirapaharan's yearning to expand and modernise his military structure was the lack of funds. The LTTE was practically bankrupt. We did not get any financial assistance from the Government of India. It was brought to our knowledge that the TELO, EPRLF and EROS were receiving funds from Chandrasaharan, possibly channelled through RAW. Our situation became critical when we needed additional funds to cater for the new recruits. We were struggling with great difficulty, with little funds obtained from friends and supporters in the Tamil diaspora.

At that time, the international Tamil diaspora was not fully mobilised and organised to backup the liberation struggle. In a situation where other Tamil militant organisations were fiercely competing with each other for dominance and supremacy, the LTTE faced a critical challenge. The organisation desperately needed funds to develop and expand. It was at this crucial juncture, the unexpected happened. We found a great benefactor, the Chief Minister of Tamil Nadu, Mr MG Ramachandran (MGR).

The events and circumstances that led to the successful encounter with this all powerful and popular leader and his magnanimous gesture of donating millions of rupees in support of our freedom struggle was given extensive treatment in an article entitled 'MGR and the Tigers' published in my Tamil language book '*Liberation*'. It is suffice to note that the close and intimate relationship developed between the Tiger leader and MGR and the firm political support and huge financial assistance provided by this legendary figure became the cornerstone for the development of the LTTE.

The War of Liberation Escalates

The entrance of MGR into the Tamil liberation struggle with a firm commitment to support the LTTE marked an historical turning point. With the new found availability of seemingly unlimited funds, Pirapaharan's plans transformed into concrete reality. In 1984 the LTTE underwent rapid development and growth expanding its structures into a well-organised liberation force. New military camps were set-up in the remote jungles of Tamil Nadu. A large number of new cadres were recruited. Senior LTTE commanders who underwent special training with the Indian army assumed the role of instructors. Pirapaharan also allocated substantial amounts of money for the development of the political wing. In the meantime, large quantities of small arms and new heavy weapons were procured from the international arms market.

As the trained LTTE fighters returned to their bases in Tamil Eelam, the guerrilla campaign against the Sinhala armed forces intensified. The months of August and September marked the escalation of the war of liberation. More than one hundred military

and police personnel were killed in attacks during those months. Several vehicles, including armoured cars, were destroyed and well-guarded police stations were attacked. These sustained guerrilla assaults in different areas of the Tamil homeland caused confusion, terror and demoralisation among the armed forces. I document below, in chronological order, some of the guerrilla operations by the LTTE fighters during the months of August and September 1984.⁷

On 4 August 1984 at Poligandy, a coastal village near Pt Pedro in the Jaffna peninsula, six navy men on morning patrol were killed and three others seriously injured in an armed confrontation with LTTE guerrillas.

The following morning a military convoy of three armoured cars, one truck and a jeep came under attack at Nediyaaku, a village near the coastal town of Valvettiturai in the peninsula. Nine police commandos were killed and many injured when the jeep they were travelling in received the full impact of the blast from the landmine hidden on the road. A senior police official, Assistant Superintendent of Police, Jayaratne was among the dead. On the same day a guerrilla commando unit raided the police station at Ottusuddan, a small town about 20 miles from Mulliativu in the northern province killing eight police personnel. The surviving officers fled.

Thirteen soldiers lost their lives on 11 August when LTTE fighters ambushed a military convoy on the Mannar-Poonagarin Road near Vellamkulam in Mannar district.

An assault unit launched a sudden attack on the heavily guarded Valvettiturai Police Station on the 14 August. An hour-long gun battle left several police and military personnel seriously injured.

Eight soldiers died at Karaveddy on 24 August when LTTE fighters ambushed and destroyed an armoured personnel carrier. In another incident on the same day a landmine explosion killed three military mine experts at Atchuvely in the Jaffna peninsula.

The LTTE military campaign continued and 20 police commandos were killed and more were seriously injured on 1 September when the guerrillas ambushed a police convoy en route at Thikkam, a village on the northern coast. On 10 September fifteen more soldiers were added to the rising armed forces casualty figures when another military convoy was attacked at Semmalai, again

near the town of Mullaitivu.

While the Liberation Tigers intensified their guerrilla campaign and inflicted heavy casualties on the Sri Lankan armed forces, the other militant organisations started to carry out attacks in the latter part of 1984, escalating the Tamil insurrectionary violence. On 21 October 1984 a series of explosions rocked Colombo, causing panic and chaos in the capital. Ten blasts occurred in different locations of the city near important state institutions, killing three persons and injuring scores of civilians. EROS claimed responsibility for the blasts. Armed TELO cadres launched a well-planned attack on Chavakachcheri Police Station on 20 November, killing 24 policemen and completely destroying the building. The ability of the Tamil rebel movements to escalate their violent assaults on the capital alarmed the government.

The intensification of the guerrilla campaign by the Tamil liberation organisations with the active support of the Indian government shook Jayawardane. Yet he remained inflexible and intransigent. He refused to grant concessions to the Tamils even under severe military pressure. Because of the unyielding, hard-line attitude of the Sinhala political leadership, the All Party Conference, which had been deliberating on Parthasarathy's proposals for several months, reached an impasse. India's two-pronged strategy aimed at compelling Jayawardane to pursue a rational path of negotiated settlement, had no effect on the Machiavellian politician who refused to yield. At this critical juncture, an unforeseeable historical tragedy occurred to radically change Indo-Sri Lanka relations: Sikh bodyguards assassinated Mrs Indira Gandhi on 31 October 1984.

The sudden demise of Mrs Gandhi plunged the Tamil nation into deep despair and gloom. The shocking incident devastated all hopes and aspirations of the Tamil people. While the Tamils grieved, raising black flags in their homes and shutting down shops and schools, Sinhala soldiers danced with joy on the streets in Tamil areas. For the armed liberation movement, Mrs Gandhi's death was a severe blow, an irreparable loss of a formidable moral force. As the Tamils feared, change in the corridors of power in Delhi following her assassination had its adverse effects on the Tamil struggle. She was a shrewd, sophisticated politician with a strong personality and had a profound knowledge about the

complexity of the Sri Lanka political scene; an Indian leader sympathetic towards the plight of the Tamil people and determined to secure their rights and aspirations. But most importantly, Mrs Gandhi understood the mindset of Sinhala leaders well and knew how to make them apprehensive with her vague, ambiguous and acrimonious statements. Given the history of Mrs Gandhi's historical role in the creation of Bangladesh, Jayawardane harboured a fear that Mrs Gandhi might launch an invasion of Sri Lanka over the ethnic issue and create a separate state for the Tamils. Commenting on Jayawardane's apprehensions, Mr Dixit noted, 'he often speculated to me that had Mrs Gandhi continued in power she would have broken Sri Lanka to two by 1985.'⁸ Mrs Gandhi's death and the assumption to power of her son, the young, inexperienced, impulsive Rajiv Gandhi, had its negative fallout on Indo-Sri Lanka relations, to the grave disadvantage of the Tamils.

New Administration in Delhi

As soon as he assumed power as the Prime Minister of the largest democracy in the world and the regional superpower in south Asia, Rajiv Gandhi, influenced by new advisors and associates, wanted to effect changes in India's foreign policy. He held the view that his mother's policies towards India's neighbours were aggressive and domineering. Furthermore, he was averse to some of the old guard who had been close to Mrs Gandhi in formulating foreign policy. Rajiv Gandhi did not favour Parthasarathy's cautious and subtle diplomacy. He was impatient and impulsive and wanted concrete results quickly. Because of these contradictory approaches and perceptions, the relations between the two became antagonistic. Subsequently, in the early part of 1985, the role of Parthasarathy in handling the Sri Lanka issue was handed over to the new Foreign Secretary, Romesh Bhandari, a close confidante of Rajiv Gandhi. The new Prime Minister also favoured a radical change of policy towards Sri Lanka. President Jayawardane deeply impressed Gandhi when they met briefly at his mother's funeral. Jayawardane, displaying his charm and shrewd diplomacy, presented himself as a wise old statesman, a devout Buddhist seeking friendship and a harmonious relationship with India. He introduced himself as a friend of Nehru and Mahatma Gandhi from the times

of the Indian freedom struggle. Jayawardane also impressed on him that as a young Prime Minister of a great nation he had a tremendous responsibility in building up friendly relations with neighbours and to ensure peace and stability in the region. Touched by Jayawardane's friendly gesture and wise admonitions, Rajiv told him that the approach of his administration towards Sri Lanka would be fundamentally different from his mother's more partisan attitude. He assured Jayawardane that the new mediatory effort of his government would be neutral and objective. When Rajiv declared that his administration was committed to ensuring the unity, sovereignty and territorial integrity of Sri Lanka, Jayawardane was relieved of any apprehensions concerning India's intentions. Thus the groundwork was laid for a new relationship and a new policy orientation towards Sri Lanka. Mrs Gandhi's congenial policy towards the Tamils had come to an end.

In January 1985 I met Parthasarathy at his residence in New Delhi. He sounded dejected and dispirited. Clearly the sudden demise of Mrs Gandhi coupled with Rajiv's cool and indifferent attitude toward him had had a demoralising effect on the aging diplomat. He proceeded to explain to me the new foreign policy perspective Rajiv's administration would adopt. Friendly persuasion instead of assertive diplomacy would be the new approach taken by Delhi, he said. Convinced of Jayawardane's 'good intentions' Rajiv believed that the Tamil issue could be resolved through peaceful means: through negotiations and dialogue. Talks would soon take place involving the Tamil rebel movements and a solution would be found within the unitary structure of Sri Lanka, he further elaborated. Mr Parthasarathy indicated to me that Mrs Gandhi's covert operation would be dropped and a ceasefire would be enforced before the commencement of the negotiations. He confessed that he could not convince Rajiv of Jayawardane's deceitful, duplicitous character. In the end he confided to me that he might not be able to play a determinate diplomatic role in the Indo-Sri Lanka affairs. His advice to the Tamil political organisations was for them to forge a unity, formulate a common programme and to prepare for a difficult and demanding negotiating process with the Sri Lanka state. Mr Parthasarathy also told me that the Indian intelligence agencies would soon brief us on the new policies and approaches of Rajiv's administration.

On my return to Chennai I fully briefed Mr Pirapaharan on the contents of the conversation I had with Parthasarthy. He had been anticipating changes in India's foreign policy following Mrs Gandhi's death, so he was not perturbed to hear of the policy orientation of the new administration. At the same time, he was not in favour of a sudden cessation of armed hostilities at that juncture since he was planning military offensive operations. In the early part of 1985 two major offensive operations were launched against the Sri Lanka forces, one by TELO and the other by the LTTE.

On the night of the 19 January, TELO fighters blasted Colombo bound Yal Devi express train at Murukandy, a small town in Vanni, northern Sri Lanka, in which a contingent of troops were travelling. The explosion ripped through several carriages killing 22 military personnel and 10 civilians. Scores of soldiers were injured. TELO fighters also engaged military reinforcements that rushed to the scene of the explosion.

In the early hours of 13 February, heavily armed LTTE guerrillas launched a sudden attack on the well-fortified military camp at Kokilai, a strategically important coastal town in the Mullaitivu district. The battle lasted more than five hours. One hundred and six soldiers were killed, the heaviest casualties suffered by the army at the hands of the Tigers. Sixteen LTTE fighters died. It was a humiliating military debacle for the Sri Lanka army. Infuriated, Sinhala soldiers launched a retaliatory assault on a Tamil refugee camp near Mullaitivu town killing 52 civilians. When TULF leaders pleaded with India to intervene 'to stop the genocide of Tamils' Delhi maintained a calculated silence. This attitude of indifference indicated a change in India's policy orientation towards Sri Lanka. This new policy, based on the principles of neutrality, non-interference, and negotiated resolution to the conflict was clarified to the LTTE and other Tamil militant organisations when they met the heads of Indian intelligence agencies in the early part of March 1985.

Mr Pirapaharan and I first met Mr Girish Chandra Saxena⁹, the head of RAW, at a secret location in Chennai. Officials of the agency arranged the meeting. An imposing personality, very tall and fair with sparkling eyes, Mr Saxena spoke eloquently in his commanding baritone voice. The meeting was more a monologue than a dialogue; a lecture in which he outlined India's policy and

strategy, past (Mrs Gandhi's) and present (Rajiv's). The Government of India under Mrs Gandhi had serious geo-strategic concerns when Jayawardane invited external forces and agencies inimical to India's interest into the island to crush the Tamil struggle. The July '83 riots escalated to genocidal proportions, forcing hundreds of thousands of Tamil civilians to seek refuge in India, inflaming nationalist passions in Tamil Nadu and causing a serious destabilising effect on India's national security. These adverse conditions, Mr Saxena explained, necessitated Indian intervention. The central objective behind India's efforts was to contain the violence against the Tamil civilian populace, restore peace, ethnic reconciliation and, most importantly, stability in the region. He clarified further: the Tamil militant organisations were given military assistance to defend and protect the Tamil civilians and to prevent state military excesses. Mrs Gandhi had never entertained ideas to undermine the territorial integrity and sovereignty of the island. She wanted Jayawardane to give up the military option and to seek a political settlement within a united Sri Lanka. Mr Saxena said that India could not support the Tamil aspirations for a separate state since it would have far reaching implications in a country that had to deal with several secessionist movements. Staring at Pirapaharan, Saxena raised his voice 'You should understand and appreciate India's position,' he declared. The new Prime Minister wanted to build better relations, friendly relations with Sri Lanka, Saxena explained. He would adopt a fresh, new methodology of mediation to initiate a peace dialogue involving all Tamil organisations in a congenial environment of peace and normalcy. Concluding, he said the time was fast approaching for Tamil armed organisations to cease all hostile offensive operations and prepare for talks with the Sri Lanka government under Indian mediation. With that he left: the meeting was over. He made no attempt whatsoever to solicit our views. His junior officials explained that he had to rush to attend another meeting with other Tamil organisations.

Mr Pirapaharan was neither surprised nor disappointed with Saxena's explanation of India's involvement in Sri Lanka affairs. He, however, was not pleased with the Indian proposal for a ceasefire; he felt it to be premature. Pirapaharan assumed that Jayawardane would not concede anything to the Tamils until the

military power of the state had been weakened and its combat ability incapacitated. Furthermore, Pirapaharan viewed Rajiv's assessment of Jayawardane's intentions as fundamentally flawed.

A few days after the meeting with the RAW boss, we had an interesting encounter with Mr MK Narayanan, Director of India's Intelligence Bureau (IB), again at a secret location, but this time in the ancient Hindu city of Kasi. Temperamentally, Mr Narayanan and Mr Saxena were poles apart. Mr Narayanan was affable and accommodative, a charming personality displaying an earnest disposition to listen to others opinions and aspirations. He encouraged us to be open and frank. Explaining the current thinking in Delhi, Mr Narayanan said that Rajiv's administration had innovative ideas on conflict resolution and new approaches to inter-state relations. The centre wanted to create South Asia into a zone of peace and tranquillity, a politically stable region free from the interference of external forces of subversion. India, as South Asia's super-power, had immense responsibilities to create a new order of peace and stability in the region by building friendly relations with her neighbours. With this new vision, Mr Narayanan explained, Delhi wanted to initiate a peace process to secure a negotiated settlement to the ethnic conflict. The Government of India, he said, expected cooperation and understanding from all Tamil political forces, particularly from the armed rebel movements, in seeking a settlement that would meet the genuine political aspirations of the Tamil people. Mr Narayanan then asked us as to whether we had any reservations about the government of India's new initiative.

Pirapaharan and I explained to him the history of the intolerable conditions of state repression that led to the emergence of Tamil armed resistance. We reminded him that the Tamils were forced to adopt violent methods of resistance against the violence of the state after decades of non-violent agitations premised on Gandhian principles of 'ahimsa'. Pirapaharan explained that the Tamil Tigers did not adulate or idolize violence but were forced to choose it as the ultimate course of action for the preservation of our race and identity. He felt that the people would be grateful and appreciative if India could obtain justice and fair play through peaceful methods. Nevertheless, Mr Pirapaharan went on to express serious reservations about the aims and designs of the Sinhala political leadership irrevocably enmeshed in racist ideology. We conveyed

our serious reservations concerning Rajiv's assessment of Jayawardane's intentions. We warned that the Machiavellian mind of Jayawardane might easily mislead the inexperienced Indian Prime Minister to the detriment of the Tamils.

Narayanan patiently listened to us and said that he understood our suspicions and apprehensions. Ultimately, however, he urged us to extend our co-operation to India's efforts to initiate a negotiated peace process.

LTTE Joins ENLF

From the assessments presented by Parthasarathy and the heads of India's intelligence agencies on the foreign policy determinations of Rajiv's administration, we assumed that India would soon arrange for a ceasefire and political negotiations. Jayawardane, in our calculations, would agree for a cessation of hostilities; he had nothing to lose. Firstly, for a government facing escalating violence from Tamil guerrillas, a ceasefire would have the advantage of easing the military pressure on the state's armed forces. Secondly, the government could adopt a hard-line position during the talks and continue refusing to offer anything substantial to the Tamils. Rajiv's peace project therefore suited Jayawardane's crafty scheme but would have disastrous consequences for Tamil interests. We could foresee an impending conflict of interests between India's new policy projection towards the Sri Lanka state and the aspirations of the Tamil freedom movement.

The emerging scenario posed a critical challenge. The LTTE could not face the new political reality as a separate organisation. The time had come for all the Tamil political organisations to confront the challenge as a collective force. The objective historical conditions of that juncture necessitated a united front of Tamil politico-military organisations. TELO, EPRLF and EROS had already formed an alliance in April 1984 under an umbrella organisation called the Eelam National Liberation Front (ENLF). I held the view that the best option open to the LTTE was to join the ENLF, but I had the difficult task of convincing Mr Pirapaharan of the necessity of forging a united front. I impressed upon him the need to formulate a common politico-military strategy for a united

front of Tamil liberation organisations to confront the new developments and challenges arising from the fresh initiatives of the Delhi administration. I explained to him the danger of isolation and marginalisation if we stood alone. If the Tigers were to form an alliance with the ENLF the Tamil liberation movement would transform into a formidable force, an effective, powerful armour confronting the constraints of India's assertive diplomacy. After much discussion, I succeeded in persuading the Tiger leader. With his consent I met the ENLF leaders, Mr Sri Sabaratanam (TELO), Mr Pathmanaba (EPRLF) and Mr Balakumar (EROS), and informed them of our willingness to join the ENLF. I also had extensive discussions with them concerning the formulation of a common political and military programme. Delighted to embrace the Liberation Tigers into their fold, the ENLF leaders requested a meeting with Pirapaharan to discuss the details of a common programme and to sign the 'unity declaration'.

On 10 April 1985 a secret meeting was arranged in a hotel suite in Chennai. I accompanied Mr Pirapaharan to the location to meet the ENLF leaders. Pirapaharan knew Sri Sabaratnam from the early years of the struggle. Balakumar, the EROS leader, had previously met him at the LTTE's political office in Indira Nagar, Adyar, Chennai. The EPRLF leader, Pathmanaba, met Mr Pirapaharan for the first time. The meeting was warm and cordial. The four leaders agreed, without reservation, on the need to chart a joint programme of action. The common political goal was to fight for the independence of the Tamil homeland based on the right to self-determination of our people. A unified military programme, Mr Pirapaharan explained, had to evolve systematically, through co-ordinated action. Until such time each organisation would carry out its own operations against the Sri Lanka armed forces. In view of India's new diplomatic efforts to stage a negotiating process it was decided that the ENLF leaders should meet regularly and discuss developments. Finally, the four leaders signed a joint memorandum pledging to fight for the political independence of the Tamil nation.

From the very day the LTTE joined the ENLF, insurrectionary violence flared up and spread like wild fire, engulfing the Tamil nation. At 10p.m on 10 April LTTE guerrillas launched a massive assault on the well-fortified Jaffna Police Station Headquarters near the Fort military garrison. LTTE fighters took up strategic positions

in front of the police station and pounded the building with rocket and mortar fire. Unable to withstand the fury of the assault, the police personnel fled to the Fort leaving behind their dead and injured. The contingent of troops who rushed to the scene of attack was beaten back by Tiger commandos. The entire police complex, including the headquarters' building and the office of the DIGP, was completely destroyed. The Tiger guerrillas disappeared in the morning, taking with them the huge arsenal of arms and ammunition.

Following the assault on the Jaffna Police Station, each member organisation of the ENLF mounted a series of guerrilla operations on military posts, police stations and army convoys, inflicting heavy casualties on the Sri Lanka armed forces. The months of April and May 1985 recorded the worst incidents of rebel violence. As an Indian commentator puts it:

'Sri Lanka was shaking like an aspen leaf...the spiralling violence in Tamil areas was frightening. Suddenly, coinciding with the LTTE's joining the ENLF, all militant groups - including PLOTE which remained outside the ENLF - appeared to have found a new resolve. They were harassing the Sri Lankan forces almost throughout the length and breadth of the sprawling northeast, as if they were implementing a well-drawn plan to make Colombo kneel.'¹⁰

While the Tamil guerrilla campaign escalated, causing havoc to the Sri Lanka armed forces in the Tamil homeland, the new Indian Foreign Secretary, Ramesh Bandari, made frequent visits to Colombo to secure an agreement with President Jayawardane for ceasefire and negotiations. With military pressure mounting on his security forces, Jayawardane had no alternative but to yield to India's proposal. Nevertheless, Jayawardane agreed to negotiate with the Tamil liberation organisations, only on the conditions that India should forthwith terminate all military assistance to the Tamil rebel movements and force them to relinquish their campaign for an independent state. Having obtained a firm assurance that the Government of India would fulfil his conditions, Jayawardane consented to a ceasefire. Dates for a ceasefire and peace talks were also agreed upon during Bandari's shuttle diplomacy. Cessation of all armed hostilities between the parties in conflict - the Sri Lankan

state and the Tamil rebel movements - was to be implemented from mid-June and peace negotiations to be followed in mid-July. India and Sri Lanka agreed to hold the talks in a third country, the Himalayan Kingdom of Bhutan.

Driven by deep distrust of Jayawardane's intentions, Pirapaharan and other ENLF leaders were of the view that a ceasefire would be militarily advantageous to the beleaguered Sinhala troops. The sustained guerrilla campaign of the Tamil resistance movement, particularly by the LTTE, would become futile if hostilities were suspended at a peak moment of escalated offensive, without realising the strategic objective of weakening the military power of the state. Pirapaharan and other leaders of the ENLF expressed their reservations and disappointments when they met Mr Chandrasekaran of the RAW at a meeting in Chennai during early June. The ceasefire would provide time and space, the militant leaders argued, for the Sinhala armed forces to re-organise, re-arm and revitalize their combat capability, while the Tamil guerrilla formations would become demoralised from inactivity. Mr Chandran was not in a mood to listen. He said that enough damage had been inflicted on the Sri Lanka forces and further devastation might destabilise the state, and India would not favour such a situation. He further argued that Rajiv Gandhi and Ramesh Bandari had expended a great deal of diplomatic energy to compel Jayawardane to agree to a ceasefire and negotiations. Jayawardane's consent to talk to militant organisations, in Chandran's assessment, was a legitimacy given by the Sri Lanka government to Tamil rebels as authentic representatives of the people. He pleaded with the ENLF leaders to agree to the ceasefire and said the Government of India would not let down the Tamil guerrilla movement if there were any negative consequences. With great reluctance Pirapaharan and other leaders of the ENLF agreed to observe ceasefire if the Government of India ensured the good behaviour of the Sri Lanka forces. On the 18 June 1985 a cessation of hostilities between the Government of Sri Lanka and the Tamil liberation organisations was officially announced.

The ceasefire agreement comprised of four phases denoting periods of time, during which the government of Sri Lanka was obliged to take a series of actions that had to be reciprocated by the rebel organisations, leading to de-escalation and total cessation of

hostilities. Mr Pirapaharan was not satisfied with certain terms and obligations of the ceasefire agreement. The absence in the agreement of guarantees and safeguards to protect Tamil civilians from violence emanating from the armed forces and armed Sinhala settlers displeased Mr Pirapaharan. Furthermore, he argued we should insist that the Government of Sri Lanka submit a concrete framework of proposals for a political settlement. I advised Pirapaharan to represent our views and concerns through the joint leadership of the ENLF. Accordingly we called an emergency meeting of the ENLF on the day the ceasefire was declared and informed the leaders of the Front of our position. There was a consensus of opinion that the ceasefire agreement had serious flaws, which should be brought to the notice of the Government of India. The Front leaders agreed with Pirapaharan's suggestion to request the Government of Sri Lanka, through the good offices of India, to present a comprehensive framework of proposals as a basis for negotiations. This demand would preclude Jayawardane from prolonging the dialogue and evading political solutions, we contended. I agreed to a request from the ENLF leaders to formulate a joint memorandum on behalf of the Front to be forwarded to India. Mr Pirapaharan and the other ENLF leaders signed the document and it was sent to Delhi through RAW officials. Extracts from the joint memorandum stated:

'We have carefully considered the set of proposals submitted to us by the Government of India to bring about a cessation of hostilities between Sri Lanka's armed forces and the Freedom Fighters of our Liberation Organisations. Appreciating the mediatory role and the good offices provided by the government of India and accepting the assurances and guarantees offered to us, we, the undersigned Liberation Organisations have made a collective decision to observe ceasefire for a stipulated time to help to create a congenial atmosphere and conditions of normality and to facilitate the Government of Sri Lanka to put forward a package of concrete proposals on the acceptability of which negotiations for a permanent political solution to the Tamil national question can be commenced.

While we agree to suspend all hostilities to a limited span of time, we wish to state that certain terms and conditions outlined in the proposed framework for ceasefire, place us in a disadvantageous position. We wish to outline below some of our suggestions and counter proposals...

We propose that the Sri Lankan Government should present a comprehensive programme for a political settlement following the declaration of ceasefire... We wish to state categorically that the commencement of negotiations is conditional upon our acceptance of this political programme. We have taken this position as a consequence of a long and bitter historical experience of deceptions and betrayals by successive Sri Lankan Governments who have consistently resisted a fair and honourable settlement to the Tamil problem. It is also well known that Sri Lanka had abrogated several pacts and proposals and failed to implement agreements. We should point out that Sri Lanka also adopts an invariable practice of prolonging and postponing dialogues to evade arriving at a practical solution.... We do not wish to be victims of this futile exercise, but rather demand that a concrete set of proposals in a broad framework should be submitted to us for our consideration before deciding to participate in the process of negotiations.¹¹

The memorandum did not receive a favourable response from the Government of India. Mr Chandrasekaran telephoned me from Delhi to express India's displeasure. The Indian Foreign Ministry was of the opinion, he explained, that the ENLF had attempted to impose an unacceptable condition on the Government of Sri Lanka for the commencement of talks. I conveyed to Pirapaharan how the Indian government viewed the memorandum. An ENLF meeting was convened to discuss the issue and the leaders unanimously decided to stand firm on their demand that the Sri Lanka government submit a concrete set of proposals for our consideration before the commencement of talks. Subsequently I conveyed to Delhi, through Mr Chandrasekaran, the collective decision of the

Front. His response to the decision was hostile and the conversation ended with a warning that all the ENLF leaders, including Mr Pirapaharan, would soon be summoned to Delhi for 'briefing'. In my assessment, open confrontation between the Tamil liberation organisations and the Government of India seemed inevitable.

On 3 July 1985 an Indian military aircraft flew Pirapaharan and myself, along with the other ENLF leaders and their political assistants, to New Delhi where we were accommodated in a five star hotel in the heart of the city. High ranking RAW and Indian Foreign Ministry officials met us and embarked on a lengthy exposition of the difficult diplomatic exercise Ramesh Bandari had undertaken to persuade the Jayawardane regime to agree to enter into a negotiating process with the Tamil rebel organisations. It was a major diplomatic breakthrough for India as well as gaining legitimacy and international recognition for the Tamil resistance movement, a remarkable achievement, the Indian official argued. The theme of the discourse was aimed entirely at dissuading the ENLF leaders from imposing conditions for talks. The crowning episode of our visit to Delhi was the meeting with Mr Saxena at his official headquarters. In characteristic style, the RAW boss bluntly demanded the cooperation of the Tamil rebel leaders with India's genuine efforts to resolve the Tamil ethnic conflict. He warned us that the new Indian government would not tolerate defiance and intransigence and would be compelled to withdraw protective sanctuary for the Tamil militant organisations. 'The talks are scheduled to be held in Thimpu, the Bhutanese capital in two weeks time. The dialogue will be unconditional and if you refuse to attend neither Indian soil nor Indian territorial waters will be made available to you,' he declared, glaring at the cheerless, sombre faces of the Tamil guerrilla leaders. Finally he urged all of us to seriously reflect on what he had said and to come out with a positive decision the next day.

We returned to the hotel and immediately went into confabulations. Pirapaharan was forthright; he had no wish to antagonise India and the ENLF should participate in the peace talks. I supported his position and without reservation the other leaders agreed. The next morning the decision of the ENLF leadership to participate in the peace talks without conditions, was conveyed to the Indian government.

The Thimpu Talks

The peace talks held in Thimpu, the Bhutan capital, comprised two rounds of negotiations. The first round started on 8 July 1985 and concluded six days later on the 13 July. H W Jayawardane, a lawyer and brother of President Jayawardane led the Sri Lanka government delegation. The remaining delegates were either legal experts or bureaucrats.

Since there was no high political representation in the Sri Lankan negotiating team, the member organisations of the ENLF decided to send senior members as their delegates. Accordingly, Lawrence Thilagar and Sivakumaran (Anton) represented the LTTE in the first round, and Yogaratnam Yogi joined the team for the second session. Varatharajaperumal and Katheswaran Loganathan represented the EPRLF. The TELO representatives for the first session were Charles and Bobby and Nadesan Satyendra also attended the discussions the second time. EROS was represented by E. Ratnasabapathy and Shankar Rajee, the two founder members from London. Representing PLOTE were Sidhartan and Vasudeva. The TULF was the exception opting to send A.Amirthalingam, Mr Sivasithamparam and R Sampanthan, its most senior leaders.

As a united front of Tamil liberation organisations the ENLF played a crucial role in the determinations of the Thimpu deliberations i.e. formulation of the agenda and procedures and the debates. The Indian government established a 'hot line' at a secret location in Kodambakam, Chennai to facilitate a communication link between ENLF leaders and their representatives at the venue for talks in Thimpu. Mr Pirapaharan invested me with the responsibility of guiding and monitoring the LTTE delegation and then he left for an LTTE military training camp in Salem. Everyday, until the Thimpu sessions concluded, I and the other ENLF leaders visited the hot-line location for briefings of the sessions and to advise our delegations.

The Bhutanese Government hosted the negotiations and the Foreign Minister of Bhutan, Lyonpo Tsering formally inaugurated the talks. Mr Chandrasekaran and another senior Indian official facilitated the talks. They liaised with both delegations, but were not present during negotiations. With the commencement of the

plenary session, the talks soon turned into verbal warfare between the parties. The Sri Lanka government delegates questioned the legitimacy of the Tamil militant organisations and challenged their claim to be the representatives of the Tamil people. This provoked a nasty, acrimonious debate. Deeply offended by the degrading, verbal assaults, the Tamil organisations unanimously decided that all written submissions at the talks should be signed by all the participant organisations collectively as the 'Delegation of the Tamil people'. The antagonistic and rancorous attitude of the Sinhalese delegation had the positive impact of generating the feeling of solidarity among the Tamil delegates and helped to forge a unity.

Hector Jayawardane, the head of the Sri Lanka delegation, presented a set of proposals, which were nothing other than the defunct District Development Council framework, already rejected by the TULF at the All Party Conference the year before. These proposals demonstrated the lack of seriousness on the part of the government to seek a fair and reasonable settlement. The Tamil delegations rejected the government's proposals and refused to discuss them. Tracing the history of previous talks, agreements and betrayals by the Sinhala leadership, the Tamil delegates argued that it was the unwavering responsibility of the state to offer a meaningful solution to the ethnic conflict 'worthy of our consideration'. The collective voice of the Tamil delegates emphasised that they could only present a guideline of basic principles upon which the government should formulate a comprehensive framework of proposals. The four cardinal principles presented by the Tamil delegation were as follows:

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 Thimpu Declaration enunciated as a joint statement by all Tamil delegations on the concluding day (13 July) of phase one of the Thimpu talks further stated:

'Different countries have fashioned different systems of governments to ensure these principles.

We have demanded and struggled for an independent Tamil state as the answer to this problem arising out of the denial of these basic rights of our people. The proposals put forward by the Sri Lanka Government delegation as their solution to this problem are totally unacceptable. Therefore we have rejected them However, in view of our earnest desire for peace, we are prepared to give consideration to any set of proposals, in keeping with the above mentioned principles that the Sri Lankan Government may place before us.'

The second round of Thimpu talks resumed on the 12 August. Hector Jayawardane read out his prepared statement, denouncing all but one of the Thimpu principles. On the principle dealing with citizenship rights he contended that the government would address the issue. Rejecting the concept of a Tamil homeland, he argued that Tamils lived all over the island and Sri Lanka was the homeland for Tamils, Sinhalese and other ethnic communities. He refused to accept the concept of Tamil nationality. Tamils, he argued, did not constitute a nation of people but a minority ethnic group. Defining self-determination as a right entitled only to nations of people under colonial rule, he out rightly rejected claims to the right to self-determination by minorities living in an independent sovereign state. In conclusion he argued:

'If the first three principles are to be taken at their face value and given their accepted legal meaning, they are wholly unacceptable to the government. They must be rejected for the reason that they constitute a negation of the sovereignty and territorial integrity of Sri Lanka, they are detrimental to a united Sri Lanka and are inimical to the interests of the several communities, ethnic and religious in our country.'

The Tamil delegates presented an extensive critique of the 'rigid and inflexible' attitude adopted by the Sri Lanka delegation. They argued passionately in support of the cardinal principles and reiterated that the Tamils constitute a nation of people with an identifiable homeland and, most importantly, the Tamil people have the right to self-determination. The Tamil delegation thus explained:

'...our demand for self-determination had evolved and taken shape historically through the determined political struggles of our people. We stated that the Tamils of Eelam or Tamil Eelam, constituted a nation with a common heritage, a common culture, a common language, and an identified homeland and further that they were a subjugated people and as such they had the inherent right to free themselves from alien subjugation. It is the right to self-determination that has come to be recognised as one of the peremptory norms of general international law. We stated that in upholding the right to self-determination, we as a people have the liberty to determine our political status, to freely associate or integrate with an independent state or secede and establish a sovereign independent state. We mentioned, however that enumeration of the principles enunciated by us did not entail that we were opposed to any rational dialogue with the government of Sri Lanka on the basis of such principles....

The Sri Lankan Government delegation failed to engage in any discussion concerning the basic framework that we had enunciated. This was despite the circumstances that the members of the Tamil delegation specifically requested the Sri Lankan government delegation to honour that which it had stated in its own statement on 12th August i.e. to engage in a 'fruitful exchange' of views.

The Sri Lanka Government delegation presented instead its so-called 'new proposals' on 16 August 1985. These 'new proposals' are a rehash of the earlier proposals with the right to certain District Councils to function as Provincial Councils. The 'new proposals' do not recognise that the Tamils of Sri Lanka constitute a nation. The 'new proposals' do not recognise that the Tamil speaking people have the right to an identified homeland. The 'new proposals' do not recognise the inalienable right of self-determination of the Tamil people. And finally the 'new proposals'

do not secure the fundamental rights of the Tamil people.... And accordingly the 'new proposals' fail to satisfy the legitimate political aspirations of the Tamil people...

The four basic principles that we have set out at the Thimpu talks as the necessary framework for any dialogue with the Sri Lankan Government are not some mere theoretical constructs. They represent the hard existential reality of the struggle of the Tamil people for their fundamental and basic rights. It is a struggle which initially manifested itself in the demand for a federal constitution in the 1950s and later in the face of continuing and increasing oppression and discrimination, found logical expression in the demand for the independent Tamil state of Eelam or Tamil Eelam.... We call upon the Sri Lankan Government to state unequivocally whether it is prepared to enter into a rational dialogue on the basis of the framework set out by the cardinal principles enunciated by us at these talks.¹²

As both the delegations took entrenched, uncompromising positions the negotiations reached a stage of impasse. Mutual accusations of ceasefire violations further aggravated the stalemate situation. Just when the negotiating process was on the brink of collapse, Romesh Bhandari stepped in to try to save the situation. Lacking in knowledge of the historicity and complexity of the ethnic conflict and wanting in the skills of mediatory diplomacy, Bhandari blamed the Tamil delegates for their 'inflexible attitude'. Criticising the Tamil side for being entrenched in 'abstract principles' he demanded counter proposals from them. Bhandari's imperious and imprudent intervention led to a verbal clash between him and Nadesan Satyendra. Bhandari was sharply rebuked and humiliated.

While the peace negotiations were running into stormy weather in Thimpu, we in Chennai received alarming reports of mounting ceasefire violations and large-scale killings of civilians by the Sinhala armed forces in the Tamil homeland. The most serious incidents occurred in Vavuniya and Trincomalee. In Vavuniya on the 16 August scores of civilians were killed and several Tamil shops

burned down when Sinhala troops went on a rampage. The following day, soldiers and armed Sinhala thugs attacked a Tamil village in Trincomalee District and massacred the civilians. These violent incidents and massacres outraged Pirapaharan. As he had anticipated, the Sri Lankan armed forces were openly flouting the ceasefire agreement. The Jayawardane government, the LTTE leader observed at the emergency meeting of the ENLF, was using the Thimpu talks as a smokescreen to cover its hideous genocidal programme. In protest the ENLF leadership decided to boycott the Thimpu talks. It was left to me to convey the message to the ENLF representatives in Thimpu to halt the talks and return to Chennai immediately. On receiving the instructions through the 'hot line' in Chennai all the Tamil delegations walked out of the talks after making the following statement:

'As we have talked here in Thimpu, the genocidal intent of the Sri Lankan State has manifested itself in the continued killings of Tamils in their homelands. In the most recent incidents which have occurred during the past few days more than two hundred innocent Tamil civilians including young children, innocent of any crime other than that of being Tamils, have been killed by the Sri Lankan armed forces running amok in Vavuniya and elsewhere. It is farcical to continue peace talks at Thimpu when there is no peace and no security for the Tamil people in their homelands. We do not seek to terminate the talks at Thimpu but our participation at these peace talks has now been rendered impossible by the conduct of the Sri Lankan State which has acted in violation of the ceasefire agreements which constituted the fundamental basis for the Thimpu talks.'¹³

The collapse of the Thimpu talks was a severe blow to India's mediatory diplomacy. Several reasons could be attributed to this failure. Firstly, India's chief mediator Ramesh Bandari, had none of the skills of his suave and sagacious predecessor, G Parthasarthy, which were crucial for this highly sensitive and complex diplomatic task. He did not understand the very fundamentals of the ethnic conflict in Sri Lanka nor could he grasp the contradictions underlying the perceptions and attitudes between the Sinhala and

Tamil nations. His impulsiveness and impatience manifested in his expectation of easy and quick solutions to difficult and complicated issues. As an Indian diplomat astutely analysing Bhandari's mindset observed: 'he did not quite comprehend the complexities of the attitudes of the Tamils and Sinhalese towards each other. He was also impatient about the Tamil's insisting on their demands and aspirations... It was this impatience which found expression in his abrasive exchanges with the leaders of the Tamil delegation at Thimpu.'¹⁴ Unfortunately Delhi policy makers backed Bhandari and made decisions on his erroneous assessments. Bhandari gave the impression to Delhi that the Tamil delegates were arrogant and uncompromising.

The second reason is more unpleasant, but nevertheless not untypical of intelligence agencies' strategy. RAW's assertive approach towards the militants, disregarding their political sensibilities was a factor that contributed to the collapse of the Thimpu talks. Essentially the RAW operated with a master-slave attitude towards the Tamil liberation organisations. Having militarily trained, armed and provided patronage to the Tamil organisations, Indian intelligence agencies miscalculated in thinking that they could then be manipulated and controlled like puppets. The Thimpu parleys demonstrated that the Tamil rebel movements had their own political visions and were committed to policies and goals and were not malleable, even under Indian pressure and influence. The organisations were fully conscious of the significance and importance of India's political, diplomatic and military support in their confrontation with the repressive Sri Lanka state and in the struggle for the just rights of their people. Furthermore, they had no wish to antagonise Delhi or to act in a manner prejudicial to Indian interests. Nevertheless, the aspirations of their oppressed nation and their political commitment to the people were uppermost in the ENLF leaders' concerns and they therefore, could not be persuaded to deviate.

Before the entry of the LTTE, in RAW's assessment, ENLF was pliable to Indian influence. Specifically, TELO under Sri Sabaratnam was India's favourite, since unlike the pro-Marxist EPRLF and EROS, it had no ideology. When the fiercely nationalist Tamil Tigers joined the ENLF, RAW assumed, the Front became a formidable politico-military force acting and thinking

independently, in relative freedom from India's sphere of control. The Tigers' friendly relations with the Chief Minister MG Ramachandran and their popularity in Tamil Nadu and Tamil Eelam, contributed to the independence and clout of the ENLF, the Indian Intelligence outfit assessed. Though heavily dependent on India's support and sympathy, the Tamil militant organisations proudly regarded themselves as freedom fighters, not mere instruments to serve India's scheme of things.

The Sri Lanka chief negotiator, Hector Jayawardane, adopted a hard-line, inflexible attitude, which was the third important reason for the failure of the talks. Hector represented a regime that had neither the political will nor the genuine intention of addressing the Tamil aspirations and resolving the ethnic conflict amicably. As a constitutional lawyer he always argued within the parameters of Sri Lanka's constitution, insisting on and upholding the unitary structure of the law of the land. He was uncreative, rigid and unsympathetic to Tamil demands. As Dixit aptly puts it: 'HW Jayawardane's entire negotiating approach was mechanistically legal and even wooden. He kept on emphasising that responding to Tamils demands would be ultra vires of the constitution of Sri Lanka, that the unitary nature of the Sri Lanka republic cannot be eroded.... The Thimpu talks became the dialogue of the deaf'.¹⁵

The breakdown of the talks following the boycott by the Tamil delegation, we assumed correctly, would irritate Delhi. As such, we anticipated some form of punitive action.

RAW had monitored the 'hot-line' conversations and viewed my role in conveying the leadership decisions to the delegates at Thimpu as the reason behind the collapse of the talks. Mr Unni Krishnan, a senior RAW operative, informed me that Delhi was displeased over my instruction to the ENLF team to boycott the talks. Subsequently, Indian punitive action was metered out to me in the form of a deportation order.

In the afternoon of 23 August 1985 the Tamil Nadu Police swooped down on my flat in Besant Nagar, Chennai and took me into custody: the following day I was deported to London on an Air India flight.¹⁶ Deportation orders were also served on Chandrahasan and Nadesan Satyendra. Sayendra had already left for London. Thus Delhi expressed its displeasure: it conveyed the message to the Tamil rebel movements that India's benevolence was not

everlasting.

Delhi's partisan action came under heavy criticism from the Indian media. One Indian newspaper characterised it as 'hasty and imprudent action'. The Tamil Nadu political leaders blamed Rajiv and Bhandari for being 'insensitive to Tamil sentiments' and organised massive protests. Pirapaharan and other leaders of the ENLF demanded my return to India and refused to participate in further negotiations until such time. These factors compelled Rajiv's administration to revoke the deportation order and I flew back to India six weeks later.

The Bangalore Talks

In March 1986 Romesh Bhandari retired as a dejected diplomat, having failed in his mediatory mission to find a solution to the protracted ethnic conflict. AP Venkateswaran succeeded him as the Indian Foreign Secretary. Venkateswaran was neither a close confidante of Rajiv Gandhi nor was the chemistry between the two congenial. Determined to continue the mediatory effort irrespective of the earlier failures, Rajiv chose his two most trusted Ministers of State, P Chidambaram and Natwar Singh as special representatives of the Government of India to engage President Jayawardane in peace talks.

The summit meeting of the South Asian Association for Regional Co-Operation (SAARC) was to be held in Bangalore during mid November 1986 where the Prime Ministers of India and Sri Lanka were scheduled to meet. It was a major diplomatic event where Rajiv wanted to announce a breakthrough in the ethnic conflict as a significant achievement in his foreign policy towards a neighbouring country. P Chidambaram, the Minister of State for Internal Security and Natwar Singh, Minister of State for External Affairs were given the responsibility of formulating a reasonable framework of proposals to meet the political aspirations of the Tamil people.

P Chidambaram and Natwar Singh visited Colombo at the end of April 1986 and stayed for four days in the capital engaging the President and his senior Ministers, Laith Athulathmulathali, Minister of National Security, Gamini Dissanayake, Minister of

Mahaveli Development, ACS Hameed Minister of Foreign Affairs. During several rounds of extensive discussions with the Sri Lanka political leaders, the Indian mediators found strong resistance and opposition in Colombo to the central demand of the Tamils for the recognition of an indentified homeland. Jayawardane and his Ministers vehemently opposed the merger of the northern and eastern provinces into a single contiguous territory.

Following the Indian Ministers' visit, Jayawardane summoned the Political Parties Conference (PPC) in late June to deliberate on the ethnic issue. On the Tamil side only the TULF participated in the conference. The major opposition party (the SLFP), boycotted the meeting. The deliberations, which lasted nearly four months, produced a set of proposals providing limited devolution of powers to the Tamils provinces. The proposals denied fiscal powers, land rights and law and order administration to the Tamils. The core demands of the Tamils were rejected. All the Sinhala political parties participating in the conference rejected the fundamental Tamil demand for the recognition of the Tamil homeland, and the creation of a new unit, merging the north and east into a single linguistic territory for the Tamil speaking people. The PPC ended in a debacle and faced a similar destiny as its predecessor, the All Party Conference.

Jayawardane operated with a two-pronged strategy of peace and war. He continued to mislead India and the world by adopting dilatory tactics, staging one conference after the other as if he was genuinely committed to resolving the Tamil issue. Meanwhile, he entered into secret deals with Pakistan and Israel to receive substantial military assistance to build up his war machine. Furthermore, by engaging India in a peace effort he almost succeeded in blocking the military and political support Delhi gave to the Tamil liberation organisations. He created a rift between Rajiv's administration and the Tamils by engineering the peace dialogue in such a manner as to convince Delhi that the rebel organisations were inflexible and intransigent. While generating contradictions and hostilities between the Tamils and India through peace negotiations he continued to expand and modernise the armed forces for major offensive operations to crush the Tamil freedom movement. Rajiv was unaware that the crafty old Sinhala leader was leading him up the garden path.

Compelled to present a peace package to Rajiv during the Bangalore Summit of the SAARC scheduled for 17 and 18 November 1986, President Jayawardane conceived a set of fresh proposals, which came to be known as the 'trifurcation of the Eastern province'. It was a cleverly worked out demarcation programme by Jayawardane's administration to dismember the eastern province on ethnic and religious grounds, aiming to negate the Tamil demand for a single, unified linguistic territory. Under this project the boundaries of Trincomalee, Batticaloa and Amparai districts would be redrawn to carve out three regions for three ethnic communities - the Tamils, Muslims and the Sinhalese - living in the eastern province. In this scheme Sinhala areas of Amparai would be de-linked and amalgamated with the Uva Province. Trincomalee city and harbour and the Sinhala settlements in Trincomalee would constitute a Sinhala region to be administered by the Sinhala government. Portions of Batticaloa and sections of Amparai predominantly inhabited by Muslims would be demarcated as a Muslim region. Tamil majority areas in Trincomalee (minus the city, harbour and Sinhala settlements) and a portion of Batticaloa would be redrawn into a Tamil province. This shrewd demarcation scheme would create three provinces for the three communities, with the Sinhalese securing large swathes of territory in the east, including the strategically important Trincomalee harbour and city. The demarcated Tamil region of the East, Jayawardane envisaged, would be linked to the north. That was his response to the Tamil demand for the northeast merger. Explaining to the Indian High Commissioner, Mr Dixit the details of his trifurcation scheme, Jayawardane claimed that his 'improved' proposals were built on the suggestions made by Chidambaram and Natwar Singh that the Muslim and Sinhala interests in the east provinces should be ensured. He further told Dixit that he would present these 'fresh' proposals to Rajiv at the Bangalore summit. Dixit was not pleased:

'I frankly told him that both the Government of India and Tamils will perceive this proposal as a way to circumvent the Tamil demand for a linkage of the northern and eastern provinces and to have this united Province acknowledged as a 'Tamil homeland'. I expressed the fear that his Tamil protagonists would view this as a motivated tactical exercise.'¹⁷

Jayawardane and the senior ministers of his cabinet were all opposed to the Tamil demand for a homeland constituting a merged northeastern province. The aim of the Sinhala government was to dismember the east, dislocate the territorial contiguity of the Tamil region and to appropriate more Tamil land through Sinhala colonisation. Dixit's assessment was correct: this devious demarcation plan was totally unacceptable to the Tamils. Nevertheless, Jayawardane persisted and was unprepared to modify his proposals to meet the demands of the Tamils. He planned to present this trifurcated scheme as a proposal for an interim arrangement. Though realising the inadequacies of Jayawardane's proposal, Rajiv's administration was determined to present it to the LTTE as a basis for negotiations at Bangalore in November 1986.

Since the breakdown of the Thimpu talks and my deportation from India in 1985 and leading up to the Bangalore summit, several pivotal events unfolded in the Tamil struggle. Crucially, the ENLF, the front of Tamil liberation organisations, disintegrated and brutal armed confrontation between two alliance members, the LTTE and TELO erupted in Jaffna in April-May 1986. The TELO leader, Sri Sabaratnam and many of his fighters were killed during the heavy fighting. The EROS leader Balakumar continued to maintain friendly relations with the LTTE leadership. The EPRLF turned hostile toward the LTTE and was forced to demobilise. Under pressure from the LTTE, the PLOTE announced that they would cease all military operations in the Tamil homeland. In other words, by the time of the SAARC Summit in Bangalore, the LTTE had emerged as the most formidable politico-military organisation, the only determining force in the Tamil freedom movement. In its mediatory efforts the Indian Government had no alternative other than to deal with the leadership of the Tamil Tigers. Knowing the extraordinary character of the LTTE leader and particularly his tough, unyielding and resolute frame of mind, the Indian establishment looked for an opportunity to chasten or rather 'discipline' him before planned peace talks in Bangalore. The opportunity came on 1 November, the day of the Hindu festival of lights (Deepavali) when an ugly violent incident occurred in front of the EPRLF's political office at Choolaimedu in the heart of the city of Chennai. Douglas Devananda, a former senior cadre of the EPRLF (now a Minister in the Government of Sri Lanka) went berserk after an

argument with an Indian auto rickshaw driver and indiscriminately sprayed bullets from his automatic rifle, killing a young lawyer and seriously injuring ten other civilians.

The incident caused shock and outcry in Tamil Nadu. The Indian media demanded punitive action against Tamil militant organisations operating in Tamil Nadu. Rajiv's administration wanted the Government of Tamil Nadu to take stringent action against the militants. He advised MG Ramachandran to discipline the militants and enforce strict law and order as the SAARC Summit was soon to be held in the capital of the neighbouring state of Karnataka. In these circumstances, Mr Mohanadas, the Deputy Inspector of General Police (Intelligence) launched his 'Operation Tiger' to disarm the Tamil rebels. In the early hours of 8 November 1986, Tamil Nadu police swooped on the 'safe houses' and training camps of the LTTE and other groups, arrested the leaders and confiscated weapons.

Pirapaharan and I were arrested in our homes and taken to different police stations and subjected to humiliating treatment. We were photographed, finger printed and interrogated like common criminals. After several hours of detention we were taken back to our residences and kept under house arrest. It was a calculated move by the Indian authorities to harass, humiliate and subdue the Tamil militant leader. But in the case of Pirapaharan it worked to the contrary. The Tiger leader became angry, defiant and more determined to resist Indian intimidation and pressure. This so-called 'Operation Tiger' we realised, was not simply a punitive action by the police for a shooting incident at Choolaimedu in which the Tigers were, in any case, not involved. Rather, the operation constituted a grand plan worked out by the centre and state governments with the political intention of subduing the Tiger leader to make him malleable to the Indian mediatory peace strategy. We were able to fathom the undercurrent of this strategy when Pirapaharan and I were taken to Bangalore on 17 November for 'proximity talks' after nine days of house arrest.

An Indian Air Force plane took us from Thamparam Airbase on the outskirts of Chennai to Bangalore, where we were accommodated in the Raj Bhawan Hotel. When we arrived tired at 10p.m. a team of Indian negotiators were waiting to engage us in serious dialogue. We were introduced to Minister of State for

External Affairs, Natwar Singh, the Foreign Secretary, Venkateswaran, Joint Secretary, Kuldeep Sahdev and the Indian High Commissioner, Mr Dixit. They immediately proceeded to present a detailed elucidation of Jayawardane's trifurcation scheme for the eastern province. During the deliberations we were informed that the Indian Prime Minister and the Sri Lanka President had already arrived in Bangalore and were staying at the Hotel Windsor Manor. President Jayawardane, we were told, was willing to talk to us if we accept his proposals as an interim arrangement for a specific period of time until a final settlement was reached on the ethnic conflict.

Using a detailed map of the eastern province, Mr Dixit attempted to explain to us that the trifurcation scheme would ultimately lead to the 'unification of the Tamils in the north and east. It was an interim arrangement for a specific period, subject to further discussion and improvement,' he said. After a lengthy exposition of Jayawardane's proposals through the mid-night hours, the Indian High Commissioner gazed at the tired and resentful guerrilla leader and asked for his response. As I anticipated, Pirapaharan made a sharp, crisp statement. 'The Tamil homeland is one and indivisible and we will not allow Jayawardane to dismember it,' he declared. On hearing my translation of Pirapaharan's comments from Tamil into English, Dixit's face dropped. I explained to him the dangers and pitfalls behind Jayawardane's scheme and impressed on him that neither the LTTE leadership nor the Tamil people would ever accept his proposals. Realising that Pirapaharan could not be shaken from his resolute and determinate position Mr Dixit called upon the Foreign Secretary Venkateswaran to speak to us.

Venkateswaran spoke to us in Tamil in a very polite and courteous tone, noting that we were tired and irritable. Mr Dixit, he said, had intimated to him our position on Jayawardane's scheme. Subsequently, he did not attempt to elaborate on the proposal. He opened up the dialogue by stating that Rajiv Gandhi was earnestly concerned about the plight of the Tamils and sincerely interested in finding a reasonable solution to the ethnic conflict. Rajiv was optimistic, according to Venkateswaran, that he could persuade Jayawardane to meet the aspirations of the Tamils. The proposals presented by the government of Sri Lanka attempted to address to some level the Tamil demand for a Tamil linguistic region, in his

view. It was only a provisional arrangement to be subjected to further improvement; he went on to explain. He further said that if we accepted the interim arrangement it would be a diplomatic achievement for the Indian Prime Minister. He pleaded for our co-operation to make the SAARC Summit a success for Rajiv. In conclusion, he urged us to reconsider our position and to make a positive decision. Pirapaharan was annoyed. 'Are you requesting us to betray the cause of our people just to please Rajiv Gandhi and to promote his personal glory?', the Tiger leader retorted angrily. Venkateswaran got the message. He was slightly taken aback. He apologised saying that he understood our feelings. Following Venkateswaran, Natwar Singha approached us. I explained to him the negative implications of Jayawardane's trifurcation project and reiterated our firm stand. He understood the rationality behind our position and did not make any attempt to persuade us. It was almost four o'clock in the morning when the brainstorming session ended and we were permitted to retire to our rooms.

Our firm rejection of the proposals did not deter Rajiv Gandhi from attempts to persuade us otherwise. He flew in the LTTE's mentor and friend, Mr MG Ramachandran (MGR), the Chief Minister of Tamil Nadu. The Prime Minister assumed that MGR's clout might convince the LTTE leader.

We met the Chief Minister the following evening in a suite at the Raj Bhawan. His aide and confidante, Tamil Nadu Minister, Pandurite Ramachandran, attended the meeting also. During an hour of engagement we were able to convince MGR of the negative implications of the Sri Lanka proposal. We explained how the trifurcation plan was in stark contradiction to the Tamil demand for a contiguous homeland and that vast stretches of land would be carved out to the benefit of the Sinhalese. MGR's shrewd mind immediately understood the subtleties of the proposals. He lamented as to why the central government of India, particularly the Prime Minister, could not grasp the ramifications of the proposal. Appreciating our stand as rational and realistic, the Chief Minister assured us that he would not exert undue pressure on us. Thus ended the proximity talks in Bangalore.

Realising the futility of trying to wear down Pirapaharan's resolute stand, we were finally allowed to return to Chennai. However, the Government of India was displeased with the LTTE

leadership. The breakthrough so fervently anticipated by Rajiv Gandhi turned out to be another diplomatic debacle in the mediatory exercise. Jayawardane's address at the conference added to Rajiv Gandhi's annoyance when he used the Summit forum to lash out and condemn India's covert assistance to 'Tamil terrorism' in violation of the SAARC principles of 'non-interference and co-existence'. The Indians were severely embarrassed. This humiliation turned into hostility towards the LTTE. Delhi decided to register its deep displeasure to Pirapaharan and to impress upon him that India's patronage should not be taken for granted. Within days of our return to Chennai, Tamil Nadu secret police under DIG Mohanadas staged a lightning raid and confiscated all the vital communication equipment from LTTE's offices and training camps. Pirapaharan was suddenly deprived of communication with all major guerrilla bases in Tamil Eelam and he was furious with the centre and state governments of India. The Tiger leader operated his command and control structure from Chennai and the sudden severance of communication crippled him militarily. Our desperate efforts to contact MGR were of no avail. We were told that he was in Salem and could not be contacted.

Finding no other possible means of retrieving his confiscated communication equipment, Pirapaharan made a dramatic decision to fast-unto-death. No amount of pleading would change his mind: his decision was firm and irrevocable. He had an uncanny belief that his action, though risky, would succeed and he began his fast-unto-death protest in my residence at Indira Nagar, Adyar, Chennai.

Soon after he started his fast I summoned a press conference to announce his non-violent protest. The Indian media gave wide publicity to the event. Some newspapers wrote critical editorials condemning both the state and central governments for penalising the Tamil Tigers to 'placate a racist regime'. The fasting episode turned swiftly into a major political controversy. The central and state governments denied involvement in the affair, shifting the blame to the Tamil Nadu Police.

Chief Minister MGR eventually contacted me on the phone and requested me to advise Pirapaharan to give up his fasting with the assurance that he would instruct the police to handover the communication sets. The LTTE leader remained adamant, insisting on the return of the equipment before relinquishing his fast. In the

meantime, my residence was engulfed with people - journalists, politicians, LTTE cadres, sympathisers, supporters and the inquisitive public.

It was, in my view, the India media and the opposition politicians who made the situation uncomfortable and embarrassing for the Tamil Nadu Chief Minister. Furthermore, he was averse to the prospect of undermining his special relationship with Pirapaharan and damaging his image as the patron of the Eelam struggle. However, what concerned him most was the serious political consequences that would have arisen had Pirapaharan continued his fast till the end. MGR was further humiliated when the Indian Minister P Chidambaram issued a statement claiming that the central government was not aware of the seizure of the LTTE's communication equipment. Irritated by these events the Chief Minister ordered the Tamil Nadu Police to return the LTTE's wireless sets. Only when the police handed over the confiscated sets did Pirapaharan break off his fast of forty-eight hours.

A few days later, when Pirapaharan had sufficiently recovered, MGR invited us to meet him and we had a cordial exchange of views. As he promised during the discussions, the arms and ammunition seized from all the Tamil militant organisations (including the LTTE) were handed over to the Tigers. The Tamil Nadu Chief Minister's unexpected move encouraged a Sinhala political analyst to speculate thus:

'Mohanadas was not correct in stating that the arms were returned to the militants. The arms were returned only to the LTTE, which received even the arms seized from the other groups. This led many to believe that the swoop was designed by the Chief Minister to strengthen the LTTE and weaken the other groups.'¹⁸

Pirapaharan admired the exceptional qualities of MGR: his generosity, humaneness, his sensitive understanding of the plight and struggle of the Eelam Tamils and his valiant support for the armed resistance campaign of the LTTE. Nevertheless, while appreciating the extra-ordinary role and contributions made by this powerful legendary figure, the Tiger leader felt deep unease about the growing aggressive diplomacy of Rajiv's administration. Furthermore, following the harrowing, humiliating experience at

the hands of the Tamil Nadu police and the fasting episode, Mr Pirapaharan realised that he could not rely on India's patronage forever. As an advocate of self-reliance, he deeply felt that his liberation movement would be severely constrained from charting a free and independent course of action as long as he had sanctuary on Indian soil and was exposed to Indian arm twisting diplomacy. Subsequently, Pirapaharan made arrangements to leave Tamil Nadu. In early January 1987 the Tiger leader clandestinely crossed the Palk Strait and returned home to Jaffna. He requested my wife and I and other senior political cadres to remain in Tamil Nadu and carry on with the political work.

Operation Liberation

1987 constituted a momentous and turbulent period of extraordinary events and violent episodes in the stormy political history of Sri Lanka. In the early months of the year, the violence of the armed forces and the counter violence of the Tiger guerrillas escalated the intensity of the conflict. The stepped up LTTE guerrilla campaign coupled with the increasing casualty rate of the government forces alarmed and agitated Jayawardane and he desperately sought ways and means to strengthen his military machine for an all-out offensive against the Tamil resistance movement. He distrusted the earnestness of the Indian mediatory effort, which, in his assessment, had failed to tame the Tigers. With the rapid growth of the military power and combat capability of the LTTE he suspected that the central government of India and the state government of Tamil Nadu were backing the Tamil Tigers, both militarily and financially. Jayawardane therefore, while giving the impression of participating in Rajiv's mediatory efforts, solicited arms supplies and military training from Pakistan, Israel, America and China. As he strengthened his armed forces for an invasion of Jaffna, which had been brought under LTTE control, the President also imposed an economic blockade on the northern province as collective punishment against the Tamils for their support for the armed struggle. Furthermore, during this period, he expanded the Special Task Force (STF), an elite force comprising police commandos and sent senior officers to Israel and Pakistan for special training. In the

early months of the year, high-ranking United States military officials from the Pacific Command visited Colombo to advise the Sri Lanka military hierarchy on counter-insurgency operations. Steadily and cautiously, Jayawardane built up his military machine in preparation for a major offensive in the Jaffna Peninsula. It came in the early hours of 26 May 1987.

A massive invasion force of eight to ten thousand troops, supported by tanks, heavy artillery and air cover unleashed a brutal assault on the Peninsula under the code name 'Operation Liberation'. The strategic design of the first phase of the offensive was to bring the Vadamarachchi region of the Peninsula, 'the heartland of the Tigers' in the army's calculation, under Sri Lanka military control. Sinhala troops moved swiftly along the coastal belt, while Sri Lanka Air Force fighter planes and naval gunboats indiscriminately pounded towns and villages. LTTE fighters tactically withdrew from Vadamarachchi and planned counter offensive guerrilla attacks once the troops moved into the interior. With Air Force and Navy support and without resistance from the LTTE, the invading troops advanced, committing heinous crimes, massacring civilians, destroying homes, temples and schools. The ancient historical coastal towns of Vadamarachchi were reduced to rubble. Within a week, the Sri Lanka army had overrun the area, hundreds of civilians were killed and thousands of Tamil youth had been rounded up. Hundreds of these young men were massacred, while others despatched to various prisons in the south of the island. The offensive was intended to inflict maximum devastation in terms of life and property and to infuse terror amongst the Tamils. Jayawardane proclaimed his sinister motives when addressing an opening ceremony of a bank in Colombo. 'This time the fight is a fight to the finish', he declared.

Following the fall of Vadamarachchi, the Sri Lanka armed forces prepared to invade Valigamam region of the Peninsula and Jaffna city, the cultural capital of the Eelam Tamils. Jayawardane had already given instructions to his field commanders 'to raze Jaffna to the ground, burn the town and then rebuild it'.¹⁹ The Sri Lanka military hierarchy had briefed the President that at least ten thousand Tamil civilians would be killed if an all-out invasion was launched against the heavily populated Valigamam and the city of Jaffna. Nevertheless, Jayawardane was determined to carry out the

offensive operation.

The ruthless military campaign of the Sri Lanka government alarmed Delhi. Rajiv Gandhi was shaken by the sudden outbreak of hostilities and the brutal behaviour of the Sinhala armed forces heavy casualties on Tamil civilians. The callous attitude of President Jayawardane and his disregard of an Indian warning conveyed through a diplomatic channel, further disturbed the Indian Prime Minister. In the meantime emotions ran high in Tamil Nadu over the inability and powerlessness of the central Government of India to prevent the genocidal military assault on the Tamil civilians in Sri Lanka. Tamil Nadu politicians demanded Rajiv's intervention to prevent the starvation of the Jaffna Tamils suffering under Colombo's economic blockade. It was in these circumstances the government of India decided to ship urgently needed relief supplies to the civilian population of Jaffna. On 3 July 1987 a flotilla of 19 trawlers loaded with 40 tones of food supplies set sail for the Jaffna Peninsula from Rameswaran in Tamil Nadu. Jayawardane was furious. He instructed the Sri Lanka Navy to intervene and block the Indian vessels carrying the supplies. Sri Lanka gunboats turned backed the flotilla after six of hours wrangling in the middle of the sea. The Sri Lanka government also issued a statement saying that the civilian population of Jaffna did not 'require any assistance from any outside source as the Government of Sri Lanka is capable of meeting all requirements'.

Sri Lanka's bellicose response to Indian's humanitarian gesture irritated Delhi. Rajiv Gandhi wanted to impress upon Jayawardane that India was deadly serious in her warning that she might not hesitate to intervene, if necessary militarily, to safeguard the Tamils from genocidal onslaught. To impart to Sri Lanka such a strong message, India decided to airdrop the humanitarian relief supplies to the starving population of Jaffna. On 4 July 1987 five AN-32 transport aircraft of the Indian Air Force escorted by Mirage fighters, dropped 25 tonnes of relief supplies in Jaffna. The Sri Lanka government was warned that any attempt to interfere in the exercise would be crushed. This Indian humanitarian intervention created a strong outcry in Colombo. The Sri Lanka foreign Ministry registered a strong protest condemning the airdrop as a serious violation of its territorial integrity and an undue interference in the internal affairs of the country. The positive aspect of the airdrop was that it

sent a strong message to Colombo of the danger of Indian military intervention if Sri Lanka continued its onslaught against the Tamils. Fearful of provoking Indian wrath, Jayawardane suspended his military offensive operations in Jaffna. The Sri Lanka government also agreed to allow Indian relief ships to bring urgent humanitarian supplies to the Jaffna Peninsula through Kankesanthurai harbour.

In the meantime, LTTE guerrillas had begun infiltrating back into the regions captured by the army and stepped up a counter offensive campaign. There had been several ambushes and landmine attacks on the patrolling troops in Vadamarachchi inflicting heavy casualties. The most devastating attack was launched on the night of 5 July when the LTTE, for the first time, inducted its Black Tiger suicide unit against the Sri Lanka army. Captain Miller, the first Black Tiger, drove a lorry load of explosives into the military headquarters of the Sri Lanka troops housed in Central College buildings at Nelliady and detonated the lethal cargo. The force of the explosion flattened the buildings and instantly killed hundreds of soldiers. Shaken by the event, President Jayawardane and the military hierarchy suppressed the true casualty details fearing demoralisation of the armed forces. But the Indian intelligence establishment was pleased when it learned of the high rate of casualties through their reliable sources. An Indian intelligence official told me in Chennai that as a consequence of this devastating assault, Jayawardane could be brought to the negotiating table.

The Indo-Sri Lanka Accord

India's aggressive gesture, in violation of Sri Lanka's airspace, and the LTTE guerrillas' devastating counter-attack on the military headquarters, subdued Jayawardane and his hawkish Ministers and they became amenable to Indian mediatory efforts. There was intense diplomatic activity both in Colombo and in Delhi to work out a bi-lateral agreement between the Governments of India and Sri Lanka, incorporating a package of devolution to resolve the ethnic question. The Indian High Commissioner, Mr Dixit, who played a crucial role in the formulation of the Indo-Lanka Accord, devotes an entire chapter, nearly forty pages of his book, *Assignment Colombo*, under the title 'Birthpangs of Accord'

describing how the Agreement was formulated. In this extraordinary story of the genesis of the Indo-Sri Lanka Agreement and the architects behind its creation, Mr Dixit mentions an intriguing episode. He says an LTTE representative based in Singapore conveyed a message containing a set of proposals as a basis for compromise and negotiated settlement, to Mr Ram, then editor of Hindu newspaper. The proposals included (a) secession of military operations by the Sri Lanka Army, (b) the merger of the North and East as the Tamil homeland, (c) devolution of power based on proposals discussed between 1983 and 1986, (d) Tamil should be recognised as an official and national language, (e) an interim administration should be instituted before final settlement and, (f) Tamils should be given proportional representation in the Sri Lanka armed services. According to the message received by Ram, if the above conditions were met, the LTTE would give up its demand for secession, commit itself to a ceasefire, and the agreement embodying the proposals should be signed by the Sri Lanka government and by the Government of India on behalf of the Tamils.²⁰ This message, in Mr Dixit's rendering, was conveyed to Ram over the telephone when he was in Singapore on his way to China. Ram passed the message to the Sri Lanka government through his friend Gamini Dissanayake, the then Minister of Lands and Mahaveli Development, says Dixit.

According to the former Indian High Commissioner the draft framework of the Indo-Lanka Agreement was formulated through intense discussions and mutual consultations between Delhi and Colombo, based on the alleged LTTE proposals. The crucial question is, did the LTTE present a set of proposals or demands as a compromise formula? Is there any truth in the reported story of an anonymous person operating in Singapore as the representative of the LTTE conveying a framework of proposals to an Indian journalist through the telephone? For the purpose of documenting the true history of the Tamil people's struggle it is crucial that I set the record straight on the authenticity of this intriguing story. I have to state, categorically, that the LTTE was not in anyway involved in this incredulous episode. I was closely associated with Pirapaharan in all matters pertaining to Indo-LTTE affairs, particularly the peace negotiations, and I can say with certainty that the LTTE leadership was not even aware of this alleged transmission of a message

claiming to contain proposals from our liberation organisation. If such a transmission of ideas had taken place, why is it that they were never mentioned in our discussions on the Accord when Pirapaharan and I met Rajiv Gandhi prior to the signing of the Agreement? Furthermore, Mr Dixit and Mr Ram are experienced professionals who are well aware of the necessity of checking sources, particularly telephone messages. One would have expected either Mr Ram or Mr Dixit, or both, to clarify the authenticity of the telephone message with the LTTE leaders, if they considered the contents important enough to form the basis for the working out of a settlement to the ethnic issue and for a bi-lateral agreement between states. Crucially, however, it is the content of the proposals, which raises questions as to the credibility of the story. Anybody familiar with or engaged in relations with the LTTE would immediately question the content of the ideas. Some of the proposals attributed to the LTTE are totally incompatible with its principles and policies. Most importantly, there is a deliberate omission of the cardinal principle of the right to self-determination in the alleged LTTE proposals. All this points to the likelihood of a planted story by interested parties, particularly the Indian intelligence agencies, to gain a breakthrough in the stagnated peace process and to reach a bi-lateral agreement with Sri Lanka.²¹

The Indo-Lanka Accord was a joint product of the Governments of India and Sri Lanka. It was formulated and finalised through deliberations between representatives of Rajiv's and Jayawardane's administrations. Neither the Tamil nor the Sinhalese public was involved. It was neither discussed in the Indian Parliament nor in the Sri Lanka Parliament. How the LTTE leadership was introduced to this crucial Agreement that affected the political destiny of the Tamil people is a bizarre story.

On 19 July 1987 Mr Hardeep Puri, First Secretary (Political) at the Indian High Commission in Colombo paid a sudden visit to Jaffna and requested a meeting with the LTTE leader. Pirapaharan, accompanied by Yogaratnam Yogi, met the Indian delegate. Without specifying any details, Mr Puri informed the Tiger leader that a package of proposals had been formulated between the governments of Sri Lanka and India and that the Indian Prime Minister wished to meet Pirapaharan in Delhi to clarify and explain matters. When Pirapaharan and Yogi asked for a further elaboration

of the proposals, the Indian diplomat refused to comment and said that all matters would be clarified in Delhi. Realising that the matter was urgent and extremely important and not wishing to reject the invitation of the Indian Prime Minister, Pirapaharan agreed to go to Delhi. The Tiger leader insisted that I, as his political advisor resident in Chennai at the time, should also accompany him.

On July 23 two Indian military helicopters landed on the grounds of Suthumalai Aman Temple near Jaffna, picked up the LTTE delegation comprising of Pirapaharan, Yogaratnam Yogi and Thileepan and flew to Meenambakam Airport. In the meantime the Tamil Nadu Police informed me of their arrival and I was taken to the airport to meet them. At the airport Pirapaharan informed me that the Indian Prime Minister had invited them to discuss the details of a framework of proposals, about which he had no knowledge. Puri was tongue-tied when I asked him about the new set of ideas. His only comment was that the Indian High Commissioner would explain the details in Delhi. We later boarded an Indian Air Force plane and arrived in the Indian capital a few hours later.

From the airport we were taken to the Ashok Hotel in the heart of the city. As our vehicles entered the gates of the prestigious hotel we noticed black uniformed Indian military commandos (Black Cats) in large numbers guarding the hotel premises. Noticing a sense of curiosity and concern on our faces, Mr Puri told us that for our protection the hotel had been placed under tight security. The entire top floor of the hotel, including a suite, was allocated to us and well-armed Black Cats had taken up positions in front of our rooms. At the hotel a RAW officer informed us that we were placed under safe custody and we could not leave the hotel or allow anybody in. The telephones on our floor were also disconnected, he said. To our amazement we realised that under the guise of 'safe custody' the Indian government had placed us incommunicado, surrounded by an elite force of Black Cats. Pirapaharan confided to me: 'Bala Anna, I'm trapped again'.

Soon after we arrived at the hotel, Mr Dixit visited us. His face was grim and serious. Sitting on the sofa in the suite, he pulled out his pipe, lit it and puffed out the smoke a couple of times. Seated in front of him, we watched him attentively, anticipating clarifications. 'A bi-lateral agreement has been reached between the Governments of India and Sri Lanka. The Indian Prime Minister,

Mr Rajiv Gandhi will visit Colombo soon to sign the agreement. This agreement offers a fair and reasonable solution to the Tamil ethnic question. You should accept this agreement,' Mr Dixit declared. He took a copy of the Agreement out of his pocket and handed it to me. 'Please translate this document for Mr Pirapaharan. I'll be back in two hours time. I hope you'll be ready with a positive response by then,' he told me. Having said that, he got up and briskly walked out of the room.

I translated the document into Tamil and explained the implications of the proposals. We found the proposals in the Agreement limited and inadequate and some provisions vague and ambiguous. While emphasising a pluralist structure of Sri Lanka society, the Agreement recognises the distinct 'cultural and linguistic' identity of various ethnic groups thereby rejecting the conceptualisation of nation and nationality. While ensuring Sri Lanka's 'unity, sovereignty and territorial integrity' the Agreement recommends a solution within the unitary constitution. The only positive element in the proposals was the recognition of the northern and eastern provinces as 'areas of historical habitation of the Sri Lankan Tamil speaking peoples...' The cardinal feature of the Agreement was merger of the northern and eastern provinces into a single administrative unit. But the merger itself was interim to be subjected to a referendum allowing the ethnic communities in the east to decide over a permanent link with the north. The Agreement allows for the formation of a temporary Northeast Provincial Council with a Governor, Chief Minister and Board of Ministers. The powers and functions of the Provincial Council were not specified. Rather a set of proposals negotiated between 4 May 1986 and 19 December 1986 between the governments of Sri Lanka and India and the TULF leaders were recommended as the basis for settlement. 'Residual matter not finalised during these above negotiations shall be resolved between Indian and Sri Lanka within a period of six weeks of signing the Agreement.' It should be noted that these proposals called the *December 19th Framework* were criticised and rejected by the LTTE in the written response submitted to the Government of India in January 1987. The Agreement, therefore, fails to deal with any core issues critical to the Tamil question. The most important aspect that affected the LTTE was the issue on de-commissioning. The Agreement stipulated that all Tamil militant

organisations should be disarmed within 72 hours of the signing of the Accord. Pirapaharan's face turned red when I translated this particular clause. Within the time frame of two hours allocated to us Pirapaharan made a firm, resolute decision. He resolved not to accept the Indo-Lanka Accord under any circumstances.

Two hours later Mr Dixit returned. He enquired as to whether we had made our decision. We told him in precise terms that we could not accept the Agreement. He demanded an explanation. I pointed out the limitations in the proposals, arguing that they fell far short of Tamil aspirations. The framework proposed in the Agreement was totally unacceptable to the LTTE, I said. Pirapaharan argued that it was unfair and unreasonable on the part of the government of India to disarm the Tamil freedom movement before reaching a permanent political solution with guarantees security to our people. 'How can India ask us to give up our arms within 72 hours. These weapons were captured from the enemy forces with enormous sacrifices over the last 15 years of bloody armed struggle,' he said, raising his voice in anger.

Mr Dixit dismissed our criticisms as invalid and argued that the provincial framework was the best the Tamils could ever hope for. He said there was no need for weapons since a permanent ceasefire would come into being and an Indian peace keeping force would maintain peace. He pleaded with us to trust the Indian government and to reconsider our decision. We stuck to our position arguing that we could not trust Jayawardane and the Sinhala armed forces.

Dixit became impatient and resentful. 'Whether you accept it or not this Agreement will be signed. This is a bi-lateral Agreement between two countries. You'll face far-reaching consequences if you oppose it,' he threatened.

'Can you tell us what sort of consequences we'll have to face,' asked Yogi.

'You'll be in our custody here in India until you accept the Accord,' he said.

'Even if you keep us in custody for a long time, even for years, we'll never accept this Agreement and hand-over our weapons,' Pirapaharan replied angrily.

He stared at Pirapaharan and shouted, 'If you refuse to lay down your weapons we'll seize them by force, with the help of the Indian army. Your fighters are non-entities in front of the mighty Indian

army.' Brandishing his pipe at Pirapaharan he went on, 'In the time it takes to light this pipe and finish smoking it, the Indian army will wipe out your fighters.'

Pirapaharan smiled cynically. 'You can do whatever you like, but we'll never accept this Agreement, under any circumstances,' he said.

Dixit was enraged: his lips trembled in anger. 'Mr Pirapaharan, this is the forth time you have cheated India,' he said.

'That means I have saved my people four times,' Pirapaharan retorted.

Unable to tolerate any more, the ill-tempered diplomat got up and walked away.

Having realised that the aggressive diplomatic approach would not dislodge Pirapaharan's firm resolve, Indian officials adopted the method of friendly, cordial persuasion. MK Narayanan, the Director of India's Intelligence Bureau (IB), Shahadev, Joint Secretary of the Foreign Ministry, Nihil Seth of the Foreign Ministry, Hardeep Puri of the Indian High Commission in Colombo, visited us one by one, explaining the contents of the devolution package. When we pointed out the inadequacies and pitfalls they assured us that these issues could be discussed and improved upon later. They insisted that the LTTE's approval of the Accord was crucial before Rajiv signed the Agreement in Colombo. Despite the mounting pressure and attempts at persuasion, Pirapaharan did not yield. He maintained an iron resolve. Finally, it was decided to solicit the help MG Ramachandran, the Tamil Nadu Chief Minister.

MGR arrived in Delhi on 26 July. That evening Pirapaharan, Yogi and I were taken to Tamil Nadu House in the city to meet the Chief Minister. Tamil Nadu Food Minister, Panduritti Ramachandran and Mr Dixit were present with MGR when we entered his chamber. When we were seated and the formalities dispensed with, Dixit continued his exposition of the Agreement. He tried to impress upon the Tamil Nadu leaders that Sinhala hardliners had been pressurised into accepting the merger of the Tamil regions into a Tamil linguistic state, a unified homeland. This was a remarkable achievement for which the Tamil people as a whole should be grateful to the government of India, he argued. Pointing an accusing finger at us, Mr Dixit charged, 'All the Tamil political

organisations, the TULF and the militant groups have accepted the Indo-Sri Lanka Agreement, except these gentlemen here. They'll never accept anything however reasonable it maybe other than a separate state of Tamil Eelam. But the Government of India will never allow the formation of an independent Tamil state in Sri Lanka. They'll have to face serious consequences if they antagonise India by opposing this Agreement.'

Resting his check on the palm of his right hand, MGR listened patiently.

Yogi intervened. 'There is nothing substantial in the Provincial Council scheme. This framework fails to address the aspirations of the Tamil people. The merger of the northeast provinces is a temporary arrangement subjected to referendum. If a referendum takes place and the Sinhalese and Muslims are against merger, the Tamil homeland will be permanently bifurcated. With all these pitfalls we can't accept this Agreement,' he declared.

This intervention ignited a heated argument between Yogaratnam and Dixit.

'Mr Puri met you in Jaffna last week and explained the contents of the agreement. At that time you endorsed the Agreement. Now you're opposing it. I can't understand you,' Dixit said.

Yogaratnam denied that there was discussion on the Agreement in Jaffna.

'So, are you calling me a liar?' Dixit blurted out.

'What I am saying is that you are not telling the truth,' replied Yogaratnam.

The Chief Minister could see that the discussion between the two was becoming acrimonious and bitter. He politely requested the Indian Envoy to allow him to talk to the LTTE delegation in private. Reluctantly, Mr Dixit left the room.

MGR enquired from us as to why we were opposed to the Indo-Sri Lanka Agreement. We presented an elaborate critique of the framework of the political settlement envisaged in the Agreement. We explained the defects and limitations of the Provincial scheme arguing that it falls short of Tamil aspirations. The Tamil political parties and militant organisations had capitulated to the pressure and intimidation of the Government of India. We were not prepared to betray the cause of our people under threat or intimidation, we declared. We tried to convince the chief Minister that it was unfair

and unreasonable on the part of the Indian government to demand the disarming and surrender of our freedom fighters when the Tamil nation was occupied by enemy forces and when the Tamil national question was not resolved permanently. Having patiently listened to us, MGR was able to grasp the implications of our arguments. He told us that he understood our position. Appreciating Pirapaharan's unwavering resolve, he assured the Tiger leader that he would support his decision. We were pleased and relieved when we left his chamber. As we were coming out of Tamil Nadu House, Mr Dixit met us in the corridor.

'Did the Chief Minister ask you to accept the Agreement?' he enquired. We kept a calculated silence. 'Please do what he has requested you to do,' he pleaded. We replied in the affirmative.

The Indian Prime Minister was told that the Tamil Nadu Chief Minister could not persuade Pirapaharan to accept the Indo-Sri Lanka Agreement. Rajiv was disappointed and embarrassed. Nevertheless he was firmly determined to get the support of the LTTE leadership before visiting Colombo to sign the Accord. He decided to listen to our views and make a personal attempt to convince Pirapaharan.

Midnight 28 July, Pirapaharan and I were suddenly roused from our sleep by the Indian intelligence officers and told that the Prime Minister wanted to meet us urgently. We were taken to the Prime Minister's residence in a convoy of heavily armed Black Cat commandos. Rajiv Gandhi, attired in pure white national dress, received us at the entrance of his house with a charming smile. 'I have heard a lot about you. It's a pleasure to see you in person,' he said, shaking the LTTE leader's hand. He took us to his chamber. M K Narayanan, the IB chief and the Tamil Nadu Minister, Panduritti Ramachandran were waiting to meet us.

The Prime Minister initiated the dialogue, enquiring from us, very courteously, as to why we disapprove of the Indo-Sri Lanka Accord. Pirapaharan requested me to clarify and explain our position. I started with critique of the Sri Lanka constitution arguing that any meaningful sharing of power between the centre and the regions would not be possible under this majoritarian constitution with entrenched provisions.

The constitution entrenched a unitary authoritarian state with a powerful presidency in which power is concentrated in the centre.

Therefore, the constitution would constrain meaningful distribution of power. The major flaw in the Indo-Sri Lanka Agreement, I argued, was that it upheld the unitary nature of the Sri Lanka state thereby closing the space for fundamental changes in the political system.

The Indo-Lanka Accord on which the Provincial Council scheme was outlined, failed to clearly define the powers, functions and subjects of the envisaged institutional arrangement, I said. The *December 19th framework* of proposals which the Accord recommended should be the basis for further improvement, I pointed out, had already been rejected by the LTTE as limited and inadequate.

Arguing that the recognition of the Tamil homeland was an issue of paramount importance to the Tamil speaking people, I said that the merger of the northeastern provinces into a single administrative unit was a positive achievement. Yet, it was a temporary linkage and subjecting the final decision to a referendum was totally unacceptable to us, because a negative result in the referendum would permanently bifurcate the northeast and dismember the Tamil homeland, I explained.

Finally, I took up the issue of disarming of the Tamil Tiger guerrillas. I argued passionately against decommissioning the freedom fighters before a permanent settlement to the ethnic conflict, before adequate guarantees were secured for the safety of the Tamil people.

Without interruption, the Prime Minister listened patiently to our views and arguments jotting down a few points in his diary. He said that he understood our concerns. He explained that the Provincial Council scheme envisaged in the Agreement was a temporary arrangement subject to further discussions and improvements. 'We have to proceed stage by stage. It is very difficult to get everything at once. With great effort, we have secured regional autonomy for the Tamils in a united province. This represents a major advance,' Rajiv explained.

He said there were defects and flaws in the Agreement. Referring to our critique of the referendum on merger, the Prime Minister assured us that he could persuade Jayawardane not to hold a referendum. 'You must trust the Government of India. We're genuinely committed to promote the interests of your people,' Rajiv said. He further said that co-operation and support of the LTTE

leadership was crucial for the implementation of the Accord. At this stage Mr Panduritte Ramachandran intervened. He gave an exposition to Pirapaharan in Tamil of what Rajiv was saying. The Tiger leader was not impressed. 'This Agreement doesn't enhance the interests of our people. On the contrary, it seriously undermines their interests and aspirations. Therefore, we can't accept this Agreement,' Pirapaharan pointed out. Mr Ramachandran promptly translated Pirapaharan's statement. Realising that the Tiger leader could not be persuaded to accept the Agreement, Rajiv adopted a different strategy.

'We understand your position. We're not asking you to reverse your decision or change your policy. You need not accept the Agreement. What we're suggesting is that you shouldn't oppose it,' Rajiv commented.

The Tamil Nadu Minister interpreted the Prime Minister's statement more artfully. 'Is it not a wonderful turn. The Prime Minister himself accepts your position. You need not accept the Accord. But don't oppose it. At least you can do this small favour for the government of India,' Ramachandran pleaded.

Rajiv Gandhi continued, 'We are aware of the fact that your organisation as well as your people do not trust President Jayawardane. Personally I don't trust him either. Yet we have extracted major concessions from him and formulated this Accord by exerting heavy pressure. There may be defects in the Provincial Council scheme. Nevertheless we can negotiate and improve upon it enhancing the powers of regional autonomy. You should realise that it will be impossible to implement the Provincial scheme immediately. It will take a long time. During that period we can set-up an interim government in the northeast in which your organisation can play a predominate role. I am prepared to enter into a secret agreement with you regarding the formation of an interim government in the Tamil region,' he said.

Minister Ramachandran became excited and enthusiastic. He pleaded with us not to reject, in his view, this wonderful opportunity, a rare chance to set-up an LTTE administrative rule in the Tamil homeland. 'Don't worry about the Indo-Sri Lanka Accord. Before that there's going to be a Rajiv-Pirapa Pact. We can formulate this pact secretly, without public proclamation,' he exclaimed.

Pirapaharan was deeply buried in thought. I felt that he did not

believe in pledges and secret pacts. But Panduritte Ramachandran was deadly serious. He was attempting to give a form and structure to the northeast interim administration conceived under 'Rajiv-Pirapa Pact'. Having agreed to give a dominant role to the LTTE in the interim administrative authority, Rajiv suggested representation from all organisations. Pirapaharan was only agreeable to limited representation to the TULF and EROS. The Prime Minister assured us that he would negotiate with the Jayawardane government on the structure, composition, powers and functions of the northeast interim government.

In view of the complaints made by Sri Lanka government, Rajiv Gandhi enquired from Pirapaharan whether he could terminate the system of taxation in Jaffna. The LTTE leader said that funds collected in the form of taxes were utilised for the administration of the organisation. If the Government of India provided funds, Pirapaharan assured Rajiv that he would stop the taxation. The Prime Minister pledged to pay five million rupees monthly, in Indian currency, to meet the LTTE's administrative expenses.

Next the critical question of disarming the Tamil fighters was taken up for discussion. The Prime Minister assured Pirapaharan that his organisation need not surrender all the weapons or disband his guerrilla army. A symbolic surrender of a few weapons would be sufficient to convince Sri Lanka and the international community that the LTTE was abiding by the obligations of the Agreement, he said. He further asserted that the Indian Peace Keeping force would enforce a ceasefire and protect the fighters and civilians. Under these conditions there would not be any necessity for weapons, he pointed out. Pirapaharan was reflecting seriously. 'What is there to think about?' Mr Ramachandran intruded. 'Hand over a few old, defective weapons you received from India,' he told Pirapaharan.

'All the weapons we received from India are old and rusty and unusable,' the Tiger leader retorted.

'Hand over those useless arms and ask for new ones from India later on,' the Minister said.

Rajiv was curious to hear the content of the conversation that was going on in Tamil. Mr Ramachandran rendered the translation of the dialogue in English. Rajiv smiled approvingly.

It was two o'clock in the morning. The Prime Minister looked

cheerful and in good spirits. He must have been pleased for having arrived at some compromise with the LTTE leader. He had to take an early morning flight to Colombo and the signing of the Accord was scheduled for the afternoon.

Gratified with his performance and delighted to have arbitrated a clandestine agreement between the two leaders, Mr Ramachandran appeared pleased with himself. Pirapaharan was reflective and sullen. There was sadness in his eyes.

As the Prime Minister had made pledges on several issues, including an LTTE controlled interim administrative authority, I asked Panduritte Ramachandran, as the meeting drew to a conclusion, whether this Rajiv-Pirapa Pact should be recorded in writing and signed by both leaders. This suggestion momentarily jolted Ramachandran. The smile vanished from his face. He pondered a while and then said, 'We've agreed on matters of extreme controversy. It involves the supply of black money and a clandestine agreement on weapons. If these matters come to light it'd create a political storm in India and Sri Lanka. Don't you trust our Prime Minister? Let us take this as a gentlemen's agreement, an agreement between two honourable men.'

'Please don't worry. I'll definitely fulfil my pledges. Let's treat this as a gentlemen's agreement, as the Minister correctly characterised,' Rajiv Gandhi said.

Pirapaharan showed no interest in a written agreement. He told me later that he did not believe the Government of India would implement the pact, written or unwritten. As we were about to leave I requested the Prime Minister to remove restrictions on us and permit the LTTE delegates to return to Jaffna, for which he agreed.

We returned to our rooms in the hotel thoroughly exhausted. Thileepan, who shared a room with me, would not let me sleep. He was asking all the details about the meeting and particularly about the secret pact and pledges. Finally he asked, 'What does Anna (Pirapaharan) think about it?' I told him that Pirapaharan was not happy and did not believe that the pledges would be fulfilled. 'Anna's prediction will definitely come true,' he said with conviction.

The Indian Prime Minister flew to Colombo as scheduled and at a grand ceremony in the afternoon Rajiv Gandhi and Jayawardane signed the Indo-Sri Lanka Agreement. Freed from all restrictions

we returned to Chennai. On the 2 August Pirapaharan, Yogi and Thileepan were flown to Jaffna in an Indian military aircraft.

‘We Love India’ Speech

Following the signing of the Indo-Sri Lanka Agreement, thousands of Indian troops with heavy weapons - tanks, artillery pieces, heavy mortars and machine guns - began to pour into Jaffna through the Palali Air Base. As the Sinhala armed forces were confined to barracks in accordance with the obligations of the Accord, Indian Peace Keeping troops, including Tamil speaking soldiers of the Madras Regiment, marched along the streets of Jaffna. The Tamil civilian population, who historically viewed India as their guardian, ally and friend, garlanded and welcomed the Indian army with joy, as if permanent peace had been established. While there was jubilation and hope amongst the Tamil people, the Sinhala south turned hostile against India, launching mass protests and demonstrations. The Marxist radicals of the Janatha Vimukthi Perumuna (JVP) spearheaded violent protest campaigns accusing the Indian government of blatant intervention in the internal affairs of Sri Lanka.

With this unprecedented turn of events and the signing of the Indo-Sri Lanka Accord, the LTTE leadership was faced with the dilemma of explaining to the Tamil public, as well as its members, the policy decisions of the organisation. This was done on 4 August 1987 when the LTTE leader made his famous speech at Suthumalai. A crowd of over one hundred thousand people assembled in the grounds of Suthumalai Amman temple to listen to Pirapaharan spell out the future course of the Tamil freedom movement and its relations with India. The Tiger leader delivered the following historical speech in Tamil as the multitude listened in rapt attention:

‘My Beloved and Esteemed People of Tamil Eelam,

‘Today, a turning point of immense significance has taken place in the history of our struggle. This turn of events occurred so suddenly that it stunned us as if it has happened beyond our powers. We have to

wait and see whether the consequences of this turn of events will be favourable to us or not.

'You are aware that this Agreement, concluded suddenly in haste between India and Sri Lanka, without consulting us as the representatives of our people, is being implemented with expedition and urgency. I was not aware of this Agreement until I reached Delhi. Having convinced me that the Indian Prime Minister desired to meet me, I was taken to Delhi in a hurry. The Agreement was shown to us when we reached Delhi. There are a lot of flaws and defects in the Agreement. We doubt whether the Agreement will bring a permanent settlement to the problems of our people. Therefore, we explained to the Government of India, in clear terms, that we cannot accept this Agreement. But the Indian government was firmly determined to implement the Agreement whether we opposed or not.

'We are not surprised over the position of the Indian government. The Agreement is not primarily concerned about the Tamil question. It is essentially a bi-lateral Agreement concerned with Indo-Sri Lanka relations. There are obligations in the Agreement that binds Sri Lanka to India's geo-strategic sphere of influence. It prevents the penetration into Sri Lanka external subversive forces inimical to Indian interests. It is for this reason India showed extraordinary interest in the Agreement. At the same time, this Agreement contains elements that determine the political destiny of the Eelam Tamils. That is why we are strongly opposed to the Agreement since it was concluded without taking into consideration our views and the opinion of our people. But our protests are meaningless. When a mighty super-power has determined to decide the political destiny of our people it is beyond our ability to do anything.

'The Agreement directly affects the political projects of our liberation organisation; it affects the mode of our struggle; it attempts to put an end to our armed

struggle. The mode of our heroic struggle, fought for the last 15 years and built on the blood and sacrifice of our fighters, is to be dismantled in a few days time. This, we cannot digest. This Agreement suddenly disarms us, without providing adequate time, without getting the consent of our fighters, without offering guarantees for the safety and security of our people. Therefore, we refused to lay down arms.

‘It was in these circumstances the Indian Prime Minister Rajiv Gandhi, invited me for a discussion. I spoke to him frankly about our problems. I confided to the Indian Prime Minister that I do not repose the slightest trust in the Sinhala racist state nor do I believe that the Sinhalese will implement the Agreement. I spoke to him about the issue of security of our people and the guarantees for their safety. The Indian Prime Minister has given me certain pledges. He has offered to guarantee the security of our people. I trust his sincerity. I have faith in his assurances. We trust that the Government of India will not allow the Sinhala racist state to resume genocidal violence against our people. It is because of this trust we have decided to lay down our weapons to the Indian Peace Keeping force.

‘I need not elaborate here the immense sacrifices we have made for the protection of our people. Our people are fully aware of the nature and character of our deep devotion and commitment to the cause. The weapons that we took up and deployed for your safety and protection, for your liberation, for your emancipation, we now entrust to the Indian government. From the very moment we handover our weapons we hand over the responsibility of protecting our people to India. In receiving our weapons from us - the only means of protection for the Eelam Tamils - the Indian government takes over from us the tremendous responsibility of protecting our people. The handing over of arms signifies the handing over, or rather the transfer of this responsibility. Were we not to hand

over our weapons we would be placed in a perilous situation of clashing with the Indian army. We do not want that. We love India. We love the people of India. We are not prepared to deploy our arms against Indian soldiers. The soldiers of the Indian army are taking the responsibility of safeguarding and protecting us against our enemy. I wish to emphasise that by the virtue of our handing over our weapons, the Indian government should assume full responsibility for the life and security of every one of the Eelam Tamils.

‘My beloved people, we have no alternative other than to co-operate with this Indian endeavour. Let us offer them this opportunity. However, I do not think that this Agreement will bring a permanent solution to the Tamil question. The time is not far off when the monster of Sinhala racism will devour this Agreement.

‘I have an unshakable faith that only an independent state of Tamil Eelam will provide a permanent solution to the problem of the Tamil Eelam people. Let me make it absolutely clear to you that I will continue to struggle for the cause of Tamil Eelam. The forms and modes of struggle may change but the goal of our struggle will never change. If our cause is to triumph we should have the whole - hearted support of our people. Circumstances might arise for our liberation organisation to participate in the interim government, or in the election for the sake of promoting the interests of our people. But I wish to declare, firmly, that under no circumstances and at any point in time will I ever contest the elections or accept the office of Chief Minister.’

The LTTE leader’s speech, popularly labelled as the ‘We love India speech’, received wide publicity in the Sri Lankan and Indian media and gained global coverage. Some of the Indian newspapers complimented the speech as a cautiously crafted statement, a balancing act, to wriggle through the opposite tendencies of contradiction between India’s geo-political interests and Tamil aspirations for political independence. The contents of the speech betrayed the

agony of Pirapaharan, torn between love for India and its people and hatred for the Sri Lanka racist state, commented a newspaper.

As pledged by Pirapaharan at Suthamalai, the LTTE handed over a reasonable quantity of arms and ammunition to the IPKF on the following day, 5 August. The ceremony took place at Palali Air Base where over one hundred journalists and photographers, Sri Lankan, Indian and foreign, were invited to give maximum publicity to the decommissioning of the Tamil Tiger guerrillas. An Indian journalist observed that 'the LTTE handed over two van loads of mostly obsolete weapons to the IPKF', most of them received from India. General Sepala Attygalle, the Defense Secretary, represented the President of Sri Lanka at the ceremony. Senior commanders of the IPKF, General Depinder Singh and General Harkirat Singh participated on behalf of the Indian government. Several high-ranking officials of the IPKF and the Sri Lanka armed forces were present. Yogaratnam Yogi, represented the LTTE. He was supposed to hand-over a German Mauser pistol to General Attygalle as a 'symbol of surrender', during the ceremony. A proud young political leader, Yogaratnam detested the role. He reluctantly attended the function, looking stern and grim and maintained a defiant silence. As the function started, to everyone's surprise Yogaratnam suddenly got up and placed the pistol on the table, depriving the media men of the symbolic scenario of surrender. Later, Pirapaharan complimented him. Severely embarrassed, General Attygalle placed his palm on the pistol and read out his brief statement: 'Today is a historic day for the future of Sri Lanka... This act of surrendering all arms signifies an end to the bloodshed and violence that has affected the entire fabric of our democratic society.' In fact, the LTTE did not surrender all the weapons. The IPKF High Command was informed that the remaining arms would be handed over once the interim administrative authority was institutionalised under the control of the LTTE.

Why the Accord Failed

Having surrendered a portion of its weapons to the Indian Army as a symbolic gesture of co-operation, as Rajiv Gandhi suggested, the LTTE leadership awaited in anticipation that Delhi would initiate steps to set-up the interim administrative authority. There were

no initiatives from the Government of India. In the meantime, the Sri Lanka government opened up new police stations in the north-east, consolidating the state's law and order machinery in the Tamil homeland. The Sinhala colonisation schemes in Tamil areas intensified, with the backing of the government. The funds assured by the Indian Prime Minister for the administration of the LTTE's structures was discontinued after one month's instalment. The issue that deeply disturbed the LTTE leadership was the arrival in Tamil Eelam from India of a large number of armed cadres from the EPRLF, PLOTE and TELO. They were freshly trained and armed by RAW, according to confessions from some of these young fighters arrested by the LTTE. While clandestine boat landings of EPRLF and PLOTE members took place on the east coast at night, TELO cadres occupied some coastal villages in Mannar. The penetration of these armed groups hostile to the LTTE posed a serious threat to the security of the Tamil Tigers. There were attacks in which the LTTE suffered casualties. The IPKF refused to take action when the matter was brought to their attention. As time passed in a political vacuum, Pirapaharan became agitated and frustrated. Thileepan, a popular political leader in Jaffna and a person well acquainted with the pledges given by the Indian Prime Minister in the form of a gentlemen's agreement, undertook a fast-unto-death to mobilise public protest against India's failure to fulfil its assurances.

Thileepan's fast and his martyrdom is well documented and extensively treated in Adele Balasingham's work, *The Will to Freedom*. It suffices to say that Thileepan's courageous act of self-sacrifice inspired, mobilised and unified the entire Tamil nation as a collective force to protest against India's inaction. When Pirapaharan and I met Mr Dixit at the IPKF Headquarters at Palali, Thileepan was on the threshold of death. We pleaded with the Indian envoy to visit the young fighter and assure him that India would fulfil the pledges given to the LTTE and request him to break his fast. Dixit rejected our genuine plea fearing that there was a conspiracy behind our invitation. On this issue he writes:

'IPKF and our intelligence sources had informed me that the plan was to take me to Thileepan at the Nallur Kandaswamy Temple, subject me to a massive anti-Agreement and anti-Indian demonstration and

then to reject my request with a lot of publicity about the Indian High Commissioner's effort being spurned. It was clear in my mind that I would not subject the Government of India to such a humiliation.⁹²²

There was no plan to humiliate Mr Dixit or the Government of India. It was simply a figment of his imagination. If the Indian diplomat had visited Thileepan and assured him that Delhi would fulfil the pledges the tragedy of his death would have been avoided and Indo-LTTE relations would not have been strained.

Following Thileepan's death, Delhi exerted pressure on Dixit to persuade Jayawardane to institute an interim administrative authority with LTTE playing a predominant role.

The LTTE participated at meetings with Mr Dixit and other officials of the Indian mission at the IPFK Headquarters. I accompanied Pirapaharan during these meetings. Following extensive discussions, there was agreement on powers, functions and finally the composition of the envisaged Interim Administrative Council. Initially Jayawardane was reluctant to delegate executive powers on law and order, policing and taxation to the Council. After dilatory tactics Jayawardane agreed to devolve limited powers to maintain law and order to the administrative body. However, he demanded that, as President of the country, he should choose and appoint the Chief Administrator. He requested the LTTE leadership to recommend three names, from which he would make his choice. We realised that the old fox was playing his crafty game. The LTTE leader had already decided to appoint Mr N Pathmanathan, former Assistance Government Agent, Batticoloa. Pirapaharan preferred an appointee from the eastern province to be the Chief Administrator. Since President Jayawardane was insisting on a panel of three persons to choose from, we listed Mr Pathmanathan as first in the order of preference along with two other names. Jayawardane deliberately chose the second person, Mr CVK Sivagnanam, Municipal Commissioner of Jaffna.

Pirapaharan was annoyed and requested me to convey to Mr Dixit that Mr Pathmanathan was the one and only choice of the LTTE for the post of Chief Administrator. On that day I shuttled between the IPKF Headquarters, and Pirapaharan's residence in Jaffna carrying messages. Dixit told me over the phone that

Jayawardane was adamant and unyielding. Pathmanathan, Jayawardane told the Indian High Commissioner, was more loyal to the LTTE than to the Government of Sri Lanka. He had helped the LTTE militants to escape from jail thereby violating the oath of allegiance to the government. He told Dixit, 'I am still the President. I shall not be dictated to by a separatist militant group on every detail of how I should run the administration of a part of my country'.²³ Thus the intransigence of Jayawardane and the impotence of the Government of India led to the collapse of the Interim Administrative Authority pledged to the LTTE by Rajiv Gandhi.

October 1987 unfolded as the darkest period in the history of the Tamil political struggle. On 2 October a minor incident in the sea off Point Pedro blew up into a major catastrophe precisely because of the Sri Lanka government's inflexible attitude and the incompetence of Rajiv's administration in dealing with Jayawardane. The arrests of two senior LTTE commanders, Pulendran and Kumarappa and 15 high-ranking cadres by the Sri Lankan Navy and their mass suicide in custody at the Palali Air Base was a tragedy, of immense consequences. It was the straw that broke the camels back in terms of the tense relations between India and the Liberation Tigers.

During that critical time I was given the responsibility of persuading the IPKF High Command and the Indian High Commissioner to secure their release. Mr Dixit, who was in Delhi at that time, cancelled his holidays and rushed to Colombo to plead with Jayawardane to release the LTTE cadres. Initially Dixit assured us that the problem could be resolved amicably and the LTTE leaders and cadres would soon be released. But as time went by his tone began to change and his confidence began to falter. The following morning on 4 August, Dixit revealed to me that Lalith Athulathmuthali, the Minister of National Security, was firm in his demand that all the arrested LTTE cadres should be taken to Colombo for interrogation.²⁴ I told Dixit that the President had already proclaimed a general amnesty for all the members of the LTTE following the surrender of arms and therefore their arrest and the demand for interrogation by Sri Lanka constituted a violation of the Indo-Sri Lanka Accord. I also warned him of the far-reaching consequences that would arise if any harm came to our fighters. Furthermore, I pointed out that the Palali Air Base had been trans-

formed into the military headquarters of the IPKF and therefore the safety and the release of the arrested LTTE cadres was the responsibility of India. Mr Dixit assured me that if Jayawardane failed to yield, he would advise the IPKF Commander, General Harkirat Singh, to secure their release.

Realising opinion in Colombo was hardening and with time running out, Dixit requested General Singh to take full control of Palali Air Base and not to allow the Sinhala soldiers to transport the LTTE cadres to Colombo. However, in my dealings with the IPKF commander I learned that his relations with the Indian High Commissioner were unfriendly and hostile. Subsequently, the General resented Dixit's request and refused to concur, arguing that there was a chain of command, the GOC Southern Command, from whom he received proper orders. Later when I met General Singh, he was furious. 'He is neither my superior nor is he a military person. If I carry out his orders there will be armed clashes between my troops and the Sri Lanka military personnel who are holding the LTTE fighters in their custody,' the General told me. He said he was deeply disturbed over the arrest and detention of the senior LTTE cadres during the ceasefire. In the IPKF commander's view it was a political issue and had to be resolved at the highest level between Colombo and Delhi.

When I visited Pulendran, Kumarappa and the others I told them Athulathmuthali was determined to have them transported to Colombo and that it was a very serious development. They knew what would happen to them if they were taken for interrogation and punishment. They immediately wrote and they all signed a letter to their leader, expressing their willingness to die rather than being subjected to torture. I delivered their letter to the Tiger leader. I watched as Pirapaharan's eyes turned red and moist while he read. They had requested him to send them cyanide capsules. He reflected for some time and then collected the deadly poisonous capsules from his commandos and bodyguards and hung them around Mathya and my necks and told us to deliver them without fail. On the eventful day, 5 October 1987, I carried out the saddest assignment I have ever undertaken for the LTTE.

In the meantime, while Dixit desperately tried to persuade Jayawardane to relent, Athulathmuthali took rapid action. Exercising his authority as Minister of National Security he

despatched a special military plane to Palali and issued orders to the Air Base Commander Brigadier Jayaratne, to shift the arrested LTTE cadres to Colombo by force. When the Sinhala soldiers were about to remove them, all the LTTE fighters swallowed cyanide. Pulendran, Kumarappa and 10 other senior cadres died immediately.

The news of the mass suicide of the LTTE leaders and cadres spread like wild fire throughout the Tamil homeland, inflaming passions of anger and revenge. The very fact that the tragedy took place at the headquarters of the IPKF turned the agonised masses hostile towards the Indian peacekeepers. Violence spread across the Tamil region. The Indian troops were jeered at and stoned and some were attacked. Tragically, reprisal killings of Sinhala civilians exploded into communal clashes in the eastern province. Jayawardane became furious and agitated; he revoked the general amnesty given to the Tamil Tigers and demanded that India take urgent action to restore order.

On 7 October the Indian Army Chief, General Krishnaswamy Sundarji and the Indian Defence Minister, KC Pant, flew to Colombo and conferred with the President. He was told of Delhi's decision to disarm the LTTE by military force. Jayawardane was delighted that his strategy of turning the Indians against the Tamil Tigers had finally succeeded. 'Operation Pawan', a major offensive to disarm LTTE fighters and take control of the Jaffna Peninsula, was to be launched on 10 October.

The IPKF commanders - the Overall Force Commander of the Indian Forces in Sri Lanka, General Depinder Singh and the Jaffna IPKF Commander, General Harkirat Singh, were opposed to military confrontation with the LTTE. Such an armed conflict, they felt, would turn into the quagmire of protracted insurgency. They disliked the very concept of transforming a peacekeeping mission into an offensive war against the people whom they were obliged to protect under the Indo-Sri Lanka Accord.

On 6 October, before the outbreak of hostilities, General Sundarji visited Palali Headquarters of the IPKF to discuss the military strategy to disarm the Tigers. General Depinder Singh took the occasion to express his opposition to military action. Writing about the Indian military debacle in his book entitled '*The IPKF in Sri Lanka*', published in 1992 after the Indian military with-

drawal, Singh made the following comments on the decision to launch a war against the LTTE:

‘It was apparent that the political decision to employ force against the LTTE was already taken... My recommendation to General Sundarji was that we must not go in for the hard option because, if we did, we would be stuck in an insurgency situation for the next 20 years. I was admonished not to adopt a defeatist attitude to which my reply was that I was not being defeatist, merely realistic. The chief (General Sundarji) then flew off to Colombo. The next day IPKF HQ received direct instructions from the chief in Colombo to use force against the LTTE.’²⁵

General Depinder Singh made desperate efforts to forestall the military option. He tried to contact the Tamil Nadu chief Minister MGR. Unfortunately at that time MGR was critically ill in the United States. Instead, the General met Panduritte Ramachandran in Chennai and explained the disastrous consequences that might result if a military confrontation took place between the IPKF and the Tiger guerrillas. He pleaded with the Tamil Nadu Minister to persuade the Indian Prime Minister to reconsider the military option. It was of no avail. Having met with a negative response from Rajiv Gandhi, Minister Ramachandran informed Depinder Singh of the hardened feeling in Delhi that the LTTE ‘must be cut to size’.²⁶ Commenting on his frustrated effort, Depinder Singh says that irrespective of his advice and warnings the decision to embark on a military crackdown against the Tamil Tigers was taken at the political top level. To quote him in this context:

‘I have no reason to doubt that my reservations on adopting the hard option and the inadequacy of troops were conveyed by the Chief of Army (General Sundarji) to the Defence Minister and the Prime Minister, and if thereafter, the decision to go ahead was taken despite that advice, it was again, a political decision.’²⁷

On 9 October the Prime Minister, Rajiv Gandhi and President Jayawardane, decided to ‘forcefully disarm the LTTE militants’ to implement the obligations of the of the Indo-Lanka Agreement. Rajiv Gandhi had already consulted his advisors, intelligence

agencies and the Chief of Indian Army with regard to the consequences of confronting the LTTE fighters. Mr Dixit refers to a confidential meeting in Delhi, where Rajiv Gandhi enquired from the Army Chief of Staff, General Sundarji, about his assessment of disarming the LTTE by force. General Sundarji asserted that 'the Indian armed forces would be able to neutralise them militarily within two weeks'.²⁸ Based on this assessment Rajiv Gandhi was not overly worried about the negative consequences.

In the early hours of 10 October 1987, the Indian troops raided the LTTE's newspaper offices, radio and television stations in the city of Jaffna. The printing press of two pro-LTTE newspapers, '*Elamurasu*' and '*Murasoli*' were blown up and the journalists arrested. The LTTE television station '*Nidarsanam*' was torched. LTTE guerrillas, using mortar fire, counter-attacked an IPKF military post at Tellipallai junction. An attempt by a convoy of Indian troops to leave the Jaffna Fort garrison was repelled by a barrage of LTTE mortar and machine-gun fire. A full-fledged Indo-LTTE war had broken out. With the outbreak of hostilities the LTTE Political Committee issued a statement lamenting:

'While the LTTE and the people of Tamil Eelam were mourning over their dead heroes, the Government of India mobilised its peace keeping forces for a bloody war against the Tamils. Neither the Tamil people nor the LTTE anticipated, even in their wildest dreams, a war with India. India was their protector, guardian and saviour and the presence of Indian troops was looked upon as an instrument of peace and love. For the LTTE, India was their promoter, a friendly power, who provided sanctuary and armed assistance, an ally who respected its role in the liberation war and recognised its political importance. Therefore the Indian decision to launch a war against the LTTE took the Tamil nation by surprise and anguish.'²⁹

The war continued for two years and seven months, the longest war that India ever faced. Indian troops suffered heavy casualties; 1500 soldiers were killed and three or four times that number wounded, most of them maimed.³⁰ As an Indian journalist commented:

'It was a monumental blunder that kept the IPKF bogged down in a futile war for more than two years. By the time, the last of the Indian troops sailed back home in March 1990, it had turned out to be the country's biggest diplomatic-intelligence fiasco since the 1962 war with China.'³¹

Writing on the Indian intervention, a Sri Lanka military analyst characterised the Indo-Sri Lanka war as India's Vietnam, as a war between a mighty power against a small, weak, but 'iron willed', foe enjoying popular support as 'heroes of the people'. To quote him:

'When the history of the twentieth century is chronicled, the military historians of the future will draw a parallel between four tragic wars: the American troops in Vietnam, the Chinese troops in Cambodia, the Soviet troops in Afghanistan and the Indian troops in Sri Lanka. This will be the failure of the armies of four great powers to subdue their enemy, smaller in number, weaker in strength, poorer in training, but at the same time, iron willed, devious in strategy and ruthless to their foe...India's 'enemy' was everywhere and at all times; they were heroes of the people and came from the people; they were nurtured, harboured and supported by the local people.'³²

Pirapa's Letters to Rajiv

The Indo-LTTE war was brutal and bloody. Both the Indian army and the Tamil Tiger guerrillas suffered heavy casualties. However, those who suffered the most were the Tamil civilians. There were several incidents of horrendous massacres by Indian troops. On the first day of the invasion of Jaffna, 11 October 1987, forty people were slaughtered at Pirambadi near Jaffna University where the LTTE leader lived. This bloody carnage took place when the Indian troops made a futile commando raid on that location to assassinate Pirapaharan and other senior leaders of the organisation. The most abominable outrage occurred on 21 October 1987. Indian troops stormed the Jaffna General Hospital spraying bullets

and indiscriminately throwing hand grenades, resulting in the deaths of more than one hundred inmates, including 21 doctors and nurses. Less than a week later another terrifying bloodbath took place on 27 October in Chavakachcheri town. An Indian military helicopter launched a sudden attack, opening rocket and machine-gun fire on a crowd in the market square. Thirty civilians were killed and 75 seriously injured.

It is beyond the theme of this work to list the series of massacres committed by the Indian armed forces. It suffices to say that from well-documented cases, more than four thousand Tamil civilians lost their lives during the period of Indian military occupation. Apart from the butchery, there were hundreds of cases of rape and the plunder of property from the public. Infuriated by the atrocities of the Indian soldiers, the Tamil population supported and sustained the armed resistance campaign of the Tiger guerrillas.

When India declared war, the LTTE leadership was forced to choose between two unpleasant options. Surrendering would have meant certain death. The other option was to die fighting. Only in the second option did the Tigers have a possibility of survival, even success, if they conducted the war of resistance with courage, determination and resilience. More importantly, the second option gave them dignity: in death there was honour and heroism. For these reasons, Pirapaharan told me, he chose the second option, i.e. to fight and be prepared to die. When the LTTE leader took the high-risk option to fight the largest army in South Asia, he enjoyed wide support across the rank and file to follow his course. Though the objective conditions constrained the LTTE leadership to choose the path of strategic defence in the war with the Indian army, every effort was made to appease and reconcile with the Government of India. Within three months of the outbreak of hostilities, Pirapaharan wrote three letters to the Prime Minister of India pleading for cessation of hostilities and negotiated settlement. There was no response from Delhi.

The first letter was written on 12 October 1987, the third day after the declaration of war. The letter stated:

Honourable Prime Minister,

I wish to bring to your urgent attention of the grave and dangerous situation that has developed in

Jaffna.

The Indian Peace Keeping Forces have declared war against the Liberation Tigers of Tamil Eelam and commenced military offensive operations. We are compelled to fight back the Indian and Sri Lankan armed forces in self-defence, to protect and safeguard our fighters and our people from annihilation.

Our people are shocked and deeply distressed as the Government of India has declared war against our liberation organisation, which enjoys popular support. We are of the opinion that the declaration of war against the Liberation Tigers violates the very basis of the Indo-Lanka Agreement. It is the view of our people also.

A dangerous situation has arisen with the probability of heavy civilian casualties as a result of the offensive military operations undertaken jointly by the Indian forces and Sri Lankan troops. The Government of India will have to bear the full responsibility for such disastrous consequences.

I humbly appeal to you, in the name of peace and goodwill and on the basis of our good relations with the people of India, to instruct the Indian Peace Keeping Forces to cease all military offensive operations.

Velupillai Pirapaharan
Leader, LTTE

Two days later, on 14 October Pirapaharan sent a second, more detailed letter pleading with the Indian leader for peace and negotiations.

Honourable Prime Minister,

Since day by day the situation in Tamil areas is becoming critical and grave, with increasing incidents of death and destruction I am compelled to write to you again.

The crisis has deepened with massive civilian casualties in the Jaffna peninsula resulting from the military offensive operations by the Indian Peace

Keeping Force. To date, 150 civilians have been killed and about 500 injured as a consequence of blind, indiscriminate artillery shelling, mortar fire and aerial bombardment. A large number of fighters belonging to our organisation have also been killed. We have in our custody 18 Indian soldiers as prisoners of war.

As the war is intensifying thousands of Tamils have been displaced as refugees. Because of the indefinite curfew there is an acute shortage of essential food items. As a consequence our people are being subjected to enormous suffering.

It is a sad tragedy that the Indian Peace Keeping Forces, who visited our homeland to protect our people and to establish peace and normalcy, have started a full-fledged war and are committing inhuman atrocities against our people. On the morning of the 11 October, 40 civilians, including women, children and university students, were massacred by the Indian military commandos at Primabadi, near the Jaffna city. We were shocked by the assault launched by the IPKF on the public institutions serving the people. Indian soldiers, who stormed into the offices of the Tamil dailies, '*Elamurasu*' and '*Murasoli*' blew the printing machines to pieces. Jaffna General Hospital, the only medical institution for the northern province, suffered extensive damage when the Indian forces launched heavy mortar fire from the Fort garrison. Yesterday several buildings of the Jaffna University were damaged by aerial bombardment.

The Government of India is engaged in a propaganda campaign denying the use of heavy weapons and fighter planes in the war. But in reality, the Indian and Sri Lankan planes and helicopters continue to indiscriminately attack civilian targets, causing heavy casualties. Our people are deeply shocked and saddened by such actions.

In compliance with the obligations of the Indo-Lanka Accord, the IPKF should maintain peace; they

should protect the civilian public. These are their duties and mandates. Under the Accord, the IPKF does not have any legal provisions to wage war against a political organisation enjoying popular support. I appeal to you to send a fact finding mission to Jaffna comprising of international journalists, human rights representatives, Indian opposition party leaders to enquire and report to your government about the allegations of Indian military atrocities.

You are aware that both the governments of India and Sri Lanka have approached our organisation to set-up an Interim Administrative Authority in the northeastern province. This has demonstrated the fact that both governments have recognised the LTTE as the predominate political organisation in the Tamil region enjoying popular support. We have pledged to surrender the rest of the weapons once an interim administration is instituted. But it is unfortunate that the Government of India has declared a war against our organisation for the incidences of violence that erupted in the eastern province. Our organisation is not in anyway involved in the communal violence, which occurred in the east. What happened in the east was spontaneous outburst of communal violence following the tragic deaths of Pulendran and Kumarappa at the hands of Sinhala soldiers. The sorrow-stricken people of the east embittered by the sudden loss of these two senior commanders of Trincomalee and Batticaloa districts went berserk committing violence. We cautioned Mr Dixit, the Indian High Commissioner that serious consequences might arise if harm is done to the lives of our senior commanders. Mr Dixit has also warned President Jayawardane of serious consequences.

Our people are entitled to the democratic right to determine their own political destiny. It is unfair and unreasonable for a democratic country like India to impose its will and aspirations on our people at the point of a gun. Even though we have our own

reservations we pledged to co-operate with the Government of India to implement the Indo-Lanka Agreement if the interests of our people are secured. In spite of this goodwill gesture, the decision of your government to annihilate us - the authentic representatives of our people - by military means is unfair, unjust and illegal. Therefore I humbly request you to initiate a process of negotiations with our liberation organisation to effect a cessation of hostilities and to restore peace, normalcy and ethnic harmony.

Velupillai Pirapaharan
Leader, LTTE

The LTTE leader again wrote to the Indian Prime Minister on 13 January 1988. In this third and final letter he again pleaded with the Indian leader for ceasefire and negotiations. Pirapaharan also pledged to lay down all weapons when the Interim Administrative Council was formed in accordance with the secret agreement reached between Rajiv and himself. The letter states:

Honourable Prime Minister,

As our people are suffering enormously as a consequence of intensified violence and disruption of peace and normalcy in Tamil areas, I kindly plead with you once again to initiate conciliatory measures to cease armed hostilities and to restore peace and normalcy in Tamil areas.

As a goodwill measure to initiate a peace process, I kindly request you to release all our cadres and supporters in the custody of the Indian Peace Keeping Force. I also urge you to advise President Jayawardane to declare a general amnesty to our fighters.

We pledge to lay down our weapons as soon as the Interim Administrative Authority is institutionalised with a preponderate role to the LTTE as we entered into an Accord in Delhi.

We wish to reiterate that our liberation organisation will co-operate with the Government of India in the implementation of the Indo-Lanka Agreement if

the safety and security of the people are guaranteed and their interests promoted. We hold the view that the Provincial Council proposals as envisaged in the Indo-Lanka Agreement fail to fulfil the aspirations of the Tamil people. Nevertheless, we are confident that the LTTE will be allowed to play a major role in future deliberations to work out an adequate framework for a regional autonomy and self government that would satisfy the aspirations of our people.

I sincerely hope that you will give earnest and serious considerations to our views and take immediate steps to declare ceasefire and to commence negotiations with the objective of alleviating the suffering of our people and to create congenial conditions of peace and normalcy in the Tamil homeland.

Velupillai Pirapaharan
Leader, LTTE

There was no response from the Indian Prime Minister to Pirapaharan's letters. The call for the cessation of hostilities and peace negotiations were interpreted in Delhi as a desperate cry from an organisation in disintegration. Indian intelligence agencies were feeding the Prime Minister's office with misinformation, as if the collapse of the LTTE was imminent. Therefore, the more the LTTE leadership called for peace, the more military pressure it faced. Delhi had firmly decided to isolate and alienate the Tamil Tigers politically and to demobilise and destroy them militarily. In these circumstances there was no room for reviewing policy determinations. On one occasion we sent a feeler to General Depinder Singh expressing our preparedness to negotiate with the Government of India. The General conveyed the message to Delhi and to his surprise the response was negative. To quote him in this context:

'Regrettably, the view taken in Delhi was that these feelers indicated that the end was close and, therefore, the requirement was to stop talking and turn the screw some more... I remember a telegram from the High Commissioner sent from Colombo to Delhi stating inter alia that according to information

available to him, the LTTE collapse was imminent. On that I sent a message to Army Headquarters stating that... the factual position was that the LTTE were far from finished.³³

In his book analysing the role of the IPKF in Sri Lanka, General Depinder Singh laments that the army's view could not prevail in Delhi. This was because of, according to him, a lack of rapport between the Army Chief of Staff and the Prime Minister.

April 1988. Having escaped from the search and destroy operations of the IPKF, Adele and I were living underground in Bangalore. It was during that time I received an urgent message from Mr M Karunanithi, then Chief Minister of Tamil Nadu, to see him immediately. A secret meeting was arranged in a hotel suite in Salem, Tamil Nadu. I met him at midnight. Mr Murasoli Maran was with him. The Dravida Munnetra Kalagam (DMK) leader, Karunanithi, expressed serious concern about the military situation in Tamil Eelam particularly the danger of annihilation faced by the LTTE leadership. He enquired as to whether it would be prudent to lay down the weapons and surrender, rather than being wiped out by a formidable military power. I explained to him, to his surprise, that Pirapaharan and his fighters would be prepared to die for a noble cause rather than to surrender in humiliation and dishonour. I convinced him that the Tamil freedom fighters were brave and dauntless and had the determination and resilience for a protracted guerrilla campaign. Furthermore, I told Mr Karunanithi that the LTTE leadership was prepared to cease all armed hostilities and negotiate with the Government of India for a peaceful settlement. We were prepared to lay down our weapons and co-operate if an interim administration was instituted as pledged by the Indian Prime Minister³⁴ to the LTTE leader in Delhi.

The Tamil Nadu leaders assured us that they would convey our message to Rajiv Gandhi. Following the meeting Mr Murasoli Maran met the Indian Prime Minister and conveyed the LTTE's desire for peace and negotiated settlement. Rajiv Gandhi was not impressed. The Prime Minister insisted, Mr Maran told me later, that the LTTE should lay down their weapons and surrender or face the fury of the Indian army.

The LTTE leadership thus lost all hope of reconciliation with Delhi. While intensifying the military offensive operations, Rajiv's

administration initiated the process of alienating and marginalizing the LTTE from political affairs. This was done by promoting other Tamil militant organisations in the political arena. On the advice of the Indian intelligence agencies, Delhi decided to foster and promote the EPRLF, a Marxist organisation extremely unpopular among the people of Tamil Eelam.

Jayawardane's government colluded with Rajiv's administration in undertaking a series of measures to institute a powerless, puppet provincial administration in the northeast and to install EPRLF as the ruling party.

Two pieces of legislation, the 13th Amendment to the Constitution and the Provincial Council Bill were rushed through Parliament to provide a constitutional form to the proposals conceived in the Indo-Lanka Agreement. A Citizens Volunteer Force (CVF) was established to enable the EPRLF and other non-LTTE organisations to form themselves into a powerful military structure to police the northeast. The Indian government provided the funds for this military force, which was also known as the Tamil National army, while the IPKF undertook the responsibility of training the personnel.

The Northeastern Provincial Council elections were held in November 1988. It was a fraudulent exercise organised and supervised by the Indian Forces in which the EPRLF gained the majority of seats and Varatharaja Perumal, a central committee member, was elected as the Chief Minister.

As soon as the Tamil provincial administration was formed it ran into serious difficulties as President Jayawardane opposed the functioning of the administrative headquarters in the city of Trincomalee. The Sinhala government resented the EPRLF efforts to establish Trincomalee as the capital of the northeastern Tamil homeland. Having refused to facilitate an office to the Northeastern Provincial Council, Jayawardane adopted dilatory tactics in devolving even the limited powers to the Council. Deprived of powers, funds and office facilities, Chief Minister Perumal spent months shuttling between Trincomalee and Colombo in a futile effort to establish his administration. Neither Rajiv Gandhi nor the Indian High Commissioner or the IPKF commanders could persuade the intransigent President to devolve power to the Tamil region.

With a paralysed Provincial administration, the long and arduous mediatory effort of the Indian government reached a blind alley. The EPRLF was thrown into the political wilderness. The crafty Jayawardane had led Rajiv Gandhi astray. The Sri Lanka leader succeeded in his treacherous diplomacy of turning the India army against the Tamil freedom movement. Having outwitted the Indians and hoodwinked the Tamils, President Jayawardane retired at the end of 1988, paving the way for Ranasinghe Premadasa to assume power. The incumbent President and his administration in Colombo adopted a new policy orientation, setting the stage for radical changes in the Indo-Lanka relations. Faced with an insurrectionary situation in the South by the JVP and a protracted guerrilla war led by the LTTE, President Premadasa invited both the Sinhala and Tamil rebel movements for talks. Realising that the new President was opposed to the Indian military presence in the Tamil homeland, the LTTE leadership decided to engage in peace talks with the Sri Lanka government. Our decision to negotiate with the Premadasa regime to seek the withdrawal of the Indian military force occupying the Tamil region was a severe blow to the Indian policy of politically isolating the LTTE and militarily neutralising them. As the peace talks commenced in Colombo, the Tamil Tigers emerged from the Indian imposed isolation as a powerful national movement representing the sentiments and aspirations of the people of Tamil Eelam. Mr Dixit, in his analysis of the Indian involvement in Sri Lanka as presented in his book *'Assignment Colombo'* concedes that the Indian policy of isolating the LTTE from politics as well as from the Tamil people was a failure. Dixit says that he felt that:

'India should deal with other groups bypassing the LTTE and isolating it. My assessment at that time was if other Tamil groups join the Indian initiative, the LTTE can be successfully isolated initially which would compel it to join the peace process. I was wrong in this assessment.... Mr expectation that the LTTE could be successfully isolated from the Sri Lankan Tamils also proved to be wrong, because I did not anticipate the various undercurrents and motivations in Sri Lankan and Indian politics which would contribute to the LTTE's survival and its continuing

capacity for struggle.³⁵

The cardinal reason behind the failure of the Indian intervention in Sri Lanka, in my assessment, was the misjudgement by Rajiv Gandhi and his political advisors of the shrewd and perfidious mind-set of President Jayawardane. The Sri Lanka leader was neither sincere nor had the genuine political will to resolve the ethnic conflict in fairness to Tamil demands. Essentially a hardline Sinhala nationalist with strong majoritarian tendencies, Jayawardane, during his lengthy political history had refused to bestow justice to the Tamils. In his diplomatic dealings with Rajiv's administration, Jayawardane did not adopt an overt confrontationist course; rather, he acted treacherously to convince the Indian leaders that he was genuinely committed to resolving the Tamil issue and to implementing the Accord. It would be appropriate to say that he acted in bad faith. Mr Dixit, who interacted with the Sri Lankan President very closely in the formulation of the Accord and other critical political issues, finally laments, 'I over-estimated the sincerity and political will of Jayawardane to come to a genuine compromise with the Tamils with the help of the Government of India.'³⁶ The Indian government's over-estimation and trust placed in Jayawardane, finally led to a diplomatic debacle when the Sri Lankan leader refused to devolve powers to the Tamil province, violating the obligations of the Accord.

On the other hand, in dealing with the Tamil issue, the Government of India severely under-estimated Pirapaharan's will and determination to advance the cause of his people, even amidst seemingly insurmountable difficulties. This underestimation resulted in the Indian government subjecting the LTTE leader to various forms of pressure and persecution when he was in India and later when it unleashed a war to annihilate him and his organisation. Yet Pirapaharan survived the ordeals and continues to carry on the struggle of his people. Mr Dixit, who was severely critical of Pirapaharan during the Accord times, ultimately compliments him for his tenacity in the following terms:

'I met the leaders of practically all Tamil militant groups during my four years in Colombo. Pirapaharan naturally stands out among them. Regardless of the criticisms and prejudices that I may have about this young man, I cannot help but acknowledge his deep

idealism and his political and military skills... Events over the years have shown him as an accomplished political strategist and military tactician, qualities strengthened further by his forbearance and his capacity for survival.. His surviving the IPKF and carrying on his struggle has made him a folk hero among his people.²³⁷

Dixit made the above evaluation of the Tamil Tiger leader in his penetrating study of the Indian involvement in Sri Lanka written ten years after the signing of the Indo-Lanka Accord. Having confessed that he over-estimated Jayawardane, Dixit concedes that India under-estimated Pirapaharan. 'One over-arching miscalculation of India was our under-estimating Prabakaran's passionate, even obsessive commitment to the cause of Tamil Eelam ... his tactical cleverness and his resilience in adversity.'²³⁸

India's mishandling of the Tamil liberation struggle to secure her geo-strategic interests was also an important factor for the failure of the Indian intervention in Sri Lanka. It is true that India had genuine geo-strategic concerns at that particular historical conjuncture. Indian intervention was motivated by apprehensions that the involvement of adverse external forces could destabilise India's security environment. To remove that threat, Delhi covertly manoeuvred the Tamil armed resistance movement, spearheaded by the LTTE, in military operations against the Sri Lankan state. In that process the Government of India succeeded in achieving her geo-strategic objective of binding Sri Lanka within her sphere of influence and removing the threat of adverse external forces. The Accord, while securing India's interests, gave primacy to the unitary structure of the Sri Lankan state by pledging to safeguard the 'unity and territorial integrity' of the island. Such an obligation in the Accord helped to reinforce the already entrenched Sri Lanka unitary constitution that closed the space for the formation of an authentic regional self-government in the Tamil homeland that would satisfy the political aspirations of the Tamil people. In other words, Indian intervention, which was primarily motivated to secure Delhi's self-interest, ignored the ethos of the Tamil national struggle; the drive, the spirit and the determination of the oppressed Tamil nation to fight for its political freedom. Thus India's intervention failed to resolve the Tamil ethnic conflict, but rather made

the issue more complex and left the Tamil freedom movement to continue to fight a lonely and bitter struggle against a callous enemy.

References and Notes

1. Gunaratna. R. 'Indian Intervention in Sri Lanka: The Role of India's Intelligence Agencies.' Colombo 1993.
2. Dixit. JN. 'Assignment Colombo.' Konark Publishers, Delhi 1998.
3. Ibid, page 327.
4. Mr G Parthasarathy told me about Mrs Gandhi's reservations concerning Jayawardane during private conversations I had with him at his residence in Delhi in the period 1984-85.
5. Mr Pirapaharan had been released on bail following a shooting incident between Uma Maheswaran and himself at Pandya Bazaar in Chennai. He was living with Pala Nedumaran at his residence in Madurai from where he left for Jaffna.
6. Mrs Gandhi took a bold step to create Bangladesh by invading East Pakistan in 1971, not purely for altruistic reasons of liberating the oppressed East Bengali nation, but for the geo-strategic objective of weakening an aggressive hostile neighbour.
7. These operations were recorded in the Diary of Combat (1975 - 1984) compiled by me as an official publication in December 1984.
8. Dixit. JN 'Assignment Colombo', page 306. Konark Publishers, Delhi, 1998.
9. Mr Saxena was appointed as the National Security Advisor to Rajiv Gandhi and later assumed the position Governor of Jammu and Kashmir.
10. Narayan Swamy. MR . 'Tigers of Lanka. From Boys to Guerrillas', page 147. 3rd Edition, Vijitha Yapa Publications. Colombo 2002
11. Joint Memorandum by the ENLF to the Authorised Representative of the Government of Indian, 18.06.1985.
12. Joint Response of the Tamil Delegation on the concluding day of phase 11 of the Thimpu talks on 17 August 1985.
13. Joint statement of the 17 August 1985 made by the Tamil delegation immediately prior to walking out of the Thimpu Talks.
14. Dixit. JN. 'Assignment Colombo'. Page 41-42. Konark Publishers, Delhi.
15. Ibid. page 43-44.

16. The details of my arrest and deportation have been extensively treated in the book 'The Will to Freedom' by Adele Balasingham.
17. Dixit. JN. 'Assignment Colombo'. Page 57.
18. Gunaratne. R 'Indian Intervention in Sri Lanka'. Page 167.
19. This information was conveyed to Mr Dixit from the Sri Lanka government sources. See page 96 in his book 'Assignment Colombo'.
20. Dixit. JN 'Assignment Colombo'. Page 118.
21. The LTTE did not have an official representative in Singapore at that time. We suspect that the anonymous person who claimed to be the representative of the LTTE and conveyed the telephone message must have been a RAW operative.
22. Dixit. JN 'Assignment Colombo'. Page 202.
23. Ibid. page 207.
24. Athulathmuthali wanted to avenge the massacres of Sinhala civilians in the Trincomalee and Batticaloa districts, allegedly by Pulendran and Kumarappa, according to Dixit's accounts.
25. Singh. Lt General Depinder. 'The IPKF in Sri Lanka'. Trishul Publishers, New Delhi 1992.
26. Ibid. page 86.
27. Ibid. page 87.
28. Dixit. JN 'Assignment Colombo'. Page 156.
29. see LTTE document 'You Too India' by LTTE Political Committee, 1987.
30. Singh. D 'The IPKF in Sri Lanka'. Page 201.
31. Narayan Swamy. MR 'Tigers of Lanka. From Boys to Guerrillas'. Page 269.
32. Gunaratna. R. 'Indian Intervention in Sri Lanka: The Role of India's Intelligence Agencies.' Colombo 1993.
33. Singh. D. 'The IPKF in Sri Lanka' page 128.
34. Ibid. page 128
35. Dixit. JN. 'Assignment Colombo'. Page 344
36. Ibid. Page 344.
37. Ibid. Page 320
38. Ibid. Page 43

CHAPTER III

PREMADASA - LTTE TALKS

- Adele Balasingham

There is nothing like war to manifest ironies. History too, has its quirks. So one shouldn't be surprised to discover that having escaped from the island of Sri Lanka we had now returned, but this time under very different circumstances. Our base was not Tamil Eelam, but the Sinhala South; nor were we being hunted in lanes and fields, but enjoying the comforts of a five star hotel in Colombo. We were not dealing with an ally who had become an enemy, but an enemy who had become an ally. Furthermore, we were not on a mission of war, but one of peace. These were my reflections on May 3rd 1989 as we flew in a Sri Lankan Air Force Bell helicopter on our mission to Vanni to airlift out LTTE delegates for their participation in peace talks in Colombo. We were flying from Colombo into the airspace of the Indian occupied territory of Tamil Eelam. A select team of journalists from Colombo were flying alongside us in another helicopter.

Two giant MI24 helicopters gunships of the Indian Airforce intercepted our craft and followed at a distance. It was an affront by the Indians to impose themselves on our flight for we knew that the Sri Lankan Air Force did not seek India's permission for this mission. Their commanders believed that they had sovereign rights to fly over their territory and did not require Indian permission to enter the Tamil Eelam air space. Not surprisingly, the Sri Lankans were taken aback at the sudden and unexpected threat posed by the heavily armed Indian helicopters. Nevertheless, disregarding this hostile intrusion, the Sri Lankan pilots remained calm and stayed on course, flying towards their designated destination while scrutinising a map of Vanni.

In our view, this deliberate tagging of our flight constituted an unfriendly act by the Indians, signalling that they viewed the nascent relationship between the LTTE and the Premadasa government with some displeasure and scepticism. The action sent a message to Mr. Premadasa and the LTTE that, while publicly she welcomed the opening up of a dialogue between the two parties in this ethnic conflict, privately India was peeved and would assert herself as a superpower in the region and also would try to remain a major player in the turbulent politics of Sri Lanka.

The Indian helicopters, their unmistakable message delivered, disappeared into the blue haze. We proceeded with our project, flying over the sun baked paddy fields and hamlets of thatched mud huts, towards our destination in the jungles of Nedernkerni. Seen from the sky, the dense jungle green interspersed with hues from swampy lakes and marshy lands and shades from open fields all added up to an enormous patchwork quilt. And somewhere beneath the thick green canopy, dug in deep, were hundreds of our guerrilla cadres, watching as our helicopters circled overhead. We had entered the pick up area.

Before our departure from Colombo, it had been arranged with the Sri Lankan military establishment that our cadres should mark a huge white cross in a clearing in the jungle to indicate to the helicopter pilots their whereabouts and a safe landing zone. But as the helicopters circled repeatedly, a glimpse of the white cross remained elusive. Flying from one area to the next the helicopter gulped fuel as we scanned the jungle below for a sign of the landing zone. As the search went on, our excitement at the prospect of meeting our cadres again waned, as we wondered if the fuel would hold out for us to cover the vast area of jungle stretching to the horizon. Had the pilot got his directions wrong or was it our cadres who had made a mistake? It didn't really matter; what concerned us most was to locate the landing zone as quickly as possible, while we had the fuel to do so. Then, just as thoughts of abandoning the mission entered into the pilot's considerations, we saw a red spot in the distance. As the Bell helicopter chugged closer to the spot, it transformed into a young man frantically waving a red flag in a bid to attract our attention. Gradually, a white cross became evident through the green. It had to be our cadres. Bala picked up the short-range walkie-talkie, dialled in the code number and smiled when he

heard, "Hello Bala Anna, we receive you".

As the two helicopters slowly descended, the faces of our cadres became discernible through the trees and bushes of the thick jungle skirting the open landing field. A quick glance around reminded us that we were still at war with both India and Sri Lanka. Hundreds of heavily armed cadres had been deployed to defend the area in the event of a sudden military operation by the Indian army. The cautious LTTE cadres, satisfied that the passengers in the helicopters were bona fide and not a ruse to draw them out into a hail of gunfire, rushed forward from their jungle cover carrying trays of cakes and biscuits for their guests. Extending the legendary Tamil hospitality even in the midst of a remote jungle, the cadres served the journalists and pilots with food followed by soft drinks and 'elani' (young coconut juice) for refreshment. The cadres were curious also. After all, they had been in their jungle hideout for eighteen months and this was their first friendly visit during that period. But most of the curiosity focused on the Sri Lankan helicopters and their pilots. It was quite an irony for the craft to be carrying out a non-hostile mission over Tamil territory. The infamous Bells had become synonymous with terror and death amongst the Tamil people and were viewed with caution. Fifty calibre machine guns and rocket pods fixed to the helicopter had killed and maimed countless numbers of Tamils from the air and had reduced hundreds of buildings to rubble. Ironic also, was the sight of Sri Lankan pilots and LTTE cadres reticently greeting each other, quite a contrast to their recent history of mutual exchanges of fire in a bid to kill each other.

Mr. Yogarajnam Yogi, and Mr. Paramu Murthy - senior cadres from the political section of the LTTE appointed to expand the Tigers' negotiating team and to assist Bala - as well as their bodyguards and Mr. Jude, the communication man, emerged from the jungle dressed in camouflage uniforms: they were the people for whom this entire expedition had been undertaken.

With greetings conveyed and photos snapped, the slightly nervous pilots were anxious to get their idling helicopters back into the air and over more friendly territory before the fuel supply dwindled. So within half an hour of our landing in Nederkerni, Yogi and Murthy were on their way to Colombo, the capital of the Sinhala lion, to open a new and extraordinary chapter in the history of the brutal conflict between the LTTE and the Sri Lanka state. Two

hours later, the helicopters landed on the grounds of the Colombo Airforce headquarters in the centre of the capital. After talking to the media personnel in the Airforce grounds, we were taken to a pre-arranged venue (Colombo Hilton Hotel) with tight security arranged by the Special Task Force (STF), to prepare for the historic first negotiations between the LTTE and the Premadasa regime.

Unrest in the North and South

After our miraculous escape from Jaffna and our return to the west, Bala and I travelled to many countries. There we met the Tamil diaspora and various government and non-government officials and explained the problems caused by Indian intervention and the tragic events, which culminated in the unanticipated outbreak of hostilities between the LTTE and the Indian 'peacekeeping force'. It was during this propaganda tour abroad that the situation in Sri Lanka became grim and the island sank deeper into a quagmire of escalating violence and political instability. The intervention of India in the ethnic conflict and the induction of the Indian army into the island were the causative factor for the Tamil resistance campaign in the Northeast and the open rebellion by the disgruntled youth in the South. Totally underestimating the depth of nationalist sentiments and the political consciousness of the peoples of the two nations, the induction of the Indian army as a 'peacekeeping force', under the terms of the Indo-Sri Lanka Accord, proved to be one of the gravest political, diplomatic and military blunders made by Rajiv Gandhi's administration. Ironically, the Indian troops who came to the island as a peace keeping force turned out to be the very catalyst of brutal violence in the North as well as in the South transforming its original character from a peace force into one of oppression and violence. On two fronts, the North and the South, disparate political and military struggles registered their opposition to Indian intervention thus, in the internal affairs of both the Tamils and the Sinhalese.

Disregarding the aspirations of the Tamil people, the Sri Lanka government, in collaboration with the Indian military forces, went ahead with the implementation of the Indo-Sri Lanka Accord, by

attempting to establish a Provincial Council for the civil administration of the Northeast. Provincial Council elections of 19th November 1988, held under conditions of war, fear, and intimidation orchestrated and supervised by the Indian military administration, made a mockery of the democratic process. Vote rigging, ballot box stuffing and other malpractices accounted for the electoral victory and assumption to power of the now Indian sponsored Eelam People's Revolutionary Liberation Front (EPRLF) in the Northeast. The installation of a pro-Indian Tamil political party to administer the Northeastern Provincial Council in the Tamil areas with a puppet politician at its helm, failed to diffuse scepticism but generated anger and criticism of India amongst the Tamil people.

The EPRLF Provincial administration functioned as a political extension of the Indian military occupation of the Tamil homeland. It primarily served Indian interests. It was instituted as a smoke-screen to conceal the military repression and persecution by the IPKF and to legitimise the now infamous Indo-Sri Lanka Accord. The armed EPRLF cadres functioned as mercenaries with the Indian army and collaborated with its campaign to crush the LTTE and to silence criticism of their regime. Their treacherous politics earned the EPRLF the resentment and hatred of the people. Ultimately, EPRLF operated as death squads for the Indian army of occupation. Critics and dissidents suddenly disappeared, never to be heard of again and prominent LTTE supporters were found murdered in their homes or on the streets. This reign of terror fuelled popular support for the LTTE's resistance campaign against Indian military occupation and its puppet political regime. Alienated from the Tamil people, deserted by the Sri Lanka government, and in conflict with the LTTE, the Northeast Provincial administration of Varatharaja Perumal could not function amongst the masses. Instead, it confined itself within a square mile territory in the Trincomalee town under the protective cover of the Indian occupation army.

The unprecedented social and political chaos that tore the island apart during this period was the political legacy of twelve years of United National Party (UNP) rule which J.R.Jayawardene handed over to his successor, Mr. Ranasinghe Premadasa. When Mr. Premadasa was elected as the second Executive President of Sri Lanka on the 20th December 1988, he found himself in an

extraordinary conjuncture, confronting island-wide turbulence, unrest and unparalleled violence. In the Northeast, the Indo-LTTE war continued unabated. The IPKF, consisting of more than one hundred thousand troops, was struggling to contain dedicated LTTE guerrillas operating amidst a supportive populace. In Southern Sri Lanka there was insurrectionary violence - armed rebellion by the Janatha Vimukthi Perumuna (People's Liberation Front) - against the state. Popularly known as the JVP, the Marxist rebel organisation re-emerged - after being crushed in a revolt against Mrs. Srimavo Bandaranaike's regime in 1971- and brought chaos and anarchy to several Sinhala districts. By terrorising the public through murder and violence these 'Marxist revolutionaries' had 'liberated' several regions in the South and brought the Government's administrative machinery to a standstill. Thousands died in an orgy of gruesome violence. Political assassinations, lamp post killings, mass graves, tortured and mutilated dead bodies floating in rivers, funeral pyres of burning tyres littering the streets, and disappearances characterised the JVP's insurrectionary violence and the brutal counter insurgency campaign of the state 'security' forces. At its peak, hartals (strikes) called by the insurgents crippled civil society and severely disrupted public administration, grinding the society to a halt. Reprisals for non-compliance with insurgent demands were severe, striking terror into the hearts of the people. As the JVP violence spread, police stations were attacked and universities and colleges were closed down and the public transport system was paralysed. Except for the capital city, Colombo, most of the regional centres were seriously affected by the JVP insurrection. Adopting classical Maoist guerrilla model of encircling the city by taking over rural areas, the JVP posed an urgent and immediate threat to the newly assumed regime of Premadasa. Unlike in 1971, the JVP did not invoke the problem of class contradiction and proletarian revolution as the central theme of their armed insurrection against the capitalist State. The cardinal issue this time was the Indian military occupation of Northeastern Sri Lanka. The bourgeois class of the UNP, in JVP's perception, had allowed the 'Indian imperialists' to occupy the 'sacred land of the Sinhala race'. The Sinhala masses, which have been historically suspicious of Indian intentions, were swayed by this ultra-nationalist propaganda. The JVP leadership also condemned the Indo - Sri Lankan

Accord as a 'document of surrender' of Sri Lanka's sovereignty to an alien superpower. The 'red army' of the JVP was actually poised to invade the capital when Premadasa assumed power as the Head of State.

A shrewd and experienced politician, Mr. Premadasa grasped the underlying cause of the LTTE's war in the North and the JVP's insurrection in the South. He rightly concluded, that it was the presence of the Indian Peace Keeping Force, which had virtually taken control of all eight districts of the Northern and Eastern Provinces, including the strategically important harbour, Trincomalee, that triggered the dynamics of violence in the North as well as in the South. Premadasa feared that the Indian troops might stay on Sri Lankan soil indefinitely as the fighting against the LTTE had transformed into a war of attrition, a protracted low intensity conflict. He felt that neither the Indo-Sri Lankan Accord nor the Indian military presence had resolved the ethnic problem. It was the lack of vision and will on the part of the Sinhala political leadership, he thought, that led to foreign military intervention and occupation. His immediate concern was to expel the Indian troops from the country and invite the Northern and Southern rebels for peace talks and reconciliation.

While it can be said that Premadasa's origins brought him closer to the 'ordinary' man, it is nonetheless true that the 'ordinary' man in Premadasa embodied deep Sinhala Buddhist sentiments. And this was clearly evident in his choice of the Temple of the Tooth, the Dalada Malagawa, in Kandy, the heartland of Sinhala Buddhism, for his inauguration ceremony on 2nd January 1989. This historic Sinhala venue was at one and the same time an extension and an enunciation of his political objectives. His choice of the Temple of the Tooth for such an eminent day in his personal life signified his devotion to Buddhism and to the Buddhist heritage of giving primacy to religion over the matters of state. It was also a dramatic act of evocation of historically entrenched Sinhala nationalist sentiments. By taking the argument one step further, we can discern that Premadasa shared the popular feelings of resentment expressed island wide concerning the occupation of the Northeast by the Indian army. Political commentators would have noted that by opting for Kandy, with its history of resistance to foreign invasion, Premadasa was clearly signalling that he too resented and

intended to remove the occupying Indian troops from the island. Indeed Premadasa's consistent opposition to the Indo - Sri Lanka Accord and any political deal that would deepen Indian intervention in the island, was well known in political circles in Colombo.

Invitation to Peace Talks

Addressing the nation from Dalada Maligawa on January 2nd 1989, President Premadasa invited both the LTTE and the JVP for talks. Taking a swipe at India, he declared that the ethnic issue was an internal matter and had to be resolved without the intervention of external forces. Furthermore, he vowed that he would not surrender an inch of Sri Lankan territory to the foreigners. Insofar as the LTTE leadership was concerned, the message was clear. They realised that the new President was taking a confrontationist course with India; a matter that had to be taken into serious consideration in view of the critical situation the LTTE was in. Bala - who was in London at that time - and Mr Pirapaharan were in communication and I knew that Bala was favourably disposed to the idea of talking to the Premadasa regime. If the LTTE could get the IPKF out of the Tamil homeland with the collaboration of the new President it would be a remarkable achievement, Bala commented to me. We were waiting for further developments in Colombo before making a response. In the meantime, Mr. Premadasa lifted the Emergency and ordered the release of 1,800 hard core JVP cadres as a gesture of goodwill. These measures compelled the JVP to suspend their terror campaign in the South for a couple of months but they re-launched their insurrectionary war against Premadasa in full intensity after having mobilised and re-strengthened their ranks with the released cadres. Mr. Premadasa realised that his policy of appeasement towards the JVP would not work and that he had no alternative but to suppress them militarily. In his strategy to crush the JVP rebellion in the South - which was now posing a major threat to his rule - he had to secure the withdrawal of the IPKF. To this end, he needed the support of the LTTE.

As I was to learn from the horse's mouth during our dialogue with him, Mr. Premadasa admired the LTTE for their determination, dedication, courage and sacrifice. He was fully aware of the

objective conditions of Sinhala State repression that precipitated the armed liberation struggle of the Tigers. He felt that he could engage the LTTE in a positive dialogue and resolve the conflict through consultation, compromise and consensus, his famous three C's for conflict resolution. Having made a public announcement inviting the Tigers for talks, he desperately made attempts to contact the LTTE directly. The Eelam Revolutionary Organisation (EROS) leaders, Mr. Balakumar and Mr. Pararajasingham, when queried by Mr. Premadasa as how to contact the LTTE, told him that Bala was available in London and that he was the only senior LTTE leader living outside Sri Lanka who had contact with the leadership in Vanni. Somehow or other, Mr. Premadasa managed to get our telephone number. Thereafter he phoned Bala regularly and established a friendly rapport with him. Bala told him that the leadership in Vanni was considering his call for peace talks and an appropriate decision would be made at a suitable time. He also told him that the LTTE would appreciate it if the President made a public commitment to getting the Indian troops out of the Tamil homeland. Thereafter the LTTE was waiting for Mr. Premadasa's response. On the 12th April 1989 Mr. Premadasa announced a unilateral cease-fire between the Sri Lankan armed forces and the LTTE in celebration of the Tamil-Sinhala New Year and called upon the IPKF to follow suit. Responding to Premadasa's move, the LTTE, in a hard hitting open letter to the Sri Lankan President rejected his offer of cease-fire arguing that 'until the Indian army of oppression leaves our land, there will be no such thing as a cease-fire'. The letter also criticised Premadasa for back tracking on his pre-election pledge to secure the withdrawal of the Indian army. Mr. Premadasa understood the message and the Tigers' resentment. Premadasa's nationalist and anti-Indian sentiments lent sympathy to the LTTE's armed resistance campaign against the Indian army of occupation. He also realised that he had to make a public commitment on Indian troops withdrawal to appease the LTTE and to gain their trust in his administration. Accordingly, on April 13th 1989, addressing a temple function on the outskirts of Colombo, Mr. Premadasa made a public announcement demanding that the government of India should withdraw the IPKF completely from Sri Lanka in three months. On the same day, Mr. Ranjan Wijeratne, Sri Lanka's Foreign Minister issued a statement on behalf of the

government inviting the LTTE for peace talks. Pleased with the developments, the LTTE leadership - through their headquarters in London - sent a letter to the Sri Lankan President accepting the invitation for talks and requesting the Government to make necessary arrangements to facilitate these. The letter was followed up by quick confirmation by the leadership of the LTTE, appointing Bala as the accredited representative and chief negotiator. Following this turn of events, Bala and I made preparations to undertake a peace mission to Sri Lanka.

We arrived in Colombo on April 26th 1989 and were accommodated at the Colombo Hilton. A Government delegation consisting of Mr. K H J Wijayadasa, Secretary to the President, General Sepala Attygalle, Minister of State for Defence and Mr. Felix Dias Abeysinghe, a senior Foreign Ministry official paid a courtesy call in the evening. In a brief meeting, Mr. Wijayadasa conveyed to us the President's pleasure at the LTTE's acceptance to talks. We were told that the President would meet the LTTE delegation when other cadres were brought to Colombo. On the following day, Mr Sepala Attygalle and General Ranatunga visited us in the hotel to work out the date, venue and other modalities to bring the LTTE delegates from the Northern jungles. It was decided to give the Vanni mission media publicity and to take a team of selected journalists in the helicopters. The mission was to take place on the 3rd May 1989.

Meeting With Premadasa

Soon after our arrival at the hotel we were informed that a meeting with President Premadasa had been arranged for the following day, 4th May at 5 p.m. We decided to approach the meeting with a positive attitude, mainly concentrating on issues of mutual interest. We held the view that this could lead to constructive dialogue producing positive results. We were determined not to allow political contradictions to emerge in the process of the dialogue at this stage. Both sides had a lot at stake in ensuring the success of the talks. To achieve our objective, it was crucial that we should strike a rapport with Mr. Premadasa. Bala briefed us thoroughly about Mr. Premadasa - the man, his personal history and political philosophy. Bala had known him personally during his young journalist

days in Colombo. Born into a depressed caste with humble origins, Premadasa rose to the highest position of power in the country through hard work, perseverance and self-discipline. He was also a poet and a novelist. Though he embraced a right wing capitalist party (UNP) when he was a young man, he committed himself to a socialist political philosophy and worked with dedication for the socio-economic development of the poor. As the Minister of Local Government and later as Prime Minister, Mr. Premadasa launched island-wide community welfare movements to promote economic equality and justice. The famous 'one hundred thousand houses scheme' made him popular as a 'man of the people'. Though Mr. Premadasa practised progressive politics, his sphere of work and influence was confined to the South, primarily amongst the Sinhala peasants and the working classes. In spite of his lengthy and complex political experience, he had a very narrow and limited understanding of the dynamics behind the Tamil liberation struggle. He was opposed to any form of regional autonomy or self-rule for the Tamils. For him the concept of Tamil homeland and secession were blasphemous, since he always spoke of one people, one nation, and one homeland. Essentially Mr. Premadasa was a Sinhala Buddhist nationalist with a strong element of chauvinism, which he cleverly concealed under the politics of a unitary state. In his lengthy political history, he never took an active interest in the resolution of the Tamil conflict but rather functioned as a silent partner in the dark history of state repression under the UNP regime. His ultra-nationalist sentiments made him fearful and suspicious of India, whose power projection in the region, he felt, was a threat to Sri Lanka. His strong opposition to the Indo - Sri Lanka Accord and to the induction of the Indian Peace Keeping troops and his determination to throw the Indian army off the island were the external manifestation of his internal fear of Indian hegemony. There was thus undeniably a convergence of interests between the LTTE and Mr. Premadasa insofar as securing the withdrawal of the Indian army of occupation which had become a serious threat to our political struggle. With this commonality of interest, we felt we could do business with Mr. Premadasa.

Bala, myself, Mr Yogaratanam Yogi, Mr. Paramu Murthy, were driven in a convoy of STF commandos to President Premadasa's private residence 'Suchitra'. At precisely 5 p.m his assistants took

us into in his meeting room. Apart from the Sri Lankan flag on one side, the Presidential insignia on the wall, and a few photos of Mr. Premadasa meeting international dignitaries etc the room was an understatement of power and authority. The President came forward from this simple surrounding to greet us.

Mr. Premadasa was exactly as many photos I had seen of him portrayed: immaculately groomed, black shiny hair with not a wisp out of place, complimented by his spotlessly clean white national dress. Indeed his appearance corresponded with the general opinion that Mr. Premadasa was a meticulous man, highly disciplined in his personal behaviour and expecting the same stands from those around him.

The President did not make any attempt to extend his hand to me as we entered his office, but preferred to greet me in typical Asian style. (In Tamil and Sinhala custom, men and women do not shake hands on meeting, but rather fold the hands together near the chin with a slight bowing of the head) A twinge of guilt or perhaps hypocrisy flickered through me during this greeting, for here I was, exchanging niceties with a person whom I had criticised as one of the main perpetrators of oppression against the Tamils. I discovered my 'adversary' was a pleasant and hospitable man. But a man doesn't become President by social niceties alone and I was anxious to learn more of the mind behind this appearance of perfection. Of course, as diplomatic niceties dictate, his opening remarks conveyed his pleasure at the positive response of the LTTE to his invitation to talks. Bala reciprocated by conveying his appreciation to Mr. Premadasa's for not having stipulated any pre-conditions for talks.

At the outset Mr. Premadasa attempted to impress upon the LTTE delegates that he was a friend of the Tamils and understood their predicament and their political struggle. In his simplistic conception the ethnic conflict was a problem between the big brother and the small brother, an internal, fraternal problem that had to be resolved by the parties in conflict. He blamed the former President Julius Jayawardene for creating a political space allowing India to intervene in the internal affairs of Sri Lanka; a blunder that triggered off island wide violence, caused a bloodbath and chaos. Emphasising his triple principles of consultation, compromise and consensus, he said that the ethnic conflict could be resolved to the

satisfaction of all the communities living in the 'island nation', a concept he consistently emphasised to impress upon us that a solution had to be found within the unitary constitution. Bala, as the chief negotiator, was inclined to avoid issues that might create controversies and shifted the dialogue to the immediate and urgent issues - the problems of Indian military occupation, the war of resistance and the suffering of the Tamil civilian masses - issues that were of grave concern to the LTTE and the Tamils. Drawing on first hand facts and figures, Bala was able to provide Mr. Premadasa with a comprehensive analysis of the situation in the Northeast and the conditions of suffering of the Tamil civilians living under the Indian military occupation and persecution. Indian intervention had not resolved the Tamil question but rather aggravated the conflict to a dangerous level. The Tamil people suffered enormously and thousands had perished. The IPKF had drawn an iron curtain over the Northeast and was preventing news leaking to the outside world, Bala explained to the amazement of the President. He also drove home the pertinent point that while there were widespread protests, opposition and rebellion in the South on the question of Indian military occupation, it was the LTTE which was involved in an armed resistance campaign fighting the occupation army and therefore should be credited with genuine patriotism. This point was well taken by the nationalist in Mr. Premadasa who quickly responded with an appreciation of Mr. Pirapaharan and his guerrilla fighters for their courage, commitment and sense of patriotism. He condemned the JVP rebels as cowards arguing that they were killing innocent civilians but frightened to throw a stone at the Indian army of occupation. Furthermore, Bala explained to the President, the LTTE was vehemently opposed to the Indian attempts to consolidate the EPRLF's control of the Northeast Provincial Council by building a private militia in the name of Civilian Volunteer Force (CVF) through forceful recruitment of students. The Northeast Provincial administration was a fraudulently elected body and despised by the Tamil people, Mr. Premadasa was told. Another major issue requiring clarification before the talks got underway, Bala stressed to Premadasa, was the framework for the talks. The LTTE, he was emphatic, had no intention of reducing the talks to the terms and conditions of the Indo-Sri Lanka Accord. The LTTE had rejected the Accord from the outset and

they would not be brought to accept it 'through the back door'. Premadasa appeared comfortable with these positions and confided that he had already rejected the request by the Indian Foreign Secretary, Mr. Singh, to confine the dialogue to the terms of reference of the Accord, during a recent briefing after the announcement of the talks had been made.

Thus ended the two hours of constructive dialogue. Both parties were pleased with the inaugural meeting. In conclusion, Mr. Premadasa assured the LTTE delegates that he would meet them regularly to facilitate the peace process. He also told Bala to contact him directly by phone if and when there were any difficulties in the talks.

An Army of Occupation

On the following day, 5th May, the first round of talks between the Government delegation and the LTTE took place in the Hilton Hotel. The Government was represented by Mr. K H J Wijayadasa, Presidential Secretary, Mr. Bernard Tilakaratna, Foreign Secretary, Mr. Bradman Weerakoon, President's Advisor on International Affairs, General Cyril Ranatunga, Secretary to the Minister of State for Defence, General Sepala Attygalle, Secretary of Defence, Mr. W T Jayasinghe, Secretary to Cabinet Sub-Committee and Mr. Felix Dias Abeysinghe, Election commissioner. Thus, the Government's team constituted a second level delegation of senior officials who were also close confidantes of Mr. Premadasa. The objective of the meeting was to work out the modalities and agenda for further dialogue. In the discussions that lasted for more than two hours, the LTTE delegation elaborated the atrocities and human rights violations of the IPKF and argued that the withdrawal of the Indian army should constitute the central theme of the dialogue. The role of the Provincial administration, the problem of Sinhala colonisation in Tamil areas, the problems of the Tamil refugees, the rehabilitation and re-construction of the Northeast were also put as issues in the agenda that needed immediate action. With the agenda agreed upon, the next meeting was scheduled for 11th May.

In a brief meeting with the President on the 11th, one hour before the commencement of talks, Mr. Premadasa spelled out

clearly how he expected the talks to proceed. Being a pragmatist and a shrewd strategist, Mr. Premadasa had worked out his own scheme meticulously for handling the talks with the LTTE. It involved a systematic and progressive expansion of the Government team from a bureaucratic level to a political level involving senior Ministers. The initial stage of the dialogue should address the urgent existential problems of the people of the Northeast to be followed by political discussions - in later stages - aimed at resolving the ethnic conflict, he felt. He also suggested that there would be intervals between the rounds of talks to enable the LTTE delegates to visit the Northern jungles to consult with Mr. Pirapaharan. Mr. Premadasa also informed us that he had upgraded his team of negotiators to Ministerial level but the accredited senior officials of the first team would assist the Ministers in the negotiations. He introduced the four Ministers who would participate in that day's session and thereafter. New Ministers would be inducted in the process depending on the topic of discussion, he said. Mr. Premadasa had chosen Mr. A C S Hameed, the former Foreign Minister in Jayawardene's government and now the Minister of Higher Education, Science and Technology, as the chief negotiator to lead the government delegation. The other Ministers were Mr. Ranjan Wijeratne, Minister of Foreign Affairs, Mr. Ranil Wickremasinghe, Minister of Industries and Mr. Sirisena Cooray, Minister of Housing and Construction. President Premadasa also advised both delegations to be open and frank at discussions and involve in proper dialogue rather than debate. After a brief exposition of his tripartite principles (the three C's), he allowed both the teams to proceed to the Hilton Hotel and engage in further discussions.

There were several rounds of talks with the Ministerial team, as well and separately with the President, consisting in total of nine sessions from 4th May till 30th May 1989. During our dialogue with the Ministerial delegation we focused primarily on the Indian military occupation of the Tamil homeland and the atrocities committed against the Tamil people. For the Tigers and the Tamil people, these were crucial problems, life and death issues. We planned to internationalise the matter of Indian military intervention by bringing to light the gross human rights violations by the IPKF. The international community had been led to believe that the Indian

troops were doing a wonderful job of maintaining peace in the troubled island of Sri Lanka. Previously we had not been able to challenge the formidable propaganda machinery of the Indian government and its global diplomatic network. It was only now, with the opening of a peace dialogue in Colombo and with the backing of the new administration under Mr. Premadasa who shared our sentiments, that we had a forum to articulate our views and expose the truth. During the sessions of the first round of talks with the Sri Lankan Ministerial delegation, Bala, as the head of the LTTE delegation, presented the Tamil perspective of the Indian military rule in the Northeast. His central argument was that the Indian troops stationed in the Tamil homeland of Northeastern Sri Lanka could not be categorised as a peacekeeping force, but constituted an army of occupation. From my notes taken at these meetings, I reproduce the arguments advanced by Bala in the following terms.

‘There is a clear UN conception of what constitutes a peacekeeping exercise. There are internationally acceptable norms and standards of controlling conflicts and promoting peace. A peacekeeping army is a neutral force that stands between two or more conflicting parties or combatants. The main function of a peacekeeping operation is help maintain or restore peace in areas of conflict. A peacekeeping operation is a conflict control exercise. A peacekeeping force, in the UN tradition, is mandated to prevent escalation of a conflict situation and to create congenial conditions of peace. A peacekeeping operation involves deployment of military personnel without enforcement powers. The military personnel are not authorised to use force except in self-defence and they always carry light defensive weapons. A peacekeeping force should not act in any way to influence the balance of forces between the parties in conflict. These are basic guidelines and principles that govern the function of peace keeping. These are the internationally accepted norms. Under these guidelines and norms, the Indian army did not qualify to hold the status of a peacekeeping force. Originally, under the terms of the Indo-Sri Lanka Agreement, an Indian military contingent was brought to Sri Lanka for a peacekeeping exercise to monitor and supervise the cessation of hostilities between the Sri Lankan armed forces and the LTTE fighters. But soon after the Indian army assumed entirely a different role and became an active and dominant participant in an armed conflict

with one of the combatants - the LTTE. The armed conflict, though it was characterised as a disarming process, soon became an all out war between the Indian troops and the Tiger guerrillas. The war has continued unabated for the last twenty months and the Indian army and the LTTE have become the parties in conflict. Since a neutral mediating force for peace has directly involved itself in a military conflict the status of the Indian peace keeping enterprise has become questionable. The Indian military intervention and its offensive operations have violated all acceptable norms and practices of peacekeeping. The Indian army operating in Tamil areas is no more a neutral force. It does not control conflict or promote peace. Instead of preventing the aggravation of conflict, the conduct of the Indian troops has escalated violence and intensified the conflict. The Indian army has assumed extraordinary enforcement powers and has directly involved in the domestic affairs of this country. It is the considered view of the LTTE that the Indian troops present in the Tamil areas are not a peace keeping force but an army of occupation'.

The indepth critique of the role and function of the Indian forces by the LTTE delegation in the Colombo peace talks, and the joint statements revealing the theme and content of the discussions, generated tensions in the diplomatic relations between Rajiv's administration and the Premadasa regime. The Indian Foreign Ministry registered strong protests with Sri Lanka for providing a forum for the LTTE to discredit Delhi. In India's perception, the IPKF was sent to Northeastern Sri Lanka in accordance with the provisions of the Indo - Sri Lanka Accord. In other words, the IPKF was inducted to help Sri Lanka to maintain peace by de-commissioning the LTTE's arms. But now Colombo had joined hands with its historical enemy and was discrediting the Indian military force that had been doing the fighting on Sri Lanka's behalf. When the issue of Indian protests was raised at the dialogue, the LTTE delegation countered by arguing that the IPKF had miserably failed in the tasks of maintaining peace and disarming the LTTE. On the contrary, the war had escalated and the Indian troops were turning their guns on Tamil civilians to avenge their losses. The LTTE delegates further argued that more than five thousand Tamil civilians had lost their lives in this peace keeping enterprise and that it was the duty and responsibility of the Sri Lankan state to protect the lives of the

Tamil people - if it considered them its citizens.

The Role of Mr. Hameed

Following the expression of displeasure by Delhi, the drafting of joint press releases after each session became a difficult task. Mr. Hameed, Bala and I were given this sensitive job. Since the criticism of Indo - Sri Lanka Accord, the atrocities by the Indian troops and the demand for the withdrawal of the IPKF were the main themes that dominated the dialogue, the drafting of joint statements that would not offend or provoke the Indian government was a challenging task. Sometimes it took several hours to construct a few sentences. Bala insisted that the theme and content of the discussions should be incorporated in the joint statements. Mr. Hameed wanted to avoid controversies with India and sliced off the flesh of the dialogues leaving only a skeleton. Bala was concerned with the plight and predicament of his people and argued that the reality must be revealed to the world. With his profound experience in diplomacy, Mr. Hameed was concerned about sensitivity in international relations and did not want to displease Delhi. Though it took time and patience it was a pleasure to work with Mr. Hameed. He was a master at resolving contradictions.

The choice of Mr. Hameed was a shrewd act of diplomacy and politics by Mr. Premadasa. Indisputably, had Mr. Hameed not been on the scene, the Indians might still be in the Northeast. Of course, Mr. Hameed was chosen because he was a member of the Muslim community in Sri Lanka. Presumably Mr. Premadasa assumed that the common link as members of the island's Tamil speaking communities would provide a basis for rapport and a working relationship between the LTTE delegates and Mr. Hameed. That was certainly a relevant point. But Mr. Hameed's success in the talks with the LTTE cannot be reduced only to his empathy with the Tamils, but from his own remarkable personal attributes also. Although small in physique Mr. Hameed was, in my view, a man of great stature. Whether it was his patience that contributed to his skilled diplomacy or his years as a Foreign Minister that had fostered his infinite patience, my knowledge of him was insufficient to decide. But certainly patience was an admirable characteristic of

Mr Hameed: it made him a wise man also. His intellect was as sharp as a razor. When Mr Hameed sat down at the negotiating table, he came well armed with specific objectives and a well thought out strategy to achieve them. Indeed, he planned his argument as if playing a game of chess. As secretary to the LTTE delegation, I was provided with the opportunity of being an observer as Mr. Hameed took the dialogue on its intended course. He measured every word, in anticipation of an expected reply, to which he had a contingency answer. And so he would work his way to the conclusion he aimed at. Aware of Mr. Hameed's objectives, Bala prepared himself and the intellectual duel between the two during the talks became a fascinating struggle. Meeting his match, Mr. Hameed was well tuned to the cutting off point. As leader of the Sri Lankan team he had his finger on the pulse of the response and sentiments of his colleagues and he neatly avoided contradictions to prevent the souring of the tone of the talks and the spoiling of potential agreements. In another shrewd move, Mr. Premadasa kept the hard-line racists, Lalith Athulathmudali and Gamini Dissanayake, out of the talks. Had we met them across the table it is doubtful that that the talks would have got past the first round, such was the antipathy between us.

But as most experienced diplomats well know, what is said and commented on at the 'public' negotiating table is not always the full story. The private negotiating time is often as important, if not more so, than the public. Mr. Hameed was an advocate of private diplomacy. For him, complicated, subtle and contested issues could be best explored in private confidences away from the glare of the public. In pursuit of this strategy he often met Bala for private discussions in the evenings in our hotel. And it was during these times Bala and Mr. Hameed established a healthy rapport and respect for each other. While it was true that Mr. Hameed wanted to broach issues such as the administration of the Northeast after the withdrawal of the Indian troops, Bala, equally, conveyed the LTTE's position on this and many other matters. The maturity of both Mr. Hameed and Bala meant that there was unlikely to be any ugly public debates or damaging political fallouts on major differences of opinion. But in general Mr. Hameed was popular and respected on a personal level by Bala and myself and by the LTTE in general. His supplying of deliciously prepared Muslim buriani and goat

meat curry to the LTTE delegation added that all-important human touch to an otherwise calculated political process. Furthermore, it was Mr. Pirapaharan's high regard for Mr. Hameed that brought the two together in dialogue and allowed the talks to continue for as long as they did. Sri Lankan politics is certainly bereft of people of calibre and stature since his unexpected and sad demise. We miss him.

As the peace talks between the government and the LTTE progressed, focusing primarily on the abuses and excesses of the Indian army in the Tamil homeland, Delhi became uneasy and annoyed. For Rajiv's administration it was a serious diplomatic embarrassment. Though severely constrained by Mr. Hameed's cautious censorship, the joint press releases received publicity locally and internationally, exposing war crimes by Indian troops. Delhi's displeasure was expressed sharply through a press interview given by the Indian High Commissioner in Colombo, Mr. Lakan Lal Mehrotra on 14th May 1989 defending the role and function of the IPKF and criticising the LTTE for propagating 'mis-information' Since Mr. Mehrotra's interview received widespread publicity in the local media and was thoroughly misleading, the LTTE delegation took up the issue at the Ministerial meeting on 16th May and demanded that their response should be incorporated fully in the joint release without rigorous censorship.

The LTTE delegates rejected the central point advanced by the Indian envoy that the Indian army had restored peace and harmony to the Northeast. On the contrary, the Tigers argued, the Indian army had brought "intensified violence and terror and the war still continued unabated in the Tamil provinces". Rejecting Mehrotra's contention that the Indian army had used minimal force in their disarming operations against the LTTE, the Tiger representatives said that the Indian troops had used maximum force with heavy weapons including field artillery, heavy mortars, tanks and helicopter gunships. Describing the High Commissioner's statement that civilian casualties were minimal as a deliberate distortion of truth, the LTTE declared that they had already submitted concrete evidence confirming the deaths of more than five thousand Tamil civilians. Dismissing the envoy's claim that the Indian disarming project was a success and the LTTE had lost its fighting capacity and was marginalised in the jungle, the Tigers stated that their

guerrilla units were engaging the Indian army all over the Northeast and inflicting considerable casualties and causing demoralisation among the troops. The LTTE delegates also queried as to why the Indian army, which had been carrying out de-commissioning operations against the LTTE, was arming other Tamil groups and recruiting a voluntary force called the Tamil National Army. Such activities, the Tiger delegates argued, violated the very spirit and the cardinal obligations of the Indo-Sri Lanka Accord.

The LTTE delegates also presented a detailed account of the extreme hardships experienced by the Tamil people as a consequence of various restrictions and proscriptions imposed by the Indian army on day to day economic activities which had severely disrupted agriculture, industry and fishing in the Northeast. At the end of the meeting, we struggled successfully with Mr. Hameed to include most of our viewpoints articulated in response to the Indian High Commissioner, in the joint press release.

Delhi's Critique of Talks

The joint press release, which was given wide publicity both locally and internationally, provoked Rajiv's government into issuing a critical note through its High Commission in Colombo. The Indian release said:

“The High Commission of India has noted with regret the Sri Lankan government communiqués conveying the view of one party to the talks over the role and function of the IPKF in Sri Lanka and casting unwarranted aspersions on it. The High Commission notes that these communiqués make no reference to the circumstances in which the IPKF came to this country, the mandate that has been given to it jointly by the Governments of India and Sri Lanka, the immense difficulties of its task and the enormous sacrifices it has been making in an attempt to preserve the unity and integrity of Sri Lanka. As a result, a misleading impression may be created in the minds of the people. It was our impression that the purpose of the current talks was not to provide a propaganda forum

but to address themselves to the objective of bringing all concerned into the democratic process by giving up violence and accepting a commitment to the unity and integrity of Sri Lanka. If unfounded charges are made, it can only be expected that there would be a response to set the record straight".¹

At the Ministerial meeting, resumed on the morning of 18th May, two new Ministers, Mr. U B Wijekoon, Minister of Public Administration, Provincial Council and Home Affairs, Mr. P Dayaratne, Minister of Lands, Irrigation and Mahaveli Development were inducted to the meeting. The LTTE delegates wanted to discuss the issues raised by the Indian government in its critique of the peace talks between the LTTE and the Sri Lanka government. Bala, as the LTTE's chief negotiator, argued that the mandate given to the Indian army was to restore peace, normalcy and harmony in the Tamil regions, but not to wage a war against the Tamil people. The induction of the Indian troops with a mandate for peace keeping had created conditions of war in the Northeast and also turbulence and rebellion in the South, Bala said. Mr. Hameed argued that the Indian troops were mandated not only to maintain peace but also to disarm all militant organisations including the LTTE. To which the Bala retorted that the time frame given to the Indian troops to disarm the militants according to the Accord, was precisely seventy two hours, but the Indians could not disarm the Tigers even after twenty months and therefore the Indian government had failed to fulfil its mandate. The Tiger delegates also pointed out that, according to a clause in the Accord, India and Sri Lanka were obliged to co-operate to ensure the physical safety and security of all the people in the Northeastern Province. The LTTE criticised the Sri Lankan government for its studied silence when it had become very apparent that thousands of civilians had perished and the safety and security of the Tamils were in grave danger. The Tigers also complained that the Indian army had been building up a formidable military machine called the Tamil National Army by forcibly recruiting, training and arming Tamil youth to protect and preserve the EPRLF's Provincial administration. This formation of a military apparatus would lead to a civil war and bloodbath in Tamil areas, the LTTE representatives warned.

Referring to the critique by the Indian High Commission the

LTTE delegation stated that the Indian authorities misunderstood their mission. The LTTE negotiators reiterated that they were in Colombo to seek an end to war and violence that had been devastating the Tamil homeland and causing untold suffering to the Tamil people. The purpose of their mission was to seek a negotiated political settlement that should fulfil the national aspirations of the Tamils, they said.

On 23rd May 1989, the discussions at the Ministerial meeting centred on the issue of Sinhala colonisation in Tamil areas, particularly in the Eastern Province. Presenting a lengthy paper with statistics and maps, the LTTE delegation maintained that since independence there had been continued colonisation in the Eastern Province and that these colonisation schemes were state sponsored. Planned colonisation was one of the main factors behind the ethnic conflict, they argued. This had not only changed the demographic patterns of the Tamil areas but also drastically affected the social, economic and political life of the Tamil-speaking people. Thousands of Tamils and Muslims had been driven away from their historical habitations under the ruthless policy of discriminatory colonisation, the LTTE delegation argued. The topic generated lengthy and heated discussion and finally it was agreed to refer the issue to the President.

On 27th May 1989, when Mr. Hameed met the LTTE delegation to respond to queries raised by the Tigers in previous meetings, he assured again us that the President was firmly committed to the removal of Indian troops from the island. Mr. Hameed also said that the President wanted to study details of specific colonisation schemes before taking action to stop them. Mr. Hameed also revealed that Mr. Premadasa favoured a declared cessation of hostilities between the LTTE and the Sri Lankan forces. The LTTE delegates said that they had to consult with Mr. Pirapaharan on the issue of cease-fire. An undeclared cease-fire was already in force since the beginning of the talks, they said. Mr. Hameed told the LTTE delegates that the President was very keen that the LTTE should enter the political mainstream once the IPKF left the island. He further said that Mr. Premadasa was prepared to dissolve the Northeastern Provincial Council if the LTTE pledged to stand for the elections. The LTTE delegates said that they would have to consult the leadership in Vanni before making any commitments on the

issues raised by Mr. Hameed.

The last session of the first round of talks was held on 28th May 1989. It was a winding up meeting to assess the progress of the talks. Both parties agreed that the sessions held so far had opened the doors for greater understanding and appreciation of the issues involved and had laid a firm basis for future negotiations. The two delegations consented that the fundamental problem was ethnic in character and had to be resolved through direct negotiations in a spirit of tolerance and understanding.

Meeting Pirapaharan in the Jungle

On 30th May 1989, Bala and myself, Yogi, Murthy, Jude and our bodyguards were taken to Vanni by Sri Lankan Airforce helicopter to consult with Mr. Pirapaharan. There was on our part also, an aspiration to meet Mr. Pirapaharan and our cadres again to renew old friendships and to share notes on the experiences we had all gone through since the outbreak of the Indo-LTTE war in 1987.

The camp we were heading for was the 'one four' base, Mr. Pirapaharan's headquarters. The Indians had launched a series of operations against the camps in this area. After failing to destroy the LTTE during 'Operation Pawan' in the Jaffna Peninsula, the Indian army turned towards the LTTE bases in the Vanni jungles transforming the area into a sprawling theatre of brutal and bloody war. Massive military operations were carried out with the strategic objective of flushing out and destroying the LTTE guerrillas and their leadership. Thousands and thousands of fresh Indian troops were mobilised to carry out these operations. Special commando units with counter-insurgency expertise were inducted. Armoured vehicles and helicopter gunships were utilised for troop movements and offensive assaults. Tens of thousands of Indian troops spread across the area from as far as Mullaitivu on the Eastern coast to Ottusuddan in Vanni, extending Northeast towards Killinochchi. Widespread and intensive cordon and search operations took place. A large number of civilians were killed in these operations but the main targets - the LTTE - remained protected and active in the deep jungles.

Having failed to dislodge the LTTE in these initial attacks, the

Indian military high command planned further operations. From June 1988, the Indian army launched a series of operations code-named 'Checkmate'. In those operations, the Indian army singled out the LTTE bases in Alampil jungles. A massive aerial and artillery bombardment pounded the area. Thousands of tons of powerful bombs and artillery shells rained down, day and night, on LTTE positions. Yet this intensive campaign proved to be a failure and the LTTE casualties remained surprisingly minimal. In the ground battles, the special commando units of Indian troops, though experienced in jungle warfare, suffered humiliating defeats against LTTE guerrillas. Sri Lankan troops also suffered casualties in the Manal Aru area when, on the 15th April a mixed unit of men and women guerrillas attacked their patrol, killing twenty one soldiers on the spot.

Since Mr. Pirapaharan's well-fortified camps were deep in the jungle it was decided that our helicopter landing zone should be in the Alampil jungles in Mullaitivu, and not at Nederkerni as on the previous occasion. This way, the trekking distance to Mr. Pirapaharan's base camp was considerably reduced. At the landing zone, dozens of cadres were deployed, waiting for our arrival. We were still at war with India and there was absolutely no reason to believe that they would not embark on a military campaign in the area. In view of the anti-Indian stance coming out of the Colombo talks, we were concerned that the IPKF would attempt to exact revenge during our landing in Alampil. Hence the heavy presence of our cadres. Soon after touching down, Sothia - from our old days in Chennai - appeared from the jungle leading a group of armed female cadres as part of the escort detail. Her bearing indicated tremendous growth in confidence. Furthermore, she was by now a battle-hardened cadre having gained experience in combat against both the Sri Lankan and Indian armies. But most of all, she was extremely popular amongst the women fighters and had become a consensual choice as their leader. She had been promoted to the rank of leader of the women fighters. Sothia later died of cardiac arrest after contracting a fatal viral infection, which attacked the heart while she was in the Alampil jungle during the period of occupation by the Indian army. Sothia's death deprived the women fighters of a charismatic personality and talented leader. Sothia's second in command was Sugi, her friend from the Chennai

days when they joined the LTTE together. She became the second leader of the LTTE women fighters.

As we were to soon discover, our flight journey from Colombo to Alampil was far shorter than the walk to Mr. Pirapaharan's jungle camp. We trudged for hours, along camouflaged jungle tracks, across streams and through thick jungle foliage. Bala, affected by his diabetes, was unable to walk the distance and a chair suspended between two poles was arranged for him to sit in while a team of cadres took their turn at carrying it on their shoulders. The cadre in charge of the security detail escorting us to Mr. Pirapaharan's camp on this occasion was the veteran Shankar. Shankar's relationship with the movement and Mr. Pirapaharan dates back to the old days when Mr. Pirapaharan had a small group of guerrillas training in the Vanni jungles. He subsequently spent some time in Canada where he studied aeronautical engineering. Like many Tamils, the 1983 anti-Tamil riots outraged him and he travelled to Chennai to re-join Mr. Pirapaharan and the armed struggle. Mr. Shankar has a long history of battle experience and remains one of Mr. Pirapaharan's most trusted and loyal cadres. In casual conversation en route to Mr. Pirapaharan's base, Shankar advised me not to move off the track we were walking on, and dismissively mentioned that during their frequent incursions into the area, the Indians had liberally planted anti-personnel mines in the area. It would have been easy to freeze in fear on learning of this information, but no purpose would have been served. All our cadres walked on without concern for the danger they were in, so why should I be worried? The risks were the same for everyone, I thought. In such circumstances one mentally prepares and accepts any eventuality, and then goes beyond it. Being afraid would not have helped to avoid the mines; it would have only turned an otherwise pleasant journey into a stressful one. The Indian army had also left their mark in other ways also. Large sections of jungle with broken trees and deep craters - some filled with water - were the legacy of heavy aerial bombardment and relentless artillery shelling of the area.

Pushing on deeper into the jungle, we encountered patrols of cadres on long distance treks to pick up supplies, making us realise that we were deep into LTTE territory. The occasional sighting of armed and camouflaged sentries further indicated that we must have been nearing LTTE bases. Well-fortified sentry points

appeared here and there. We walked on further and further, winding our way into the jungle. Then a glimpse of hut-like shapes appeared through the foliage. Before long we found ourselves nearing a heavily camouflaged cottage. Mr. Pirapaharan had obviously been kept informed of our approach and quickly appeared on the scene after we arrived at the camp. Dressed in jungle greens, but looking none the worse for his year or more of living in the jungle, he greeted us warmly. More like an extended village than a guerrilla camp the surroundings were neat indicating that through their trials and tribulations, Mr. Pirapaharan had sustained the high morale of his cadres. But the neatness of the camp in no way reflected the phenomenal struggle by our cadres and the difficulties they had triumphed over to create it. This expansive complex had been cleared of virgin jungle - leaving only the ancient massive trees for cover - in order to make it habitable. Teams of cadres had worked together, pulling out rocks and digging out deep holes in the ground in search of water. On several occasions, sixty to seventy foot deep wells were laboriously dug only to discover there was no water at that site. The process would then be repeated in a different place until they struck a reliable water supply. In the early days of the camp, regular food supplies had not been established and the cadres survived on one daily meal of rice and dahl, without salt. To overcome this difficulty, it was necessary for the cadres to trek long distances through the mine-infested jungle to open and establish new routes for access to rations. The procurement of rations took anything up to a day's journey, with cadres often having to avoid interception by Indian jungle patrols. Sacks of rice, flour, sugar and other supplies were carried on shoulders on the long journey back to base. The women cadres also took their turns on these dangerous missions. With the jungle tamed and camp made habitable, life had obviously settled into order and routine when we arrived there. The presence of large numbers of bunkers carved out in the jungle floor highlighted the threat from shelling and bombing. Remarkably, casualties from the relentless shelling of Mr. Pirapaharan's camp were minimal. Only two women cadres had died in that base. By drilling into his cadres the discipline of taking and remaining under cover until the artillery barrages halted - even if it meant spending hours in the bunkers without food and water - Mr. Pirapaharan was successful in reducing his casualties. The nature and structure of

our underground accommodation also impressed on us the perils the cadres had been subjected to by the relentless barrages of artillery shelling and aerial bombardment. As a precautionary measure in the event of the Indians shelling the area during our stay in the jungle, Mr. Pirapaharan asked us to stay in a deep underground shelter. We had read about the amazing feat by thousands of Vietnamese guerrillas who dug out kilometres of tunnels and bunkers to facilitate the security and mobility of the Viet Cong during the war of liberation against America. Now we were to see for ourselves an example of such remarkable human endeavour. As we descended into the depths of the earth via precisely cut out steps, we could only marvel at the ingenuity, patience and the collective spirit of the cadres who had undertaken and completed this Herculean task. Our cadres led us down the steps into a room about thirty to forty feet underground. To our utter amazement we could see that this subterranean haven of tunnels and rooms had been chiselled out of the underground rocks in this area of the jungle. Our room had been carved out high enough to stand up in and big enough to move around comfortably. Leading off the room through the narrow tunnel, we came to another smaller room; it was a purpose built toilet. Mr. Pirapaharan's room was even deeper underground than ours. Low lying roofs constructed over the bunkers, and banks to divert water, prevented the monsoon rains from pouring in and flooding the bunkers. Stronger than concrete, this underground granite structure stood up to the heavy downpours of monsoon rains when the entire jungle turned into a muddy quagmire. There was only one problem with this ingenious set up, a difficulty, which had it been at all possible our cadres would certainly have overcome. But on this matter they had no control. Since we were deep into the earth where the sun's heat has no access, the room was absolutely freezing, particularly at night. My bones ached from the cold and I wondered how it could be endured over a sustained period of time. But obviously it had been, and without any ill effects.

Several kitchens had been set up with large eating areas. Some cadres worked at repairing and maintaining the weaponry in an armoury. A small dispensary and hospital had been built. A network of paths connected the various sections of the camp. There was playing area for team games. More poignant was the small, neatly

maintained cemetery where some of the cadres killed in battle, rested peacefully.

The female cadres were active too, having established a huge camp just a few minutes walk from the main base. The usual kitchens, medics centre, tailoring shop, armoury etc were all functioning efficiently. Sections of their camp had been designated for military training and a complete obstacle course had been constructed for this purpose. Contrary to the expectation of many analysts, recruitment to the LTTE had not declined. In fact it was quite the opposite. Many families preferred their sons and daughters to join the LTTE believing that they had a greater chance of survival in the LTTE camps than remaining in the villages exposed to the IPKF's brutality and the forced recruitment campaign of the EPRLF. New cadres were in the process of undergoing training, while others were waiting to begin in the next batch. In a different section of the jungle, some distance away, an advanced training course for senior women cadres was underway. Jeyanthi was in charge of this commando course and she went on to succeed Sugi as the women's military wing leader after the LTTE's return to Jaffna. Amongst this batch of senior women cadres was Vidusa, the present day leader of the LTTE women fighters. Most of these courageous young women went on to fight many heroic battles that became inspiring and legendary stories of their own. Sadly, of this initial advanced commando training course for women only a few are alive now.

We were also happy to see Kittu at the camp. Kittu was arrested and held in custody in Chennai in a round up of LTTE cadres in Tamil Nadu in 1988, just a few days after our escape from India. He was subsequently transferred back to Jaffna, and as a concession to his physical handicap, the IPKF high command freed him from custody. He immediately found his way back to Mr. Pirapaharan and the LTTE cadres in the jungles of Mullaitivu. Kittu was a great morale booster and inspired the cadres when he was in the jungle with Mr. Pirapaharan during this time. Always interested in learning and a great advocate of developing oneself, Kittu spent time giving classes to the cadres and generally showing an interest in their activities. A keen photographer, he took many pictures including those of Mr. Pirapaharan and us during our stay there.

Pottu Amman was also in Alampil. At that time he was

functioning as a field commander in the Jaffna Peninsula. He had been called for consultation with Mr. Pirapaharan. Fully recovered from his injuries, he was actively waging a successful urban guerrilla campaign against the IPKF in Jaffna. Kapil Amman, another senior LTTE cadre with a long history of battles to his credit, and our enduring and loyal friend from as far back as the Chennai days, trekked from Trincomalee jungles to visit us in Mullaitivu.

While I was busy spending time with the women cadres, Bala held deliberations with Mr. Pirapaharan and other leaders. According to Bala, Mr. Pirapaharan was very keen to learn about Mr. Premadasa - his ideas, his strategy and most importantly his views about the Indian military occupation and the Tamil armed resistance. Bala gave him a comprehensive briefing of what had transpired between Mr. Premadasa and the LTTE delegation. From Colombo, Bala had been sending brief coded messages to Mr. Pirapaharan, but now he could provide a thorough assessment of personalities, their mode of thinking, their expectations and their apprehensions. He was able to convince the LTTE leader that Mr. Premadasa was fiercely determined to secure the withdrawal of the Indian troops to consolidate his personal power in Colombo, for which he needed the solid backing of the LTTE. He also told Mr. Pirapaharan that the President was willing to dissolve the EPRLF's Provincial administration if the LTTE entered the Sri Lankan political mainstream and faced elections. Finally the LTTE leadership was told that Mr. Premadasa wanted a cease-fire between the LTTE and the Sri Lankan forces so that he could pressurize India to terminate armed hostilities against the Tigers. Mr. Pirapaharan, Bala said, was favorably disposed to the idea of a cease-fire and an interim political settlement with Mr. Premadasa's government if Colombo was earnest and sincere. On the whole, Bala was given the green light by the LTTE leadership to advance the talks to secure the Indian troops withdrawal and to enter into a political accommodation with Premadasa's administration.

Before we left for Colombo for the second round of talks, Mr. Pirapaharan confided to us that the Indian army had intensified offensive operations against the LTTE with the support of the Tamil National Army, which had become a serious irritant. Annoyed and humiliated by the ongoing peace talks, Rajiv's administration was determined to wipe out the LTTE leadership and their forces. Faced

with a shortage of arms and ammunition, Mr. Pirapaharan requested Bala to seek assistance from Premadasa and sustain the LTTE's armed resistance campaign against intense Indian military onslaughts. There was genuine danger. We felt the chilling atmosphere in the jungle hideouts when the areas were subjected to systematic aerial and artillery bombardment. Confronted by three forces - the Indian, Sri Lankan and the Tamil National Army - the LTTE guerrillas faced the most difficult time in the history to date of their armed struggle. The Sri Lankan military threat could be overcome by entering into a cease-fire agreement with Premadasa. Nevertheless, the Indian troops and the Tamil National Army posed a formidable threat. The LTTE had a fighting force of courageous, highly disciplined, guerrilla fighters. But to engage a formidable conventional military they needed arms and ammunition. At least they had to hold on until the Indians were withdrawn from the Tamil homeland. Apart from the role as the LTTE's chief negotiator, Bala was now given an extremely sensitive task; that of procuring weapons from the movement's hitherto historical enemy.

Acrimony between Delhi and Colombo

While we were enjoying a respite in the Alampil jungles of Mullaitivu with the guerrilla leaders and cadres, new developments took place in Colombo that created severe strains in the relations between Rajiv's administration and Premadasa's regime. The Sri Lankan President, addressing an audience at a Buddhist ceremony in the outskirts of Colombo, announced that he would demand from the Indian Prime Minister, that Indian troops should be withdrawn from Sri Lanka by the end of July 1989. Mr. Premadasa said that he was planning to host the South Asian Association for Regional Cooperation (SAARC) Heads of States meeting in November that year but he could not do so when a foreign army was occupying Sri Lankan territory. The following day, on 2nd June Mr. Premadasa sent a letter to Mr. Rajiv Gandhi urging him to withdraw the IPKF by July 31st. The withdrawal of the IPKF would enable Sri Lanka to host the SAARC summit in November that year in a climate of tranquillity, Mr. Premadasa wrote. Stating that the presence of the IPKF had become a 'deeply divisive and resentful issue' he argued

that the complete withdrawal of the troops would help to stabilise the situation. Annoyed by Premadasa's demand to pull the troops out within two months, Mr. Rajiv Gandhi did not respond immediately. But the officials of the South Block in Delhi issued statements indicating logistic difficulties in withdrawing several thousand Indian troops within a limited time span as demanded by Premadasa. On 14th June, addressing a public rally in Bangalore, the Indian Prime Minister, referring to Premadasa's demand, said that the IPKF would not be withdrawn until substantial powers were devolved to the EPRLF's Provincial administration and the safety and security of the Tamils were guaranteed. He also suggested further inter-governmental consultation on the issue of troop withdrawal. It was this background of diplomatic acrimony between Delhi and Colombo we arrived in the Sri Lanka capital on the evening of 14th June and were taken to our former place of accommodation - the Colombo Hilton. For the second round of talks we expanded our delegation to include Mr. Lawrence Thilagar, Mr. S. Karikalan, Mr. Sammun Hassan and Mr. Abubakar Ibrahim.

On the morning of 15th June, Mr. Premadasa invited us to his residence 'Suchitra' for a private discussion, which lasted for nearly one and a half hours. He appeared to be disturbed over the statement made by Rajiv Gandhi on the previous day in Bangalore stipulating conditions for the withdrawal of the IPKF. Premadasa argued that India could not lay down such conditions. His logic was that the former President Jayawardene had invited the Indian troops and the present President wanted them to leave and that the Indian government had no choice but to withdraw the troops. He said that Mr. Gandhi had not yet replied to his official communication and instead had made a public statement stipulating unacceptable conditions that had generated fear and confusion among the people that the Indian army might remain forever in the island. Mr. Premadasa suggested that the LTTE should declare a cessation of hostilities with the Sri Lankan armed forces so that he could urge India to terminate all hostile armed operations against the Tigers and withdraw the troops since their main obligation to establish peace under the Accord had been secured.

The first two sessions of the second round of peace talks that took place on the 16th and 19th of June between the LTTE

representatives and the Sri Lankan Ministerial delegation focussed primarily on the mounting diplomatic confrontation between Sri Lanka and India over the question of troop withdrawal and the issue of forced recruitment of Tamil youth, particularly students in the Northeast, for the Tamil National Army under the name of Civilian Volunteer Force (CVF). Two new Sri Lankan Ministers, Mr. Festas Perera, Minister of Power and Energy and Mr. Monsoor, Minister of Trade and Shipping were inducted for these talks.

During the first session, Mr. Hameed, as the head of the Sri Lankan delegation, gave a detailed exposition of the developing diplomatic estrangement between India and Sri Lanka. In Mr. Hameed's analysis, Mr. Premadasa's insistence on the withdrawal of the IPKF was predicated on his firm conviction that the presence of the Indian army on the Sri Lankan soil was the causative factor for the war in the Northeast and the insurrection in the South. As the Accord had become defunct and the political situation in Sri Lanka had totally reversed in which the parties in conflict (LTTE and Sri Lanka) were engaged in peace negotiations to find a political solution, the IPKF had no role to play, Mr. Hameed explained. Since Mr. Premadasa wanted to host the SAARC summit in November, he demanded the quick withdrawal of the IPKF by the end of July. The demand had created serious problems for India, Mr. Hameed said. He also explained that it would be logistically impossible to re-deploy thousands of troops and the war materials within two months. India was stipulating pre-conditions to gain time to avoid a humiliating troop withdrawal that would seriously undermine Rajiv's election chances in December, Mr. Hameed further said.

Mr. Hameed enquired from the LTTE delegates their perception of the current situation. While accepting Mr. Hameed's exposition of the situation, the LTTE delegates argued that Rajiv's administration was also concerned about the future of EPRLF's Provincial regime. The Northeast Provincial Administration was the only remnant of the Indo-Sri Lanka Accord and that it would collapse like a pack of cards when the IPKF left the island, the Tigers said. Rajiv wanted to keep the IPKF until a strong paramilitary force was formed to protect the EPRLF's fragile administration, LTTE delegates argued.

The session of 19th June was primarily devoted to the issues of

the EPRLF's paramilitary force and the question of cease-fire between the LTTE and the Sri Lankan security forces. The LTTE delegates complained that the Indian military authorities in collusion with the EPRLF's Provincial administration were involved in a programme of mass conscription of Tamil youth for the Civilian Volunteer Force. During the preceding week 4,500 young men, mostly school going teenage boys, had been rounded up by the EPRLF's armed men and taken by force to various Indian army camps in Trincomalee, Batticaloa and Amparai in the Eastern Province. This had become a problem in Tamil areas and thousands of anxious parents had been converging on Indian army camps pleading for the release of their children. The LTTE delegation enquired as to the Sri Lankan government's position on this issue. The Sri Lankan Ministerial delegation agreed that under the terms of the Accord there were no provisions for the creation of an armed force for the Provincial administration of the Northeast. Mr. Hameed assured us that the President would take up the issue with the Indian Prime Minister.

Discussing the issue of declaring a truce between the Sri Lankan forces and the LTTE, the Government delegation urged the LTTE to declare a cessation of hostilities unilaterally which would be reciprocated by Sri Lanka at a later date. The LTTE delegation argued that there was already an informal, undeclared cease-fire in force between the Tigers and Sri Lankan forces since the commencement of talks. It would be proper for both the parties to declare a bi-lateral cease-fire to impress upon the international community that the protagonists of the conflict were observing peace and negotiating for a political settlement. In such an evidently congenial atmosphere there was no need for an external power to maintain a peacekeeping army, the Tigers felt. The Ministers said that they would consult the President on the issue.

On 20th June, Mr. Gandhi responded to the letter written by Mr. Premadasa on 2nd of June. Though couched in diplomatic jargon Mr. Gandhi's letter praised the great achievements of the IPKF in establishing peace and normalcy in Tamil areas at the cost of heavy losses. Reminding Mr. Premadasa that Sri Lanka should be mindful of its responsibilities and obligations under the Indo-Sri Lanka Accord, Mr. Gandhi suggested discussions to draw up a mutually agreed schedule for the withdrawal of the IPKF and for

the full implementation of the Accord. To the annoyance of Mr. Premadasa, the Indian Prime Minister insisted that the implementation of the Accord and the withdrawal of the Indian troops should be 'parallel exercises'.

It became very clear from Mr. Gandhi's strongly worded letter that Indian troops would not be withdrawn by the end of July as demanded by Mr. Premadasa. India wanted to secure and stabilise the Provincial regime of Varatharaja Perumal before withdrawing its forces. But the methods adopted by the Indian military administration to do this made the Tamil people resentful. To escape forced conscription, the student population in several areas stayed at home. A substantial section that were arrested and forcefully trained, deserted their posts and joined the LTTE. Knowing very well that the forced recruitment of unwilling, disgruntled Tamil youth would not be a match for the battle-hardened Tiger guerrillas fiercely committed to a cause, the Indian army and the EPRLF nevertheless continued their conscription. Though Gandhi demanded more devolutionary powers for the Perumal administration, the Sri Lankan government systematically diluted all the administrative powers and even blocked the funds reducing the North East Provincial Council to a permanent state of bankruptcy.

Confrontationist Course

Angered by the hostile response from Mr. Gandhi, Mr. Premadasa sent a message to the LTTE delegation through Mr. Hameed that the Tigers should formally declare a truce with the Sri Lankan forces. Accordingly, the LTTE and the Sri Lankan government jointly declared a bi-lateral cessation of hostilities. It was made public through a joint press release on 28th June.

Pleased with this development, Mr. Premadasa sent a brief message to Mr. Gandhi on the 29th informing him that peace had been established between the Tamil Tigers and the Sri Lankan forces and the negotiating process was continuing, to settle political issues. Mr. Premadasa also urged the Indian Prime Minister to instruct the IPKF to terminate all offensive actions against the LTTE which might 'tend to prejudice' the ongoing political negotiations.

On the following day (30th June) Mr. Premadasa received a

brief reply from Mr. Rajiv Gandhi. Written in a hostile, sarcastic tone, the letter played down the significance of the LTTE- Sri Lanka truce and demanded the surrender of arms from the LTTE. To quote the relevant paragraphs of the letter:

“The Indo-Sri Lanka Agreement provides for a cessation of hostilities between the Tamil militant groups and the Sri Lankan forces and also for the Sri Lankan forces to stay in barracks in the North-east province. Both these were achieved on 30th July 1987. Thus, there has already been an effective cessation of hostilities between Sri Lankan forces and the LTTE. I am glad that the LTTE has now formally conceded this reality.

We hope that the formal agreement of the LTTE to cease hostilities clearly implies their commitment to the unity and integrity of Sri Lanka and to renounce violence and to respect democratic processes. We trust that, consequent to giving up violence, LTTE will resume surrender of arms through the Sri Lankan government - a process that had started on 5th August 1987 and is not yet complete. Unless the LTTE have undertaken to handover their arms and to renounce violence not only towards the Sri Lankan Government but towards the other citizens of the Northeastern Province, their announcement of cessation of hostilities would be meaningless”.²

Rajiv's letter clearly implied that Delhi did not want to enter into a cessation of hostilities with the LTTE. India wanted all obligations of the Accord to be fulfilled before considering that. Those obligations were included in a set of demands totally unacceptable to the Tigers. They were (a) surrender of arms, (b) giving up their struggle for self-determination and accepting the unity and integrity of Sri Lanka, (c) renouncing violence against other citizens, (meaning the EPRLF paramilitaries). In the letter, Mr. Rajiv Gandhi had also requested clarifications from the Sri Lankan President on the issues he raised.

The Colombo peace talks on 2nd July between the Sri Lanka government delegation and the LTTE concentrated on the controversial letter written by the Indian leader. Responding to the queries

raised and the demands stipulated by Rajiv, the LTTE delegates expressed regret that India had ignored and trivalised the bi-lateral cessation of hostilities declared by Sri Lanka and the LTTE. Mr. Gandhi's claim that the Accord had ensured an effective cessation of hostilities between the Sri Lankan forces and the LTTE guerrillas was factually wrong and misleading, the Tigers argued. The truce envisaged in the Accord had not been effectively implemented. There had been several clashes between the Sri Lankan troops and the LTTE fighters - there were considerable casualties on the Sri Lankan side. The Indian armed forces had miserably failed to contain such violence though they undertook the responsibility of supervising peace between the parties in conflict.

Insofar as a cease-fire between the IPKF and the LTTE was concerned, Mr. Gandhi had stipulated two conditions, the Tiger delegates argued. One was that the LTTE should resume surrendering arms and the second was that it should renounce violence against all other citizens of the Northeast. The disarming task of the IPKF was a total failure. The very de-commissioning process transformed into a bloody war; into a protracted war and the IPKF turned into a killing machine and thousands of innocent Tamils perished in the process. Since the peace talks had been initiated by the Sri Lankan President, a dramatically new situation had arisen and India should face that objective reality. The negotiations between the Sri Lankan Government and the LTTE were taking place unconditionally without the obligatory constraints of the Indo-Sri Lanka Accord. The question of possession or de-possession of arms was now an issue between Sri Lanka and the LTTE and had to be resolved through the negotiations between the parties in conflict. Therefore, the LTTE delegates suggested that the Sri Lanka Government should impress upon India that the question of the responsibility of resolving the issue of arms lay with the Government of Sri Lanka. Furthermore, the Tiger delegates urged the Government to register strong protests with Delhi over the building up of a powerful military machine in the name of Tamil National Army. Under the cover of a disarming process the IPKF was actively involved in a massive militarisation programme in the Northeast, the Tigers charged. With regard to the second demand, the LTTE was prepared to extend the cease-fire to 'all citizens of the Northeast if India gave a guarantee that the IPKF and its

quisling armed groups cease violence against the Tigers', the LTTE delegates said. The Tigers were also prepared to enter to the democratic political process. But it was only possible if the Indian armed forces, occupying the Tamil homeland, were totally withdrawn, the Tigers declared. The government delegation assured the LTTE that President Premadasa would take up the issues raised by the LTTE with the Indian Prime Minister.

In his letter 4th July, Mr. Premadasa categorically told Mr. Rajiv Gandhi that it was the sole responsibility of the Sri Lanka government to provide safety and security for all citizens within Sri Lanka and that the Indo-Sri Lanka Accord did not give any mandate to India for protective powers over Sri Lankan citizens. Arguing that India had failed to disarm the LTTE for the last two years, Mr. Premadasa pointed out that the Tigers were involved in political negotiations with Sri Lanka and would give up their weapons once the Indian armed forces were withdrawn. Any claim of mandatory role for the government of India or its armed forces within Sri Lanka under the Accord, Premadasa warned, would constitute a 'serious interference in the internal affairs of a friendly sovereign country'.³

The hostile tone and content of the letter indicated that Mr. Premadasa had taken a confrontationist course with Rajiv's administration in seeking the withdrawal of the Indian armed forces from Sri Lanka. Mr. Gandhi also adopted an equally antagonistic position. Responding to the Sri Lankan leader, Gandhi, in his letter of 11th July, reminded Mr. Premadasa that there was a signed agreement between the two countries and India had obligations under the Accord as a guarantor to ensure the safety and security of the people of the North-east. He also criticised Sri Lanka for not implementing the devolution to the Northeast council as promised. Insofar as the withdrawal of the Indian forces was concerned, Mr. Gandhi reiterated that the withdrawal schedule should be worked out through joint discussions along with 'a simultaneous schedule for the implementation of the Indo-Sri Lanka Accord'.⁴ In the concluding paragraph of the letter, Mr. Gandhi took a swipe at Mr. Premadasa for making public all correspondence between them in violation of the standard diplomatic practice of 'maintaining confidentiality of official correspondence between Heads of State'.⁵

Rajiv's obstinacy and his uncompromising attitude made

Premadasa furious. He realised that writing letters to the Indian Prime Minister and urging him to withdraw the Indian forces was of no avail. In desperation Mr. Premadasa adopted another strategy. Assuming the role of the supreme commander of all the forces in the island, including the IPKF, Mr. Premadasa issued an ultimatum to the officer commanding the IPKF Lt. Gen. Kalkat, demanding that the Indian forces should be withdrawn by the end of July or ordered to barracks. This ultimatum in the form of a legal document was delivered to Lt. Gen. Kalkat on 23rd July at Trincomalee. In response, Gen. Kalkat had sent a warning to Premadasa that the IPKF would be forced to take offensive action if Sri Lankan forces came out of their barracks. Thus Mr. Premadasa's brinkmanship strategy did not work.

Request for Armed Assistance

Following Premadasa's ultimatum, the Indian armed forces intensified their offensive operations against the Tiger guerrillas in the Northern Mullaitivu jungles. In another move, the EPRLF leader Varatharaja Peramul announced that the Tamil National Army would commence operations against the LTTE along with the IPKF. He also declared that he would declare a separate state of 'Eelam' if Premadasa's administration failed to implement the obligations of the Indo-Sri Lanka Accord. It was these critical developments, which formed the backdrop to Bala requesting Mr. Hameed for an urgent meeting in his hotel room to discuss the possibility of armed assistance from the government for the LTTE to face the military threat posed by the Indian forces and the Tamil National Army. Mr. Hameed came to our room around 9p.m on that day and relaxed in the lounge chair as usual, puffing his long Cuban cigar, listening patiently to what Bala had to say. It was a delicate subject and dangerously controversial too. Using both Tamil and English Bala explained the reality and the gravity of the ground situation, particularly in the Mullaitivu theatre of war. The LTTE was running out of ammunition and the IPKF had inducted heavy concentrations of combat troops along with contingents of Tamil paramilitaries in the jungles of Mullaitivu, Bala told Mr. Hameed. Angered by Mr. Premadasa's aggressive diplomacy the Indian army and the

Tamil mercenaries were determined to destroy the Tamil Tiger guerrillas and their leadership. The exposing of atrocities by the IPKF during the Colombo talks and the demand for their withdrawal by the Sri Lankan President had seriously embarrassed Delhi and their fury was now turned against the LTTE. Was it possible for Mr. Premadasa, asked Bala, to provide arms and ammunition to the LTTE to defend themselves against the current joint assault by the IPKF and the Tamil National Army?

Mr. Hameed reflected deeply and said that it was a serious and delicate matter. Even if Premadasa decided to help the LTTE, the Sri Lankan military establishment might oppose it, Mr. Hameed cautiously observed. Mr. Premadasa's commitment to securing the withdrawal of the IPKF would never be realised if the LTTE, the only patriotic force that was resisting external occupation, were decimated, Bala pointed out. Finally, after a lengthy discussion Mr. Hameed agreed to convey our request to the President. The following night, Mr. Hameed came along with General Attygalle, the Defense Secretary, to our hotel. They told Bala that the President was willing to help. Since the matter was very sensitive and controversial it had to be handled with extreme confidentiality. The army would be outraged. But it could be done covertly, the General said. Attygalle wanted a list of requirements. Bala and Yogi contacted Mr. Pirapaharan through our communication channel and produced a list of weapons. Within a week, a substantial quantity of arms and ammunition was delivered to the Tigers through a bordering Sri Lankan army camp in Manal Aru (Welioya) sector in the Mullaitivu district.

As the D-Day (end of July 1989) for the withdrawal of the IPKF as demanded by Mr. Premadasa approached, there was a realisation in Colombo that the evacuation of the Indian forces could only be secured by mutual deliberations as Delhi wanted, rather than by threats and ultimatums. Premadasa swallowed his pride and yielded to the notion of negotiations with Rajiv's administration. Subsequently, a powerful Sri Lankan delegation consisting of Mr. Ranjan Wijeratne, Minister of Foreign Affairs, Mr. A C S Hameed, Minister of Higher Education, Mr. Bernard Tilakaratna, Foreign Secretary, Dr. Stanley Kalpage, Sri Lankan High Commissioner in India, Mr. Bradman Weerakoon, Presidential Advisor on International Affairs, Mr. Sunil De Silva, Attorney

General, Mr. W T Jayasinghe, Secretary to the Cabinet and Mr. Felix Dias Abeysinghe, Secretary to the Committee for Peace, was dispatched to Delhi on 29th July. The Sri Lankan delegation had several meetings with the Indian Prime Minister, Mr. P V Narasimha Rao, the Minister of External Affairs and Mr. K C Pant, Minister of Defence. The discussion concluded on August 4th. The Indian and Sri Lankan delegations discussed four main issues. Firstly, the preparations of a schedule for the withdrawal of the IPKF from Sri Lanka. Secondly, the cessation of military operations against the LTTE. Thirdly, a review of the implementation of the Indo-Sri Lankan Agreement, and fourthly, the safety and security of all citizens of the Northeastern Province.

After the successful deliberations in Delhi the Government of India agreed to withdraw the IPKF stage by stage in accordance with a schedule. India assured the Sri Lankans that every effort would be made to accelerate the de-induction process of the IPKF to be fully completed by 31st December - which was still after the SAARC meeting. Delhi also agreed to suspend offensive military operations by the IPKF from 20th September. The Sri Lankan side promised that steps would be taken for the expeditious implementation of the devolution process facilitating effective functioning of the North Eastern Provincial Council. Both the parties decided to set up a 'Security Co-ordination Group' comprising of the Sri Lankan Minister for Defence, the Sri Lankan Defence Secretary, and the Commander of the IPKF and the Chief Minister of the North Eastern Provincial Council. This group would be in-charge of the law and order in the Northeast ensuring the safety and security of all citizens in the province.

Mr. Premadasa was pleased with the agreement between Delhi and Colombo. During a private meeting at his residence, the President told us that he emerged triumphant in the diplomatic tug of war with Rajiv Gandhi and that the fate of the IPKF was sealed. Though the Sri Lankans had pledged to enhance EPRLF's Provincial administration with more devolutionary power, Mr. Premadasa had his own scheme of things. The LTTE team was also pleased since their political strategy of securing the withdrawal of the IPKF from the Tamil homeland had now become a reality.

Having secured an agreement with the Government of India ensuring the phased withdrawal of the Indian forces within a

schedule, Mr. Premadasa was now confronted with the critical dilemma of how to fill the political space once the IPKF left the Tamil homeland. Though he pledged to Gandhi that Perumal's Provincial administration would be reinforced and consolidated with adequate devolutionary powers and a police system, Premadasa was well aware that the EPRLF's regime would vanish into thin air when the Tigers marched out of their jungle hide-outs into the urban centres to fill the vacuum left by the Indians. Though he admired LTTE's courage, determination and devotion to a cause, he was fiercely opposed to the Tamil demand for a homeland and self-determination. As the withdrawal of the Indian troops commenced, Mr. Premadasa's ideas and schemes became very transparent. In private sessions Mr. Premadasa emphasized that a permanent solution to the ethnic conflict could only be found within the unitary constitution of Sri Lanka. Since the Indians started leaving the island the time had come for the LTTE to take practical measures to enter into the political mainstream, he said. With the overwhelming support of the Tamil people, the LTTE could sweep to power in the Northeast through elections. He advised the LTTE delegates to form a political party and register it with the Elections Commission.

LTTE's Political Party

Mr. Hameed also told Bala during his private sessions, that Mr. Premadasa had become suspicious of the LTTE's ultimate intentions. Some Ministers had cautioned the President that the LTTE would not seek a solution within the constitutional structure, but was committed to the creation of an independent Tamil state, Mr. Hameed said. Mr. Hameed advised us that it would enhance the image of the LTTE, both locally and internationally, if the Tigers stood for the Northeastern Provincial Council elections and won. Unless the LTTE leadership agreed to this scheme it would be extremely difficult for the President to dissolve Perumal's administration and pave the way for the transfer of power to the Tigers. Bala told Mr. Hameed that the LTTE leadership was favourably disposed to the idea of forming a political party. The Tigers were also willing to participate in the Provincial elections to prove to the



Velupillai Pirapaharan as a young guerrilla fighter.



LTTE's training camp in Kalathur, Salem, Tamil Nadu during 1984-85.



A dialogue with Chandrika Kumaratunga and her husband, Vijaya Kumaratunga in early 1986,
at the LTTE political headquarters in Chennai, Tamil Nadu.
Left to right, Ossie Abeygunasekara, Chandrika Kumaratunga, Lawrence Thilagar, B. Nadesan and myself.



A meeting with the former Indian Prime Minister, Rajiv Gandhi, 28 July 1987 at his residence in New Delhi.
Left to right. Mr Gandhi, Mr Pandurutti Ramachandran, myself and Mr Pirapaharan.



LTTE's negotiating team with the former Sri Lankan President, R Premadasa in 1989. Left to right, Thilagar, Adele Balasingham, myself, Mr Premadasa, Yogaratnam Yogi, Paramamoorthi, Lawrence and Sajith Premadasa.



Myself and Tamilselvan welcoming the government delegation on the morning of 13 October 1994, at the open grounds of the Jaffna University. Left to right, Mr Lionel Fernando, Mr R Asiwatham, Mr K Balapatabendi and Mr NL Gooneratne.



Sri Lanka government's negotiating team led by Mr Balapatabendi and the LTTE delegation led by Mr Tamilselvan at the entrance to the LTTE's political head office in Jaffna, October 1994.



LTTE leader, Mr Pirapaharan meets the Norwegian Special Envoy, Mr Erik Solheim for the first time, at Malavi, Vanni, northern Sri Lanka, 31 October 2000. The late Colonel Shankar is seen on the right.



LTTE leader signs the historic Ceasefire Agreement, 22 February 2002.



Adele and myself land by seaplane on Iranamadu tank, Killinochchi, 25 March 2002 to be received by Sea Tiger Commander, Soosai and Mr Tamilselvan.



Mr Pirapaharan escorts Adele and me from the shores of Iranamadu tank.



The Tamil Tiger leader addresses an international media conference in Killinochchi, northern Sri Lanka, on 10 April 2002. I am seen here assisting him. Tamilselvan is seated to my right.



Adele and I meeting the peace envoys at the Norwegian Foreign Ministry, Oslo, July 2002.
From left to right, Mr Vidar Helgesen, Mr Jan Petersen, Mr Erik Solheim and Mr Jon Westborg.



Professor Peiris and I at the beginning of the first session of peace talks at Sattahip, Thailand.



Planting the 'Tree of Peace' at the Rose Garden Hotel premises in Thailand on 2 November 2002.
Myself, Mr Vidar Helgesen and Professor Peiris at the event.



Meeting the former Prime Minister of Sri Lanka, Mr Ranil Wickremesinghe on 25 November 2002
at the Oslo Donor Conference.

Left to Right, Mr Erik Solheim, Mr Vidar Helgesen, Mr Wickremesinghe and myself.



The Japanese Special Envoy, Mr Akashi, escorting me to the sixth session of peace talks at Hakone, Japan. Adele, Mr Vidar Helgesen, Mr Tamilselvan and Mr Erik Solheim are seen in the picture.



Mr Pirapaharan and myself welcome the Norwegian Foreign Minister, Mr Jan Petersen, at the LTTE's political head office in Killinochchi, 11 May 2004.

Sinhala majority as well as the international community that they were the sole and authentic representatives of the Tamil people, Bala said. He also told Mr. Hameed that the LTTE was also suspicious of the ultimate intentions of the Premadasa administration. He queried as to whether Mr. Premadasa would be able to dissolve the North eastern Provincial Council, withdraw the Sixth Amendment to the constitution, confine the armed forces to the barracks and allow a peaceful transition of power to the LTTE. Mr. Hameed's response was positive. He said that Mr. Premadasa could be convinced if we were prepared to enter the democratic political mainstream.

Bala had already sought the approval of Mr. Pirapaharan and other leaders when we visited the LTTE's jungle headquarters in Mullaitivu for the formation of a political party. Having spoken again to Mr. Pirapaharan through our communication network, Bala got the endorsement for the name of the party and the office bearers. All that remained was to write the party constitution. Drawing on his previous studies of political party constitutions, Bala drafted the document while I helped him with the editing and typing. The political party was named the People's Front of Liberation Tigers (PFLT). Mr. Mahendraraja (Mathaya) Deputy Leader of the LTTE was given the role of the President of the party and Mr. Yogaratnam Yogi was made the Secretary General. The constitution provided the basis for a genuine democratic party allowing for the representation and participation of all sectors of the populace. A copy of the constitution was handed over to the Election Commissioner for registration. He registered the party and reluctantly approved - after consulting the President- the Tiger emblem as the symbol of the People's Front of Liberation Tigers.

Mr. Premadasa was very pleased that the LTTE had formed a new political party indicating their willingness to enter the political mainstream. He urged the LTTE delegates to participate at the All-Party Conference he planned to hold to discuss various issues facing the country as a whole. It was also a move to bring the LTTE into an open political forum as a registered political party to demonstrate to the country a significant political outcome of the peace talks. The LTTE delegates agreed to participate in the inaugural meeting as 'observers'. The All-Party Conference was convened on 12th August with around one hundred delegates from

twenty-six political parties. Mr. Yogaratnam Yogi, as the representative of the PFLT, attended the conference as an 'observer'. Mr. Premadasa's inaugural speech dealt with his vision of conflict resolution providing an exposition of his famous three 'C's'. The conference discussed all issues apart from the main issue - the ethnic conflict - and soon fizzled out as a result of a distinct lack of consultation, compromise and consensus.

As pledged in the joint agreement between Rajiv's administration and Premadasa, the de-induction of the IPKF started in early October 1989. It was a slow process. When the Indian troops began to pullout in stages, district by district, the Tamil National Army occupied their camps and consolidated its positions. Firstly, the Indian army vacated their positions in Amparai and Batticaloa in the Eastern Province. Panicked and confused by the possibility of a major offensive assault by the LTTE on Tamil National Army (TNA) positions in the Eastern Province, Perumal's administration escalated its ruthless policy of mass conscription. EPRLF cadres forcefully picked up every able bodied young man in the streets, from their homes and schools in a bid to boost the manpower of its militia with the aim of protecting its fragile, teetering regime. This desperate move by the EPRLF to cling onto power by unnecessarily sacrificing a large number of untrained recruits with no combat experience earned Perumal the wrath of the Tamil people. The LTTE leadership was placed in a very delicate situation. Hoping to avoid unnecessary bloodshed, Mr. Pirapaharan sent an urgent message to the Sri Lankan President through Bala that the Sinhala armed forces should not get involved in the confrontation between the LTTE and the TNA. He also announced an amnesty to all the armed cadres of the TNA if they surrendered. Following this, in the early part of November 1989, the LTTE guerrilla forces swept across the Eastern Province, first in Amparai and in the following weeks into Batticaloa, over-running with ease all the military bases of the TNA. Thousands of young TNA recruits surrendered to the advancing columns of Tiger fighters. Only the hard core EPRLF cadres resisted. All those who had surrendered were immediately released to their relieved parents in the Eastern districts. Some of those who surrendered joined the LTTE.

With the collapse of the Provincial administration in the East, Mr. Perumal made desperate appeals to Mr. Gandhi and

Mr. Premadasa to intervene and prevent the LTTE guerrillas from taking over the administration in the districts vacated by the Indian army. Faced with a general election and charges of corruption in the Bofors scandal, Mr. Gandhi preferred not to act on Perumal's request. Although Mr. Premadasa was aware of the situation, he was more concerned about the delay in the withdrawal process. He suspected that the delay in the de-induction of the IPKF was a calculated move by Delhi to allow space for Perumal to regroup and re-organise and to consolidate his crumbling military machine.

Having dislodged the Tamil National Army from the Amparai and Batticaloa districts, the LTTE set about consolidating its authority in the area. Bala, Yogi and myself flew by Airforce helicopter to Batticaloa town to participate in the national Heroes' Day. Mr. Pirapaharan had sanctioned 27th November as a national day to honour the martyred LTTE cadres and 1989 was the first anniversary occasion. Chosen in commemoration of Shankar, the first LTTE cadre to die in the struggle, Heroes' Day has become the most important day on the LTTE national calendar. Since its inception in 1989, Heroes' Day has been expanded from a one day function to cover a period of one week of events culminating at 6p.m on the 27th November with families gathering at the war memorial cemeteries and the chiming of bells across the territory.

To celebrate this day of national upsurge we set off from Batticaloa to travel to Pottuvil in the Amparai district. On the route to Amparai, the people's relief and joy that the Indian troops had vacated the district was apparent. Ecstatic crowds flagged down our convoy of vehicles and garlanded the LTTE cadres and our journey ended up taking twice as long as we had planned. As we travelled through the area, people rushed out of their houses congratulating us and expressing their appreciation that the negotiations had finally succeeded in getting the Indian troops out of their homeland. Throughout Amparai, from one town to the next, were dotted memorial shrines and the red and yellow of the LTTE flag fluttered, and groups of people gathered to celebrate Heroes' Day. Large crowds turned out to hear the LTTE leaders tell them the struggle for their rights was not over and would continue on a different level. In Akkarapattu and Thirukovil on the Eastern coast near Batticaloa town, school children left their class rooms and raced to join the large crowd waiting to see and listen to the LTTE

cadres and their leaders. People queued at the meeting places hoping for an opportunity to express their appreciation by garlanding the LTTE cadres with jasmine flowers.

During our private sessions with Mr. Premadasa, he expressed a genuine desire to meet the LTTE leader Mr. Pirapaharan. He told us that none of the Sinhala leaders had ever met the man and therefore held distorted views about the Tiger leader. He said he wanted to talk to Pirapaharan to understand him in depth and establish a working rapport with him. In his vision, personal relationships based on empathic understanding were crucial in politics. Mr. Premadasa admired Pirapaharan for his military ability and his courage and determination to confront formidable forces. He wondered how a young boy from humble origins rose to become a popular, legendary guerrilla leader. To his disappointment, we had to impress upon the President that Mr. Pirapaharan could not come to Colombo for security reasons. When we were in the Mullaitivu base camp Bala told Pirapaharan that Mr. Premadasa was very keen to meet him. Pirapaharan suggested that we should take Mr. Mahendraraja, his deputy, on our next trip to Colombo and introduce him to the President. It was for that reason Mathaya came to Colombo in December 1989 and met Mr. Premadasa in his private sessions. Kittu also came to Colombo, but for a very different reason.

In early October, we made our second visit to the Mullaitivu jungles to meet and consult with Mr. Pirapaharan. During the course of the visit, Mr. Pirapaharan conveyed to Bala his wish to send Kittu to London for treatment for his amputated leg. On hearing of the decision to send him abroad, Kittu was obviously of two minds. Undeniably he aspired for a suitable prosthesis to be fitted, which would help him with his walking and mobility. But he was a man emotionally attached to his cadres and his homeland and the prospect of separating from them was an obvious source of distress to him. Kittu flourished in the environment where he could teach his cadres and encourage them with their interests and he often initiated new projects for them to engage in. And so, as the day for his departure grew nearer, he became quieter; as did many of his cadres. And I think one of the most pitiful sights I can remember seeing is this legendary guerrilla fighter crying on Mr. Pirapaharan's shoulder the day we were to take him out of the

Alampil jungle. His cadres carried him in a chair on their shoulders - in similar fashion to the manner they had carried Bala earlier - to the waiting helicopter. In classic Kittu style, he put on a brave face for his cadres during the trek out of the jungle, expressing his affection for them in the jokes he was cracking.

Soon after his arrival in Colombo, we escorted Kittu to the British High Commission. After discussions with the British Ambassador, Kittu's entry visa to the United Kingdom was authorised. But Kittu had one serious matter to attend to before his departure to London. When Kittu went to the Mullaitivu jungles after being released from IPKF custody, he became separated from his medical student girlfriend, Cynthia. Now he was anxious to be reunited with her. On his request she travelled from Jaffna to Colombo to meet him. Shortly afterwards they decided to marry. Kittu's mother rushed from Valvettiturai to Colombo to attend the ceremony. Cynthia's parents were already in Colombo. And so, on October 25th in one of the rooms of the hotel where the LTTE team was accommodated during the talks, the registration of the marriage of Kittu and Cynthia took place. A few days later Kittu flew to London and Cynthia joined him after travel arrangements were made.

Meeting Karunanidhi in Chennai

In India's December 1989 general elections, the Congress party was defeated and Rajiv Gandhi stepped down. Mr. V P Singh became the new Prime Minister. For V P Singh's administration, Rajiv Gandhi's involvement in Sri Lanka was a serious diplomatic disaster. Mr. Singh was anxious not to perpetuate the legacy of Rajiv's blunder, but rather wanted to establish good relations with Sri Lanka and other neighbouring nations. Realising that there was a deliberate delay in the process of de-induction of the IPKF, Mr. Singh ordered the Indian troops to pullout before 31st March 1990. This development signalled the accelerated demise of the collapsing Provincial administration of the EPRLF. Panicked by this turn of events, Mr. Perumal dashed to Delhi and Chennai (Madras) to plead with the Indian leaders not to withdraw the Indian army from Sri Lanka. The new Prime Minister, Mr. Singh,

who wanted to adopt a non-interventionist, friendly relationship with Sri Lanka, rejected Mr. Perumal's request. Finding no sympathy in the new administration, the EPRLF leader rushed to Tamil Nadu and urged the Chief Minister Mr. M Karunanidhi to help him to protect his Provincial administration. Mr. Karunanidhi, who was openly critical of the behaviour of the Indian army against the Eelam Tamils, advised Perumal to enter into an agreement with the LTTE and hand over the Provincial administration of the Northeast to the Tigers. Perumal begged Mr. Karunanidhi to play the role of mediator and work out a settlement. It was in these circumstances Bala received an urgent telephone call in the hotel room from the Tamil Nadu Chief Minister Mr. Karunanidhi - who Bala had known personally during our stay in Tamil Nadu - urging him to come to Chennai as soon as possible. He did not disclose what the matter was, but only hinted that it was very urgent and important. Bala could not refuse the request from the powerful Chief Minister of Tamil Nadu and agreed to go. Having obtained permission from Mr. Pirapaharan and Mr. Premadasa, Bala, myself and Yogi flew to Chennai within a couple of days.

In Chennai we were accommodated at the Port Trust Guest House amidst tight security. The Chief Minister and his nephew Mr. Murasoli Maran visited us three times during our stay. Mr. Karunanidhi enquired whether or not the LTTE would share power with the EPRLF if the Northeastern Provincial Council were reconstituted. He said that the EPRLF leadership was prepared to offer half the seats of the Council, paving the way for equal participation of the Tigers in the Northeastern Provincial administration. Bala explained to the Chief Minister that the LTTE was prepared to face fresh elections and it should be the people of Tamil Eelam who had to choose their representatives. He gave a detailed picture to Mr. Karunanidhi about the brutal crimes committed against the Tamil people by the armed cadres of the EPRLF in collusion with the Indian occupation army. Perumal's administration, Bala argued, was despised by the Eelam Tamils for its misdeeds. EPRLF assumed power through fraudulent elections and functioned as a puppet regime of the IPKF. Because of the intolerable atrocities committed by the Indian army and the EPRLF's paramilitaries, the Tamils wanted the Tigers to assume power. If fresh elections were held in the Tamil homeland, Bala convinced the Tamil Nadu Chief

Minister, the LTTE would sweep to power. Mr. Karunanidhi finally endorsed LTTE's position and did not press for a joint administration. During the meetings, Bala also gave a detailed assessment of the situation in the Northeast. Mr. Karunanidhi looked deeply perturbed. Apart from the closed-door meetings with the Chief Minister, we also met several LTTE supporters and Tamil Nadu leaders such as Vaiko (Mr. Gopalasamy) and Mr. Veeramany. A press conference was held before we left Chennai at the end of our five-day visit.

By the beginning of 1990 Premadasa's government had effectively suppressed the JVP insurrection in southern Sri Lanka. The war in the North had also come to an end with a stable cease-fire between the Sri Lankan forces and the LTTE. The Indian army had ceased its campaign and the de-induction process was accelerated to catch up with the schedule set for the end of March. The LTTE was consolidating in the areas vacated by the IPKF. Sri Lanka was, by and large, stabilised.

The peace talks in Colombo were now confined to private sessions between the President and the LTTE. Mr. Hameed was a regular visitor to our hotel and continued discussions on issues related to a political solution. Since the LTTE had committed itself to participating in the Provincial elections the issues that dominated the discussions were the repeal of the Sixth Amendment to the constitution and the dissolution of Perumal's Provincial administration; two critical issues that had become a bone of contention between the LTTE and the Premadasa regime.

The Sixth Amendment to the 1978 Constitution was an infamous piece of legislation that upholds the unitary structure of the Sri Lanka state and forbids the right to secession. It was promulgated by Jayawardene following the 1983 racial riots to placate the Sinhala-Buddhist extremists. Under this draconian law, anyone who advocates or encourages secessionist politics calling for an independent Tamil state is liable for serious punishment, including the loss of civil rights and forfeiture of property. This legislation requires all elected members of government institutions i.e. Parliament, Provincial Councils, Municipal Councils etc. to provide an oath of allegiance to the unitary state. The LTTE delegates had categorically told Mr. Premadasa and Mr. Hameed that under no circumstances would they take an oath of allegiance to the

unitary state. This legislation was oppressive and stifled the fundamental freedom of political choice and expression, the Tigers argued. The LTTE was firmly committed to the principle of self-determination, a legal right to which the Tamil people are entitled. The right to self-determination enunciates the freedom of choice of a people to determine their political status, a right that does not preclude secession, the LTTE delegates observed. Unless the Sixth Amendment - that forbids the right to choose one's political destiny - was repealed the LTTE would not enter the democratic political mainstream and participate in the elections, the Tigers told Mr. Premadasa.

As a Sinhala nationalist committed to a unitary state, Mr. Premadasa was unhappy with the LTTE demand. Yet at the same time he did not want the peace talks to collapse over this issue. He promised the Tigers that his government would repeal the Sixth Amendment if that were the only alternative left to him to bring the LTTE to democratic politics and solve the ethnic problem. Yet in his heart he knew that repealing the Act was impossible since it required two-thirds majority in Parliament - which he did not have. Furthermore, he knew that the Sinhala-Buddhist forces would be up in arms. Mr. Premadasa was in a dilemma. I could see some strains on his face whenever Bala raised the issue of repealing the Sixth Amendment.

The LTTE delegates also insisted that the Northeast Provincial Council should be dissolved without delay, arguing that the EPRLF was not the choice of the Tamil people but was installed by the IPKF as a puppet regime and that it had no legitimacy to run the administration in the Northeast. The Tigers urged Mr. Premadasa to dismiss the Provincial Council and hold fresh elections so that the LTTE could demonstrate its popular support to the world. Mr. Premadasa was reluctant to commit on this issue since he faced serious political and legal problems over the dissolution of the Council. The 13th Amendment had entrenched clauses that prevented the President from dissolving the Provincial Councils at his whim, unless there were specific reasons to do so.

The two issues raised by the LTTE had brought the talks to an impasse, but neither of the parties was inclined to take a confrontational course. The relationship between the LTTE and Premadasa's administration was warm and friendly. Mr. Hameed ensured that

nothing happened between the protagonists that would endanger the newly formed relationship that had been built up with patience and indefatigable effort.

Conference in Vaharai

In the meantime, after quitting Amparai and Batticaloa, the Indian forces withdrew from the Northern districts of Mullaitivu, Vavuniya, Mannar and Killinochchi. A substantial number of Indian troops continued to occupy the Jaffna Peninsula and Trincomalee districts. While the military wing of the LTTE was engaged in overrunning the TNA's positions in the Northern districts vacated by the IPKF, the political wing of the LTTE - the People's Front of Liberation Tigers (PFLT)- began to extend its party structures in the Eastern districts of Batticaloa and Amparai. The inaugural conference of the PFLT was held in the coastal town of Vaharai in the Batticaloa district between 24th February and 1st March 1990. Bala, Yogaratnam Yogi, Murthy, other cadres, and myself went to Batticaloa town by Sri Lanka Air Force helicopter and from there, traveled to Vaharai to participate in this historic conference. Senior LTTE political cadres, both men and women, were flown in from all the districts of the Northeast and assembled in Vaharai, a place famous for its natural beauty and tranquillity.

Relieved that the war with India was finally over and the Indian troops were on their way out of the Tamil homeland, the congregated PLFT delegates were in a festive mood. The choice of Vaharai Rest House - ideally located on the white sands overlooking the sea - for the inaugural conference added to the general good spirits amongst the delegates. Deliberations at the conference lasted for one week during which time important resolutions pertaining to crucial national and social issues were passed. On top of the list of resolutions was the commitment to abolish the social injustices and discriminations based on the caste system and the emancipation of women was to be included in the PLFT working program. More specifically, the women delegates demanded that action should be taken to halt the exploitation, suffering and humiliation that women are subjected to as a result of the practice of dowry. A great deal of

delegates' attention focused on organising the PLFT throughout the Northeast. It was agreed that steps would be immediately taken to involve and mobilise the people's political participation in the PLFT, and the setting up of party structures from the grassroots village level all the way up to provincial level in every district.

As the final stage of the troop withdrawal of the IPKF approached, Mr. Perumal, as the Chief Minister of the Northeastern Provincial Council made a controversial move. On 1st March he introduced a resolution converting the Northeastern Provincial Council into a Constituent Assembly with an objective of drafting a constitution for an independent sovereign Tamil state to be called Eelam Democratic Republic. This desperate step was perceived in Colombo as a Unilateral Declaration of Independence (UDI). Mr. Premadasa was outraged. But, since the Indian troops were on the verge of leaving Trincomalee district he did not take any action against Perumal. He waited for the completion of the de-induction of the IPKF. On the 24th March, a week earlier than scheduled, the last of the Indian troop contingents left the docks of Trincomalee harbour. Mr. Perumal and other leaders of the EPRLF fled to India with the last of the Indian jawans.

With the departure of the Indian army, the LTTE took control of almost all the districts of the Northeast. The LTTE leadership wanted legitimacy for their administrative control over the Tamil homeland. It was under these circumstances the LTTE delegates met the President and urged him to dissolve the Provincial Council and to hold fresh elections. We told Mr. Premadasa that UDI by Mr. Perumal provided a valid reason for the dissolution of the Council. What was required was an amendment in Parliament, which could have been easily secured by Mr. Premadasa's ruling party. But the President wavered. It was now abundantly clear to the LTTE that Mr. Premadasa was deliberately delaying fulfilling his promises. Mr. Premadasa was only too aware that if fresh elections were held, the Tigers would be swept to power and install a legitimate administration in the Tamil homeland. Mr. Premadasa feared that such an eventuality would provide the LTTE with international legitimacy and would encourage it to seek more powers of self-government.

LTTE's Strategy and Premadasa's Agenda

During these times I enquired from Bala in private conversations as to whether it was against the committed policy of the LTTE to seek an alternative to political independence and statehood. Bala replied that there was no contradiction in the LTTE's political strategy. He explained to me that the ultimate objective of the LTTE was the creation of an independent state based on the right to self-determination of the Tamils when all possible alternatives for co-existence with the Sinhala people were experimented and failed. He said that the LTTE was deadly serious about facing the Provincial Council elections in the Northeast if Premadasa cleared the hurdles i.e. dissolving the Council, repealing the Sixth Amendment and holding fresh elections. For the LTTE, it was a radical experiment to test the feasibility of co-existence. By seeking this alternative, the LTTE would not lose anything. If the Tigers won the elections they would transform the concepts of Tamil homeland and Tamil nationhood into concrete realities, which were their declared political ideals, Bala clarified.

Mr. Premadasa had a different agenda, a scheme of his own for tackling the LTTE. Accordingly, he delayed the dissolution of the Council and postponed the prospects of a fresh election. He showed little inclination on the crucial issue of repealing the Sixth Amendment, arguing that securing a two-thirds majority in Parliament would be an impossible task. Ultimately, the private sessions with Premadasa now served little purpose in practical politics. With great patience we listened to his lengthy sermons on one people and one nation where all communities could live in peace and harmony under the tripartite principles of his famous three 'C's.

Mr. Premadasa's secret agenda began to reveal itself when Mr. Hammed paid a visit to our hotel room for a private session with Bala and opened a discussion on de-commissioning the LTTE. It was a very hot day in mid-May. The discussion also reached high temperature, as the subject of the discussions was very sensitive. Mr. Hameed said that he was articulating the concerns and anxieties of the President. "Mr. Premadasa wants free and fair elections in which all parties and groups, including the EPRLF should be

given the opportunity to participate in the elections. This is not possible as long as the LTTE possesses arms and is exerting a dominant position in the Northeast. Therefore, the surrender of arms by the LTTE is a necessary factor to hold fresh elections. This is the view of the President and also some Ministers, particularly Ranjan Wijeratne”, Mr. Hameed said softly but firmly. Bala enquired as to why the President did not raise the issue of arms when he met the LTTE delegates during his private sessions. Bala also complained that since the departure of the IPKF Mr. Premadasa was holding private sessions with other Tamil groups hostile to the LTTE. He explained to Mr. Hameed that the possession of arms should be viewed as a crucial element of a security arrangement for the Tamil people in the Northeast. The LTTE would be responsible for this security system if permanent peace was established through a permanent political solution. To maintain this security system and law and order, the LTTE should have trained security personnel possessing arms. The LTTE had the manpower, materials and experience to provide an effective security system for the Tamil people, Bala told the perplexed chief negotiator. “It is premature to raise the issue of de-commissioning of the LTTE when your President is not prepared to remove the obstacles for the fresh elections, i.e. dissolving the Council and repealing the Sixth amendment. Furthermore, the Provincial Council itself is not a sound basis for a permanent solution. The LTTE decided to face the Provincial elections as an interim arrangement, not as a permanent solution. We wanted peace and harmonious co-existence with the Sinhala people. We wanted to create democratic institutions and participate in democratic political practices. We will co-operate with the Government to hold free and fair elections providing the opportunity for all groups and parties to participate in the elections. Once we become the elected representatives of the people, we can negotiate for a permanent solution that will involve the crucial issue of a security arrangement for the Tamil people”, Bala explained. Mr. Hameed suggested the formation of a Provincial police system as an element of the Provincial administrative structure transforming the guerrillas into police officers. “Even if that were possible, the LTTE would need more men and more arms to raise a police force of ten thousand men for the Northeast”, Bala said. In that case, Bala told Mr. Hammed sarcastically, the President had to

provide even more arms to the LTTE police force. Thus, the discussion that started out on the issue of disarming the LTTE ended with the notion of re-arming the Tigers. Mr. Hameed looked dejected when he left our hotel room.

We knew that Mr. Premadasa was on a confrontationist course. He was not favourably disposed to the idea of repealing the Sixth Amendment that would relax the rigid constitutional hold on the unitary status of the Sri Lankan state. Premadasa favoured a solution within the unitary state model. As a strong nationalist he was opposed to any alternative models to the unitary polity. Having crushed the JVP rebellion and secured the withdrawal of the Indian troops, Premadasa faced a new dilemma. How to deal with the LTTE? It was still possible to embrace them peacefully in the democratic political mainstream for which he had to repeal the infamous Sixth Amendment. The other alternative was confrontation: military suppression of the LTTE. His hardline Ministers and the military establishment favoured the latter. And he was yielding to their pressure.

Discussing various options, Mr. Premadasa had before him at that critical conjuncture, Mr. Bradman Weerakoon, a close confidante and advisor to the President commented, "His fourth and final option could have been straight out of Machiavelli or more likely in his idiom, Kautilya - that was, that after the IPKF was out of the way and out of the country, he would turn the refreshed and renewed Sri Lankan forces on the weary LTTE, rout them completely, eliminate Pirapaharan and re-establish 'law and order, good governance, peace and prosperity' over the Northeast and the whole of Sri Lanka. I am inclined to think that in his final grand design this last option would have been very appealing".⁶

As Weerakoon aptly perceived, Mr. Premadasa chose the military option of eliminating the LTTE. Yet he did it in a devious manner as if the LTTE had broken the negotiations and started the war. Without any warning he authorised the Sri Lankan armed forces, hitherto confined to barracks in the Northeast since July 1987, to move freely about and assert the authority of the state. The army high command, confident after recent victories against the JVP rebels, adopted a belligerent attitude and confronted the LTTE. Several incidents occurred, particularly in the East, which violated the ceasefire agreement and provoked the LTTE beyond patience.

By the end of May 1990, fresh contingents of troops and additional police were moved to the Eastern districts to strengthen and fortify military bases and police stations. As the troops began to intensify patrolling in the cities and towns, tension mounted between the Sinhala armed forces and the LTTE fighters. There were several ugly incidents of military harassment of our guerrilla fighters. An incident occurred near an army camp in Batticaloa where two senior LTTE cadres were disarmed by army personnel and forced to kneel on the tar road in the scorching sun for several hours. There was a massive crowd watching. Unable to withstand the humiliation, one of the fighters swallowed cyanide and died on the spot. The soldiers beat the other fighter unconscious. As the incidents of harassment and persecution increased, the Tiger leadership realised that the Sri Lankan armed forces were deliberately provoking them to cause a confrontation. The desperate attempts made by Bala - who was in Colombo at the time - to impress upon the President to restrain the government forces was of no avail. We learned later from Mr. Hameed, that Mr. Premadasa had given orders to the military high command to systematically fill the vacuum created by the departure of the IPKF. His instructions were to take full control of the Eastern districts of Trincomalee, Batticaloa and Amparai to be followed by the Northern region. Premadasa was well aware that Eelam War II was inevitable and he prepared the armed forces for that eventuality.

The straw that broke the camel's back was a minor incident of harassment of a Muslim woman in the Batticaloa police station on 10th June. The LTTE's interference - by questioning the police behaviour - led to an armed confrontation between the LTTE fighters and the police. The fighting that erupted between the Tigers and the police escalated into a wider conflagration between the LTTE and the Sri Lankan armed forces in the Tamil areas of the Northeast. A full-fledged war had resumed. In a desperate last minute effort to secure a cessation of hostilities, Mr. Hameed flew to Jaffna on 11th June. I went along with Bala and other cadres to receive Mr. Hameed outside the Pallaly Air Base. Before Mr. Hameed reached the point of rendezvous some undisciplined Sri Lankan soldiers opposed to peace fired at his vehicle. Nevertheless, Mr. Hameed met Mr. Pirapaharan and other LTTE leaders. His efforts to arrange a truce ended in fiasco since the Sri

Lankan forces in the Eastern districts were determined to prosecute the war. Apart from Mr. Hameed, the President and his hardline Ministers were not inclined towards peace. As the war resumed with brutal intensity, Mr. Ranjan Wijeratne, the Deputy Minister of Defence thundered in Parliament "Now I am going all out for the LTTE. We will annihilate them".⁷ Thus ended the ill-fated negotiations between the LTTE and Premadasa administration.

References

1. Daily News, Colombo, 18th May 1989.
2. Letter to President Premadasa by the Indian Prime Minister Mr. Rajiv Gandhi dated 30th June 1989. See Annexure.
3. Letter to the Indian Prime Minister Mr. Rajiv Gandhi to President Premadasa dated 4th July 1989. See Annexure.
4. Letter to President Premadasa by the Indian Prime Minister Mr. Rajiv Gandhi dated 11th July 1989. See Annexure.
5. Ibid.
6. Weerakoon. Bradman. 'Government of Sri Lanka -LTTE Peace Negotiations 1989/90', in Dr. Kumar Rupesinghe edited *Negotiating Peace in Sri Lanka*, page 155 published by International Alert of London, U.K, February 1998.
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CHAPTER IV

JAFFNA PEACE TALKS PIRAPA - CHANDRIKA LETTERS

A Hidden Agenda

When the peace talks between the government of Chandrika Kumaratunga and the Liberation Tigers of Tamil Eelam (LTTE) collapsed in April 1995, international governments unreservedly condemned the Tamil Tigers for sabotaging the peace effort. Before the LTTE could argue its case, the world had already passed judgement on the Tigers. On the very day the peace talks were suspended and armed hostilities resumed, Sri Lanka unleashed a major propaganda war with a blistering attack on the LTTE. The government alleged that the Tamil Tigers had broken the peace talks without reason or logic and resumed the war without warning. The speed with which the Sri Lanka government moved left us wondering if it had been eagerly anticipating this turn of events. The government rapidly mobilised and utilised all avenues and resources available to a modern state to convince the international community that the LTTE was the enemy of peace. The Sri Lankan Foreign Minister Mr. Lakshman Kadigamar called the foreign media and the diplomatic community based in Colombo to conferences in a bid to intensify the propaganda war worldwide. Mr. Kadigamar also embarked on a personal diplomatic mission to several capitals to convince the Western nations that the LTTE was the guilty party behind the failure of the peace talks.

The LTTE had justifiable reasons and compulsions to withdraw from the negotiating process. The government was not acting in good faith. It failed to fulfil its pledges and promises. The talks were dragging on for more than six months without direction and

progress. We did not stipulate any impossible conditions, but rather sought relief to the Tamil population suffering enormously under the economic blockade and other bans imposed by the government. The Kumaratunga regime was merciless and adopted an uncompromising attitude. We did not withdraw from the talks abruptly as the government construed. We gave adequate advance notice extending to a period of three weeks instead of 72 hours as required by the truce agreement. We urged the government to implement the pledges before the set deadline. But the government failed to take the warning seriously. In the end we were left with no other choice but to make that painful decision.

We knew that in the realm of peace negotiations the blame usually falls on the withdrawing party. But it was unavoidable. In our case we confronted a cleverly devised trap. It was a peace trap for a long-term war. The central aim behind the government's strategy was to gain national and international support for a massive war effort to invade Jaffna. Such support could only be obtained on proven grounds that the Tigers were not amenable to a peaceful political resolution of the conflict. The government's hidden strategy became known only in the later months and years as the 'war for peace' scheme revealed its ugly face. But at that time, when the talks collapsed, the government scored a propaganda victory and won the support of the international community. The world may have been duped by Kadirgamar's subtle diplomacy but the government's intended program of marginalising the Liberation Tigers from the Tamil masses failed miserably. The Tamil people were well aware that the LTTE fought for their interests, firmly and resolutely, during the entire peace process persistently calling for urgent solution to the day-to-day problems faced by our people. And most importantly, it was our people who knew that the government was lying when it claimed the economic blockade was lifted and all essential items were flowing to the North. Our people soon realised that the government was involved in an exercise of political duplicity and the talks would not succeed. The initial euphoria among the Tamil masses turned into bitter disappointment when the talks reached a stage of impasse. And when the talks collapsed and hostilities resumed the Tamil people were neither surprised nor dismayed.

A critical examination of the Jaffna peace talks is relevant

today in the current political scenario as initiatives are mooted by the international community to revive the peace talks between the Sri Lanka government and the Liberation Tigers. A reappraisal of the Jaffna talks will also help to understand the mood and thinking of the Tamil Tigers in relation to political negotiations. Furthermore, the Tigers continue to insist on the removal of oppressive conditions and normalisation of civilian life in the Tamil homeland as essential pre-requisites for peace talks - the very same themes advanced by our movement during the negotiations in Jaffna. Therefore, a re-examination of the Jaffna peace talks from the Tamil perspective, elucidating the problematic that underlie the failure of the negotiations is significant and relevant to comprehend the position of the LTTE on the question of peace and peaceful settlement of the conflict.

Adopting a peculiar modality hitherto unknown in the discourse of conflict resolution, the Jaffna peace talks were held on two levels. On the one level, there were direct negotiations between the accredited representatives of the Sri Lanka government and the Liberation Tigers. On the other level, there was indirect dialogue between the leadership of the government and the LTTE in the form of exchange of letters. Both levels of talks lasted for a period of six months. In total there were four rounds of direct talks between the nominated delegates with each session lasting only for a day or two, allowing limited time to discuss a wide spectrum of issues. Since the government was represented by a low-key team without any authority to make decisions, the direct engagement produced no positive results and the correspondence between the leaderships became significant and determinant. As the Head of the Sri Lanka State, Chandrika Kumaratunga corresponded with the LTTE leader Mr. Velupillai Pirapaharan. In the capacity of the Deputy Defence Minister Col. Ratwatte also exchanged a few letters with the LTTE leader particularly on the matters of security and cessation of hostilities. There were also letters of exchange between Mr. Balapatabendi, the head of the Sri Lanka delegation, and Mr. Tamilselvan, who led the LTTE negotiating team. In this study, we present the entire correspondence between the government of Kumaratunga and the Liberation Tigers in chronological order of narration with the analysis of the developments of the objective conditions. The correspondence was

facilitated by the good offices of the International Committee of the Red Cross (ICRC).

The letters of exchange are important for any critical examination of Jaffna peace talks since the leadership of the parties in conflict articulated their respective positions through written correspondence. By close scrutiny of the correspondence one could find feelings of optimism and expectations in both circles during the early stages of the peace talks. But those positive sentiments soon died down to be replaced by a sense of bitterness and acrimony as problems cropped up in the later stages of the negotiations. Readers will find the letters polemical, contentious, argumentative, as both parties contested each others position and rationalised and legitimised their own. This polemic made some correspondence repetitive where both the parties reiterated and reasserted their mutual stands. We felt that the tone and contents of some of the letters written by Chandrika and Ratwatte were accusatory and hostile. They were skilfully constructed propaganda pieces written with an intention of releasing to the public at a later stage to shift the blame on to the LTTE if the talks failed. The government did release some selected correspondence soon after the talks collapsed. In this study we have released all correspondence with contextual commentaries to explain the developing objective situation so that the reader can grasp the complexities of the problem. From the outset the LTTE proposed that the talks should proceed stage by stage. The early stages of the talks, the Tigers insisted, should focus on restoring conditions of peace and normalcy in the Tamil homeland. In this context the Tigers called for the removal of all oppressive blockades, bans and restrictions that seriously affected the social and economic life of our people and caused them enormous suffering. We wanted a stable condition of peace effected by a permanent ceasefire and normalisation of civilian life before embarking on a political dialogue to resolve the ethnic conflict. We felt that if Kumaratunga's government genuinely sought peace and ethnic reconciliation, it should, first of all, remove the repressive conditions imposed on our people and alleviate their long standing suffering.

Though the government initially agreed to the LTTE's agenda, it changed its position in due course when it encountered opposition from the military establishment for relaxing the blockades and

bans. To circumvent the issue the government proposed discussing the political problems underlying the ethnic conflict first. But the LTTE continued to insist that the urgent existential problems faced by the people should be addressed and resolved prior to political negotiations. This conflictual position led to bitter debate in the correspondence, in which both parties accused each other of bad faith. Finally, the government adopted a hardline position arguing that blockades and bans imposed on the Tamils were necessary measures of national security that could not be compromised. The issue continued unresolved until the last stages, compelling the Tigers to issue a deadline for the discontinuation of talks.

From the very beginning of the talks, until the last phases, the government made occasional claims that it had lifted several essential items from the economic blockade but none of these items reached the people. The military personnel stationed at the border posts of Vavuniya ensured that lifted items did not reach the Tamil people. The government failed to take any action though the LTTE, as well as the public, complained and protested several times. There was collusion between the government bureaucracy and the military in maintaining the economic blockade. We realised later that the government was playing a deceitful game of propaganda to appease the international community as if it had been fair and kind to the Tamil people. But in reality the government was determined to perpetuate the conditions of oppression against the Tamils with ultimate military designs that became apparent after the talks collapsed.

The other crucial issue that led to the breakdown of talks was the ineffectual, loosely worked out truce that led to various incidents of cease-fire violations particularly in the East. The LTTE wanted a permanent, stable cease-fire with international supervision. But the government was not favorable to that proposition. Instead, it proposed a temporary unbinding cessation of hostilities without proper modalities and monitoring mechanisms. It also adopted dilatory tactics in the formation of monitoring committees chaired by international experts. This disinclination to establish a stable ceasefire indicated to us that the government was not genuine in the pursuit of peace.

The matter that gave serious concern to the LTTE leadership was the systematic build up of the Sri Lankan military machine

during the period of peace negotiations. Sri Lanka took measures to expand and modernise the armed forces in violation of the principles of the truce agreement that demanded the parties in conflict to maintain military status quo. We had evidence to believe that the Kumaratunga government was operating on a hidden agenda of a grand military plan to invade the Jaffna peninsula and the Northern mainland which were under LTTE control. The peace talks provided time and space for the Kumaratunga government to organise a massive military build-up. Thus, Kumaratunga's peace initiative transformed into a massive war effort under the slogan of 'War For Peace', which still continues after five years of cataclysmic destruction in life and property.

In providing a critical analysis of the Jaffna peace talks we argue that this peace making enterprise was undertaken in bad faith. There was no genuine will or determination on the part of the Sri Lanka government to win the goodwill, trust and confidence of the Tamil people. This could have been easily obtained by alleviating some of the hardships and suffering of the Tamil people. The state has legal and moral obligations to promote the welfare of its citizens, if it considers the Tamil people its citizens. But the government failed to act with responsibility, fairness and justice. The peace enterprise did not dispel the historical distrust and hatred between the protagonists in conflict but rather helped to deepen the hostility and drive them to adopt intractable and entrenched positions.

Chandrika's Peace Initiative

My first and only encounter with Chandrika Kumaratunga was in Chennai (formally Madras) during the early part of 1986 when our political offices and military training bases were functioning in Tamil Nadu, India. The lady paid a visit to our political headquarters at Indira Nagar, Adiyar accompanied by her husband Vijaya Kumaratunga and Ossie Abeygunasekara of the Sri Lankan Mahajana Party. Vijaya Kumaratunga was a radical politician with a sympathetic understanding of the freedom struggle of the Liberation Tigers who had visited Jaffna and met Tiger leaders to exchange prisoners of war.

At the time of our encounter, Chandrika was not seriously involved in Sri Lankan politics but showed intense curiosity over the political aims and objectives of the LTTE. For nearly an hour, I gave a thorough theoretical exposition of the Tigers political project arguing our case for political independence and statehood based on the right to self-determination of the Tamil people. While her husband listened politely with patience Chandrika was argumentative. Presenting a pluralistic model of Sri Lanka's social formation, comprising of different ethnic groupings, she rejected the conception of Tamil nation and Tamil homeland. Chandrika's thesis, in essence, was that the Tamil problem was a minority issue, not a nationality question and that the Tamils were not entitled to the right to self-determination and statehood. I tried to convince her that the Tamil people inhabiting the Northeastern region of Sri Lanka constituted a national formation as they have a distinct language, culture, history, a contiguous territory, a unique economic life and a feeling of oneness as a distinct people. These are the objective and subjective elements universally regarded as essential components that constitute a nation or a people. Furthermore, I pointed out that the Northeast has been the historical habitation of the Tamils for centuries and therefore it was their homeland. The Tamils had their own kingdom and enjoyed statehood until western colonialism deprived them of their sovereignty over their natural and historical territory. As a nation of people living in their own homeland the Tamils were entitled to the right to self-determination, I said. Explaining further, I stated that self-determination was a right of a people to freely determine their political status and destiny. As legitimate bearers of the right to self-determination, our people chose to invoke this right in the 1977 general elections calling for the formation of the independent Tamil state. Chandrika objected by arguing that the Tamils could not exercise the right to secede within a unitary state. I argued that the Tamils could exercise the right to choose their political status in a specific historical condition when they were politically alienated and not represented in government and when the State became an alien force of domination, and racist repression assumed intolerable genocidal proportions. The lady was obstinate and single-minded. She operated with a different mind-set, from a different ideological universe. I could notice an inherent resistance in her to tolerate any alternative

themes other than her well-entrenched pluralist conception of Sri Lankan society in which all ethnic minorities have to adjust and associate with the majority. Rejecting my arguments underlying the Tamil national question she retorted, 'Why can't the LTTE persuade the Tamils to live in peace and harmony with the Sinhalese instead of fighting for the division of the country.' I was really annoyed.

Having observed my frustration, Mr. Kumaratunga intervened to enlighten his wife. 'The Tamil people are fighting for an independent state because they have been oppressed and discriminated against by successive Sri Lankan governments' he said. At this point I taunted Chandrika by saying that her parents were the main architects of Sinhalese chauvinistic oppression that compelled the Tamils to seek secession. For a moment she was cornered and embarrassed, but she managed to compose herself and remarked, 'therefore the solution lies in the removal of the conditions of oppression rather than fighting for secession'. Thereafter the discussion centred on the eradication of the conditions of oppression. I argued that the main Sinhala political parties, the UNP and the SLFP, were essentially chauvinistic and therefore incapable of transformation. Agreeing with my contention, Mr. Kumaratunga said that a radically new political movement with an enlightened policy should emerge to resolve the problems of the Tamil people. At the end of the dialogue, the lady proclaimed she would enter politics in Sri Lanka one day and that if she comes to power she would bring peace and ethnic harmony to the island by removing the conditions of oppression imposed on the Tamils.

Eight years after the meeting with the Tamil Tigers in Tamil Nadu, Chandrika assumed political power as the head of a new Sri Lanka government. But how far did she fulfil her promise to remove the conditions of oppression imposed on our people when she was provided with an ideal opportunity to do so in 1994? This study will attempt to demonstrate that she failed to fulfil her promise. Furthermore, her term of office turned out to be the most oppressive period in Sri Lankan political history.

The central theme of Chandrika's electoral campaign was peace. She pledged that if she were elected to power, she would enter into a peace dialogue with the Tamil Tigers and bring an end to the war. At a pre-election meeting at Nugegoda in a suburb of

Colombo, Chandrika proclaimed that she would concede the rights of the Tamils and honourably withdraw the armed forces from the Northeast. Projecting herself as a goddess of peace and non-violence, Chandrika extended the hand of friendship to the LTTE, pleading for peace and promising ethnic reconciliation. To an island tormented by war and violence for nearly two decades, her message of peace was powerful and enticing. The People's Alliance swept to victory at the general elections. Chandrika Kumaratunga was sworn in as the Prime Minister on the 19th of August 1994.

For nearly 17 years, the United National Party ruled the island with tyranny and oppression. In those turbulent years, characterised by armed conflict in the Northeast and insurrection and unrest in the South, it was the Tamil nation that suffered enormously. Ruling the Tamil nation with draconian emergency laws, the UNP regime intensified military brutality, subjecting the Tamil civilian masses to the extremes of state terror and persecution. Furthermore, the UNP rulers imposed economic blockades on the Tamil nation, banning all essential items crucial for the sustenance of life. These repressive measures created an acute shortage of food and medicine. The ban on fuel (petrol, diesel and kerosene) paralysed industry and transport. The embargo on fertilisers crippled agriculture. The ban on fishing reduced the Tamil fishing community to nightmarish conditions of poverty. Telecommunication links to the North were severed. Electricity generating plants were bombed, plunging the Jaffna peninsula into darkness of a primitive age. Furthermore the freedom of mobility of our people was curtailed by restrictions on travel. The United National Party administration imposed these oppressive measures as necessary conditions to facilitate the state's military campaign in the Tamil homeland and to deny the Tamil resistance movement essential supplies, callously disregarding the fact that such measures profoundly affected the social and economic life of the Tamil civilian population.

It was against this background that Chandrika promised peace and salvation to our people and offered unconditional talks to the Tigers. Within a fortnight of assuming State power, she relaxed the economic embargo on certain items as a demonstration of her goodwill. The LTTE leadership was compelled to respond to

Chandrika's humanitarian gesture. From the outset, Mr Pirapaharan, the leader of the LTTE, was sceptical of Chandrika's gesture. He felt it was a political gimmick to win the support of the Tamils and Sinhalese for the forth-coming presidential elections. I advised him to respond to her positively. "She is a new leader emerging on the Sri Lankan political horizon articulating progressive politics. It would be politically prudent on our part to initiate a dialogue with her government to find out whether or not she is genuine in resolving the problems of the Tamils," I told Mr Pirapaharan. He agreed.

On the 2nd of September, Mr. Pirapaharan issued a press statement welcoming Chandrika's gesture of goodwill. In the statement, he announced his decision to release ten police detainees as 'a reciprocal gesture of goodwill'. He urged Chandrika to lift the economic blockade totally, to create conditions of normalcy in the Tamil homeland. He also suggested a permanent cease-fire and unconditional talks. A copy of the statement was sent to Chandrika through the good offices of the International Committee of the Red Cross. Following is the text of the signed statement by Mr Pirapaharan.

LTTE Headquarters
Jaffna
2.9.1994

We sincerely welcome the decision made by the new Government of Mrs.Chandrika Kumaratunga to partially lift the economic embargo imposed on our people by the previous regime. We consider this step a constructive measure to create a congenial atmosphere of peace and goodwill.

As a positive response to the Government's conciliatory gesture we have decided to release ten (10) police detainees who are held in our custody as prisoners of war. We earnestly believe that our decision to release a section of the detainees will be viewed as a reciprocal gesture of goodwill and understanding.

We wish to point out that the economic embargo imposed on our people by the previous regime was an act of grave injustice and inhumanity. For the last four

years our people have been subjected to enormous suffering without the essentials of daily existence. In this context, the positive step taken by the new Government to relax the embargo will be very much appreciated by our people. We hope that the Government will soon lift the economic embargo totally, paving the way for the restoration of normalcy in Tamil areas. The new Government could claim to have done justice only when the essential commodities that are freely available to the Sinhala people are made available to our people.

We wish to reiterate that we are prepared for cease-fire and unconditional talks. We are willing to co-operate with the new Government in all efforts to create congenial conditions of peace and normalcy, which are conducive for the conduction of peace negotiations.

(V.Pirabakaran)

Leader

Liberation Tigers of Tamil Eelam

A week later, Chandrika responded. A brief message was transmitted to Mr. Pirapaharan through the ICRC on the 9th September 1994 welcoming our decision to participate in the peace talks. She also requested us to nominate accredited representatives to begin discussions with her nominees. In the letter, she promised to restore electricity 'as far as possible' and repair the highway and parts of the irrigation schemes. We publish here below the full text of the message.

9th September 1994

Mr. V. Pirabakaran

Leader

Liberation Tigers of Tamil Eelam

LTTE Headquarters

Jaffna

Dear Mr. Pirabakaran,

We are happy to note that the LTTE has welcomed

our gesture of goodwill towards the people of Jaffna and North in lifting the embargo imposed by the previous Government. We appreciate the decision taken by the LTTE to release ten police detainees who were held in the LTTE custody for several years and consider this gesture as one of goodwill and a demonstration of your positive intentions to negotiate the solutions to the problems of North and East.

We have noted with much interest your statement that you are prepared for peace talks. We would like to discuss this matter in greater detail. We suggest that you nominate representatives to begin discussions with my nominees.

We would like to ensure that items for which the embargo was lifted reach the people of Jaffna without any delay. In this matter, we find difficulty as we have only Point Pedro to which we could transfer the goods directly. We would like to work out the ways and means we could get these goods without delay to the people of Jaffna.

Our Government has also decided to restore, as far as possible, electricity, repair the major highways and part of the irrigation schemes, as further normalisation of civil life.

We welcome your offer of co-operation in our Government's efforts towards peace and restoring normalcy in the North and East.

We therefore expect you to extend all co-operations to our technical officers who would be handling the repair works in the above stated development projects.

I suppose that the discussions I have suggested between your nominee and mine could also work out the modalities of this exercise.

Thanking you.

Yours Sincerely,

Chandrika Bandaranaike Kumaratunga
Prime Minister

Chandrika did not comment on Mr Pirapaharan's request for the total removal of the economic embargo nor did she make any reference to our call for a cease-fire. Furthermore, she asked us to nominate our representatives without indicating to us the status or rank of the Government nominees. Nevertheless, we decided to appoint four of our senior cadres including Mr. Karikalan, Deputy Head of Political Section, as our accredited representatives. We decided to raise the issue of the economic embargo and other restrictions as urgent and immediate problems during preliminary discussions with the Government representatives. Mr. Pirapaharan was unhappy over the unwillingness on the part of the government to effect a cessation of hostilities before the commencement of the peace talks. We were anxious that the ongoing armed confrontations might cause a serious incident that might hamper the peace process.

In his letter to Chandrika Kumaratunga dated 12.9.1994, Mr. Pirapaharan nominated the LTTE's representatives and expressed regret that the Government had ignored his suggestion for a cease-fire. He emphasised that cessation of armed hostilities was essential for an environment of peace and goodwill and for the normalisation of civilian life. The following is the text of the letter:

LTTE Headquarters
Jaffna
12.9.1994

Hon. Chandrika Bandaranaike Kumaratunga
Prime Minister
Sri Lanka

Dear Prime Minister,

We are pleased to receive your letter dated 9th September 1994. We are glad to note that you have welcomed our gesture of goodwill by releasing ten detainees in our custody.

We appreciate your sincere concern that the goods for which the economic embargo was lifted should reach the people of Jaffna without delay. We share a mutual concern in this issue and would be glad to assist you in your endeavour to find ways and means

to resolve this urgent problem.

We welcome the decision of your government to restore electricity, repair highways and renovate irrigation schemes. We wish to assure you that the LTTE will extend its fullest co-operation and assistance to the Government's technical officers who would be involved in the renovation work.

We appreciate your favourable response to our call for peace talks. You have suggested that we nominate our representatives to begin preliminary discussions. We therefore, nominate the following persons as our accredited representatives to conduct initial talks. Your nominees could also discuss with our representatives the modalities involved in the renovation work of the proposed development projects. Our nominees are:

1. Mr. K. Karikalan
Deputy Head of Political Section
2. Mr. S. Elamparathy
Political Organiser
Jaffna District
3. Mr. A. Ravi
Head of Department of Economic Research and Development
4. Mr. S. Dominique
Head of Department of Public Administration

Furthermore, we note with regret that no reference is made in your letter to our suggestion for cease-fire. You will appreciate that cessation of hostilities is a crucial element in the process of building up an atmosphere of peace, goodwill and normalisation of civilian life. I hope that you will consider this matter in earnest.

Thanking you,

Yours Sincerely,

(V.Pirabakaran)

Leader

Liberation Tigers of Tamil Eelam

For more than a week, we did not get any response from Chandrika. In the meantime land and sea battles raged between the LTTE fighters and the Sri Lankan armed forces. Sri Lankan combat aircraft continued their regular bombing sorties, causing civilian casualties. A serious incident occurred on the night of 19th September 1994 in a ferocious sea battle on the Mannar seas. In the confrontation a Sri Lankan frigate called 'Sargarawardane' was attacked and sunk by the Sea Tigers in the Gulf of Mannar. Twenty-four sailors were killed in the incident. The captain of the warship and another naval officer were rescued and taken as prisoners of war. We thought that this incident might upset the new government. But the statement made by a government minister that incidents of armed conflict would not impede the peace process allayed our apprehension.

On the 21st of September, just two days after the incident, Mr Pirapaharan received a brief message from Chandrika nominating the government representatives for discussions. The text of the message was the following:

21st September 1994

Mr. V. Prabhakaran
Leader
Liberation Tigers of Tamil Eelam
LTTE Headquarters
Jaffna

Dear Mr. Pirabakaran,

I thank you for your letter date 12th September 1994 nominating your four representatives for discussion with us. I give below the names of our Government's representatives: -

1. Mr. K. Balapatabendi - Secretary to the Prime Minister, Attorney- at- Law
2. Mr. Lionel Fernando - Secretary, Ministry of Information, Tourism Aviation
3. Mr. R. Asirwatham - Chairman, Bank of Ceylon and Senior Partner for, Rhodes & Thornton
4. Mr. N.L. Gooneratne - Chairman, Design Consortium Ltd. (Architect)

This team could visit Jaffna for the initial discussion for 02 days, any time between the 3rd - 6th October or 12th -15th October 1994.

Could you kindly inform us, which days would suit you and also the venue you suggest and other related details?

Thanking you.

Yours Sincerely

Chandrika Bandaranaike Kumaratunga
Prime Minister

A Low-key Government Team

We were deeply disappointed when we received the list of government nominees for talks. The team consisted of a lawyer, a civil servant, a bank manager and an architect. We were perplexed as to why senior politicians with wider knowledge of the Tamil ethnic conflict were not included in the government's negotiating team. The nominees were personal emissaries or confidantes of Chandrika who lacked professional experience in peace negotiations nor did they possess any political authority to make decisions. None of them had any knowledge of the history either of the Liberation Tigers or of the armed liberation struggle. At a later stage in the course of the dialogue, we realized the government representatives were not men of innovative ideas or experts in conflict resolution, but simply bearers of messages who carried information to a supreme authority in Colombo.

Having scrutinized the list of nominees, Mr. Pirapaharan told me that Chandrika was neither serious nor earnest in seeking a peace dialogue with the Tamil Tigers. The LTTE leader felt that the Kumaratunga government was treating the Tamil Tigers as an illegal rebel movement functioning outside the framework of constitutional politics, not as a liberation organisation representing the Tamil nation. There would be no parity between the parties in conflict at the negotiating table. By nominating a low-key team without political knowledge or power, we felt the government was

deliberately devaluing the significance of the direct negotiations. Though we were dismayed, we decided to participate in the peace talks, hoping that Chandrika would induct senior politicians in the later stages of the dialogues as the talks progressed.

The following are letters of exchange between Mr. Pirapaharan and Chandrika Kumaratunga dealing with the dates, venues and other related matters of the peace talks. Included here is a letter dated on the 11th of October 1994 written to Mr. Pirapaharan by the Secretary to the Prime Minister Mr. K. Balapatabendi, proposing an agenda for the discussions.

LTTE Headquarters
Jaffna
23.9.1994

Hon. Chandrika Bandaranaike Kumaratunga
Prime Minister
Sri Lanka

Dear Prime Minister,

We are pleased to receive your letter dated 21st September 1994 in which you have nominated your Government's representatives for preliminary talks.

We are glad to inform you that your nominees are welcome in Jaffna any time between 12th - 15th October 1994. Nevertheless, the 13th - 14th October 1994 will be the most convenient dates for us.

We wish to assure you that the LTTE will assume full responsibility for the safety and security of your representatives during their stay in Jaffna. The details of the venue and other related matters will be communicated to you through the good offices of the ICRC in Jaffna.

Thanking you.
Yours Sincerely.

(V.Pirabakaran)
Leader
Liberation Tigers of Tamil Eelam

6th October 1994

Mr. V. Pirabakaran
Leader
Liberation Tigers of Tamil Eelam
LTTE Headquarters
Jaffna

Dear Mr. Pirabakaran,

I thank you for your letter dated 23rd September 1994. All arrangements have been made for the visit of our delegation to Jaffna on 13th and 14th October 1994.

They will arrive by helicopter to the Palaly base and stay the night there. We shall be grateful if you could arrange to take them to and from Palaly Camp to the place of discussions with you. The flight details will be conveyed to you on the 10th October.

They will bring our proposed agenda for discussions, which will be sent to you by 10th October. We suppose that you will have your agenda prepared before hand.

It would be appreciated if our delegation could visit Jaffna and meet some persons. We will convey details also on 10th October.

Would you mind if a photographer accompanies our delegation, or would you provide one?

With kind regards.

Yours Sincerely

Chandrika Bandaranaike Kumaratunga
Prime Minister

LTTE Headquarters
Jaffna
8th October 1994

Hon. Chandrika Bandaranaike Kumaratunga
Prime Minister
Sri Lanka

Dear Prime Minister,

I am pleased to receive your letter dated 6th October 1994 confirming the visit of your delegation to Jaffna on the 13th and 14th October 1994.

We have made arrangements to receive your delegates in Jaffna, the details of which have already been communicated to you through the good offices of the ICRC.

We have suggested that your delegation could arrive in Jaffna by helicopter on the morning of the 13th October. We proposed that the open area at the front of the Jaffna University (between the Hindu temple and Sir P. Ramanathan Road) could be used as a suitable landing place for the helicopter. We assume responsibility for the safety of the helicopter and crew during this exercise.

If there are any difficulties in arranging this mode of air transport which is convenient and time saving, we suggest that the assistance of the ICRC could be sought to bring the delegation by boat from KKS to Point Pedro where they will be received by the LTTE delegates.

Subash Hotel, which is situated within the security zone of the Jaffna Hospital, will be the place of accommodation for the visiting delegates. The delegates will be escorted to our political office at Chundukuli, which will be the venue for talks. As I have stated in my letter dated 23.9.1994, the LTTE

will provide full security to the visiting delegates. Arrangements can be made for your delegates to meet any persons at their place of accommodation. A photographer accompanying the delegates will be welcome.

Please confirm transport arrangements of the visiting delegates.

Thanking you.

Yours Sincerely,

(V. Pirabakaran)
Leader
Liberation Tigers of Tamil Eelam

11th October 1994

Mr. V. Pirabakaran
Leader
Liberation Tigers of Tamil Eelam
LTTE Headquarters
Jaffna

Dear Mr. Pirabakaran,

I thank you for your letter dated 8th October 1994, addressed to my Hon. Prime Minister in reply to her letter dated 6th October, 1994. As suggested in your letter, our Delegation will arrive in Jaffna by helicopter in the morning of 13th October at 09.00a.m.

It is proposed that the heli-pad be marked by a large sized 'H' coloured in white.

The proposed agenda for the discussion is as follows:

1. The transport of essential items and the distribution and supply of these items at the lowest possible prices.
2. Supply of electricity and the repair of roads, irrigation facilities, schools and hospital buildings.

3. Re-construction of the Jaffna library.
4. Exploration of the possibilities of the cessation of hostilities leading to a cease-fire.
5. Any other matters of importance.

We would welcome your agenda before our departure.

Looking forward to meeting you in Jaffna.

Thanking you.

With kind regards.

Yours Sincerely

K. Balapatabendi

Secretary to the Prime Minister

Economic Blockade as Central Issue

The government agenda dealt with the transport and distribution of essential items. But the crucial issue of lifting the economic embargo was conveniently ignored. Although the new government partially lifted the sanctions on a few items, they did not reach the Tamil population in the North. The Sri Lankan military personnel guarding the border posts at Thandikulam imposed their own blockade on the lifted items. The economic blockade, similar to that which was imposed on Biafra by the Nigerian authorities in the sixties, had worsened the economic plight and made the conditions of existence of our people miserable and primitive. Several essential items, indispensable for daily existence, i.e. soap, cooking oil, boxes of matches etc. were banned. To our people, who were forced to live in darkness without electricity, items such as candles and torch batteries were prohibited. Such was the absurdity of the blockade.

Though 'security concerns' of the military were the underlying rationale behind the economic embargo and other bans, the whole enterprise became irrational and inhuman when more than 100 items without any relevance to military interests were included in the list of tabooed goods. For example, umbrellas, shoe polish,

towels, shirts, trousers, printing paper, typing paper, wooden planks, printing machines, cycles, school bags, gold, tyres, spare parts of motor vehicles, electric cookers and several other items of no military significance were banned in Tamil areas. Though petrol, diesel, kerosene, engine oil, were banned so as to paralyse the mobility of the LTTE forces, it had no effect on the Tiger's war effort. But the civilian population suffered. Without energy, the economic life of the Tamil nation was in chaos. All fertilizers containing nitrogen and urea were banned simply because the military feared that explosives could be produced from them. This was a ludicrous measure, since the LTTE always had a plentiful supply of high-powered explosives. But the ban had a devastating impact on agriculture and Tamil farmers suffered enormously. Fishing was banned in the northeastern waters, ostensibly because the Sri Lankan navy feared that the Sea Tigers were active on the seas. The ban did not impede the maritime power of the Sea Tigers but it resulted in the slaughter of hundreds of innocent Tamil fishermen and the collapse of the Tamil fishing industry. The ban was imposed on cement and iron since the military did not want the Tigers to build bunkers to protect themselves from aerial and artillery bombardments. But the LTTE did build their bunkers. But the civilian properties that faced monumental destruction in the Tamil homeland could not be restored without cement and iron.

The economic blockade and other bans and restrictions imposed under the cover of 'security measures' did not affect or undermine the armed resistance of the LTTE. These measures denied the Tamil civilian population essential needs and caused them untold suffering. The economic repression was an essential part of the military strategy of the previous government to dominate and subjugate the Tamil people. Though starvation as a method of combat to subjugate a people blatantly violated international humanitarian law, the government kept the world in darkness by rigorous censorship that drew an iron curtain over the tragedy faced by the Tamil nation. We hoped that we could seek redress from the new government.

Because of the intensity of the suffering of our people as a consequence of these prolonging bans and embargoes, we decided to place the problem as the central issue on our agenda for talks. Mr. Pirapaharan insisted that we should pressurize the new

government to remove the economic sanctions totally ahead of political negotiations. If Chandrika was genuine and sincerely concerned about the suffering of our people, she should undo the crimes committed by the UNP rulers, Mr. Pirapaharan argued.

We knew that Chandrika might encounter opposition from the military establishment if she dared to lift the ban on fuel and fertilizers. For the military hierarchy, the war was paramount and the bans served the interests of the military to prosecute the war. The sensible way to secure the removal of the sanctions without controversy was to effect a permanent cease-fire and bring an end to the war. Based on this premise, we decided to include the issue of cease-fire in the agenda for the preliminary discussions.

We deduced the complexity of the problems faced by our people into two levels: the existential and the political. The existential issues were the urgent, immediate, day to day problems caused by a set of bans and restrictions, which required utmost attention. The political problem was fundamental, relating to the rights and aspirations of our people, which required a thorough examination of causes to work out an acceptable solution. This would entail time. Our strategy was to advance the peace process in progressive stages. We planned to discuss and resolve the urgent existential problems at the very early stages of the dialogue. We also wanted to press for a stable and permanent cease-fire in the preliminary discussions to end the war. A congenial environment of peace and normalcy was essential, we felt, before we entered into serious political negotiations. Our representatives were thoroughly briefed on our approach and strategy.

On the morning of the 13th of October 1994, Tamilselvan and myself were waiting at the open grounds of the Jaffna University to officially receive the government delegates. Massive crowds of jubilant people swarmed the venue. At 9 o'clock exactly, the helicopter carrying the government team landed on the marked spot. The delegates received a warm welcome from the Tigers as well as from the people of Jaffna. They were taken immediately to our political headquarters at Chundukuli, the venue of the meeting, escorted by armed LTTE cadres. At the political office we introduced them to our accredited representatives and the meeting commenced. I was made available for our representatives in the political office for consultation and guidance.

The first round of talks between the government delegation and the Liberation Tigers lasted for two days on the 13th and 14th of October 1994. It was a cordial meeting in which both the parties frankly articulated their respective positions. The LTTE delegates explained in depth and detail the immense suffering experienced by the Tamil civilian population as a consequence of the bans and restrictions and urged the government to lift the economic embargo totally. Our delegates insisted on the necessity of effecting a cease-fire to bring an end to the armed conflict. The removal of the economic sanctions and ending the war, our representatives emphasized, would pave the way for peace and normalization of civilian life. This was an essential condition for the negotiating process to succeed. Explaining the extreme hardships endured by our people to travel from the peninsula to the mainland, our delegates suggested the opening of the Sangupitty - Keerativu causeway for which the army camp at Pooneryn had to be withdrawn. The government delegates gave a patient and sympathetic hearing and promised that authorities in Colombo would consider the issues discussed. No decisions were made, but an agreement was reached to resume the second round of talks within the next 10 days.

The Joint Statement

The following is the joint statement issued by the government delegation and the representatives of the Liberation Tigers of Tamil Eelam after the first round of talks held on 13th and 14th October 1994.

The first round of talks held between the Government of Sri Lanka and the Liberation Tigers of Tamil Eelam were conducted in an atmosphere of cordiality and good will. The talks were very constructive.

In his opening speech Mr. Karikalan, the leader of the LTTE's delegation said that the LTTE is committed to peace and peaceful settlement of the Tamil national question. 'Ever since the outbreak of hostilities in June 1990 the LTTE leadership has been

calling for cessation of hostilities and peace talks. But the previous government had failed to take any positive steps to bring an end to the war and to open up negotiations. But we are glad to note that the new government of Chandrika Kumaratunga has taken constructive measures to create congenial conditions for peace. We are also pleased to note that she is genuinely committed to a political settlement through peaceful negotiations', Mr. Karikalan said.

'The collective aspirations of the Tamil people is to see an end to this war and the long standing suffering that resulted from this conflict. This war that was imposed on our people has caused tremendous suffering. The people are facing innumerable problems that are immediate and urgent. I think that the initial talks should address these problems. The LTTE fervently hopes that the Government should take urgent measures to redress the grievances of our people', Mr. Karikalan declared.

Mr. Karikalan emphasized the importance of cease-fire as a necessary condition for the creation of peaceful environment and for the return of normalcy. He also said that the stoppage of armed conflict will help to promote peace talks.

Welcoming the Government delegation to the negotiating table, Mr. Karikalan said that the LTTE will participate in these talks with an open mind and make every effort to co-operate with the government to make the talks successful.

The leader of the Government team Mr.K.Balapatabendi in his opening speech said, 'My colleagues and I have come here at the personal behest of the Prime Minister. She has asked us, first, to convey her warm greetings to you and to all the people of the North. She has also mandated us to discuss with you how best the Government can alleviate the hardships of daily life presently experienced by the people, both in terms of the enhanced supply of essential goods, as well as the restoration of services

and repair of damaged utilities. We are further empowered to discuss with you ways of reducing the incidence of armed hostilities, with a view of achieving conditions conducive to an eventual cease-fire’.

Mr. Balapatabendi said that the existing situation in the North has become a national problem, and it requires for its definitive resolution. The Prime Minister therefore considers it important that a negotiated process be quickly launched which could successfully lead to the speedy establishment of peace, he declared.

“On this occasion our purpose is two-fold. At one level, we seek to discuss with you how best the government can ensure the adequate supply and equitable distribution of the essentials of life to all the people of the North. As a corollary of that, we seek to discuss with you how we may best advance the fulfilment of the State’s overriding responsibility to provide to all segments of its citizenry, the public utilities and services which are essential to the community’s well being”, Mr. Balapatabendi explained.

“Therefore, in terms of a negotiated political settlement, our mandate is very much one of ascertaining the views of the LTTE and the people of the North in regard to the shape of national polity which they would wish to see. To that extent, we are here to listen to you, obtain clarifications, etc.

The Prime Minister is most gratified that her commitment to the peaceful resolution of our national problem without pre-conditions has been reciprocated by the LTTE and the Tamil community. She hopes accordingly, that this ‘spirit of peace’ can be realised henceforth through a conscious and monitored process to eliminate armed hostilities.

High expectations attaches to our shared venture: it behoves us therefore to manifest patience, understanding and flexibility in our talks. We assure you of our best effort to that end, and we look to you for reciprocity. My team and I are now ready, my friends, to

engage in as wide-ranging a discussion as may be felt necessary. We can only hope that such discussion will lead us to the positive outcome of agreed practical arrangements which will above all else, serve the wellbeing of all the Tamil people, and the whole country", Mr. Balapatabendi said.

The talks were based on the agenda prepared by the Government delegation, which focused mainly on the issues and problems faced by the people of the North.

On the question of transporting essential items and distributing them at low prices to the people, the LTTE representatives explained in detail the delays and difficulties involved in the movement of traffic at Thandikulam. They also pointed out that shipping rates on goods transported by seas have increased the prices. The Government delegation assured that necessary steps would be taken to remove the impediments in the flow of traffic at Thandikulam and also would take action to reduce or remove shipping charges.

On the question of opening up a land route between the Peninsula and the mainland, the LTTE delegates insisted on opening up the Sangupitty causeway for which they argued that the troops stationed at Pooneryn have to be withdrawn. The LTTE team further explained that the opening of this land route will facilitate the traffic of people and goods and that it would be considered as an act of goodwill towards the people of Jaffna. The Government delegates gave a sympathetic hearing and said that the matter would be taken into consideration.

On the question of economic reconstruction of the North, the Government delegates stated that the new administration of the Prime Minister Chandrika Kumaratunga has decided to take immediate steps to restore electricity, renovate irrigation schemes, and repair roads, schools and hospitals. The LTTE delegates gave details of the targets which needed urgent

reconstruction. The LTTE assured that it would fully co-operate with the Government in the deployment of administrative and technical staff involved in the task of economic reconstruction.

On the request of the LTTE's delegation the government's team agreed to set up a commission of inquiry to investigate and report on the destruction of the Jaffna library. The Government's delegation also agreed to reconstruct the library.

The LTTE delegates emphasised the importance of cease-fire to create a congenial condition of peace and goodwill. The Government delegates argued that the possibilities for the cessation of hostilities have to be explored before the declaration of ceasefire. The Government delegates finally agreed to discuss the matter with the Defence authorities.

In conclusion, both parties agreed to resume the second round of talks within the next ten days.

(S.KARIKALAN)
Leader,
LTTE delegation

(K.BALAPATABENDI)
Leader,
Government delegation

Chandrika seemed pleased with the warm and friendly welcome accorded to her representatives by the Tamil Tigers, as well as by the Tamil population in Jaffna. On the 21 October 1994 she wrote a letter thanking Mr. Pirapaharan for the reception and hospitality and fixed the date for the second round of talks on 24th October 1994. The following is the text of the letter.

21st October 1994

Mr. V. Pirabakaran
Leader
Liberation Tigers of Tamil Eelam
LTTE Headquarters
Jaffna

Dear Mr. Pirabakaran,

I write to thank you and say how much we appreciate the warm welcome and hospitality you and your

party extended to our Government Delegation when they visited Jaffna on the 13th and 14th October 1994.

We were pleased to note that the discussions were very cordial and that we were able to reach some conclusions regarding the reconstruction of the Jaffna Peninsula. We agree that the next round of talks take place on 24th October 1994.

Our delegation led by my Secretary, Mr. K. Balapatabendi would visit Jaffna on that day. We could talk further about the important matters that were discussed on the last day, including matters pertaining to the opening of a convenient route to Jaffna for the transportation of essential commodities and for the use of the public.

I hope that we could together arrive at the necessary solutions in order to realise the dream of peace, prosperity and justice, so cherished by all of our people. You can count on our fullest co-operation in your endeavours for peace.

The helicopter carrying our Delegation together with two photographers namely: Mr. Palitha Wijesinghe and Mr. Sarath Dharmasire will arrive at the Jaffna University grounds around 8.15 a.m., and the Delegation will leave Jaffna at 5.00 p.m. the same day, 24th October 1994.

With kind regards.

Yours sincerely.

Chandrika Bandaranaike Kumaratunga
Prime Minister

On the 23rd of October 1994, the day before the second round of talks, Mr. Gaminini Dissanayake, the Opposition leader and the UNP's presidential candidate, was killed by a suicide bomber at an election rally in Colombo. The UNP leaders accused the LTTE of the assassination. The Government did not rush to blame the

Tigers, but ordered an investigation. The LTTE, on its part, neither claimed responsibility nor denied it. Posters appeared in Colombo suburbs accusing the government and LTTE of a conspiracy in the murder. It was widely speculated in the Tamil political circles that the assassination was carried out by the LTTE for the central role played by Gamini Dissanayake in burning down the Jaffna Public Library in 1981, reducing to ashes 90,000 volumes of invaluable and irreplaceable historical books and archives - a deed condemned as an act of cultural genocide against the Tamils.

When the UNP openly accused the LTTE of the assassination and floated a conspiracy theory involving the PA administration, the government was compelled to suspend the peace talks to pacify the critics. Nevertheless, Chandrika, with an eye on the forthcoming Presidential elections, did not wish to jeopardize her electoral prospects by jettisoning her peace initiative. Kumaratunga continued to campaign for peace and an end to war and sought a mandate from all sections of the population to continue the peace process. The widow of Gamini Dissanayake, Srma Dissanayake, contested as the UNP Presidential candidate.

In the Presidential elections on the 9th of November 1994, Chandrika Kumaratunga secured an overwhelming victory, obtaining over 62 per cent of the votes. The majority of the people gave her a solid mandate for peace. Addressing the nation, Chandrika declared, "the verdict of our people in the recent elections leaves me in no doubt of the depth and intensity of their desire and commitment to peace. This must be, however, peace with honour for both parties to the conflict for it to be strong and durable."

Contradictions In Perceptions

Chandrika took the oath as President on 12th November 1994. As a gesture of good-will to mark the assumption to power of Kumaratunga as the new President, the LTTE unilaterally declared a cessation of hostilities for a week from 12th November to 19th November 1994. We communicated our decision to the government through the ICRC. There was no immediate response from the government.

While the LTTE fighters observed peace for the week, ceasing

all armed actions, the Sri Lankan armed forces engaged in a series of hostile military actions. Civilian targets were also shelled and bombed causing civilian casualties. In one incident at Nedunkerni in Vanni, LTTE fighters were ambushed by the Sri Lankan troops and one of our senior military commanders Lt. Col. Amudan was killed and decapitated. The LTTE made an appeal through the ICRC requesting the return of his severed head. But the troops turned down our request. The incident made Mr. Pirapaharan dismayed and resentful.

On the 19th November 1994, Col. Ratwatte sent a brief message to Mr. Pirapaharan informing him of the government's willingness to declare a cessation of hostilities for two weeks with immediate effect. We give below the texts of the letters exchanged between Col. Ratwatte and Mr. Pirabakaran.

19th November 1994

Dear Mr. Prabhakaran,

We understand that the LTTE had declared a cessation of hostilities for a period of 07 days from 12th - 19th November. We regret that the decision to declare cessation of hostilities was not conveyed to us by you. We were informed about it indirectly by the ICRC on the 16th November.

Our government is prepared to declare a cessation of hostilities for an initial period of two weeks, commencing with immediate effect, providing you are willing to reciprocate by observing a cessation of hostilities on your part.

We would be thankful for an immediate reply.

With kind regards.

Yours Sincerely,

Anuruddha Ratwatte
Deputy Minister of Defence,
Minister for Irrigation & Power.

LTTE Headquarters
Jaffna
20.11.1994

Col. Anurudda Ratwatte
Deputy Minister for Defence
Minister for Irrigation and Power
Sri Lanka.

Dear Col. Ratwatte,

Thank you very much for your communication dated 19.11.1994. I wish to inform you that we are giving an earnest and careful consideration to your proposal for a cessation of hostilities for a period of two weeks.

As you are aware, the LTTE declared a cessation of hostilities for seven days (from 12th to 19th November) as a gesture of goodwill to mark the assumption of power of the P.A. government. I should point out that our unilateral declaration of peace was leaked to the local and international media by your government intelligence agency even before we made our decision public. Furthermore, we have also confirmed to you our peace initiative through the ICRC.

Unfortunately, during this week of peace when LTTE ceased all armed hostilities, the Government forces undertook a series of hostile actions against the LTTE as well as against Tamil civilians, which saddened and disappointed us. In one incident, which took place in Nedunkerni area, one of our senior commanders Lt. Col. Amudan (Malli) was killed in an army ambush and decapitated. Our request for the return of his head, made through the ICRC, was also turned down by your forces. We view this incident as an extremely provocative action aimed to undermine our gesture for peace. Therefore, we kindly request you to hold an immediate investigation into this incident and inform us about the details.

We will inform you about our decision on the proposed cessation of hostilities as soon as we hear from you about the Nedunkerni incident.

With kind regards.

Yours Sincerely

(V. Pirabakaran)
Leader,
Liberation Tigers of Tamil Eelam

22th November 1994

Mr. V. Pirabhakaran,
Leader,
LTTE
Jaffna.

Dear Mr. Pirabhakaran,

I write with reference to your letter dated 20th November 1994.

I was very much perturbed to learn of the incident of 17th November at Nedunkerni as described by you in your letter.

A message had been received from Mr. Tamil Selvan on 18th November through ICRC to Secretary/Defence, quote

“Thursday 17.11.94 in the morning, two members of the LTTE were ambushed by the Sri Lanka Army near Koddakernal, Mullaitivu District.

During the incident, a senior member of the LTTE, Lt. Col. Malli, was killed. His body was mutilated by the SLA patrol and his head cut off. The SLA patrol left the place and took the head with them.

The LTTE is quote furious and sad unquote about this incident and has two very urgent

requests:

1. The head of Mr. Malli should be returned immediately for decent burial:
2. Some explanation should be given.

Mr. Tamil Selvan is expecting a reply through ICRC before the end of the afternoon, Friday 18.11.94” unquote.

Secretary/ Defence has sent a reply through ICRC the same day, quote

“Reference your FAX dated 18.11.1994 transmitting the information received from Mr. Tamil Selvan, Head of the political wing of the LTTE.

Deeply concerned to learn of this barbaric act. Have instructed Brigade Commander to inquire and report on this incident.

The head, if located early, could be returned. Otherwise ashes would be returned” unquote.

I am informed that the head referred to in your letter had been in an advanced state of decomposition and as such was duly cremated.

Discussions are now in progress to hand over the ashes to ICRC at Vavuniya.

On receipt of message referred to above, Secretary/Defence has taken immediate action to set up a military court of inquiry under the Army Act to inquire into this incident. The court is proceeding with the inquiry. On the findings of this court appropriate action would be taken.

I consider it judicious to keep this communication confidential for the time being.

Anuruddha Ratwatte
Minister of Irrigation Power & Energy and
Deputy Minister of Defence

LTTE Headquarters
Jaffna
25.11.1994

Col. Anurudda Ratwatte
Deputy Minister of Defence,
Minister of Irrigation, Power and Energy
Sri Lanka

Dear Col. Ratwatte,

Thank you very much for your letter dated 22nd Nov. 1994.

We are pleased to note that having realized the serious nature of the incident at Nedunkerni you have taken immediate action to set up a military court of inquiry. We are confident that on the findings of the court appropriate disciplinary action will be taken against the perpetrator of this heinous act.

We have given serious thought to your proposal for a bilateral cessation of hostilities for two weeks. While appreciating your gesture, we are of the opinion that temporary declarations of cease-fires would serve little purpose to promote stable peace unless modalities are worked out to ensure strict observation of cessation of armed hostilities. We, therefore, suggest that the matter of cessation of armed hostilities and the modalities for which should be given detailed discussion at the negotiating table before making an official announcement. We hope that you will consider our suggestion favourably.

Thanking you.

With kind regards.

Yours Sincerely,

(V. Pirabakaran)
Leader
Liberation Tigers of Tamil Eelam

Mr. Pirapaharan was not in favor of a short-lived temporary cessation of hostilities, but rather he wanted a stable, permanent cease-fire supervised by an international monitoring committee. It was precisely for that reason Mr. Pirapaharan called for detailed discussion on the procedures and modalities of the truce.

A Provocative Letter From Ratwatte

Col. Ratwatte, in his reply to the LTTE leader on 7th December 1994, distinguished between cessation of hostilities and cease-fire arguing that 'the former could be a prelude to the latter'. A cessation of hostilities, in his conception, was less formal and binding than a cease-fire. From his letter we could deduce that the government favored a temporary cessation of hostilities not a stable, permanent cease-fire. Col. Ratwatte also linked the cessation of hostilities to political negotiations and insisted that political negotiations should commence immediately, following the declaration of the truce. The concluding part of the letter was cleverly crafted propaganda material that attempted to boost the image of Chandrika as a courageous leader committed to peace while it blamed the LTTE for 'systematically massacring all the leaders of the Sinhala people in addition to all the Tamil leaders who opposed the LTTE'. Writing in a condescending and bitter tone, Ratwatte claimed that Chandrika was accused of being 'too lenient' with the organisation responsible for such crimes. Yet, Ratwatte boasted that the government took 'immense political risk' by resuming the dialogue with the LTTE. Ratwatte also praised the Sinhala people by heaping 'eternal credit' on them for not succumbing to racist pressures instigated by the Opposition. The concluding paragraphs denigrated both the LTTE and the UNP while commending the government for its 'unshaking vision of peace'. The letter contained all the ammunition to be used in a propaganda war in case the talks failed. The following is the full text of the letter:

7th December 1994

Mr. V. Pirabhakaran
Leader, LTTE
Jaffna.

Dear Mr. Prabhakaran,

I write with reference to your letter dated 25th December 1994.

First, I wish to recall the sequence of events, which have underlined the efforts of our Government to open up and carry forward the peace process.

Within two weeks of our Party taking over the reins of government, in August 1994, the Hon. Prime Minister, Mrs. Chandrika Bandaranaike Kumaratunga, decided to lift the embargo on 28 items. She addressed a letter to you immediately afterwards commencing a dialogue which continued through several letters written by her and replies sent you, eventually leading to the visit of our Government's Peace Delegation to Jaffna on the 13th and 14th of October. The warm and cordial reception of the delegation by the people and the LTTE was appreciated by us.

As you know, the first round of talks dealt only with the reconstruction and repair of the war torn areas in the North East, the opening up of a route to and from Jaffna, etc.

The LTTE gave us specific requests regarding priorities for reconstruction. At the second round of talks, our delegation was to present to the LTTE, details of projects the Government would undertake. This included most of your requests.

The assassination of the Leader of the Opposition and the Opposition's main candidate for the then ongoing Presidential campaign, just six hours before the departure of our delegation to Jaffna for the second round of talks, obliged us to postpone the event.

I suppose you are also aware that soon after this, we were fully involved in the presidential election

and urgent attendant matters of State.

It is during this time we learnt that the LTTE had, on instructions, declared a cessation of hostilities for one week starting from the 12th of November; the day Mrs. Kumaratunga took oath as the President of Sri Lanka.

In the absence of any official intimation by the LTTE of a rumored cessation of hostilities, the government sought clarification through the ICRC, and was informed that there actually was a cessation of hostilities only on the evening of the 16th of November, just one day before you called it off. I wish to inform you once again that the Government cannot respond to hearsay of informal information – it can only respond to official knowledge.

In response to your declaration of the cessation of hostilities, we wrote to you on the 19th of November proposing a cessation of hostilities for an initial period of 2 weeks, provided the LTTE would agree to cease hostilities on their part.

You replied that you would inform us of your decision regarding our proposal for a cessation of hostilities after the Government investigation into the unfortunate incident at Nedunkerni, where LTTE Commander Amudan was killed by the Army.

We received your letter dated November 20th on the 22nd of November and replied on the same day indicating that we had appointed a Military Court of Inquiry to investigate the incident at Nedunkerni.

You replied on the 25th of November, which we received on the 26th of November, expressing your pleasure at our decision. You also stated therein that 'the matter of cessation of armed hostilities and modalities for it should be given detailed discussion at the negotiating table, before making an official announcement'.

We are in agreement to discuss the modalities of a cessation of hostilities, but we would like to obtain your views about certain fundamental issues, without

which, discussing details about a cessation of hostilities would be meaningless.

I set these out briefly -

(1) Whether the LTTE agrees in principle to a cessation of hostilities.

(2) We see a cessation of hostilities as a direct prelude to commencing negotiations between the Government and the LTTE in order to end conflict and to arrive at political solutions to the problems which caused the war.

(3) A cessation of hostilities should not be confused with a ceasefire.

The former could be a prelude to the latter.

A cessation of hostilities is less formal and binding than a ceasefire.

During a cessation of hostilities, both parties remain frozen in their positions as at present, while remaining fully armed and alert.

Neutral observers may be invited to monitor the process if both sides so desire. Details regarding the effective implementation of a cessation could be agreed upon across a negotiating table, once agreement is reached re the above points.

(4) During the entire peace process, the LTTE must refrain from all political assassinations anywhere in the Island.

(5) We hope we will be able to arrive at an agreement about the cessation of hostilities within the next two weeks and the commence the actual peace negotiations soon after.

(6) We are ready to commence some of the reconstruction work and the opening of a roadway to Jaffna as discussed with you. We shall send a detailed report of it to you by the end of this week and shall be glad to receive your response soon.

In concluding my letter, it is opportune to mention that a massive effort to stir up racial hatred was set in motion by some elements within the UNP and other opponents, stating the fact that it was our Government's commencement of the peace process which gave the LTTE the possibility of assassinating Sinhala leaders, etc., etc.

The personal credibility of our leader, Mrs. Kumaratunga, was put directly into question before the entire nation. The major and almost exclusive election platform of the UNP and several other candidates was the issue of Mrs. Chandrika Bandaranaike Kumaratunga being too lenient with the LTTE which was shown up as the organisation responsible for systematically massacring all the leaders of the Sinhala people, in addition to all the Tamil leaders who opposed the LTTE. The PA Government was said to betray the Sinhala people by talking to the LTTE. It is to the credit of our government that we withstood all pressures to halt the peace process. We possess a clear and unshaking vision of peace for our country - yours and mine, and a lasting desire to build a nation where all our peoples could live in freedom, dignity, equality, coupled with the sincerity and courage to implement it, in the face of all obstacles.

We took the grave risk, politically and personally, of continuously stating that we had only temporarily suspended the talks, but that the peace process would continue. It is to the eternal credit of the Sinhala people that they did not succumb to the many racist pressures. They have given our government and our President a massive mandate against racial hatred and discrimination and for peace.

The Sinhala people, together with the Tamils and Muslims of Sri Lanka, have in one voice called upon our government and have placed their faith in us to solve the problems of the North and East.

Within three weeks after the suspension of the

talks, due to the tensions that ensued after the assassination of 53 persons on the night of 23rd October, our government had the courage to re-open a dialogue with yourself and the LTTE, fully aware of the immense political risk that may await us. This is because we are committed to the cause of peace. We sincerely hope that your commitment is of the same order and that together we could end this tragic war and establish Peace and Prosperity for our peoples.

Thanking you,

With kind regards,

Yours sincerely,

Col. Anuraddha Ratwatte
Deputy Minister of Defence

Ratwatte's letter was sarcastic and provocative. Mr. Pirapaharan was annoyed. He wanted to send a strongly worded letter to Ratwatte accusing Sinhala political leaders, both dead and alive, of genocide, of slaughtering sixty thousand innocent Tamils, a phenomenon still continuing under the cover of war and economic strangulation. I advised Mr. Pirapaharan not to respond emotionally but to deal with these issues with political sagacity. He concurred.

From the content of Ratwatte's letter, the LTTE leadership realised that the Kumaratunga government had taken a firm and entrenched position on specific issues. It was evident that the government was not in favour of a stable, permanent cease-fire but rather favoured a temporary cessation of hostilities. The government was also opposed to the movement of the negotiating process in progressive stages as proposed by the LTTE. In other words, the government was not in favor of addressing and resolving what the LTTE characterized as urgent existential problems. Rather, the government wanted to open up political negotiations immediately with the declaration of a cessation of hostilities. The reluctance shown by the government to lift the economic sanctions, to open a land route to the mainland and to remove the ban on fishing could

only be attributed to the ascendancy of militarism in the new government. Kumaratunga's regime accorded primacy to the strategic interests of the military, ignoring the existential plight of the Tamil civilian masses. Disillusioned with the government's attitude and approach, the Tamil Tigers had also firmly resolved to assert their own position. In essence, Ratwatte's letter effectively contributed to the widening of the gap between the negotiating parties.

On the 8th of December 1994, the LTTE's leader dispatched the following letter to Col. Ratwatte.

LTTE Headquarters
Jaffna
8.12.1994

Col. Anuruddha Ratwatte,
Minister for Irrigation and Power,
Deputy Minister for Defence,
Sri Lanka

Dear Col. Ratwatte,

I am pleased to receive your letter dated 7th December 1994.

Your letter explains in some detail the position of your government with regard to the peace process and sets out certain specifications on the question of cessation of hostilities and negotiations.

We do appreciate the manner in which your government faced and withstood the challenges posed by racist elements to undermine the process of peace negotiations. In spite of the malicious disinformation campaign launched against the LTTE, we are pleased to note that the wider sections of the Sinhala people opted for peace and have given your Government an overwhelming mandate to carry forward the process of negotiations and to seek a solution to the ethnic conflict by peaceful means.

You will appreciate that from the outset the LTTE has been insisting that the initial stages of the negotiations should be given primacy to the immediate and urgent problems faced by our people. In the first

round of talks, our delegation has specified these issues, which are mostly creations resulting from the military approach advanced by the previous regime. Though the government delegation pledged 'to alleviate the hardships of daily life presently experienced by the people', no action has been taken so far to redress the grievances of our people.

The urgent problems of our people cannot be reduced to 'some reconstruction and repair works'. There are far more pressing problems which have to be resolved to create genuine conditions of peace and normalization of civilian life in the war torn areas.

Even though your government is fully aware of these urgent issues, and has absolute authority to resolve these problems, there seems to be a reluctance to make any positive moves in this direction. We can attribute this to the Government's unwillingness to act contrary in anyway to the overall strategic interests and designs of the military. This approach of giving primacy to military interests over and above the existential concerns of a civilian population, I wish to point out, will pose serious obstacles when tackling the immediate and urgent issues faced by the Tamil people. This is already evidenced by the reluctance shown in lifting the economic embargo fully, in opening the Sangupitty causeway, in lifting the ban on the fishing zone etc.

I do not wish to elaborate these issues, since these matters will be brought to the negotiating table by our delegation when the second round of talks resumes in the near future. I should emphasize that the day to day problems of our people are of paramount importance and need urgent solutions and should be a prelude to discussions on basic issues underlying the Tamil national conflict.

In your letter, you have called for clarifications on certain issues, some of which, you will appreciate, have to be dealt with through direct dialogue. In our earlier communications, we referred to cease-fire to

mean total cessation of armed hostilities. Yet, you have explained cessation of hostilities as a process leading to cease-fire or rather, the former should be a prelude to the latter. Without entering into a conceptual debate, we have decided to proceed on the basis of your distinction.

The LTTE agrees in principle to a cessation of hostilities. If the Government makes an official declaration of a cessation of hostilities for an initial period of two weeks, as you have proposed, the LTTE will reciprocate by observing the same. The modalities and effective implementation of the cessation of hostilities should be discussed and agreed upon at the negotiating table. We have always insisted that a condition of peace should be a prelude to peace negotiations.

We are committed to peace and we fervently hope that the process of negotiations will lead to a permanent peace and to the resolution of the ethnic conflict.

Thanking you.

With kind Regards.

Yours Sincerely.

(V. Pirabakaran)

Leader

Liberation Tigers of Tamil Eelam

In a brief but conciliatory letter sent to Pirapaharan on 13th December 1994 Col. Ratwatte assured him that the existential day-to-day problems of the Tamil people would be resolved 'to the best of our ability'. While indicating the government's willingness to declare a cessation of hostilities on the 1st January 1995 for an initial period of 2 weeks, he proposed that the government delegation would visit Jaffna on the 21st or 22nd of December. Following are texts of Col. Ratwatte's letters and Mr. Pirapaharan's response:

December 13, 1994

Mr. V. Pirabhakaran
Leader
LTTE
Jaffna.

Dear Mr. Pirabhakaran,

Thank you for your letter dated December 8, 1994.

We have noted your views regarding Peace, the militarisation of the ethnic problem and the well being of the Tamil people, with great interest. We wish to assure you that our lasting concern for the 'day-to-day problems of the Tamil people and of our commitment to solve them to the best of our ability, with your fullest co-operation. The details concerning all these matters could be discussed at negotiations.

We are glad that you have agreed to reciprocate by observing a cessation of hostilities if the Government makes an official declaration of same.

We are willing to declare a cessation of hostilities on the 1st January 1995, for an initial period of 2 weeks. We will intimate same to you by letter while announcing it to the media.

We request the LTTE to reciprocate by declaring a cessation of hostilities on your part and intimating same to the Government by letter and if you desire, announcing it publicly.

If you agree to the above proposal, the Government is prepared to send a delegation to Jaffna to discuss the modalities of implementation of the ceasefire, before declaring the cessation of hostilities.

We suggest that the delegation could go to Jaffna on Wednesday the 21st or Thursday the 22nd of December. You have stated that 'a condition of Peace should be a prelude to Peace negotiations'. We take it that what you mean by a 'condition of Peace' is a cessation of hostilities between the two parties. As stated in my last letter, I cannot agree more with you that the

Government cannot enter into Peace talks with the LTTE while hostilities continue.

We appreciate your commitment to Peace. I am sure you are aware that we have consistently stated our firm commitment to Peace.

We believe that it is now time to keep the country informed of the recent developments in our dialogue. We, therefore, propose to release the relevant information to the Press after you receive this letter.

Thanking you,

With kind regards,

Yours Sincerely,

Col. Anuruddha Ratwatte
Deputy Minister of Defence
Minister for Irrigation, Power & Energy

LTTE Headquarters
Jaffna
15th December 1994

Col. Anuruddha Ratwatte,
Deputy Minister of Defence
Minister of Irrigation, Power and Energy
Sri Lanka.

Dear Col. Ratwatte,

Thank you for your letter dated 13th December 1994.

We are impressed and encouraged by your assurance that the immediate and urgent issues facing the Tamil people will be given primacy and resolved. This is crucial for the restoration of a peaceful environment and for the normalization of civilian life.

We are pleased to note that you are willing to declare a cessation of hostilities on the 1st of January

1995, for an initial period of two weeks. We wish to assure you that we will reciprocate by observing a cessation of hostilities during that period once you make an official declaration and intimate the same to us by letter. The LTTE will also make a similar declaration and inform you.

You will appreciate that a detailed discussion clarifying the procedures and modalities of the implementation of the cease-fire is vital before the declaration of cessation of hostilities. We are glad to note that you are prepared to send a delegation to Jaffna to discuss this issue. The Government delegation is welcome to Jaffna either on the 21st or 22nd of December as is convenient to them. Please confirm the date of arrival and the names and details of the Government delegates.

Thanking you.

Yours Sincerely,

(V. Pirabakaran)
Leader,
Liberation Tigers of Tamil Eelam

In his communication dated 19th December 1994, Ratwatte reasserted the government's position that peace negotiations should commence soon after the cessation of hostilities.

Ratwatte's communications to the LTTE leader clearly indicated that the government considered cessation of hostilities as a conciliatory gesture or rather a concession granted in exchange for the participation of the LTTE in the political dialogue. Therefore, cessation of war was inextricably linked to the commencement of talks. Both are fundamental matters, Ratwatte pointed out from his earlier communication without which discussing details about a cessation of hostilities would be meaningless. Ratwatte demanded an assurance from Mr. Pirapaharan whether he would be ready for talks once a cessation of hostilities was declared. Following was the text of the letter.

December 19, 1994

Mr. V. Pirabhakaran,
Leader
LTTE
Jaffna.

Dear Mr. Pirabhakaran,

I thank you for your letter dated December 16, 1994 and for agreeing to welcome the Government delegation to Jaffna.

As stated by me in my letter of December 13, 1994, we are ready to send a delegation to Jaffna to discuss the modalities of the cessation of hostilities, as agreed upon by us.

I had invited your attention to several crucial points in my letter of December 7, 1994. You have responded to some of these in your reply dated December 9, 1994. But I note that you have not expressed your views with regard to Points (2) and (5), where I clearly stated that we see a cessation of hostilities 'as a direct prelude to commencing negotiations' for peace. I also stated therein that we hoped peace negotiations could commence soon after the cessation of hostilities. In page 2 of the same letter, I mentioned that we wished to obtain your views about these points, which were 'fundamental matters without which discussing details about cessation of hostilities would be meaningless'.

I would be grateful to have your assurance that immediately after a cessation of hostilities is declared, you would be ready to enter into peace negotiations aimed at 'ending the armed conflict and to arrive at a political solution for the problems which caused the war'.

On hearing from you regarding these matters, the Government delegation would be ready to leave immediately to Jaffna for discussions, even on the 22nd December as suggested by us, or on later date between the 27th and 30th December, if you find this

convenient.

Thanking you,

With our best wishes,

Yours sincerely,

Anuruddha Ratwatte

Minister of Irrigation, Power & Energy and

Deputy Minister of Defence

The LTTE leader was displeased and dismayed over the government's strategy of linking the proposed temporary cessation of hostilities with political negotiations. In a strongly worded letter to Col. Ratwatte, Mr. Pirapaharan reiterated the LTTE's position. The urgent existential issues that arose 'as consequential effects of the military offensive operations of the state against our people' should be addressed and resolved in the early stages of the peace talks, he re-asserted. Quoting the assurances given by Mr. Balapatabendi, the leader of the government's peace delegation and Col. Ratwatte, LTTE's leader charged the government of a deliberate shift in position aimed at 'circumventing the most crucial and immediate issues that beset our people today'. Concluding the letter, Mr. Pirapaharan pointed out there was widespread anticipation among the Tamil people that the new government would fulfil its commitment and any attempt to side track these issues would be considered by the LTTE and Tamils 'as an act of political bad faith'. Here below we publish the full text of Mr. Pirapaharan's letter.

LTTE Headquarters

Jaffna

21st December 1994

Col. Anuraddha Ratwatte

Deputy Minister of Defence

Minister of Irrigation, Power and Energy

Sri Lanka.

Dear Col. Ratwatte,

Thank you for your letter dated 19th December 1994, which reached us on the following day through the good offices of the ICRC.

In our letters dated 8.12.1994 and 15.12.1994 we have responded to your queries and clarified several issues. We have responded positively to your proposals for a cessation of hostilities and agreed to discuss the modalities of implementation before the declaration of ceasefire. You have agreed to our contention that the creation of a peaceful environment is conducive to peace negotiations. Complying to our view, you have stated in your letter dated 13.12.1994 that, "I cannot agree more with you that the Government cannot enter into peace talks with the LTTE while hostilities continue".

We have stated emphatically that we are committed to peace and "we fervently hope that the process of negotiations will lead to a permanent peace and to the resolution of the ethnic conflict". (see our letter dated 8.12.1994)

We expected that peace negotiations should commence soon after the declaration of cessation of hostilities. We have insisted from the very beginning and re-iterated over and over again that the initial stages of the peace negotiations should address the immediate and urgent issues faced by the Tamil people.

To clarify this point and to refresh your memory, may I quote a few paragraphs from our letter dated 8.12.1994. "You will appreciate that from the outset the LTTE has been insisting that the initial stages of the negotiations should give primacy to the immediate and urgent problems faced by our people. In the first round of talks, our delegation has specified these issues, which are mostly creations resulting from the military approach advanced by the previous regime. Though the government delegation pledged to 'alleviate the hardships of daily life presently experienced by the people' no action has been taken so far to redress the grievances of our people".

"...There are far more pressing problems, which have to be resolved to create genuine conditions of peace and normalisation of civilian life in the war torn

areas”.

“... I should emphasize that the day to day problems of our people are of paramount importance and need urgent solutions and should be a prelude to discussions on basic issues underlying the Tamil national conflict”.

You will appreciate that what we have been insisting is that the most urgent issues that arose as a consequential effect of the military offensive operations of the State against our people should be addressed before we engage ourselves in analysing the root causes of the armed conflict.

The first round of talks, I wish to point out, was primarily concerned with those issues. The leader of the government team, Mr. K. Balapatabendi has said that they were mandated by the Prime Minister to discuss “how best the Government can alleviate the hardships of daily life presently experienced by the people”. Though the Government delegation pledged to take immediate measures to provide “all utilities and services essential to the community’s well being”, no action has been taken to redress these grievances. We hoped that these matters would be taken up for discussion at the second round of talks.

You have also agreed to our view and appreciated our concerns when you stated in your letters dated 13th December 1994, that, “we wish to assure you of our lasting concern for the day today problems of the Tamil people and our commitment to solve them to the best of our ability, with your fullest co-operation”.

Having obtained detailed clarifications of our views, and having given assurances that the immediate and urgent issues of our people will be given primacy in the peace negotiations, you have written to us again on the 19th December, commenting, to our dismay, that peace negotiations should be confined to the ‘causes of war’ aimed at ‘ending the armed conflict’. From what you are insisting on now, we can deduce a deliberate shift in your position aimed at circum-

venting the most crucial and immediate issues that beset our people today which require immediate attention and resolution.

We are very clear in our view that the overall objective of the peace process should be aimed at resolving the national problem by exploring the causes of the armed conflict. We assure you that there is no differing perception on this fundamental issue. What we wish to emphasize is that the peace process should be advanced in stages. The early stages of the peace negotiations, we wish to reiterate, should address the pressing problems and hardships encountered by our people which are crucial for the restoration of normalcy and for the creation of a peaceful environment. This is the consensus view of the Tamil people, who have been entertaining the hope that the new government would bring them relief by alleviating their day to day issues. Since the first round of talks was predicated on this premise, and since your government pledged to give primacy to the urgent issues, there is a widespread expectation among our people that your Government will fulfil its commitments. Therefore, any attempts on the part of the Government to sidetrack or circumvent these issues would be considered by us and by our people as an act of political bad faith.

I think we have clarified our stand adequately. We hope that you will find our position fair, reasonable and pragmatic.

I wish to reiterate that we are committed to peace and that our doors for peace are open.

We are ready to receive the Government delegation in Jaffna at any date convenient to you.

Thanking you.

Yours sincerely,

(V. Pirabakaran)

Leader

Liberation Tigers of Tamil Eelam

In responding to Mr. Pirapaharan's strident letter, Col. Ratwatte denied the accusation that the government had shifted its position and was attempting to circumvent the most crucial and immediate issues. It was a deliberate misrepresentation of the situation, he argued. The Government was sincerely committed 'to provide the basic utilities for civil life, to restore normalcy in the northeast...' he said. Ratwatte also consented to the LTTE's approach that peace process should be advanced in stages and the early stages should be devoted to the resolution of the pressing problems and hardships of the Tamil people. The letter was written in a conciliatory tone. A date for the second round of direct talks was fixed to discuss the modalities of the cessation of hostilities. The following is the text of that correspondence.

December 29, 1994

Mr. V. Pirabhakaran
Leader
LTTE
Jaffna

Dear Mr. Pirabhakaran,

I acknowledge with thanks your letter of 21st December 1994, transmitted to us through the good offices of the ICRC.

I wish to emphatically state that in my letter of 19th December, we requested a clarification of some specific points re the commencement of Peace talks, for the following reasons.

- (a) In my letter sent to you in the first week of December, I set out several points, requesting your views. You had responded to several of these, but remained silent re points (2) and (5) which specified our government's views on the Peace negotiations. We stated therein that we clearly saw a cessation of hostilities as a pre-

ude to Peace talks, which should commence immediately after a declaration of a cessation.

Your non-response re this crucial matter caused concern to our government. As you are aware, our government always believed that the Peace Process should lead on to political negotiations, the final objective of which should be the meaningful political solution of the ethnic conflict. This would obviously have to identify and alleviate 'the causes of the prevailing war', in order to 'end the armed conflict or the civil war'.

(b) This does not in any way change our Government's commitment to alleviate the hardships of daily life presently experienced by the people of the North-East as was stated by Mr. Balapatabendi, the leader of the Government delegation to Jaffna last October.

It is to this end that our Government lifted the embargo on 28 items considered essential for the daily life of the inhabitants of the North, within two weeks of assuming power.

It is also because of this policy that our delegation on their first visit to Jaffna, discussed matters re the amelioration of the civil life of the people. Matters such as the reconstruction of the North, the repair of roads, irrigation works, schools, hospitals, the supply of electricity, the opening of a roadway to and from Jaffna, etc. were discussed.

Your delegation specified certain priorities. At the second round of talks, our delegation was prepared to present the items which the Government could immediately undertake to implement. The delay in doing this was due to reasons beyond our control, as we stated in a previous letter to you. The mass assassinations of the Leader of the Opposition and over 50 others in Colombo, compelled us to suspend

discussions with the LTTE.

We are surprised and disappointed that while being fully aware of these facts, you attempt to misrepresent the situation when you state in your letter that we are deliberately shifting our position with the intention of 'circumventing the most crucial and immediate issues that beset our people today.....' You also say that our Government took no action to redress the grievances of the people of the North.

I reiterate once more that our Government's commitment to provide the basic utilities for civil life, to restore normalcy to the North-East and to develop in the same manner as the rest of Sri Lanka, has not changed or lessened in any way.

To try to imply this is unjustified and could prove harmful to the mutual understanding that we are attempting to build up at such a cost and with so much difficulty.

(c) The primary objective of our Government is to find a political solution to the ethnic problem, to end the armed conflict/ the war, and to establish lasting peace in our country, and build a new Sri Lanka where all its peoples - Sinhala, Tamil, Muslim, Burgher - could live as equal citizens with dignity and in peace and harmony.

To find political solutions, we have to talk, to dialogue, to commence talks or negotiations.

(d) The alleviation of the hardships faced by the people of the North-East, the cessation of armed hostilities between the Government and the LTTE, are all preliminaries - essential no doubt, which should simultaneously lead on to the primary objective - which is the formula-

tion of a political package of solutions to end the war and to resolve the problem of the Tamil people of the North-East of Sri Lanka.

We insisted on receiving your response to this view of our Government as your views on this particular and crucial issue were not clearly stated in your correspondence with us.

In your reply to these issues, in your letter dated 22nd December, you express your views more specifically when you state that 'the peace process should be advanced in stages... the early stages.... should address the pressing problems and hardships encountered by our people....'etc.

As there seems to be agreement by us both on this issue, I propose the following for our future negotiations: -

(1) Our delegation could visit Jaffna on 2nd January 1995, for a one-day discussion.

(2) The discussion would take up the following major issues:-

a cessation of hostilities to be declared from the 7th or 8th January, 1995, for an initial period of two weeks. The modalities of the cessation of hostilities to be agreed upon.

The work of reconstruction, opening up of a roadway, etc., aimed at ameliorating the conditions of daily life of the people of the North-East.

Decide upon dates for the commencement of the 2nd part of the peace negotiations - i.e. the discussion of the possible political solutions to the problems of the people of the North-East - i.e. issues re political power, the unit/s of administration and related matters.

I take this opportunity to wish you a happy 1995

that would usher in Peace and Prosperity to our country.

Thanking you,

Yours sincerely,

Anuruddha Ratwatte
Minister of Irrigation, Power & Energy
Deputy Minister of Defence

We were well aware that the ultimate objective of the peace process was to find a meaningful political settlement to the ethnic conflict. There was no doubt in our minds that we had to discuss and resolve the political issues underlying the armed conflict. However there was a total misreading in the government circles that the LTTE was avoiding political negotiations. That was a mistaken perception. What the LTTE wanted was a stable foundation to begin the process of political negotiations. The LTTE felt that it was crucial to create a congenial environment of peace and normalcy in Tamil areas as a necessary foundation to engage in a political dialogue. A peaceful environment could be established by a stable ceasefire with international supervision and normalisation of civilian life could be achieved by the removal of all the bans and restrictions imposed on the Tamils. Ending the war and removing the oppressive constraints, we felt, would not only bring relief to the suffering masses but also would create a congenial atmosphere for political discussions. It was our concern that a permanent political settlement should satisfy the political aspirations of the Tamil people and also alleviate the apprehensions of the Sinhala masses. We knew this to be a difficult task. It would require a great deal of mutual dialogue; possibly over a long period of time. It was precisely for this reason we wanted the urgent day to day problems of the people to be addressed and resolved in the initial stages of the dialogue. The Tigers wanted to conduct the political negotiations 'in a free and unrestrained atmosphere' the LTTE leader pointed out in his reply to Ratwatte.

The following is the text of Mr. Pirapaharan's reply:

LTTE Headquarters

Jaffna

1st January 1995

Col. Anuraddha Ratwatte
Minister of Irrigation, Power and Energy
Deputy Minister of Defence
Sri Lanka

Dear Col. Ratwatte,

Thank you very much for your letter dated 29th December 1994.

I am pleased to note that you are in agreement with our view concerning the procedure of the peace process, i.e. that the negotiating process should be advanced in stages and that the early stages of the peace negotiations should address the immediate problems and hardships experienced by our people.

We appreciate your Government's commitment to ameliorate the conditions of existence of our people and to resolve the Tamil national conflict through peace negotiations. There has never been any misconception on our part that the fundamental objective of the peace process is to find a meaningful political solution that would satisfy the aspirations of the Tamil people.

You are fully aware that the Tamil people in the Northeast are undergoing extreme hardships as the direct consequence of the war and the hard-line militaristic approach advanced by the previous regime, the constraints and pressures of which have not yet been relaxed to create the conditions of normalcy in the war affected areas. The elimination of these constraints, we believe, will not only alleviate the hardships experienced by our people but also will create a congenial environment to conduct peace negotiations in a free and unrestrained atmosphere which is crucial for the success of the peace talks. Such a process of reconciliation is also necessary to build trust and

confidence among the Tamil community which has been embittered by non-fulfillment of pledges and promises for decades. It is for these reasons, we placed emphasis on the resolution of the immediate, day to day issues, which are of paramount importance in relation to the existential conditions experienced by our people.

Our delegation will spell out in more detail and in depth such issues in the second round of talks and we hope that the Government will take concrete action to redress these grievances.

The Government delegation is welcome to Jaffna on the 2nd January 1995, as you have suggested, to conduct the second round of talks.

May I wish you a happy, peaceful and prosperous New Year.

Thanking you.

Yours Sincerely.

(V. Pirabakaran)

Leader

Liberation Tigers of Tamil Eelam

The second round of talks took place at the political headquarters of the LTTE in Jaffna on the 2nd of January 1995. This time the government team included a senior army officer Brigadier A.S Peris and a naval officer, Captain Prasanna Rajaratne. Mr. Tamil-selvan, head of the political wing, led the LTTE delegation.

The discussions were primarily centred on the procedures, modalities, supervision and implementation of a cessation of hostilities. It was decided that armed combat formations of both parties should maintain present positions keeping a distance of 600 metres between them and freeze all hostile armed activities or offensive operations during cessation of hostilities.

The government delegation agreed to allow normal fishing except in specified areas i.e. the vicinity of naval bases and coastal military camps. Both the parties agreed to form monitoring

committees to supervise and inquire into the violations of the terms of agreement. The committees would be appointed in all the Tamil districts in the Northeast and be chaired by foreign representatives. It was also decided that notice of termination of cessation of hostilities should be given at least 72 hours before termination. A brief seven point document was formulated during the talks specifying the terms and conditions of the truce agreement.

The formal declaration of the cessation of hostilities was signed simultaneously by both President Kumaratunga in Colombo and Mr. V. Pirapaharan in Jaffna and the document was exchanged between them by the good offices of the ICRC. The cessation of hostilities came into effect from 8th January 1995. The following was the declaration:

Declaration of Cessation of Hostilities

The modalities for the implementation of the agreed Cessation of Hostilities by the Government and the LTTE for a specified period will be as follows: -

1. There will be no offensive operations by either party during this period. An offensive operation will be considered a violation of the agreement.
2. The Security Forces and the LTTE will maintain their present positions on the ground, keeping a minimum of 600 meters between each other. However, each party would reserve the right of movement within 100 meters from their own bunker lines, keeping a minimum of 400 meters in between. Any party moving in the restricted areas would be considered an offensive operation.
3. The Navy and the Air Force will continue to perform their legitimate tasks for safeguarding the sovereignty and territorial integrity of the country, from external aggression, without in anyway engaging in offensive operations against the LTTE, or causing any obstructions to legitimate and bonafide fishing in specified areas.
4. Acts such as sabotage, bomb explosions, abduc-

tions, assassinations and intimidations directed at any political group, party or individual will amount to an offensive operation.

5. (a) It is suggested that Committees to deal with violations of this agreement be set up to inquire into any instances of violation of the above terms of agreement. These Committees could be set up in the areas of Jaffna, Mannar, Vavuniya, Mulaitivu, Trincomalee and Batticaloa-Amparaï and any other areas as deemed necessary.

(b) It will be the responsibility of these Committees to take immediate action on complaints made by either party to this agreement to inquire into and resolve such disputes.

(c) These Committees could comprise representatives drawn from Canada, Netherlands, Norway, ICRC, and from among retired Judges or Public Officers, Religious Heads and other leading citizens; all appointed by mutual agreement.

(d) Each Committee could consist of five members, viz:

- 02 from Government;
- 02 from L.T.T.E.;
- 01 from a Foreign Country who will be Chairman.

(e) Freedom of movement for the Committees to perform their tasks will have to be ensured by both parties to this agreement.

(f) Facilities required for the committees to act swiftly and impartially, will have to be provided by mutual agreement.

6. Recommend establishment of communication links between S.F and L.T.T.E military area leaders which will enable them to sort out problems expeditiously, locally.

Cessation of hostilities will continue till notice of termination is

given by either party. Such notice should be given at least 72 hours before termination.

Signed on 5th January 1995

| | |
|---|---|
| V. Pirabakaran Leader Liberation Tigers of Tamil Eelam | Chandrika Bandaranaike Kumaratunga President of Sri Lanka and Commander in Chief of the Armed Forces |
|---|---|

As the cessation of hostilities came into effect on the 8th of January 1995, problems arose with regards to the supervision and implementation of the truce. The ICRC informed both the government and the LTTE that they had no experienced personnel available to serve in the peace committee. An ICRC press release issued in Colombo stated the following:

“The Government of Sri Lanka and the LTTE have decided to declare a Cessation of Hostilities coming into effect from Sunday 8 January 1995. To monitor the implementation of this cessation of hostilities, it was also decided to create Peace Committees composed of representative of the LTTE, the Government of Sri Lanka and of foreign countries.

Both parties proposed the International Committee of the Red Cross (ICRC) to Chair one of these Peace committees. The Delegation of the ICRC in Sri Lanka informed the Government of Sri Lanka and the LTTE that it could not accept this proposal. The monitoring of a cessation of hostilities or cease-fire requires military expertise. Being a civilian international organisation and having a mandate centred on the implementation of International Humanitarian Law, the ICRC has not this competence and expertise. However, the ICRC informed all parties involved of its willingness to support the Peace Process and to assist the work of the Peace Committees by continuing to play its traditional role of neutral intermediary”.

The Issue Of Foreign Delegates

In the meantime only four foreign delegates from three western nations (Audun Holm and Johan Gabrielson from Norway, Lt. Col. Paul Henry Horsting from Holland, Maj. Gen.C. Milner from Canada) arrived in Colombo to chair peace committees in six areas of the northeast. On the 10th January 1995 the government dispatched two of these foreign representatives to chair the peace committees in Trincomalee and Batticaloa-Amparai regions without notifying the LTTE. On the 13th January 1995 Mr. Tamilselvan sent a brief message to Mr. Balapatabendi, leader of the Sri Lanka peace delegation, registering strong protest for dispatching foreign delegates to their assignments without consulting the LTTE leadership. Since these foreign delegates were invited as neutral observers by both the parties in conflict, the LTTE desired to discuss with them before they took up their assignments as peace monitors. Mr. Tamilselvan's letter is as follows:

13.1.1995

Mr. K. Balapatabendi,
Secretary to the President

1. The LTTE considers it absolutely essential that the international chairmen discuss the cessation of hostilities with the LTTE leadership before taking up their posts. This is considered vital to ensure their role in a neutral capacity.
2. The LTTE strongly protests at the sending of the chairmen of the Batticaloa-Amparai and Trincomalee Peace Committees to their respective assignments without contact having been made with the LTTE leadership.

Signed: Mr. S. P. Tamilselvan.

Leader, Political Section
Jaffna

Mr. Balapatabendi sent the following reply to Mr. Tamilselvan.

13 January 1995

Mr. S.P.Tamilselvan
Leader/ Political Section , LTTE

Have received your message of 13 January, sent through ICRC.

H.E. President has considered LTTE's views in matter, and has arranged for discussions between LTTE leadership and Chairmen of Committees for verification of violations of Cessation of Hostilities, before latter commence their functions.

Accordingly, it has been arranged to defer commencement of work by Trincomalee and Batticaloa-Amparai committees for present.

It is hoped to enable all Chairmen of Committees, who are here at the invitation of Government, to arrive in Jaffna for discussions on Tuesday 17 January, accompanied by Government representative who would look to Chairmen's well being.

Travel details will be finalised through usual military liaison channels, and will be communicated through ICRC.

K.Balapatabendi,
Secretary to the President

Several potentially serious incidents were reported by our cadres in the Eastern districts where military personnel stationed at various check-points blocked the mobility of our fighters and warned them not to carry weapons. Unlike the North, where the army was confined to barracks, the security system of the army in the East was complex and posed several problems for the mobility of our guerilla units. In the urban areas of the Eastern Province, government troops were stationed in every nook and corner and

maintaining safe distances between combatants without confrontation became almost impossible. The terms and conditions specified as modalities of the truce were inadequate and limited to deal with security issues in the Eastern Province. In addition to these problems, the government made a unilateral announcement on the 9th of January 1995 prohibiting fishing in several specified areas and also imposing a ban on night fishing. The LTTE felt that this announcement contravened the agreed modalities for the implementation of the truce which specifically stated that the security forces of the government would not cause any obstructions to legitimate and bonafide fishing. The issue of the 'specified areas' were discussed at the last round of talks and both parties agreed that fishing would not take place in the vicinity of army camps and naval bases. Therefore the new restrictions as proclaimed by the government violated the spirit of the bilateral agreement. We decided to take up these issues at the third round of direct talks.

The third round of talks took place on the 14th of January 1995 in the same venue, with the participation of the same government delegates as on the previous occasion.

At the talks, the LTTE delegation insisted that the modalities for the implementation of the truce had to be clarified and expanded to ensure the maintenance of peace and to prevent any possible violations of the cessation of hostilities. Explaining the difficulties encountered by the Tamil Tiger guerrillas in the Eastern districts, the LTTE delegates demanded guarantees from the government ensuring the freedom of mobility of their armed units. The Tigers suggested the modalities of implementation of the truce had to be clarified and specified in written form to facilitate the peace committees to monitor the bilateral agreement. The amendments to the modalities of the truce, the LTTE delegates suggested, could be worked out as a separate document or an appendix to the original declaration.

Responding to the suggestions of the LTTE delegates, Mr. Balapatabendi said that the government would consider their ideas. He asked Mr. Tamilselvan to present the problems of the Eastern Province in written form as early as possible.

On the issue of withdrawing the army camp at Pooneryn to open up a land route to the mainland, the government delegates argued that the camp could not be withdrawn for strategic and

security reasons. The front defence lines of the army camp could be readjusted allowing 600 metres of distance but all the civilian passengers would be subjected to search, Mr. Balapatabendi insisted. Though our representatives explained in detail the hardships and dangers faced by our people in crossing the Kilali lagoon to make a trip to the mainland, the government delegates were not prepared to compromise on the issue.

The LTTE delegates demanded the removal of the ban on fishing in the Northeastern waters except in the vicinity of naval bases and army camps as previously agreed. The government delegates argued that the ban was imposed to check the movement of the Sea Tigers. The government representatives adopted an uncompromising attitude on certain issues which they termed as 'security concerns of the State'. Finally when the question of the removal of the economic embargo was raised Mr. Balapatabendi announced that the government would soon announce the relaxation of embargoes on some items. The LTTE delegates pointed out that several essential items, though relaxed by government notification, did not reach the Tamil population as the military personnel in Vavuniya blocked their passage. The government team promised to look into the matter.

On the 15th of January 1995, the day after the third round of talks Mr. Tamilselvan sent the following letter to Mr. Balapatabendi concerning the problems of the Eastern districts.

Political Head Office
Jaffna
15.01.1995

Mr .K. Balapatabendi,
Secretary to the President,
Sri Lanka.

As we have agreed in the last round of talks certain issues in relation to the modalities of the implementation of cessation of hostilities have to be clarified and specified in written form to facilitate the monitoring committees to supervise ceasefire effectively. This can be worked out as a separate document or as an appendix to the declaration of cessation of

hostilities.

In view of the sensitive nature of the ground situation in the Eastern Province and the rigid and complex form of the security system established by the armed forces certain arrangements have to be made to ensure the freedom of mobility of our guerrilla units operating in that sector. In this matter we suggest the following:

- 1) For reasons of personal security, our cadres should be allowed to carry arms in the districts of Trincomalee, Batticaloa and Amparai.
- 2) LTTE cadres should not be subjected to checking and screening at various check points along the road ways.
- 3) The economic embargo imposed by the armed forces on the common people should be lifted immediately.
- 4) The armed forces should consider removing various road blocks and check points and desist from checking civilian passengers.
- 5) State sponsored colonisation schemes in Tamil areas in the Northeast should not be undertaken during the period of cessation of hostilities.
- 6) The armed forces should not involve in search operations and village roundups, and avoid taking ambush positions in jungle areas.
- 7) Fishing activity should be allowed without hindrance in the lagoons of the East.

You will appreciate that in accordance with the terms and conditions of the declaration of cessation of hostilities agreed by both parties, the Government should ensure legitimate and bonafide fishing in Northeastern waters. We agree that fishing should not take place in the vicinity of the army camps and naval bases. We urge the Government to lift the ban on night fishing and remove restrictions on limits

imposed on the fishing zone.

I hope that you will give urgent consideration to these matters.

Thanking you,

Yours Sincerely

(S.P Tamilselvan)
Leader, Political Section
Liberation Tigers of Tamil Eelam

In a brief reply, Mr. Balapatabendi did not clarify any issues, particularly the problem of mobility of the LTTE's armed guerrilla units, which posed serious difficulties for the Tigers in the East. Mr. Balapatabendi claimed that suitable arrangements had been made between field commanders of the army and the LTTE leaders. Following is the message sent by the secretary to the President.

21 January 1995

Mr. S.P. Tamilselvan
Leader/ Political Section LTTE
Jaffna

Thank you for your message of 16.01.95, sent to me through the ICRC.

With regard to matters raised by you under serial 1), 2), 4), & 6), suitable arrangements have already been discussed and agreed between Area Leaders of the LTTE and the Field Commanders of the Sri Lankan Armed Forces.

Regarding item serial 3), the economic embargo is to be lifted in respect of several more items, as indicated at our last meeting. A copy of the relevant gazette notice will be sent to you as soon as it is issued.

With regard to item serial 5, it remains the position of the Government that there has been no

colonization recently in the Eastern Province. There has in fact been re-settlement, both of Sinhala and Tamil families, in the areas of Andankulam, Samanthurai and Uhana, under the re-settlement programme which had commenced in 1992. The number of Tamil families thus re-settled in these areas amounts to 1060.

Regarding item serial 7), there is to be no change from prevailing practice in fishing areas for the time being. However, the Government is considering a gradual relaxation of these restrictions. The development package proposed by you is being examined, and it is hoped to provide you with an implementation programme shortly.

Signed: K. Balapatabendi
Secretary to the President

Disappointed with this 'vague and unsatisfactory' reply, Mr. Tamilselvan, in his response to Mr. Balapatabendi emphasised the importance of clarifying and elaborating the declaration of cessation of hostilities and arriving at a working arrangement. If it is not done, the formation of the peace committees and the implementation of the truce agreement 'may run into serious difficulties' cautioned Mr. Tamilselvan. The following is the text of Mr. Tamilselvan's reply.

Political Head Office
Jaffna
22nd January 1995

Mr. K. Balapatabendi
Secretary to President
Sri Lanka

Dear Mr. Balapatabendi,

Thank you for your communication dated 21st January 1995.

We are disappointed to note that your response to

our queries seeking clarification on certain issues pertaining to the modalities of cessation of hostilities, particularly in the Eastern Province, is very brief, vague and unsatisfactory.

We wish to point out that no 'suitable arrangements have already been discussed and agreed', as you have claimed, between our area leaders and field commanders of the armed forces. It is because of the difficulties in reaching a suitable arrangement we have raised these issues at the last round of talks and you have suggested to state these issues in written form. In our letter dated 15.1.1995 we have specifically raised the issue of the freedom of mobility of our cadres in the Eastern Province and urged that our fighters should be allowed to carry arms for reasons of personal security and that they should not be subjected to military checking. We have also pointed out to you that the field commanders in the Eastern Province are opposed to the movement of our cadres with arms. In these circumstances we are surprised and dismayed over your claim that an agreement has been reached on this critical issue.

The item serial 3, in our letter refers to the unofficial economic embargo imposed on the Tamil civilians in several areas in the Eastern Province by the armed forces. The army, on its own, has imposed severe restrictions on various essential items including food stuffs and operating a ration system in rural areas of Trincomalee and Batticaloa, which have seriously affected the conditions of existence of our people. We have requested you to put an end to this form of economic injustice but your letter only refers to the economic blockade in the North.

The continuing restrictions and bans on the fishing zone, we wish to impress upon you, constitute a serious violation of the Declaration of Cessation of Hostilities which allows for legal and bonafide fishing activity.

You are aware that unless a working arrangement

is reached on certain issues that are not elaborated and clarified in the Declaration of Cessation of Hostilities and specified in written form on mutual consent, the formation of the monitoring committees and effective implementation of the ceasefire agreement may run into serious difficulties.

Therefore, we kindly request you to give urgent and serious consideration to these matters of critical importance and clarify the Government's position in writing.

Thanking you.

With regards.

Yours Sincerely.

(S.P.Tamilselvan)

Leader

Political Section

Liberation Tigers of Tamil Eelam

A Fragile Peace

We soon realised that the government was not prepared to compromise on any issues we raised. The military authorities wanted rigid control over the security system in the Eastern districts and was therefore opposed to the freedom of mobility of the armed LTTE guerrillas. The navy was opposed to the movement of Sea Tigers in the Northeastern coastal areas and wanted the restrictions on fishing continued. Since the government had taken an inflexible position on these matters, it was opposed to amending or expanding the original document, which specified the modalities of the cessation of hostilities. Though the government delegates at the third round of peace talks agreed to modify the original truce document to deal with the security issues in the Eastern Province, they changed their position when they returned to Colombo. Mr. Balapatabendi made a specific request to Mr. Tamilselvan to write down the issues and his suggestions in relation to the

situation in the East. But when Mr. Tamilselvan responded with the letter, Mr. Balapatabendi charged that the LTTE was making new demands and had therefore changed its position.

Furthermore, the LTTE wanted to meet the foreign representatives of the Peace Committees to apprise them of the ground situation in particular and the Tamil armed struggle in general. They were neutral observers invited by both the parties in conflict. Therefore the proper protocol was to make arrangements for these foreign delegates to meet the LTTE leadership, before they resume their function as Chairmen of the monitoring committees. Though the government agreed to comply with the LTTE's request, it deliberately delayed the meeting. To facilitate the foreign representatives to monitor the truce agreement effectively without bias, the LTTE wanted a comprehensive truce document specifying adequate guidelines and mechanisms of the modalities of the cessation of hostilities. We felt that the original signed document was brief and limited and therefore the Peace Committees, particularly the foreign delegates who were unfamiliar to the environment and the armed conflict, could not operate effectively in their task of maintaining peace. These matters were explained to the government delegates during the last round of talks. They did not raise any objections to our fair and reasonable requests at that time. They would have to consult the authorities in Colombo, they said. Having made their consultations, they took a different position. Mr. Balapatabendi's letter to Mr. Tamilselvan was hostile. He charged that the issues raised by Mr. Tamilselvan should have been discussed and dealt with at the time of signing the truce agreement. He cautioned that if such an attitude continued it would 'seriously impair the successful continuation of cessation of hostilities'. The full text of his letter is as follows:

26 January 1995

Mr. S.P. Tamilselvan,
Leader/ Political Section,
LTTE, Jaffna.

Your communication dated 22nd January 1995
has been received and duly considered by the

Government. I have now been directed to respond to it as follows: -

The Government has carefully examined the contents of your letter and is disappointed and surprised at the statement you have made which to quote from your letter reads, "...unless a working arrangement is reached on certain issues that are not elaborated and clarified in the declaration of cessation of hostilities.... and effective implementation of the ceasefire agreement may run into serious difficulties".

The written agreement entered into between the Government and the LTTE consisting the modalities of cessation of hostilities was clearly the basis on which the cessation of hostilities commenced. It was agreed by both parties very clearly that the Committees to deal with the violations of cessation of hostilities should be set up as early as possible to facilitate and solve disputes arising during the period of cessation of hostilities.

It is needless to mention that on mutual agreement 4 foreign delegates from 3 different western countries were invited to function as leaders of the Committees and they have remained in this country for over 2 weeks without being able to function, as you objected to the Committees functioning, surprisingly after a having agreed to all the details regarding the appointments of foreign delegates and to the commencement of their work in the Committees, the Committees have remained inactive.

You did not until now state that the formation and the functioning of these Committees would depend upon any other matters which may be raised during the period of the cessation of hostilities. The Committees were to be formed as soon as the cessation of hostilities came to be operative and were to function quite independently of the issues you have now raised in your recent correspondence. It is objectionable to now raise issues which were not discussed nor dealt with at the time of signing of the written

agreement between our 2 sides. If this attitude continues, it would not only seriously impair the successful continuation of cessation of hostilities but also the mutual confidence and trust the Government and the LTTE have begun to create.

The Government would like to re-state the chronology of events with regard to this matter.

i) The Government delegation discussed at the meeting on 3rd January 1995 the possibility of forming these Committees and of having delegates to chair those Committees, to which you agreed without any conditions. You even sent a list of the LTTE representatives and the Government sent you a list of their nominees.

ii) After the arrival of 2 of the delegates and after they took up position in Trincomalee and Batticaloa in the expectation that the Committees could start functioning together with your representatives, you suddenly informed the Government that these Committees should not function until the LTTE had discussions with the foreign delegates. Even though this was very inconvenient for all concerned but as it was a request which was made by you, the Government responded to you that they would send the foreign delegates to Jaffna to meet with you in Jaffna.

iii) There was a further shift in your position as noted in your letter of 16th January 1995 by you putting forward 7 demands which you stated should be satisfied before the commencement of the operation of the Committees. The Government replied to you on 21st January 1995 in their endeavour to satisfy your request.

However, your reply dated 22nd January 1995 from which a quotation is carried above, gives an indication that you are seeking to prevent the Committees functioning under whatever circum-

stances.

In regard to the reply dated 21st January 1995 in respect of the matters raised by you in your letter of 16th January 1995 under serial numbers 1, 2, 4 and 6, it is stated that agreements have been reached between your Area Leaders and the Field Commanders of the Sri Lanka Armed Forces. Copies of the agreements entered between the aforesaid parties in respect of Trincomalee and Batticaloa are annexed hereto.

As stated above, the Government have arrived at solutions for most of the issues raised by you, even though they reiterated their position that the original agreements on cessation of hostilities was not contingent on any of the terms of cessation of hostilities. If any problems would arise they could be dealt with while cessation of hostilities continued and the Committees commence and continue operations.

The Government's position regarding the above matters have been clear right through the dialogue on cessation of hostilities and they hope you would reciprocate in the same manner.

The Government is also making arrangements for the foreign delegates to meet you in Jaffna on a date between 27th and 30th January. Please inform the most suitable date for you.

In regard to your contention that severe restrictions on various essential items including food stuffs have been imposed, instructions have been given to all the Field Commanders of the Armed Forces to desist from enforcing any restrictions on the movement of essential items including food stuffs if any restrictions are in operation in that area.

In regard to lifting of the economic embargo on some of the items that were discussed at the last meeting, enclosed herewith is a further list of items on which the economic embargo has been lifted by the Government. The Gazette notice will be sent to you shortly.

Regarding the fishing areas, the Government has stated that if the cessation of hostilities was successfully carried through and there were no violations of the conditions pertaining to fishing, they would consider further relaxation of fishing areas. Nevertheless, since the cessation of hostilities was declared, our Forces have observed a large number of violations by you. Attached is a copy of the list of violations noticed during the period to date. It is also believed that you are aware of these violations and also the fact that most of those violations were resolved between our Field commanders and your Area Leaders by discussion and agreement.

Yours Sincerely,

K. Balapatabendi
Secretary to the President

Attached to the letter was a communique released by the operational headquarters of the Ministry of Defence announcing the removal of restrictions on certain items.

21 Jan 1995
OPERATIONAL HEADQUARTERS,
MINISTRY OF DEFENCE
Director of Information
COMMUNIQUE 01

RESTRICTED ITEMS TO THE NORTHERN/
EASTERN PROVINCES

The restriction has been removed in respect of following items to the Northern Province.

- a. Toy guns
- b. Electric wire
- c. Electric/Electronic equipment
- d. Electric/ Electronic toys

- e. Aluminium/Aluminium ware
- f. Empty gunny bags
- g. Ball Bearings
- h. Motor Vehicles Spare Parts
- i. Printing Machines and Other Equipment used in Printing
- j. Gold
- k. Chemicals
- l. Batteries of all varieties except Penlight Batteries

J K N Jayakody
Brigadier
Principal Staff Officer

Mr. Tamilselvan, in his reply, rejected the accusation that the LTTE was deliberately preventing the function of the Peace Committees. Such a perception was biased and based on a total misconception of the LTTE's position, he said. He also suggested that these 'sensitive and serious matters' could be discussed and resolved at the next round of talks. Following is the full text of his letter.

Political Head Office
Jaffna
3.2.1995

Mr. K. Balapatabendi,
Secretary to the President
Colombo
Sri Lanka

Dear Mr. Balapatabendi,

Thank you for your communication dated 27th January 1995.

First of all we wish to clarify certain issues that have given rise to misconceptions with regard to our position on the functioning of the monitoring

committees.

You are aware that foreign delegates from three different western countries were invited by both the Government of Sri Lanka and the LTTE, as the parties in conflict, to function as Chairmen of the monitoring committees. They were invited as neutral observers, by consent of both parties, to carry out a sensitive function impartially. We anticipated that the accredited foreign delegates would formally meet the representatives of both parties before they resume their functions. Such a gesture, we presumed, was vital to ensure their role in a neutral capacity and to create a better understanding of the nature of the conflict. It would have been proper protocol if the Government, which has the facilities of communication and transport, had made arrangements for such a meeting. But we were surprised to note that the Government leaders, having had a meeting with these delegates, dispatched them to take up assignments immediately in the committees at Batticaloa and Trincomalee without extending to us the courtesy of meeting them. This is why we registered our protest and demanded to meet the foreign delegates. We think our request is fair and reasonable.

In reference to this issue you have, in your letter, made an unwarranted accusation that we deliberately sought to prevent the functioning of the monitoring committees. Such a perception is biased and based on a total misconception of our position.

Furthermore, we wanted clarification and specifications from the Government on certain crucial matters with regard to modalities of cessation of hostilities before the formation of the monitoring committees so that it would help to facilitate the smooth implementation of ceasefire. When these issues were raised at the last round of talks, you suggested that these matters be forwarded in writing for consideration in Colombo. We responded to your request and listed the problems in writing, to which you state in

your letter, that we have shifted our position and raising new demands.

We agree that our area leaders and the field commanders of the armed forces have met in Trincomalee and Batticaloa and worked out an interim arrangement to sort out immediate problems and disputes at local level for a short duration of time pending final decisions to be jointly made by the Government and the LTTE leadership. While we agree that some local disputes can be resolved by area commanders on both sides, as stated in the declaration of Cessation of Hostilities, we wish to state that such temporary arrangements worked out at peripheral level, cannot be considered as permanent solutions to overall issues pertaining to modalities of ceasefire, which have to be agreed upon at leadership level by both the Government and the LTTE. Therefore we insist that there are general issues requiring further discussion and clarification and an amicable settlement between both parties on such issues will help to ensure proper implementation of cessation of hostilities.

We think that it would be more appropriate that these sensitive and serious issues can be discussed and amicably resolved through direct negotiations at the next round of talks.

Thanking you.

Yours sincerely

(S.P.Tamilselvan)

Leader

Political Section

Liberation Tigers of Tamil Eelam

LTTE Confers With Foreign Delegates

After deliberate delays, Kumaratunga's government gave the green light to the four foreign delegates to visit Jaffna to meet the

LTTE representatives. The four delegates sent a brief message to the LTTE through the ICRC indicating their willingness to meet our representatives at the earliest convenience. The message read as follows:

Colombo,
31 January 1995

Dear Sirs,

Please be advised that we, the four international Chairmen of the Committees established by the Government of Sri Lanka and the LTTE to assist with the Cessation of Hostilities Agreement, feel that it is timely and appropriate that we meet with the LTTE representatives.

It is our view that introductory meetings with your representatives as well as with our respective LTTE appointed committee members will facilitate our understanding of the committee functions and be of immeasurable advantage to all parties concerned.

We are prepared to meet with your representatives at the earliest convenience.

Yours sincerely

Johan Gabrielsen/ Audun Holm/ Paul Horsting/ Clive Milner

Mr. Tamilselvan responded by sending the following message to the foreign delegates.

Political Head Office
Jaffna
1.2.1995

The Chairmen,
Monitoring Committees
Colombo
Sri Lanka

Dear Sirs,

Thank you very much for your communication

dated 31.1.1995 sent through the good offices of the ICRC.

We are pleased to inform you that we would be very glad to receive you in Jaffna on 5th February 1995. A letter to this effect has already been transmitted to Mr. Balapatabendi, Secretary to the President.

Thanking you.

Yours Sincerely.

(Mr. S.P. Tamilselvan)
Leader Political Section
Liberation Tigers of Tamil Eelam

The foreign delegates, Audun Holm and Johan Gabrielsen from Norway, Lt. Col. Paul Henry Hosting from Netherlands and Major General Clive Milner from Canada arrived in Jaffna by a Sri Lankan military helicopter around 10 o'clock in the morning on the 5th of February 1995. They were brought to the political headquarters of the LTTE at Chundukuli from St. John's college grounds. Mr. Pirapaharan, Mr. Tamilselvan and myself received the chairmen of the monitoring committees and had a closed door meeting for nearly one hour before they met the LTTE appointed members of the peace committees. The foreign delegates were delighted over this surprise meeting with the leader and military commander of the Liberation Tigers.

Welcoming the delegates, Mr. Pirapaharan thanked the governments of Norway, Holland and Canada for sending delegates to monitor the cessation of hostilities between the Sri Lanka government and the Tamil Tigers. He pledged that the Liberation Tigers would extend support and co-operation to facilitate the effective supervision of the truce agreement by the monitoring committees.

We explained to the chairmen of the peace committees that the document specifying the modalities of the truce was very brief and limited and failed to provide adequate guidelines to several critical issues, which have to be further discussed and resolved by both parties. We explained to them the nature of the ground realities in the North and East and the mounting complaints by both parties

claiming violations of the truce. Unless a comprehensive document was worked out on the modalities by the consent of both parties, we argued, it would be very difficult for the peace committees to effectively monitor the cessation hostilities.

Having realised the significance of our criticism of the inadequacies of the truce document, the foreign peace monitors had a private discussion among themselves scrutinising the original declaration. Thereafter, they expressed a unanimous view that the declaration was very brief, inadequate and lacked proper guidelines to several issues. They advised us that the parties in conflict should meet without delay to discuss and formulate a comprehensive document as an annexure to the original declaration. Brigadier Peris, who accompanied the foreign delegates, endorsed the view of the chairmen of the peace committees and promised to convey the details to the government. At the end of the meeting the foreign delegates were convinced the LTTE's suggestions were fair and reasonable.

As the government deliberately delayed the formation of the peace committees, numerous incidents of violations of the cessation of hostilities were reported, particularly in the Eastern Province. Both parties continued to exchange lists of violations and accused each other.

On the 23rd of January 1995, a Sea Tiger boat carrying seven LTTE cadres was compelled to reach shore at Kalkudah, Batticaloa due to engine failure. The landing took place in the vicinity of the Kalkudah police station. The Sea Tigers were arrested and their weapons (a machine gun and rifles) walkie-talkie sets and the boat were confiscated. Later the Sea Tigers were released but their weapons and boat were kept in the custody of the security forces.

Both the parties considered this incident as a serious violation of the cessation of hostilities and protested. The LTTE argued that the sea landing was an accident. The arrest and harassment of the cadres and the confiscation of the weapons and boat were hostile acts that undermined the spirit of the truce agreement. The government portrayed the incident as the most serious violation of the truce in the Eastern Province. In a gross distortion of the facts it projected a picture of the Sea Tigers approaching the Kalkudah police station carrying heavy artillery in the boat. In response to the LTTE's strong protest over the incident Mr. Balapatabendi

replied that if the peace committees were appointed these matters would have been resolved amicably. He wrote to Mr. Tamilselvan thus:

7th February 1995

Mr. S.P. Tamilselvan
Leader/ Political Section,
Liberation Tigers of Tamil Eelam,
Jaffna.

Dear Mr. Tamilselvan,

It is with deep concern that I write to you about the violations that have occurred during the period of the cessation of Hostilities, some of which are very serious.

I am sending herewith a list of violations that have been observed by the Sri Lanka forces during the period commencing from the 8th January 1995. You will observe from this list that there have been many violations, the most serious violations being those in the Eastern Province, such as the incident of the Sea Tiger boat carrying heavy artillery sailing near the Police Station of Kalkudah, in spite of the conditions laid down in the Agreement.

It is observed that the LTTE cadres are constructing new camps in Koravalikulam and Eralakulam. When the construction was earlier observed by the Sri Lanka forces, instructions were given to your Area Leaders and the camps were dismantled, but your Cadres have again started construction of these camps.

The Government also is informed that you have established a Police Station in Murunkan in the Mannar District and a base in Nadukudi in the Mannar District.

The Government is surprised to observe the most recent incident that happened in Nittambuwa at the location of the samadhi of the late Prime Minister S.W.R.D.Bandaranaike. A person named Mr. Alfred

Ponnaiah Jeevaratnam was taken into custody by the local Police when he was photographing various angles of the Samadhi. He confessed that he was acting on instructions from LTTE leaders in Kilinochchi, named Senturan, Kannan and Jhan. This, the Government considers, is a serious security threat to the life of Her Excellency the President, as she visits this place frequently.

The Sri Lanka forces have also observed that there is a massive recruitment drive into the cadres of the LTTE in the Eastern Province since the Cessation of Hostilities and the government wonder whether this would lead to a possible military attack in the Eastern Province.

You will appreciate that if the Committees appointed to investigate into the violations of the Agreement of Cessation of Hostilities were in operation these matters would perhaps have been settled expeditiously and amicably, according to the terms of the Agreement. The Government therefore strongly suggests that the Committees commence work immediately. We do not see a necessity for these Committees to withhold functioning until we arrive at an agreement on the several issues you have raised at the last meeting with the foreign delegates. We believe that the discussion on the issues raised by you and the functioning of the said Committees could go on parallelly, as our Government delegation would be meeting with you for the next round of talks within a couple of days after the Committees begin to work.

I would like to hear from you very early on the above matters.

Yours sincerely,

K.Balapatabendi
Secretary to the President

Mr. Tamilselvan, in his reply, clarified and explained the issues raised by Mr. Balapatabendi. We reproduce the full text of his letter.

LTTE Political Head Office
Jaffna
13.2.1995

Mr. K. Balapatabendi
Secretary to the President,
Colombo
Sri Lanka

Dear Mr. Balapatabendi,

Thank you for your communication dated 10th February 1995.

First of all, we wish to point out to you that the LTTE is genuinely and seriously concerned about the undue delay caused in the formation of the monitoring committees with the participation of the foreign delegates. We should emphasise that the LTTE is not in any way responsible for the delay in this matter. We hold the view that it is absolutely essential for the peace committees to function as early as possible to ensure the smooth implementation of the cessation of hostilities. In this context, we feel that it is the attitude and approach of the Government that has caused this delay.

You may recall that during the last round of talks held in Jaffna on the 14.01.1995 we have discussed the limitations of the agreement of the cessation of hostilities and called for clarifications and specifications of certain issues in relation to the modalities. We have also written to you on the 15.01.1995 explaining our position on the mobility of the LTTE cadres in the Eastern Province and suggested to you that these issues can be discussed and agreed by both parties and a separate document with clarifications can be worked out as an annexure to the basic document, i.e. the declaration of Cessation of Hostilities. We made this request with the single motive of facilitating the

monitoring committees to carry out their functions effectively. You will appreciate that certain crucial issues such as the mobility of armed cadres, the movement on coastal waters, fishing etc. have to be discussed and agreed by the Government and the LTTE since these matters are beyond the purview of the monitoring committees. Your negative and hostile response to our pragmatic suggestions and the deliberate delay on your part to resume the fourth round of talks to discuss these issues, have impeded the formation of the peace committees.

Furthermore, undue delay was caused by the government to enable the foreign delegates to meet the LTTE leadership. You will certainly agree that it is proper protocol to facilitate the representatives of the foreign governments to meet the leadership of the parties involved in the conflict to ensure their neutral role and to acquaint themselves with the national problem. After much persuasion you agreed to our request and we were able to meet the delegates in Jaffna last week. In our meeting with foreign delegates, we welcomed their participation and involvement in the monitoring committees and expressed our desire to activate the committees without delay. We explained to them that the Declaration of Cessation of Hostilities is a very brief document which fails to provide adequate guidelines and mechanisms of modalities to several crucial issues which have to be further discussed and resolved by the parties in conflict. The foreign delegates, having had a private discussion among themselves, expressed a consensus view that the declaration is a very brief and inadequate document without proper guidelines to several issues. They suggested that the Government and the LTTE should meet without delay to resolve the issues and work out a comprehensive document as an annexure to the agreement. It is only then, they said, the monitoring committees could function effectively. Bri.Peris, who was present at the meeting, endorsed

the idea and said that he would convey the details to the Government. He also said that the fourth round of talks could be arranged as soon as possible, maybe within a week to discuss these issues.

The LTTE accepts the position of the foreign delegates and suggests that we should meet without delay and arrive at an agreement on problematic issues so that the monitoring committees could resume their functions. It is imperative that an adequate working mechanism on modalities is thrashed out by both parties before the commencement of the monitoring committees. We cannot agree with your suggestion that discussions on modalities and the functioning of the committees could proceed parallelly. We believe that this matter could have been resolved amicably in time if the Government had continued discussions with the LTTE without causing undue delays. Therefore, we suggest an early meeting primarily aimed at resolving these issues and to allow the monitoring committees to resume work without further delay.

You are aware that the Declaration of Cessation of Hostilities allows for six monitoring committees to function in Jaffna, Mannar, Vavuniya, Mullaitivu, Trincomalee and Batticaloa-Amparai. But the government has opted for four committees without consulting us. We insist that there should be six monitoring committees and suggest that two more delegates each from Canada and Netherlands could be appointed without further delay.

You will appreciate that the LTTE, inspite of various provocations from the security forces, has been observing the ceasefire strictly without causing any violations to the cessation of hostilities. The list you have submitted as violations is based on misrepresentation and distortion of facts. We are enclosing herewith a separate list of violations committed by the security forces in the Eastern province. The incident you are referring as the most serious provocations has

already been communicated to Col. Ratwatte. This incident took place on the 23.01.1995 at Kalkudah, Batticaloa. A Sea Tiger boat with seven of our cadres, on account of engine trouble, was compelled to land on the beach at Kalkudah. This was an accident and was not in any way intended to violate the conditions of the Agreement. The boat was carrying a machine gun, not artillery as you have said. Our cadres were arrested and later released but their weapons, walkie-talkie and the boat are still held in custody. We have made several requests to regain the confiscated articles but so far this matter is not resolved. Since the incident was an accident and not a deliberate breach of the cease-fire agreement, we kindly request you to instruct the field commander of the area to hand over weapons, walkie-talkie and the boat to the LTTE. You are aware that the agreement on cessation of hostilities does not allow for confiscation of weapons, and if the weapons are not returned to us immediately, we will regard this as an unfriendly gesture that will undermine the spirit of the cease-fire agreement.

We wish to state emphatically that the LTTE is not involved in the incident at Nittambuwa. The person to whom you are referring is not a LTTE member. We are surprised and disturbed over the innuendo expressed in your letter that the LTTE poses a serious security threat to the President. This is a baseless conjecture.

Your accusation that the LTTE is constructing new camps and conducting a massive recruitment campaign in the Eastern province in preparation of a major military offensive is totally unfounded. You will agree that political cadres should enjoy the liberty of carrying out political work among our people.

It is true that we have established a police station at Murunkan in the LTTE controlled area for the civil administration which does not constitute violation of the cessation of hostilities.

We have clarified and explained issues raised by

you in your letter. These matters need a thorough discussion and agreement by both parties. Therefore, we believe that negotiations should resume soon so that these crucial matters can be settled amicably.

Thanking you,

Yours sincerely

(S.P.Tamilselvan)

Leader

Political section

LTTE

Chandrika Takes Hardline Position

Between 16th February and 24th of February 1995 - in the short period of a week – the LTTE received three communications from the Kumaratunga government: two from the President and one from the Secretary to the President. Kumaratunga's letters dealt with two issues. One related to the repair and reconstruction work in Jaffna. This was a very brief letter that requested the LTTE leader to help to facilitate the technical officers who were planning to visit Jaffna to undertake repair work. The other letter, dated 20 February 1995, dealt with Chandrika's proposal to nominate a French intermediary to facilitate secret talks between the government and the LTTE, an issue, which created serious controversy. The third communication was by Mr. Balapatabendi, which stated that the government had unilaterally decided to open up the Pooneryn-Sangupitty Road and Elephant Pass Road for normal traffic. We publish these letters in chronological order before presenting LTTE's response and our comments.

16th February 1995.

Mr. V. Pirabhakaran

Leader

L.T.T.E

Jaffna

Dear Mr. Pirabhakaran,

I wish to inform you that the government is ready

to commence some of the re-construction projects discussed by us with the LTTE.

Work could commence immediately on:

- the electrification of Jaffna
- repair of the major roadways in Jaffna
- re-construction of the Public library
- repairs to the General hospital

Some of the other work could commence from 1st March 1995.

Our technical officers are ready to go to Jaffna any day from Monday 20 February 1995.

I shall be thankful if you could make arrangements to receive them and facilitate their work.

We shall be writing within the next two days to you about the other matters, which have been discussed between the government and the LTTE during the past few weeks.

I shall be grateful for an early reply.

Thanking you.

With kind regards.

Yours sincerely.

Chandrika Bandaranaike Kumaratunga

20th February, 1995

Mr. V. Pirabhakaran,
Leader,
L.T.T.E.
Jaffna

Dear Mr. Pirabhakaran,

The time has come for us to start a dialogue on the elements of a political solution to the ethnic problem.

In order to ensure to our discussions the highest

degree of confidentiality and trust, I propose to you, that we use the good offices of a neutral and uncommitted person who would serve as an intermediary between our government and the LTTE to carry directly any ideas, proposals and explanations we might wish to convey to each other concerning the elements of a political solution to the ethnic problem.

This person would help us to initiate, and to progress towards the conclusion of a political settlement with the required degree of confidentiality and trust.

The person would be known only to me and a few others in the government. I am ready to make such proposals if you are ready to receive them. The French government, which I have approached, is ready to put at our disposal for this purpose a respected French person, Mr. Francois Michel, a former Ambassador of France to Haiti and Ethiopia, now retired, on the condition that his mission would receive your formal approval and that his security would be guaranteed by both of us.

It would be well understood that this person would only act as an intermediary between us without involving French authorities in our exchanges and without making any personal input into our exchanges, so long as we desire. If either you or I do not, at any time wish the intermediary to continue to act, he shall cease to do so.

With regard to the venue of the Intermediary contacts I would, of course, meet him in Colombo, and I would like to suggest that you might wish to meet him at any place of your choice indicated by you to him.

Mr. Michel who is now in Colombo, needs to return to France for compelling personal reasons, during the period 27th February to the 14th March. In the event of an affirmative response on your part, Mr. Michel will be available to visit Jaffna with the proposal of the government prior to his departure from Colombo on the 27th of February.

In view of the paramount importance and confidentiality of this mission, it would be appropriate that you receive him personally.

With my best wishes.

Yours Sincerely.

Chandrika Bandaranaike Kumaratunga

24th February 1995

Mr. S. Tamilselvan
Leader – Political Section
L.T.T.E.
L.T.T.E. Headquarters
Jaffna.

Dear Mr. Tamilselvan,

The Government has decided to open Pooneryn Sangupiddy Road and Elephant Pass Road for normal traffic in the North.

For this purpose the Forward Defence Lines (FDL) have been moved 500 metres away from the roadway. This would facilitate the free movement of people and vehicular traffic.

This is one of a series of steps implemented by the government with the objective of alleviating the hardships suffered by the people of the North. The lifting of the embargo on all items other than items of military significance, the despatch of free food and medical items to Jaffna, the Government's offer to commence re-construction work on 20th February, which has not been responded to by the LTTE and now the opening of the two road ways for passenger and vehicular traffic form part of the government's programme to restore normalcy and ameliorate living conditions of the people of the North.

It remains now for the LTTE to do what is required of their part to facilitate free passage through these roadways.

Thanking you.

Yours Sincerely

K.Balapatabendi
Secretary to the President

We had given serious consideration to these communications before we responded, particularly to Chandrika's proposal of engaging an intermediary to initiate a political dialogue. Why did she want to engage a private person, a retired French diplomat, as a facilitator to exchange ideas? What was the reason behind her insistence on a high degree of confidentiality and secrecy? Why did she favour a backdoor channel for inter-personal communication? What could be the reason for her to opt for a third party when the direct talks between the government and the LTTE had already begun?

First of all, we felt that this mode of third party involvement was improper. A third party mediator should be neutral and acceptable to both the parties in conflict. We neither knew this French gentleman nor were we aware of his personal credentials. We were of the opinion that this French diplomat might be well acquainted to Chandrika because of her academic connections in France. In such circumstances we were sceptical as to whether he could be impartial.

Secondly, we were not opposed to the idea of a third party facilitation or mediation. We were of the opinion that we should seek third party facilitation or mediation only if the direct talks between the government and the LTTE failed. Furthermore, we preferred an international government as a third party mediator or facilitator but certainly not an individual private person. As Chandrika indicated, the person she had chosen was not a representative of the French government.

Thirdly, we did not favour a secret dialogue. Since the Tamil conflict had attracted local and international attention we preferred

an open dialogue so that the ideas discussed could be transparent and subjected to public debate.

Fourthly, we felt that Chandrika could be disenchanted with the ongoing peace talks. The peace process was not progressing forward but rather bogged down at the initial stages. Constrained by purely military considerations, the government was reluctant to compromise on many issues raised by the LTTE even though it realised they were of paramount importance to the Tamil civilian masses. The LTTE could not be pressurised to engage in a political dialogue as long as these urgent existential issues were discussed and resolved. Therefore, the talks were reaching a stage of impasse. We thought that Chandrika was seeking an alternative route to overcome the stalemate in the direct negotiations.

Having carefully studied the implications of Chandrika's proposal for engaging a foreign intermediary Mr. Pirapaharan responded to her in the following manner.

LTTE Headquarters
Jaffna
25th February 1995

Hon. Chandrika Bandaranaike Kumaratunga
President of Sri Lanka
Presidential Secretariat
Colombo

Dear President,

Thank you very much for your letter dated 20th February 1995.

I do appreciate your sincere concern that the peace initiative should progress towards an amicable settlement through personal exchange of ideas, suggestions, and explanations. With this objective in view, you have suggested the good offices of a neutral intermediary.

Having given serious thought to your suggestion, we are of the opinion that the negotiating process should be conducted by accredited representatives of

the Government and the LTTE. Your representatives can convey ideas and proposals for our consideration in an open dialogue. Since the talks have evoked local and international interest and concern, we feel that the issues discussed and the progress made in the political negotiations be made public.

Given our position, I wish to inform you that at this particular juncture we are not favourably disposed to your suggestion of a neutral intermediary for interpersonal communication. I hope you will understand.

With kind regards.

Yours sincerely,

(Mr. V.Pirabakaran)

Leader

Liberation Tigers of Tamil Eelam

On the same day, 25th February 1995, the LTTE leader dispatched another communication to President Kumaratunga as a response both to her letter of 16th February 1995 and to Mr. Balapatabendi's brief communication of 25th February 1995 addressed to Mr. Tamilselvan. Referring to the government's project of reconstruction, Mr. Pirapaharan insisted that the lifting of the embargo on fuel and other essential items, opening a land route to the Northern mainland, stabilisation of ceasefire were crucial prerequisites to embark on a massive project of reconstruction and therefore, he suggested a negotiated settlement on these issues without delay. Commenting on Mr. Balapatabendi's contention that the economic embargo on all necessary items had been lifted, the Tamil Tiger leader denounced it as a fallacious assumption. He emphasised that most of the essential items vital for the economic existence of the Tamils were still prohibited as 'military materials' and those items that had been declared lifted were blocked by the army personnel at Vavuniya. The following is the text of Mr. Pirapaharan's letter.

LTTE Headquarters
Jaffna
25th February 1995

Hon. Chandrika Bandaranaike Kumaratunga
President of Sri Lanka
Presidential Secretariat
Colombo

Dear President,

Thank you for your letter dated 16th February.

Please excuse the delay in our response since we have been awaiting a reply from the government to an important letter addressed to Mr. Balapatabendi, your secretary, on the 13th February 1995.

Mr. Balapatabendi, in his brief communication of 25th February 1995 addressed to Mr. Tamilselvan chose to ignore several critical issues raised by the LTTE with regard to modalities of the cessation of hostilities, the formation of monitoring committees, the resumption of peace talks and other matters and has made an extra-ordinary claim that the Government had taken all necessary steps to alleviate the hardships suffered by the people in the North.

The Government is fully aware of the position of the LTTE with regard to the opening up of a passage between the Jaffna peninsula and the Northern mainland. Ignoring our view on this crucial issue, Mr. Balapatabendi has made a unilateral announcement, re-stating the government's old position, that the pathways (Pooneryn and Elephant Pass) have been opened to the public. This pronouncement might help to propagate a disinformation campaign but will not in anyway serve to promote the peace process. Needless to say we are deeply disappointed. Such unilateral decisions demonstrate the fact that your Government has given primacy to the strategic interests of the occupational army over and above the

urgent needs of the Tamil civilian masses.

You are fully aware that the economic embargo is not fully lifted. Several essential items, i.e. petrol, diesel, motor vehicles, vehicle spare parts, batteries, fertilisers etc, which are vital for the social and economic life of our people are still banned under the prohibited category of 'military materials'. Furthermore, even the relaxed items are not reaching the public because of the self-imposed restrictions by the army at Vavuniya. This is the reality of the situation. Our people in the North are fully aware of this reality. Yet, Mr. Balapatabendi writes to inform us that the embargo on all necessary items has been lifted. This is far from the truth. Such fallacious assumptions contradicting the reality of the situation might serve as a tool for propaganda but will not alleviate the suffering of our people nor help to further the interest of peace.

What perturbs us more is the apparent lack of interest on the part of the Government to take constructive steps to transform the current cessation of armed hostilities into a stable, full-fledged cease-fire. We have addressed several letters to this effect calling for detailed discussions and clarification of several issues pertaining to modalities of cease-fire, but to our disappointment the Government has not responded positively. Such a disinterested attitude on the part of the government has caused undue delay in the formation of monitoring committees, to be chaired by foreign delegates, which are crucial for the stabilisation of the conditions of cease-fire. This is a serious matter and the failure on the part of the government to resolve this issue will seriously undermine the conditions of peace.

You will appreciate that the lifting of the embargo on fuel and other essential items, the opening of a passage to Jaffna, the stabilisation of the conditions of cease-fire, are of fundamental importance to undertake major programmes of reconstruction and

development of the North. Therefore, we call upon the Government to seek a negotiated settlement to these critical matters with the LTTE so that it would facilitate the practical implementation of major reconstruction projects in the war affected areas. In this context, we wish to point out to you that our delegation, at the last round of talks, had suggested the formation of an appropriate authority comprising Government representatives and the LTTE be constituted with adequate authority to plan and implement all reconstruction projects. This suggestion was accepted by the Government delegates. Therefore, we urge the government to act according to the agreement made at the peace negotiations which will help the speedy and smooth implementation of any reconstruction projects.

We hope you will give earnest and serious consideration to our suggestions.

Thanking you.

With kind regards.

Yours sincerely,

(V. Pirabakaran)

Leader

Liberation Tigers of Tamil Eelam

Controversy Over French Intermediary

Controversy arose in Colombo political circles when the letters of exchange between President Kumaratunga and the LTTE leader on the issue of French intermediary were leaked to the press. We were puzzled as to why a secret communication treated with top level confidentiality was divulged to the media by government sources. The real objective behind the disclosure we later realised was to unleash a false propaganda campaign claiming that the LTTE was opposed to international third party mediation. To

counter this disinformation campaign and to present the true facts we decided to release the letters of exchange to the local media. Tamil translated versions of the texts of the letters of exchange on the French intermediary issue appeared in the Jaffna newspapers and were also broadcast over the Voice of Tigers radio.

On the 6th of March 1995, I called a press conference in Jaffna and explained in detail as to why Chandrika's proposal was unacceptable to the LTTE. The French intermediary, though recommended by the French government, was a private individual retired from diplomatic service and was not an accredited representative of the French government, I clarified. The French gentleman concerned could be an acquaintance of the President but unknown to the LTTE and therefore could not function as an impartial intermediary. I emphasised that the LTTE was not opposed to international third party facilitation or mediation. We would seek such an option in the event that direct talks between the government and the LTTE failed, I explained.

The political committee of the LTTE in Jaffna issued a statement in Tamil on the 7th of March, which contained the translated texts of the letters of exchange and also a version of my press interview. The LTTE's International Secretariat in London translated again into English the Tamil version of the statement by the political committee and released it as a press statement. This whole process involved the original English texts of the letters being translated into Tamil, and again the Tamil version being translated into English, and therefore discrepancies and discordance between the original text and the translated version appeared.

President Kumaratunga in her letter to Mr. Pirapaharan dated 9th March quoted a paragraph from the London press release to indicate the textual variation between the original communication and the press statement. Without realising that the discrepancy was the result of textual translation, she accused the political committee of the LTTE of speculating about the contents of letters and misconstruction of facts. The LTTE's characterisation of the French diplomat as a private person and a friend of hers were unfounded, she said. The intermediary was selected by the French government and enjoyed French patronage, she argued.

Commenting on the day-to-day urgent problems of the Tamils for which the LTTE demanded immediate resolution before the

dialogue on political issues, Chandrika categorically stated that granting those requests would result in serious military repercussions, since they were issues of national security. The tone and content of the letter was accusative and uncompromising. Rejecting the LTTE's position of the stage-by-stage approach, the letters reasserted the government's stand that talks on day-to-day problems and the political issues should be conducted simultaneously. In conclusion, Chandrika proposed that the talks on a political settlement should commence between 2nd and 10th April 1995. This is the text of Chandrika's letter.

9th March 1995

Mr. V. Pirabhakaran,
Leader,
L.T.T.E
Jaffna.

Dear Mr. Pirabhakaran,

I gather from a press release issued by the Political Committee of the International Secretariat of the LTTE on 7th March that there are two major issues regarding the LTTE's dialogue with the Government.

1. According to the communiqué, your letter to me dated 25th February 1995 said: "it is our desire that the talks between the Liberation Tigers and the Sri Lankan Government should be open and not secret. In a situation where the international community as well as our people are closely watching the progress of our talks with the Government, we do not see that it would be proper or advisable for us to exchange views in secret through a private individual. We have examined with care the questions that you have raised in your letter. We desire that the talks should take place between representatives appointed by you on behalf of the Sri Lanka government and those appointed by us. Your representatives can make clear your views and our representatives

can do the same on our behalf. It is talks on this basis between the two sides that will be fruitful. Our problems have today attracted international attention. The international community and our people are today giving their close attention to the Tamil ethnic question. Our people wish and expect to be kept informed of the talks between the two sides and its progress. In this situation, it will not be proper for me to exchange views with you through a private individual in secret." I have received only one letter from you dated 25th February 1995, and the above stated paragraph from the communiqué does not appear in the said letter.

We regret to note that the political committee of the LTTE is obviously not aware of the contents of your letter dated 25th February and are speculating on its contents. This has led to a misconstruction of the facts contained in the only letter written by you to me on the said date.

I would like to specifically draw your attention to the fact that my letter to you dated 20th February 1995 states thus: "the French Government, which I have approached, is ready to put at our disposal for this purpose, a respected French person..... a former Ambassador of France On the condition that his mission would receive your formal approval and that his security would be guaranteed by both of us. It would be well understood that this person would only act as an intermediary between us without involving the French authorities in our exchanges...."

It was thus made clear that the person proposed would undertake this mission under the patronage of the French Government and that in fact he was selected by the French government for our joint approval. He would be

acting according to the wishes of the Government and the LTTE, without any interference by the French Government in the exchanges between us.

The statement that the intermediary by the French government is a private individual and that he was a close friend of mine is wholly unfounded. In fact he was not known to me at all. He was selected by the French Government and I met him for the first time when he arrived in Colombo. In these circumstances the Government regrets that the LTTE appears to have misconstrued the facts on the basis of a non-existent letter.

2. The communique also says that the LTTE has been ready for talks but the said letter of the LTTE dated 25th February 1995 does not anywhere state what 'talks' you mean.

Despite my requests to you for fixing an early date for political talks, you have so far not acceded to that request. Instead you have laid down certain pre-conditions for the resumption of the talks which had started on rehabilitation and reconstruction. These conditions are as follows :

- (i) the removal of the Pooneryn army camp.
- (ii) total lifting of the ban on fishing in the Northern Eastern sea.
- (iii) the possibility of free movement for armed LTTE cadres in the Eastern Province.
- (iv) the total lifting of the embargo on goods.

All of these demands could have serious military repercussions if granted outside the framework of an established and durable peace. In the case of all these requests the Government has made the maximum possible concessions without compromising national

security.

The government has also insistently stated that negotiations to these matters need not delay the commencement of political talks since the two could proceed parallelly. This continues to be the position of my Government. The government proposal is that instead of trying to solve issues one by one, simultaneously talks should be held concerning the day to day problems of the people of the North and finding a political settlement to the ethnic problem.

I appreciate the suggestion made in your letter dated 25th February 1995 that 'the negotiating process should be conducted by the accredited representatives of the Government and the LTTE.'

I accept this suggestion and now propose that the said talks regarding the political settlement of the ethnic problem should commence on any dates between 2nd to 10th April. We would send our delegation to Jaffna for a two day period initially. Our package of proposals for a political settlement would be sent to you in advance.

I shall be grateful for an early reply.

With kind regards,

Yours Sincerely,

Chandrika Bandaranaike Kumaratunga

The LTTE was well aware that the government wanted to protect and promote the strategic interests of the military when it persistently and stubbornly refused to consider the requests made by the Tigers to alleviate the suffering of the Tamil people. Yet it was the first time that President Kumaratunga admitted openly, without any evasions and ambiguities, that granting the LTTE's request would trigger serious military implications and that it would amount to compromising 'national security'. It was a plain and outright rejection of the LTTE's position of stage-by-stage progressive movement of talks from the existential to the political sphere.

In effect the Government and the military establishment were not favourably disposed to the LTTE's thesis that normalisation of civilian life was a pre-requisite to political dialogue. Since Kumaratunga's government had clearly defined its stand, the Liberation Tigers were compelled to review their position and make a decision. In our evaluation of the entire range of issues, we felt that the government was not sincere in its declared objective of peace, harmony and ethnic reconciliation but rather adopted a confrontationist approach.

First of all, the economic embargo continued rigidly though the government issued periodic gazette notifications lifting the ban on several items. Fuel, fertilisers and cement were permanently banned as 'war materials'. But none of the other items reached the people even though we made repeated pleas in direct talks and in several written communications. Apart from the LTTE, the Government Agents of Tamil districts, Citizen's Committees, Confederations of People's Organisations, University Teacher's Association, inter-religious bodies made persistent and repeated appeals to President Kumaratunga and to the international human rights organisations registering strong protests that essential items, though allowed by the government, did not reach the Tamil areas. There seemed to be a tactical understanding between the Defence Ministry and the military establishment to ensure that the permitted items did not reach the Tamil people. The government was fully aware of the tragic situation faced by our people. Instead of remedying the critical situation, Kumaratunga government launched an effective international campaign that it had lifted the economic ban totally and granted the Tamils all possible concessions.

Secondly, the government deliberately ignored our call for a stable, permanent ceasefire, effectively supervised by an international monitoring committee. Instead the government favoured a loosely conceptualised temporary cessation of hostilities. Our persistent call to formulate, with mutual consent, a well-defined comprehensive framework of modalities was deliberately rejected by the government. This attitude led us to question the intentions of the government.

Thirdly, Kumaratunga's government wanted to establish total maritime supremacy in the Northeastern territorial waters with the

intention of paralysing the movement of the Sea Tigers. The ban on fishing was intended for that purpose. Though the government was fully aware of the immense suffering experienced by the Tamil fishing community, it was not prepared to lift the ban on fishing.

Fourthly, the government was opposed to the free mobility of our armed cadres in the Eastern Province and consistently rejected our request to work out an amicable arrangement. We signed the Declaration of Cessation of Hostilities on the basis of the pledge given by the government delegation that the issue would be discussed and suitable arrangements would be worked out to ease the problems of the East. But later, the government refused to discuss the issue. We had several armed combat units in the Eastern districts involved in mobile guerrilla operations before the truce. The absence of any modalities or guidelines in the declaration of cessation of hostilities created grave problems for the movement of our armed cadres. We were desperate to prevent clashes that would amount to serious violations of the truce. But the government deliberately allowed a tense and unstable situation in the East and repeatedly complained of truce violations by the LTTE.

Fifthly, the government refused to withdraw the army camp at Pooneryn for specific strategic reasons. We knew very well that the Sri Lankan military under the U.N.P established the army camp at Pooneryn in 1992 with the motive of encircling the peninsula as part of an overall strategy of invading Jaffna. The plan was later postponed in favour of army operations to secure total military domination of the Eastern Province before the Jaffna offensive. We had grave concerns that Chandrika's administration would revive this military plan and launch a major offensive operation against Jaffna. The obstinate refusal on the part of the government to withdraw the army camp at Pooneryn reinforced our suspicions.

Finally, and most importantly, we knew that Kumaratunga's government was involved in a grand project of expanding and modernising the armed forces while engaging in a discourse of peace with the Tamil Tigers. During the period of the peace talks the government had purchased new supersonic combat aircraft, helicopter gunships, gunboats, tanks, armoured vehicles, heavy artillery pieces and other war materials. During this period the government had enlisted several thousand new recruits into the armed forces. This massive project of modernising and expanding the

armed forces under the façade of a peacemaking process and the non-compromising and inflexible attitude shown by the government generated serious apprehensions regarding the real motives of Kumaratunga's regime. Mr. Pirapaharan was convinced that the government was insincere and buying time under the cover of peace talks to prepare for a major invasion of the Jaffna peninsula. He felt that the government was taking us for a ride in a futile political exercise and that time was running out for us.

LTTE Issues Deadline

After carefully considering all the implications, the LTTE leadership decided to issue a deadline for the government to reconsider its position. Accordingly Mr. Pirapaharan wrote the following letter to President Kumaratunga detailing the LTTE's frustrations and specifying a deadline for the possible termination of talks.

LTTE Headquarters
Jaffna
16.3.1995

Hon. Chandrika Bandaranaike Kumaratunga
President of Sri Lanka
Colombo.

Dear President,

Thank you for your letter dated 9th March 1995.

The first part of your letter refers to certain discrepancies in the contents of a press release issued by the International Secretariat of the LTTE with regard to your suggestion of a neutral intermediary. I think it would be appropriate to consider my personal communication to you as the point of reference on this matter.

You will appreciate that from the outset we have been emphasising the creation of genuine conditions of peace and restoration of normal civilian life as

essential pre-requisites for the promotion of peace negotiations. We have taken up this position for specific reasons.

We are of the opinion that a durable condition of peace effected by a stable ceasefire is absolutely essential to embark on a difficult, time consuming negotiating process aimed at resolving the highly complex ethnic conflict. You would have observed that in the past, political negotiations collapsed as a consequence of unstable ceasefires, the breaches of which led to resumption of armed conflict. I regret to say that your Government has not taken our view seriously on this critical issue. This is very evident in the approach of your government by emphasising the category of cessation of hostilities which means a temporary suspension of armed hostilities, rather than utilising the full meaning of the concept of ceasefire. Furthermore, the disinterested disregard on the part of the Government to our continuous plea to work out a comprehensive mechanism pertaining to modalities of ceasefire demonstrates the fact that your government shows little or no concern for the stabilisation of the conditions of peace.

You are certainly aware that conditions of normal civilian life have been seriously disrupted in the Northeast as a direct consequence of the repressive racist policies of the previous administration, which sought a ruthless military approach to resolve the Tamil national question. Our people have been subjected to enormous suffering and hardship as a result of various bans, prohibitions and restrictions that were imposed on their social and economic existence primarily for the sake of facilitating military occupation and domination of the Tamil homeland. The LTTE as well as the Tamil people, entertained a hope that your new Government, which assumed power with the mandate for peace, would alleviate these hardships and create a congenial atmosphere of peace and normalcy. Based on this hope we have been

pleading that the initial stages of the peace negotiations should give primacy to, what we have characterised as, urgent and immediate issues confronting the Tamil people. At the peace talks we have specified these issues, which are of paramount importance to the day to day existence of our people, and called upon the Government to redress these grievances. We have consistently emphasised that these are not demands of the LTTE, but rather urgent humanitarian needs of an aggrieved people and that these issues have to be resolved to restore normal conditions of civilian life in the war affected areas. Though, at the initial stages of the talks, your government pledged to 'alleviate the hardships of daily life presently experienced by the people', later, as the negotiations proceeded we could notice a deliberate attempt to circumvent these issues under the argument that political issues underlying the ethnic conflict should be given primacy. We have referred to this matter in our previous communications and attributed this reluctance to resolve the urgent and immediate issues to the Government's desire to placate the military hierarchy and pointed out that this approach of giving primacy to the strategic interests of the military over and above the existential concerns of a civilian population, would pose a serious threat to the peace process.

Our perception on this critical issue and our apprehension about the military designs are confirmed by your latest letter when you say that the granting of some of the 'demands' put forward by the LTTE could spark off 'serious military repercussions'. The issues we have raised as urgent needs of the people, particularly the facilitating of a passage to Jaffna by removing Pooneryn army camp, lifting the economic embargo on essential items, withdrawing the ban on fishing, are, in your view, problems of national security which cannot be compromised. In other words, you are attempting to legitimise the constraints and sanctions imposed by the military on the social and

economic life of the Tamil people as essential requirements for the maintenance of 'national security'.

We are deeply perturbed and dismayed over your position on this critical matter which deeply affects our people. This position, based on a mistaken conception, that reduces the rights and liberties of a community of people to potential threats to national security, presupposes not only pure militarism but also hidden elements of chauvinism.

The refusal to resolve the most urgent issues that beset our people as uncompromising security issues indicates the fact that your Government is determined to perpetrate the military and economic coercions on the Tamils as bargaining cards to seek political gains at the negotiating table. It is because of this view that you are insisting that these issues should be resolved within the framework of an overall political settlement. We cannot agree to this position. The immediate day to day problems that confront our people are not political issues arising from ethnic contradictions, but rather problems engineered by the military with clearly defined strategic objectives. We are of the opinion that these bans, restrictions and prohibitions are repressive military actions instituted by the previous Government which are unfair and inhuman and have to be resolved on humanitarian grounds; on grounds of building genuine peace and goodwill between the estranged nations.

In our several communications addressed to you during the last six months and during the peace negotiations we have been consistently reiterating the urgency of resolving the immediate day to day problems of our people. Our insistence on these issues should not be misconstrued as attempts to bypass discussions on fundamental political issues underlying the ethnic conflict. We have never refused to discuss political issues. We have even gone to the extent of suggesting a suitable political framework that could satisfy the national aspirations of our people. The

underlying cause for the current impasse in the peace process has nothing to do with the resumption of the political dialogue but rather the reluctance on the part of your government to deal with the immediate and urgent issues on grounds of 'military repercussions'.

If your government continues to adopt this hard-line attitude on issues that need urgent resolution and which could be resolved without difficulty if there is a genuine will, we have grounds to suspect whether your Government would be able to resolve the most complex and difficult issue i.e. the national conflict. Therefore, we urge you once again to reconsider your decision for the cause of peace. If a favourable response is not received from you before the 28th March 1995, we will be compelled to make a painful decision as to whether to continue with the peace process or not.

Anticipating an early reply.

With regards.

Yours Sincerely

(V.Pirabakaran)

Leader

Liberation Tigers of Tamil Eelam

President Kumaratunga must have been taken aback by Mr. Pirapaharan's letter stipulating a deadline for the government to reconsider its position. There was no immediate response from Chandrika. Instead, Mr. Chandrananda De Silva, the Secretary of Defence, sent a message to Mr. Pirapaharan through the Government Agent of Jaffna seeking permission from the LTTE for the peace delegation to visit Jaffna on 21st March 1995. Mr. Ponnambalam, the Jaffna Government Agent, sent a brief letter in Tamil to Mr. Pirapaharan conveying a telephone message from the Secretary of Defence. Mr. Tamilselvan sent the following reply to the Secretary of Defence:

LTTE Political
Headquarters
Jaffna
21.3.1995

Mr. Chandrananda De Silva
Secretary of Defence
Colombo.

Dear Sir,

Thank you very much for your communication of 20.3.1995 addressed to our leader Mr. V. Pirabakaran.

I am instructed by the leadership to convey to you that we have very clearly stated our position in the latest letter sent by Mr. Pirabakaran to the President on 16.3.1995. We expect the Government to make positive decisions on the urgent issues affecting our people, as we have already explained. We will very much appreciate if these decisions are announced publicly and action taken to implement them immediately.

Yours Sincerely.

(S.P. Tamilselvan)
Leader
Political Section
Liberation Tigers of Tamil Eelam

On the 21st of March 1995, Chandrika Kumaratunga dispatched a brief letter to Mr. Pirapaharan stating that there was misunderstanding on several issues and that further dialogue would help to make 'positive decisions'. She informed us that the government's peace delegation, apart from Mr. Balapatabendi, would include Rt. Rev. Bishop Kenneth Fernando, Dr. Jayadeva Uyangoda and Mr. C. Abeysekara. The following is the text of that communication.

21st March, 1995

Mr. V. Pirabakaran,
Leader, L.T.T.E.,
L.T.T.E., Headquarters
Jaffna.

Dear Mr. Pirabakaran,

With reference to your letter dated 16.03.1995.

It appears that there is misunderstanding on several issues.

I believe that direct dialogue would help arrive at positive decisions. I suggest therefore that a delegation comprising of the following persons meets your delegation as there are some special issues that I would like them to discuss with you personally. They could visit Jaffna on any of the following days, 23rd, 24th, 25th March.

Rt. Rev. Bishop Kenneth Fernando,
Mr. K. Balapatabendi,
Dr. Jayadeva Uyangoda,
Mr. C. Abeysekara.

Yours Sincerely,

President

We were disappointed that the President did not take our deadline seriously. Instead, she brushed it off as a triviality arising out of misunderstanding. From one of her later communications we realised that she was annoyed with our stipulation of a deadline which she categorised as an 'ultimatum'. She presumed that a rebel movement did not have the legitimacy to issue an 'ultimatum' to a constitutionally constituted government and such an 'ultimatum' should not be entertained. It was this position, which finally jeopardised the peace talks. Mr. Pirapaharan in his reply to Kumaratunga, reasserted the deadline and demanded decisions and their implementations without delay. His letter stated:

LTTE Headquarters
Jaffna
22.3.1995

Hon. Chandrika Bandaranaike Kumaratunga
President of Sri Lanka
Presidential Secretariat
Colombo.

Dear President,

Thank you for your communication of 21st March 1995.

In our letter addressed to you on 16.3.1995, we have clarified and explained our perception as well as our position with regard to the current peace negotiations.

We sincerely feel that the peace process will not serve any meaningful purpose if it is not aimed at consolidating the conditions of peace and resolving the most urgent and immediate problems faced by the Tamil people. It is in this context we urged you to reconsider your position and take positive decisions before the 28th March 1995.

Since we have made our position very clear I do not think a further dialogue is necessary to clarify what you call 'misunderstanding on several issues'. We have discussed these issues in direct dialogue and in letters of exchange for the last six months. We are of the opinion that the time has come for you, as the Head of State, to make positive decisions and to ensure such decisions are implemented without delay. Therefore, I should say that the future of the peace process rests entirely in your hands.

Thanking you.

Yours Sincerely,

(V.Pirabakaran)
Leader
Liberation Tigers of Tamil Eelam

On the 24th of March 1995, we received two communications from Chandrika. The first one dealt with a different issue entirely, alleging groups of persons purporting to be government representatives or emissaries conveying misinformation to the LTTE to sabotage the peace process. The message requested the LTTE leader not to entertain such persons without her intimation. The letter stated:

24th March 1995

Mr. V. Pirabhakaran,
L.T.T.E. Leader, Jaffna.

Dear Mr. Pirabhakaran,

I shall be writing to you in reply to your letters dated 16th March 1995 and 22nd March 1995, later on today.

In the meantime, I have had information that various groups of persons are attempting to sabotage the peace process undertaken by us with you for varying reasons, some political and others personal. This is being done by conveying misinformation to you, designed to confuse the relationship between us.

I wish to clearly state that anyone who would come to discuss with you and the LTTE purporting to be our government representatives/emissaries would be by prior intimation to you. Anyone else, however close they may claim to be to me or to the government and purporting to represent me, without any such intimation by me, should be considered as an unauthorised person.

Yours Sincerely

Chandrika Bandaranaike Kumaratunga
President

We were rather puzzled as to whom the President was referring to in the letter as unauthorised emissaries. During the period of peace talks several groups of persons from the South visited Jaffna and met the LTTE leaders. Most of them were journalists, political analysts, diplomats, Christian clergymen and other well wishers concerned with peace and conflict resolution. None of them claimed to be representatives or emissaries of the government or the President. Among the varieties of individuals and groups, we could identify only two persons who visited Jaffna on study tours claiming to be friends of Chandrika: one was Vasantha-Raja, Chairman of the National Television Network, Rupavahini and the other was Victor Ivan, the editor of *Ravaya*. Neither of them presented himself as a representative or emissary of the government or the President. Both expressed sincere concern that the talks should succeed.

Vasantha-Raja met Tamilselvan and me and had a lengthy discussion with us. His main mission at that time was to explore the possibility of setting up a television studio in Jaffna to transmit programmes to the Sinhalese people about the events and developments in the North. He also wanted to do programmes intimating the social, cultural and political life of the Sinhala people to the Northern Tamils. His objective was to create a better understanding between the North and the South. We readily agreed to his project. But we learnt later that Chandrika rejected his proposal.

The LTTE had a great regard for Victor Ivan. He was a progressive journalist with a revolutionary past. He came to Jaffna with a team of writers. I met him in Jaffna when the talks had reached a stalemate. He enquired as to whether or not the LTTE would compromise on its demands. I explained in length that the LTTE was seeking redress from various modes of repressive restrictions that severely affected the social and economic life of the people. I complained that there was growing mutual distrust and the peace process was in danger as a consequence of the government's militaristic calculations. At that time Victor was not convinced that Chandrika's administration had a secret strategic agenda of invading the North. Victor was one of the several radical thinkers who championed the cause of Chandrika at the initial stages but later became disillusioned with her authoritarian and militaristic approach. We ignored her caution about the pretending emissaries.

In her second communication on the evening of the same day (24th March 1995) President Kumaratunga asserted that her government would not entertain 'any ultimatum issued by the LTTE'. Describing it as an 'unfriendly action' that could 'jeopardise the peace process', she argued that entering into a peace dialogue with an armed organisation without the pre-condition of laying down arms was a privilege accorded to the LTTE. Having made these unfriendly remarks and reasserted the old position that the maximum had been done to alleviate the suffering of the Tamil people, Chandrika declared that her government had made positive decisions to lift the ban on fuel and fishing. She also pledged that these decisions would be implemented not later than the Tamil-Sinhala New Year (14th April 1995). The full text of her letter reads:

24th March 1995

Mr. V. Pirabhakaran,
LTTE Leader,
LTTE Headquarters,
Jaffna.

Dear Mr. Pirabhakaran,

I acknowledge your letters dated 16th March and 22nd March with thanks.

Before I commence replying to the issues contained there in, I take this opportunity to express my gratitude and that of my government to you personally and to the LTTE, for having released 16 prisoners, last Saturday. We appreciate your decision as an expression of your desire to continue the dialogue with our government.

As for the issues raised by you, I would firstly like to state that the government cannot entertain any ultimatums issued by the LTTE. I regret to state that we perceive this as an unfriendly action on your part, which could jeopardise the peace process.

You are aware that the PA government has adopted many actions which other governments might have hesitated to adopt, as part of the peace process, with

the objective of finding a lasting solution to the ethnic question.

1. Democratically established governments usually demand at least a symbolic laying down of arms, before entering in any dialogue with armed organisations. Examples abound in this respect, all over the world. Our government not only refrained from raising this issue but agreed to come to your headquarters in Jaffna.

2. We have also agreed to the limited movements of LTTE cadres, carrying arms, in the Eastern Province during the cessation of hostilities; this is another privilege never accorded by governments in similar circumstances.

In addition to this we have,

3. Lifted the embargo on most goods.
4. Implemented a cessation of hostilities.
5. Partially lifted the ban on fishing.
6. Decided to open alternative routes to Jaffna.

We regret to state that due to administrative and other impediments, even goods on which the embargo had been lifted were not reaching the North in sufficient quantities. When we were informed of this situation we took immediate action by opening an additional checkpoint at Poonewa and to remove all other obstacles that hindered the flow of goods to North. May I mention here that our anxiety to open Elephant Pass and Sangupiddy routes was in order to facilitate the free flow of goods.

All these were conscious decisions taken by me and our government, not because we were unfamiliar with the manner and methods of negotiations between a government and organisations such as yours, but because we sincerely wanted to build anew the mutual trust, confidence and fraternity between the

government, the Tamil people and the LTTE which was so badly ruptured through the years and especially during the tenure of the last UNP government.

While reiterating what I have stated above that we find your ultimatum unacceptable, I wish to inform you that the 3 issues raised in your letter of 16th March and on several occasions previously, have been under continuous consideration by us.

We have arrived at positive decisions on these issues. However, the implementation of these decisions required discussions with regard to certain practical details. Furthermore, we also wished to avoid the appearance of unilateral action, mindful of your concern for joint decision making in regard to such matters. Also, we thought it would be good to announce these decisions with the Sinhala Tamil New Year day in view. This is why we proposed that we meet and discuss all this with you this week, before the political talks which we proposed should commence between 2-10 April. But you have refused to dialogue with us both your above mentioned letters.

With regard to the 3 issues raised on page 3 of your letter of 16th March, we have arrived at the following decisions: -

- a. Re "the withdrawing of the fishing ban".

The removal of all restrictions on fishing, except within a 2 mile distance from each Security Forces camp located by the shore.

- b. Re "lifting the economic embargo on essential items"

The embargo on fuel would be lifted. All other essential items have already been released from the embargo.

- c. Re "the removal of Poonaryn Camp"

The camp has already been shifted 600 metres away from the road. This is consistent with the LTTE's request to the UNP government through the UNHCR in 1993.

As decided earlier by us, we intend to commence the implementation of these decisions not later than the Sinhala and Tamil New Year 1995. However, we still feel that implementation could be made more effective through consultation between us.

In conclusion, may I call your attention to the encouraging statement in your first letter to me dated 2nd September 1994. "We wish to reiterate that we are prepared for ceasefire and unconditional peace talks". In the same spirit, we wish to emphasise the utmost importance we attach to agreeing to a time frame and a procedure for the continuation of peace talks, including the "fundamental political issues underlying the ethnic conflict". (See your letter of 16th March 1995).

With best wishes,

Yours Sincerely,

Chandrika Bandaranaike Kumaratunga

Though Kumaratunga's letter contained assertions of government supremacy and sarcastic innuendo, there were also elements of compromise. Of the four issues we raised, the government was prepared to concede to two matters. i.e. lifting the ban on fuel and fishing. Nevertheless we knew that these were reluctant decisions taken under the constraints of a deadline. We wanted to ensure that these decisions be implemented without delay. Fifty years of bitter historical experience had taught us about how Sinhala governments betrayed their pledges and agreements. Subsequently, we did not rush to withdraw our deadline simply on the basis of Chandrika's promises. Rather, we decided to extend the deadline for another three weeks to facilitate a time frame for the implementation of the decisions.

It was the first time President Kumaratunga admitted that the goods on which the embargo had been lifted were not reaching the Tamil people due 'to administrative and other impediments'. Her solution was to open an additional checkpoint. This new check-

point also became an additional obstacle blocking the flow of lifted goods to the North.

Mr. Pirapaharan, in his reply, clarified Chandrika's misconception by arguing that the LTTE as a party in conflict reserved the right to set a deadline for the termination of peace talks if 'we are of the opinion that the negotiations have reached a stalemate with out producing any constructive results'. He also criticised Chandrika's conception of the LTTE as an armed group. Her perception 'was predicated on a mistaken conception', he charged. The LTTE was a national liberation movement, Mr. Pirapaharan declared, "deeply embedded with our people, articulating the wishes and aspirations of the Tamil nation". We publish below the full text of his letter.

LTTE Headquarters
Jaffna
28th March 1995

Hon. Chandrika Bandaranaike Kumaratunga
President of Sri Lanka
Presidential Secretariat
Colombo.

Dear President,

Thank you very much for your letter dated 24th March 1995.

We have given careful and serious consideration to the contents of your communication in which we find positive elements of reconciliation to certain issues we raised. On that basis, we have decided to extend our deadline to 19th April 1995. This space of time will help to facilitate the speedy implementation of your decisions.

In your letter you have raised objections to the fixing of deadlines which you call 'ultimatum'. This is unavoidable since we have our own compulsions to ensure that the peace process should be a productive exercise that promotes the interests of our people.

Furthermore, as a party to conflict involved in the negotiating process we reserve the right to set a deadline to terminate the peace process if we are of the opinion that the negotiations have reached a stalemate without producing any constructive results. We were compelled to set a deadline since the negotiating process reached an impasse without achieving any substantial results on certain urgent issues that seriously affected the conditions of our people. Now that you have made a favourable response to some of the issues we have raised, we have decided to extend our deadline for three weeks in the hope that you will implement your decisions and that the peace process could be advanced in a positive direction.

We are pleased to note that you have arrived at positive decisions with regard to lifting of the economic embargo, including fuel, and the removal of the restrictions on fishing. While we welcome your positive decisions on the above stated issues, we should insist that urgent and immediate action should be taken to implement these decisions without delay. I need not emphasise that decisions, pledges and promises have little or no relevance until and unless they are put into concrete practical implementation. It is to ensure that the implementation process should proceed without delay, we have set a deadline. I hope you will understand our apprehensions on this matter. In this context, we wish to point out that one of your earlier decisions, i.e. relaxation of the embargo on certain items, has not been properly implemented because of the obstructions caused by the military.

You have suggested that implementation of your decisions require mutual discussion with regard to some practical details. We welcome your proposal and suggest an early date - 1st April 1995 - for such a dialogue.

We are disappointed to note that some of the other crucial issues we have raised are not addressed to our satisfaction in your latest communication. You are

fully aware that an opening of a passage to Jaffna is of critical importance to our people. We have been insisting that the removal of the Pooneryn army camp would facilitate the free and unhindered movement of our people along Sangupitty causeway. Your response to this issue is negative in the sense that you have only reiterated your government's old position of shifting the front defence lines of the camp to 600 metres. On the question of the freedom of mobility of our armed cadres in the Eastern Province, your government has not so far made any conciliatory decisions. You will appreciate that the resolution of these issues is of crucial importance for the stabilisation of the conditions of peace, for the restoration of normalcy and for the promotion of peace negotiations. Therefore, we suggest that your forthcoming delegation is empowered to discuss these crucial matters.

In your letter you have listed a series of actions as concessions or rather privileges accorded to the LTTE by your Government to build up trust and confidence. According to you such actions included the initiation of peace talks without demanding the laying down of arms, declaration of cessation of hostilities, visiting of the Government peace delegation to Jaffna etc. It is wrong on your part to assume such actions constitute special privileges accorded to the LTTE, but rather, they should be viewed as necessary conditions to undertake a peace initiative. Your perception of the LTTE as an armed group is predicated on a mistaken conception. We are a national liberation movement deeply embedded with our people, articulating the wishes and aspirations of the Tamil nation. Having opted for unconditional peace negotiations with the LTTE in the implicit recognition of its predominate role, it is improper to designate the pre-requisites of the peace process as privileges accorded to the negotiating party.

Finally, I wish to state that the speedy implementation of your positive decisions and the earlier

resolution of other important issues will certainly help to promote the peace talks that include political negotiations on the ethnic conflict.

With kind regards.

Yours Sincerely,

(V.Pirabakaran)

Leader

Liberation Tigers of Tamil Eelam

The Fourth Round of Talks

The fourth round of talks did not take place on the 1st of April 1995 as proposed by the LTTE leader. Chandrika was not keen to resume discussions on an early date to resolve the issues raised by the LTTE, but rather she deliberately delayed the process of direct talks. This delaying tactic was adopted to postpone the implementation of her 'positive decisions' and to offset the deadline stipulated by the LTTE. In a brief letter addressed to Mr. Pirapaharan, President Kumaratunga suggested 8th-10th April as suitable days for the fourth round of talks. She alleged that the LTTE had been campaigning that her government engaged in peace talks to obtain aid from the Aid Group meeting and to use it for military purposes. The context of the letter was aimed at defusing the Tiger's argument. She pointed out that a significant part of the Aid would be allocated to the 'reconstruction and development' of the Northeast devastated by war. The LTTE's campaign was based on hard facts that the Kumaratunga government had secretly undertaken a massive project of modernising the armed forces, assigning huge funds for defence, in preparation for an all out invasion of the North. It was only later that the international governments of the Aid Consortium realised how the Kumaratunga government wasted colossal amounts of funds both from internal resources and from external aid, for a war, which led to the monumental destruction of the Tamil homeland.

On the 1st of April 1995, Chandrika sent the following letter to the leader of the Tamil Tigers:

1st April 1995

Mr. V. Pirabhakaran,
Leader,
L.T.T.E.
Jaffna.

Dear Mr. Pirabhakaran,

Thank you for your letter dated 28th March 1995, which I saw on my return from India on 30th March 1995.

Our delegation could visit Jaffna on any of the following days - 8th, 9th, 10th April.

The discussions would appertain to matters mentioned in our letter of 24th March and your response dated 28th March (page 2, para 3).

Please inform us which of these dates would be suitable to you.

We note that the LTTE has repeatedly in its communiqués in the recent past mentioned that our government is making efforts to enter into the 4th round of talks with the LTTE to coincide with the Aid Group in Paris, in order to derive an advantage to obtain Aid for Sri Lanka.

You have also stated that the government is trying by devious means, to secure funding ostensibly for economic development and use it for military operations.

I wish to impress upon you that: -

- (a) The sincerity of our commitment to the Peace Process requires no further demonstration either for the international community or the people of Sri Lanka.
- (b) The granting of Aid by the donor countries has already been decided upon, and is independent of our dialogue with the LTTE.
- (c) The modalities relating to the grant of Aid are such that funds allocated for one purpose can not be utilised for another purpose and the

use of these funds is subject to stringent international supervision.

(d) A considerable part of the Aid would be assigned by our government to the reconstruction and development of the North and East Provinces, devastated by the war.

If, however, you entertain any doubt on this issue, I am willing to postpone the visit of our delegation to Jaffna until after the conclusion of the Paris Talks. However, I wish to emphasise that our delegation is in readiness to undertake their visit to Jaffna on any of the dates indicated above.

With kind regards.

Yours sincerely,

Chandrika Bandaranaike Kumaratunga

The government was very subtle and sophisticated in the art of propaganda. Already an effective campaign had been launched internationally that the Sri Lankan state, in its endeavour to promote peace, harmony and reconciliation, had removed various bans, restrictions and embargoes in the Northeast. The government propagated the view that although the conditions for the normalisation of civilian life were restored, the LTTE leadership was still not prepared to engage in a political dialogue to resolve the ethnic conflict. But it was the LTTE as well as the Tamil people in the Northeast who knew the brutal reality of the objective situation in the Tamil areas. Though the government periodically issued Gazette notifications, and Chandrika wrote letters to the LTTE leadership proclaiming the relaxation of the embargoes, the bans and restrictions persisted. Irrespective of the assurances given by the government ensuring the free flow of goods to the Northeast, the army and the Defence Ministry were determined to enforce the blockade. The LTTE was also equally determined to pursue their line of approach constantly reminding the government of its deadline with the warning that the peace process would be terminated

if the issues raised by the LTTE were not addressed, resolved and decisions implemented. As the fourth round of talks approached, the LTTE wanted to set its own agenda for talks. Mr. Pirapaharan insisted that the talks would be specifically confined to discussions 'on the modalities of implementation of your positive decisions' and other important issues raised by the LTTE. He also reminded Chandrika of his extended deadline (19th April 1995) as the time frame allowed for the implementation of the government's decisions and for the resolution of other critical issues. In conclusion, the Tiger leader emphasised the restoration of normalcy, stabilisation of the conditions of peace before entering into the advance stage of political negotiations. Mr. Pirapaharan's letter stated:

LTTE Headquarters
Jaffna
6th April 1995

Hon. Chandrika Bandaranaike Kumaratunga
President of Sri Lanka
Presidential Secretariat
Colombo.

Dear President,

Thank you for your letter dated 1st April 1995, which we received on the 2nd April 1995 through the good offices of the ICRC delegation in Jaffna.

The Government peace delegation is welcome to Jaffna on the 10th April 1995. Please inform us of the names of the delegates who will be participating in the talks.

We wish to state that in the fourth round of negotiations our agenda will be specifically confined to discussions on the modalities of implementation of your positive decisions and also about the two crucial issues we raised in our letter dated 28th March 1995. Our agenda is consistent with your letter of 24th March 1995 in which you have stated that you have arrived at positive decisions on issues raised by us,

i.e. lifting of the embargo on fuel and removing all restrictions on fishing. You have also suggested that a dialogue between us is essential for the effective implementation of your decisions. In my letter of 28th March 1995, I have emphasised the critical importance of opening a passage to Jaffna by removing the army camp at Pooneryn and the free mobility of our armed cadres in the Eastern province. These issues, along with your decisions will constitute the topics for discussions. You will appreciate that we have extended our deadline from 28th March 1995 to 19th April 1995 to facilitate your government a space of time to ensure the implementation of your decisions and to resolve other issues that are vital for the consolidation of the conditions of peace and for the normalisation of civilian life in Tamil areas.

You are fully aware for the last six months, ever since the negotiating process began, we have been emphasising the utmost importance of resolving the most urgent and immediate problems faced by the people. We have been consistently arguing that the resolution of these issues in the early stages of the dialogue would facilitate and promote discussions on fundamental issues underlying the national conflict. Since your Government has shown little or no interest in resolving these issues and dragged its feet, we were compelled to set a deadline since we felt that the peace talks were stalemated and failed to serve any meaningful purpose. As I have explained in my latest communication, we, as a negotiating party, reserve the right to set a deadline for the termination of the peace talks if we are of the opinion that the negotiations have become futile, non-productive and have failed to serve the interests of our people. Since you have made conciliatory gestures on certain issues, we have extended our deadline to 19th April, with the anticipation that you will take immediate steps to implement your decisions and resolve other outstanding issues without delay. Therefore, we insist that the

fourth round of talks would appertain to these matters, i.e. working out modalities for implementing decisions made by you and resolving the two issues we raised. We hope that the process of implementation of your decisions and the solution of the other matters will take place before the 19th April 1995.

Furthermore, we wish to reiterate that the day to day problems of our people are of paramount importance and need immediate and urgent solutions without further delay and resolution of these problems should be a prelude to political discussions on basic issues underlying the ethnic conflict. Our position has been that the creation of the conditions of normalcy by removing all restrictions, bans, sanctions, blockades, and the stabilisation of the conditions of peace by working out an effective ceasefire are of utmost importance before proceeding to the advanced stage of dialogue on the fundamental political issues. Therefore, we are not favourably disposed to the suggestion of working out time frames and procedures for political discourse at this conjuncture.

With best wishes.

Yours sincerely,

(V.Pirabakaran)

Leader

Liberation Tigers of Tamil Eelam

On the morning of 10th April 1995, a six member government delegation consisting of Rt. Rev. Bishop Kenneth Fernando, the Anglican Bishop of Colombo, Dr. Jeyadeva Uyangoda, a university lecturer, Mr. Charles Abeysekara, the chairman of the Movement for Inter-Racial Justice and Equality (MIRJE), Mr. K. Balapatabendi, the Secretary to the President, Brigadier S. Pieris (Army) Captain P.A.S. Rajaratne (Navy) arrived in Jaffna for the fourth round of talks.

Opening the dialogue, Mr. Tamilselvan insisted the discussion should be specifically confined to the modalities of implement-

ation of the positive decisions made by the government and two other crucial issues i.e. the opening of a land route to the mainland and the freedom of mobility of the Tiger guerrillas in the Eastern province. The relaxation of the embargo on essential items as periodically announced by the government had become a matter of ridicule since none of these items reached the affected people, Mr. Tamilselvan complained. Pointing out that no progress had been made on the critical issues raised by the LTTE for the last six months he said that the talks had reached an impasse. It was precisely for the reason the LTTE was compelled to set a deadline for the termination of the dialogue. Bishop Kenneth Fernando queried whether it was an ultimatum. Mr. Tamilselvan said that he preferred to use the category deadline to denote the time frame for the conclusion of the talks and for the termination of the truce. He warned that the LTTE had no choice but to discontinue from participating in the peace talks if the government failed to implement the declared decisions and resolve the other critical issues before the extended deadline of 19th March 1995.

The new delegates (Bishop Fernando, Dr. Uyangoda and Mr. Abeysekera), though trusted emissaries of the President, had no political authority to make decisions. They gave a patient hearing and promised to carry the message to Colombo. Mr. Balapatabendi, Brigadier Pieris and Captain Rajaratne returned to Colombo on the same day whereas the new delegates stayed till the following day to continue the discussions. Bishop Kenneth Fernando requested a meeting with Mr. Pirapaharan but the LTTE leader was not available in Jaffna on that day.

The fourth round of talks ended as usual without any concrete decisions being made on any pertinent issues. We knew that the government team would report to the President on the Jaffna deliberations and that she would respond by written communication.

Chandrika Repeats The Promises

On the 12th of April 1995 Chandrika Kumaratunga despatched a communication to Mr. Pirapaharan specifying the government's proposed actions and 'reactions' with regard to four key issues raised by the LTTE. Apart from eight items, which had military

significance all other goods, including diesel and petrol could be freely transported to the North, she assured. Further relaxation of the restrictions on fishing was also announced. The other issues, i.e. removal of Pooneryn camp to open a passage to the Northern mainland and the free mobility of the armed LTTE cadres in the East had military significance, she said. Therefore these matters would be addressed in accordance with the progress made in the political discussions. In conclusion, Chandrika expressed relief that 'actions taken or propose to take' on the four issues would be satisfactory to the LTTE. The President's letter to the LTTE leader read as follows:

12th April 1995

To Mr. Pirabhakaran
Leader,
LTTE.

Dear Mr. Pirabhakaran,

We have considered the issues that were referred to in your letter of 6th April 1995; these also formed the subject matter of the talks that were held between our delegations on the 10th and 11th April in Jaffna.

I was glad to be informed that Mr. Tamil Selvan had, in the course of his opening remarks, stated that the date referred to in your letter was not to be construed as an ultimatum but as an indication of a time frame within which decisions already arrived at were to be implemented.

I will now set out the four issues referred to and the actions we propose to take and/or our reactions. We are of the view that these issues vary fundamentally in character. Considerable progress has been made with regard to some of these issues and we now propose to take further positive decisions designed to ameliorate the living conditions of the people in the North. However, it is evident that other issues have military repercussions; these issues will therefore have to be addressed in the context of progress to be made with regard to political discussions leading to a negotiated end to the war.

1. The Embargo:

Only the following items will now remain in on the list of goods prohibited for transport to the north:

Arms/ ammunition

Explosives/Pyrotechnics

Remote Control Devices

Binoculars

Telescopes

Compasses

Cloth material resembling army uniforms

Penlight batteries

All other goods can be freely transported to the North.

The announcement of this decision will be made on the 13th April and thereafter a gazette will be immediately issued containing the list of 8 items still on the embargo list.

We have looked into your statements that earlier decisions on the embargo have not been fully implemented; we note that the free flow of items removed from the embargo list has been hampered by some obstacles. We have already taken and will continue to take firm action to ensure that all such obstacles are speedily removed and that goods can be transported to the North without impediment. As part of these efforts, we will also set up at all check points in and around Vavuniya civilian committees to whom any complaints can be made and immediate redress obtained.

2. Restrictions on Fishing

The restrictions on fishing, which were relaxed considerably by me on an earlier occasion, will be removed, taking into consideration your suggestions made to our delegation, so that fishing can be carried on at any time with only the following exceptions:

i. From Devil's Point to Thalaimannar fishing will be permitted only up to 5 nautical miles from the shore.

ii. Fishing will not be permitted within an area 1

mile either side along the coast and 2 nautical miles seawards from all security forces camps on the coast.

iii. Fishing will not be permitted in all bays, harbours and estuaries along the coast. Any problems arising with regard to the effect of this exception in the east should be discussed, as agreed with you, at a local level.

In the seas from Thondamannar to Devil's Point and in the Jaffna lagoon, fishing will be continued as at present.

The restrictions that remain are the minimum consonant with current conditions. The restriction on fishing in the seas from Devil's Point to Thalaimannar will be reviewed in three months time within which period, the government will make all efforts to conclude arrangements to permit fishing within Sri Lanka's territorial waters.

In removing the embargo on goods for civilian use including diesel and petrol and in removing restrictions on fishing to the minimum we have taken those steps that are necessary to alleviate the difficulties facing people in the North and to bring back to a state of normalcy civilian life. We are both agreed that this should be our joint first objective. I hope that with these measures and their implementation, we are well on our way to its achievement.

I shall now go on to the two remaining matters.

3. Pooneryn Camp

You have asked for the removal of the Pooneryn camp on the purported ground that the Sengupidy road cannot be opened up for civilian use without this. We have withdrawn the camp perimeter 600 meters and have given an undertaking to place no checks on the road and to allow unobstructed use of the road by civilians. We shall implement this.

However, it is not possible for us to take decisions on the removal of the camp at this time. The camp has military significance and it is also our understanding

that under the Cessation of Hostilities Agreement, the status quo should be maintained and that neither side should attempt to affect the other's military capability. Nevertheless, conscious that the peace and normality we are striving to achieve must ultimately mean the reduction of military presences, we will keep this question under constant review and revert to it in three months time or when political talks are under way, whichever is earlier.

4. The Movement of armed LTTE cadres in the East.

We believe that this is a matter that should be negotiated within the context of the Cessation of Hostilities agreement. We are ready to discuss this immediately with you, negotiate an annex to the COH Agreement to include this as well as any other matters that are mutually deemed necessary, and to implement fully the conditions of this agreement including the activation of the peace committees envisaged therein.

We believe that the action we have taken or propose to take on the four issues raised will be satisfactory to you and provide a firm basis for the continuation of peace talks until they reach a conclusion in the resolution of the ethnic conflict.

In this context we suggest that the next round of talks center on

- i. the negotiation of an annex to the COH agreement.
- ii. the finalisation of residual matters such as the Joint Authority on Rehabilitation and Reconstruction so that work may be expedited and
- iii. the shape of future negotiations.

We propose that these talks resume on any days between the 5th and 10th of May 1995.

Yours sincerely

Chandrika Bandaranaike Kumaratunga
President

The LTTE leadership was not satisfied with Chandrika's response. The only positive element in her communication was the decision to remove the embargo on fuel. Though promises were given to remove the obstacles in the flow of goods, we were sceptical about its practical implementation. There were still restrictions on fishing. On the other issues, she expressed apprehensions of military repercussions. The Pooneryn camp would not be removed but the front defence lines could be readjusted. No decision was made on the question of the freedom of mobility of our guerrilla fighters except an assurance that the matter would be discussed within the context of the declaration of the truce. Though Kumaratunga's letter was couched in a constructive mode with positive assurances, in essence it was a clever exercise in duplicity. In terms of concrete action or rather practical implementation, none of her assurances materialised.

The economic embargo continued in its usual rigidity. Even as the deadline approached, fuel and other essential items could not pass the military barriers at Vavuniya. With the blessing of the Defence bureaucracy, the army enforced its own blockade. Chandrika's promises turned out to be futile voices in the wilderness.

The ban on fishing continued as usual. The navy roamed the Northeastern waters and fired at fishermen and at the Sea Tigers who ventured into the seas in accordance with the terms and conditions of the relaxation of restrictions. The navy acted on its own as the master of the territorial waters of the Tamil region paying scant regard to the agreement reached at the peace talks and the assurances given by the President.

The Eastern Province continued to be tense as the Sri Lankan armed forces and the police continued harassing and intimidating the Tamil Tigers and prevented their movement. There were several provocative incidents, skirmishes and clashes. An incident occurred at Mandur, Batticaloa in which a senior LTTE cadre was compelled to commit suicide as he was severely assaulted and humiliated by the police in public. There were incidents of arrests in which our guerrilla fighters were forced to disarm. There was confusion among our ranks, as we could not give proper guidelines. The situation could not be prolonged any longer. Under the guise of the ill-defined truce the army took the upper hand in

trying to suppress the activities of the LTTE guerrillas units.

The crucial matter that worried Mr. Pirapaharan was the continued build up of the Sri Lankan military machine as a formidable force. The purchase of modern weapon systems, the large-scale recruitment and training programme, the expansion of the navy and airforce clearly indicated that the government of Kumaratunga was modernising and enlarging the armed forces. We were curious as to why the new government, which claimed to be seriously committed to peace and had ushered in a peace process, was keen in building up the war machine. Such a move violated the very spirit of the truce agreement that demanded that neither party should attempt to offset the military capability of the other.

In view of the above factors, the LTTE was thrown into the dilemma of making a difficult decision as to whether to terminate or continue to participate in the peace process. We knew that negative decision would impair the image of the movement internationally. But at the same time, a positive decision would plunge the movement into a futile, meaningless exercise with far reaching military consequences. Mr. Pirapaharan was convinced that the Kumaratunga government was not genuine and was buying time for a hidden military agenda. I suggested another extension of the deadline. Mr. Pirapaharan was not favourably disposed to the idea arguing that it would not serve any meaningful purpose other than endangering our position militarily. There was growing dissent among the LTTE fighters over the protracted peace talks that were producing no positive results. Our field commanders had already cautioned Mr. Pirapaharan of the falling rate of morale among the cadres. There was a general feeling among our fighters that the terms and conditions of the truce agreement favoured the Sri Lankan security forces. The truce did not bring genuine conditions of peace and normalcy but rather seriously constrained the activities of our fighting units. The hatred and mutual hostility among the parties in conflict persisted. With the absence of peace committees to supervise the ground situation the animosity was aggravated.

Mr. Pirapaharan was worried about the deteriorating situation in the East where the very survival of the mobile guerrilla units was threatened. Being a strict disciplinarian who demanded absolute dedication to the cause from his fighters, the Tiger leader

was concerned about the growing demoralisation and sense of frustration among the fighters, particularly from the East. The other factor that we had to take into consideration was the growing disillusionment of the Tamil population over the peace talks. The hopes, expectations and the euphoria that manifested among the civilian masses at the beginning had now completely disappeared to be replaced by frustration, resentment and hopelessness. Our people felt that the peace talks had failed to resolve any of their urgent problems. They knew that the Kumaratunga government was not acting in good faith and the talks were on the verge of collapse.

As the deadline approached, the LTTE leadership realised that there was absolutely no meaning in continuing with this futile exercise. Even on the last day of the deadline Chandrika's promises of positive action did not materialise. Finally a decision was made to discontinue our participation in the peace talks and from the cessation of hostilities. Accordingly the following letter was despatched to President Kumaratunga on the 18th of April 1995.

LTTE Headquarters
Jaffna
18th April 1995

Hon. Chandrika Bandaranaike Kumaratunga
President of Sri Lanka
Presidential Secretariat
Colombo.

Dear President,

Thank you for your letter dated 12th April 1995.

Having given careful and serious consideration to the contents of your communication, we regret to state that your responses and reactions to the urgent

issues we raised fall short of our expectations and therefore, are unsatisfactory.

After a great deal of persuasion and dialogue, which lasted for more than six months, we were able to elicit from you a positive decision with regard to the relaxation of the embargo on fuel and other items. Though a decision to this effect has been made earlier and intimated to us in your letter of 24th March 1995, we are disappointed to note that deliberate delays have been caused in the process of implementation with the aim to off-set our deadline.

In so far as the other issues are concerned your response are partial, elusive, non-committal and subjected to determination of further dialogue.

Apart from partial relaxation, the prohibition on large areas of fishing zones continues to operate, though you have pledged to remove all restrictions on fishing in your letter dated 14th March.

On the most crucial issues of opening a passage to Jaffna by removing the Pooneryn army camp and the mobility of our armed cadres in Eastern Province, your decisions are unacceptable to us since they have been subjected to review in future discussions.

The manner in which these critical issues have been side tracked demonstrates the fact that your Government is not acting in good faith to create genuine conditions of peace and normalcy but rather seeks to promote the interests of the military. Furthermore, we are convinced beyond doubt, that your Government is making every effort to strengthen and consolidate the military capability of the armed forces under the guise of the current cessation of hostilities, violating the very terms of the agreement that insists on the maintenance of the status quo.

Since the above mentioned issues are not resolved to our satisfaction within the time frame set out in our deadline of 19th April 1995, we are left with no choice other than to take a painful decision to discontinue our participation in the negotiating process and

from the cessation of hostilities from the stipulated date as we have indicated to you earlier.

We regret this unfortunate situation.

Yours Sincerely,

(V.Pirabakaran)

Leader

Liberation Tigers of Tamil Eelam

The letter brought to a conclusion the ill-fated peace talks between the Sri Lanka government and the Liberation Tigers. On the day of the deadline, 19th April 1995, the armed hostilities between the parties in conflict resumed when Sea Tiger commandos attacked and sank two Sri Lankan naval vessels inside Trincomalee harbour. The incident marked the beginning of, what some military analysts call, Eelam War Three.

With the resumption of the armed hostilities the propaganda apparatus of the Sri Lankan state swung into swift action unleashing a vicious smear campaign against the LTTE. Portraying the Tamil Tigers as 'villains of peace' the government blamed the 'intransigent attitude' of the LTTE as the primary cause for the breakdown of the peace talks. The Tigers were also condemned for terminating the cessation of hostilities without giving an adequate warning as required by the terms of the truce. In this context the government deliberately suppressed the truth that the deadlines given by the LTTE provided for an extended period of three weeks to enable the implementation of decisions. The main thrust of the state's propaganda campaign was to convince the international community that the LTTE was not amenable to a negotiated political settlement and therefore the government had no alternative but to pursue an all-out war to crush the Tamil resistance. The government succeeded in the propaganda war, convincing the world community that the LTTE was responsible for the breakdown of the peace talks.

The media was inaccessible to the LTTE for it to be able to articulate its position on the ill-fated peace talks. Isolated in the Jaffna peninsula and in the jungles of Vanni, the Tigers were practically cut-off from the rest of the world. Since the collapse of the

talks the government had disconnected all communications with Jaffna. Journalists, local as well as international, were barred from entering the Northern mainland controlled by the LTTE. The State controlled media in Colombo was essentially racist and biased. The Indian media was mercilessly hostile to the LTTE. The world media was detached and uninvolved with the Tamil conflict and published only the government's version. In this estranged scenario the LTTE could not put up an effective defence against the vicious and calculated misinformation campaign by the government.

Reflections On Failure Of Talks

The international community was not fully aware of the peculiar modality in which the peace talks were conducted. It was primarily negotiations conducted at the level of exchanging letters between the leaders of the parties in conflict, the Government of Sri Lanka and the LTTE. By promoting this level of talks via written communication, the government deliberately subverted the role and significance of direct talks.

The talks were not properly structured on a mutually agreed agenda. The LTTE insisted that the negotiations should be advanced stage-by-stage, from immediate existential issues to the core issues underlying the Tamil national conflict. The state imposed economic embargo and military occupation of the Tamil homeland had generated specific socio-economic and humanitarian issues that needed urgent and immediate action. Therefore, the Tigers pleaded with the government to address these issues to provide relief to the Tamil people and to create conditions of peace and normalcy in Tamil areas. Normalisation and de-escalation of the conflict, we felt, were crucial for the building of mutual trust and goodwill between the estranged communities torn by civil war. Such mutual trust and cordiality, in our perception, were cardinal factors to promote the peace negotiations towards a successful conclusion. The government failed to comprehend our peace strategy. It refused to remove the conditions of oppression imposed on our people. Repressive conditions that manifested in the form of embargoes, bans and restrictions, the government falsely assumed,

were necessary coercive factors to break the will of the Tamil freedom movement and to force the Tamil leadership to compromise. Embedded in this misconception, Chandrika's administration hesitated to relax the oppressive conditions and failed to fulfil pledges. Consequently, the LTTE leadership felt that the government was not sincere and lacked the political will to address the urgent humanitarian issues of the Tamils. In other words, the government acted in bad faith.

During the six-month period of the negotiations there were only four rounds of direct talks, each lasting for a few hours a day. The span of time allocated for direct negotiations was extremely limited in terms of the complexity of issues discussed. The government, by deliberately postponing the rounds of talks, allowed wide gaps in the negotiations to occur at times when the LTTE required further discussion and clarifications on crucial issues.

Most importantly, President Kumaratunga refused to delegate senior politicians of calibre, experience and authority to deal with the issues at the negotiating table. Instead, she nominated low ranking bureaucrats and military personnel who could neither understand the density of the problems nor had the political authority to deal with issues. This devaluation of the delegation, in our view, was aimed at belittling the importance of direct engagement. Even during the last round of talks, when the peace process was on the verge of collapse, Kumaratunga despatched a clergyman who lacked political experience or authority to deal with crucial issues, as the head of delegation. This deliberate depreciation of direct talks clearly demonstrated the fact that the government was neither earnest nor serious about engaging the Tamil Tigers in a direct negotiating process. While de-limiting the scope of direct talks, the Kumaratunga government gave prominence to written communications, a mode by which crucial matters were discussed, debated and decisions made. In all, more than seventy letters were exchanged between the Government and the Liberation Tigers during the entire period of the peace talks. Most of these letters were written with authority by the leadership of the parties in conflict. Yet this method of written exchanges failed to clear misunderstanding, clarify misconceptions and create mutual trust. On the contrary, the letters contributed to the gradual build up of distrust and hostility and also helped to reinforce the mutually entrenched

positions, widening the gap between the protagonists. Written in an over-patronising and condescending tone, some of the government's letters displayed the arrogance of state authority viewing the opponent, the LTTE, as non-state actor and therefore inferior in status. Implicit in these letters was a denial of equality to the Tamil Tigers as combatants in armed conflict in a national liberation war and as accredited representatives of the Tamil people in peace negotiations. This aspect was a major irritant, engendering bitterness and resentment in the LTTE leadership. As I have indicated earlier, most of the letters signed by Chandrika and her uncle, Ratwatte, were cleverly constructed propaganda material intended to placate a different audience, the Sinhala electorate, rather than addressing the issues raised by the Tamil Tigers. The propagandist intent inherent in the letters made the written dialogue unproductive and sterile. In our view, the primacy given to written correspondence by the Kumaratunga Government as the main form of dialogue, depreciating direct negotiations, was one of the cardinal factors for the breakdown of the Jaffna peace talks.

From the outset, the Sri Lankan military establishment was opposed to the peace talks between the Government and the Liberation Tigers. The military hierarchy adopted a rigid and uncompromising attitude towards the issues raised by the LTTE and created conditions for the eventual collapse of the peace talks. The military was vehemently opposed to any relaxation of the economic blockade, labelling all essential items vital for the life and survival of the Tamil community as military materials. The Government's occasional announcements of lifting essential items turned out to be exercises in duplicity since the army personnel guarding Vavuniya borders were determined to block essential goods reaching the Tamil people. Though this matter was the central issue in the spoken and written dialogue, and the LTTE termed it of 'paramount importance', no action was taken to redress this grievance. President Kumaratunga was well aware of the gravity of the issue yet she conveniently ignored it. For her it was an matter of 'national security' where 'strategic concerns' of the military were give top priority, whereas for our people it was a life and death concern, an issue that affected the very core of their existence. For six months, the LTTE made maximum effort in the peace forum to secure the removal of this injustice but the

Kumaratunga regime was fiercely determined to perpetuate oppressive conditions, to placate the military establishment, leading ultimately to the breakdown of talks.

The Sri Lankan military establishment was not favourably disposed to the idea of a stable, permanent ceasefire supervised by an international monitoring team. In a letter written to the LTTE leader, Col. Ratwatte, Deputy Minister of Defence, indicated that the government did not favour a permanent ceasefire, instead it desired a temporary, 'less formal' and 'less binding' cessation of hostilities. This position demonstrated the fact that Kumaratunga's government, though engaged in peace negotiations with the LTTE, had not given up the military option. Even the fragile truce agreed upon by both parties was constantly jeopardised by the violations of the Government forces. Vehemently opposed to the mobility of the Tiger guerrilla fighters in the Eastern districts, the Sri Lankan army created intolerable conditions for the LTTE and made the truce agreement inoperative in the east. The army was also totally against the LTTE's request for the removal of the Pooneryn camp to open up a safe passage to the northern mainland. Pooneryn army camp and the Elephant Pass military complex formed a chain around the neck of the Jaffna peninsula, isolating the densely populated region from the rest of the island. Tamil civilians had to undertake a perilous journey across Kilaly lagoon where the navy roamed, day and night, and mercilessly massacred the civilians who dared to cross the water. Our people desperately needed a safe passage free from military harassment. This was why the LTTE suggested the opening of the Sangupitty causeway by removing the army camp at Pooneryn. If the Government had really been committed to a peaceful settlement with the LTTE, the relocation of the army camp would not have been a major disadvantage. But the Government, under mounting pressure from the military, fiercely resisted the LTTE's proposal. Later, in 1996, following a major military debacle at Mullaitivu, the Kumaratunga Government withdrew the army camp at Pooneryn claiming that it was isolated and unsafe. The uncompromising hard-line position of the military establishment and its hostile attitude towards the LTTE was, in our assessment, a significant causal factor for the failure of the peace effort.

The events that unfolded following the collapse of the peace

talks confirmed what we suspected as the secret agenda behind the Jaffna peace talks. Soon after the breakdown of talks the Kumaratunga government unveiled a set of devolution proposals for the solution to the ethnic conflict. The proposals contained a basic framework for substantial devolution in relation to finance, law and order, land, education etc and division of powers on the basis of regional and central government lists. The state propaganda machinery glorified the devolution package as radical and revolutionary, offering 'more than the Tamils ever dreamt'. The Tamils wondered why this new package of proposals containing progressive elements was suddenly released after the outbreak of war, instead of being announced during peacetime.

The world community was impressed and gave its blessings to the proposals, believing that the Kumaratunga Government had found the right solution to the most intractable ethnic conflict in Asia.

Having released the set of proposals the Government advanced a theory that a war was necessary to crush the 'enemies of peace' so as to realise a permanent peace with the implementation of the political package. The Tamil Tigers had already been condemned as the 'villains of peace'. In the government's view, the failure of the peace talks had demonstrated beyond doubt that the LTTE was opposed to a negotiated political settlement and therefore a major obstacle to peace. In these circumstances, the government declared that it had no choice but to unleash an all out war to wipe out the Tamil Tigers, to secure a lasting political settlement and permanent peace. The groundwork had been done for a major war effort in the name of peace. The government encapsulated this grand war strategy in a three-word slogan called 'war for peace'. It was a devious plan that legitimised and rationalised war as a necessary means to achieve permanent peace. In the calculation of the government the devolution proposals would attract wider support from the Tamil masses and therefore the LTTE would be alienated and isolated when war was launched. But the Tamils, well grounded in the history of Sinhala chauvinism, were not impressed by the government's assurances of a permanent political solution. What the Tamils certainly knew was that an all out war was descending on their heads with disastrous consequences.

The international community endorsed Sri Lanka's war plan

mistakenly assuming that an escalated war would beget peace. It was unfortunate that the international governments uncritically approved this notorious war strategy, totally disregarding the monumental tragedy that war would inflict on the Tamil people who were already suffering immensely under conditions of state oppression. Having secured the support of the international community, with assurances of financial aid for the war campaign, the Kumaratunga government was emboldened to launch a massive arms procurement programme. The commanders of the armed forces were given permission to buy any type of modern weapon systems they needed to wipe out the Tamil Tigers. A massive troop build up took place in the Palaly military complex. A formidable force of fifty thousand troops was assembled from all over the island. The invasion of Jaffna, or rather, the 'Liberation of Jaffna', in the jargon of the government, began. The hidden scheme of the Kumaratunga government began to unfold in its monstrous forms. The secret agenda underlying the Jaffna peace talks became transparent and assumed the reality of a brutal war against the Tamil nation.

When she assumed office as the Head of State, Chandrika Kumaratunga had an immaculate image as the angel of peace. She successfully convinced everyone that peace was her cardinal mission in politics. It was that image that shielded her from any serious criticism when the peace talks collapsed. It was that image that deluded everyone into believing that her peace making effort with the Tamil Tigers was sincere and genuine. But as the turbulent history of her regime unfolded, spreading the flames of a savage war in the Tamil homeland, causing cataclysmic tragedies, her image underwent a radical transformation, particularly in the minds of the Tamil people. It was the nature of the brutal war and its deadly consequences on the lives of the Tamil civilian population that effected this change. Catastrophic events, unprecedented in the political history of the Tamils, have occurred throughout Chandrika's reign of office. The Sinhala army marched into Jaffna and occupied the cultural capital of the Tamil nation, which led to an unspeakable historical tragedy: the uprooting of half a million Tamil people in a huge exodus reminiscent of biblical times. While the Tamils suffered extreme humiliation and hardships, the Kumaratunga regime celebrated the conquest of Jaffna with pageant and pomp invoking

the ancient rituals of Sinhala royalty - an event that had deeply wounded the soul of the Tamil nation. For more than five years Chandrika's 'war for peace' continued unabated, consuming her first term of office with the mass slaughter of Tamil civilians, massive destruction of Tamil property and huge displacement of the Tamil population. It was the cruel nature of the war directed against the Tamil civilian masses that unmasked her peace image. The war had revealed her true face as a hardline Sinhala nationalist who was prepared to plunge the country into a cauldron of violence to deny Tamil aspirations for freedom and justice. Our people were convinced, beyond doubt, that the Jaffna talks were a well-orchestrated conspiracy to defame the Tamil freedom movement and to secure international support for a major war for the military conquest of the Tamil nation.

Since the Jaffna peace talks collapsed, the war has been bloody and savage. The LTTE combat formations that withdrew to the Northern mainland of Vanni, re-organised on a huge scale and fiercely resisted the offensive operations of the Sri Lankan forces. The armed forces suffered humiliating debacles and thousands of Government troops perished in the battlefields of Vanni. Having re-conquered all the lost territories in the Vanni mainland, the Tamil Tigers overran the 'impenetrable' military complex at Elephant Pass in the year 2000, forcing the state's army on the defensive. As a consequence of these spectacular military victories by the LTTE, President Kumaratunga's 'war for peace' strategy crumbled. Contrary to Chandrika's expectations, the war did not bring peace: it brought more war; it brought death and destruction on an unprecedented scale; it brought calamitous economic disaster to the entire island.

CHAPTER V

NORWEGIAN FACILITATED PEACE TALKS

LTTE's Peace Gesture

The LTTE leader, Mr Pirapaharan expressed his desire for peace and a negotiated political settlement to the Tamil national conflict when he met the Norwegian peace envoys for the first time on 31 October 2000, at Malavi, in the northern Vanni region. Mr Erik Solheim, Special Envoy for Sri Lanka, Mr Jon Westborg, the Ambassador in Colombo, and Ms Kjersti Tromsdal, Executive Officer in the Royal Ministry of Foreign Affairs, had extensive discussions, lasting more than two hours, exploring the feasibility of initiating a peace dialogue between the Sri Lankan government and the LTTE.

The LTTE was willing to enter into a negotiating process with the Sri Lanka government, Pirapaharan told the Norwegian delegation. However, Kumaratunga's regime was bent on a military option, intensifying the war to conquer the Tamil homeland, the Tiger leader explained. Commenting on the prospects for peace negotiations, Pirapaharan insisted that a process of deescalation and normalisation was a necessary pre-requisite for talks. He said peace talks could not take place under conditions of war. The process of de-escalation, he further explained, should involve the total cessation of armed hostilities, the removal of the economic embargo, and the restoration of the conditions of normalcy in the Tamil homeland. The LTTE leader insisted that the Kumaratunga government should abandon the military option if it was genuinely seeking peace and reconciliation. The Norwegian delegation, on their return to Colombo, met president Kumaratunga and conveyed the views of the LTTE leader. The President was not favourably

disposed to the idea of de-escalation prior to negotiations.

Following the meeting between the LTTE leader and the Norwegian peace envoys, Norwegian Deputy Minister of Foreign Affairs, Raymond Johansen wrote to Pirapaharan informing him of the decision of the Norwegian government to present a set of proposals to both parties in conflict in the form of a 'Memorandum of Understanding' to 'improve the humanitarian situation and ease the human suffering. The letter, dated November, 2000, stated:

Dear Mr Pirabakharan,

Representatives of the Royal Norwegian Government have over the past 18 months maintained regular contact with Her Excellency, the President and Minister of Foreign Affairs of the Democratic Socialist Republic of Sri Lanka on one side, and Mr Anton Balasingham as the appointed representative of the Liberation Tigers of Tamil Eelam on the other. Recently they also met you as the leader of the LTTE.

The Norwegian Government has maintained these contacts with the purpose of assisting the parties in exploring the possibilities of direct negotiations towards a solution to the ongoing conflict in Sri Lanka.

Based upon the above and the recent dialogue with Her Excellency the President and yourself, it is the opinion of the Norwegian Government that both the Government of Sri Lanka and the LTTE are interested in establishing negotiations towards a political settlement to the conflict.

After careful analysis the Norwegian Government has found it appropriate to present a proposal to the Parties in the form of a Memorandum of Understanding on Humanitarian Measures. If agreed upon and implemented by the Parties this will improve the humanitarian situation and ease the human suffering and hopefully contribute to creating an atmosphere conducive for negotiations.

Yours Sincerely,

Raymond Johansen

The Norwegian government issued copies of the document entitled 'Memorandum of Understanding on Humanitarian Measures' to both the Government of Sri Lanka and the LTTE. 'The purpose of this Memorandum of Understanding (MOU) is to create an atmosphere conducive for a negotiation process that will lead to a peaceful settlement and to take measures to improve the humanitarian situation and reduce the human suffering caused by the conflict,' the document declared. The Norwegian proposal called upon both the parties to take parallel action as follows:

- (a) Ensure the flow of non-military goods to Vanni. GOSL will facilitate improved flow of goods by the Madhu check point, open a new check point on the A9 north of Vavuniya and institute effective clearing of goods through checkpoints. LTTE shall ensure the flow of non-military goods within Vanni and see that the goods reach the civilian population.
- (b) Refrain from attacking civilian targets. All acts such as assassinations, bomb explosions, sabotage, violent intimidation of political groups or individuals will be considered a violation of the MOU.

The Norwegian Memorandum also suggested the establishment of an international Humanitarian Monitoring Mission to monitor the flow of goods.

The LTTE leadership informed the Norwegian government that it was seriously considering the proposals outlined in the MOU. In his annual Heroes' Day speech of 27 November 2000, the LTTE leader referred to the Norwegian MOU as 'positive proposals of confidence building goodwill measures that would facilitate the process of de-escalation leading to cessation of hostilities. If the government takes the initiative we will respond positively,' he said.

Kumaratunga's government was slow in responding to the Norwegian initiative. In the meantime, to impress upon Oslo and the international community that it was sincerely and seriously committed to peace and a negotiated settlement, the LTTE made an surprise announcement of a month long unilateral ceasefire from midnight 24 December 2000, as a goodwill measure to facilitate the peace process. The LTTE's press release stated:

'Mr Velupillai Pirapaharan, the leader and military commander of the Liberation Tigers of Tamil Eelam

has issued orders to all units and combat formations of the Tamil liberation army to cease hostile military actions against the Sri Lanka armed forces from midnight 24th December 2000 to midnight 24th January 2001.

‘We make this declaration of cessation of armed hostilities unilaterally, hoping that the Sri Lanka government will reciprocate positively and instruct its armed forces to observe peace during the festive season of Christmas, New Year and Pongal (Hindu Harvest Festival). Our decision to cease armed hostilities should be viewed as a genuine expression of goodwill indicating our sincere desire for peace and negotiated political settlement. We offer this space of peace to facilitate and promote initiatives to create congenial conditions of normalcy de-escalating the armed confrontation.

‘If Sri Lanka responds positively by ceasing armed hostilities against our forces and takes steps to implement the Norwegian proposal of mutual confidence building measures, the LTTE will be prepared to extend the period of peace to create cordial conditions for a stable ceasefire and direct negotiations.’

The Sri Lankan government’s response was negative. A statement issued by the Presidential Secretariat on 23 December 2000 abruptly rejected the LTTE’s offer of ceasefire, asserting that the offensive military operations against the Tamil Tigers would continue. The government’s statement also bitterly remarked that ‘..gestures of goodwill are unnecessary before negotiations.’ The government held the position that a ceasefire need not precede negotiations. The issue of declaring cessation of hostilities could only be taken up when negotiations progressed to a satisfactory level, the government’s statement declared. In other words, President Kumaratunga was not prepared to give up the military option. She wanted to continue offensive operations against the Tamil Tigers while engaging them in a peace dialogue. The President’s stand was unacceptable to the Tigers; they were not willing to talk while fighting. The contradictory positions of the protagonists stalled the Norwegian peace initiative.

The Sri Lankan military establishment was facing a crisis at that conjuncture. It had suffered major military debacles in the battlefields of Vanni, with casualty figures running into several thousands. In a series of offensives code-named 'Unceasing Waves' the LTTE overran several military complexes, considered by the Sri Lanka military to be impenetrable fortifications. In July 1996, for example the Tigers wiped out the vast military complex at Mullaitivu. One thousand and three hundred troops perished in that bloody battle.

The Sri Lankan army's most ambitious military campaign became its worst military nightmare when the government forces launched 'Operation Jaya Sikurui' (Victory Assured), to capture the A9 highway that runs through the LTTE controlled Vanni region. It was the longest military operation, lasting from 13 May 1997 till 4 December 1998, nearly 18 months. The strategic objective of the campaign was to seek out and destroy the LTTE's jungle bases and to incapacitate the combat capability of the guerrilla army. However, when the Tiger guerrillas lured the invading soldiers into their familiar jungle territory and launched fierce counter-attacks, the government's military project turned into a major calamity. As the guerrilla resistance intensified, the advance of the state's military forces ground to a halt. For months the 'Jaya Sikurui' troops were bogged down in positions which eventually became killing fields. Then, in September 1998, the LTTE guerrillas recaptured Killinochchi, a strategic town in the heart of Vanni mainland. Heavy casualties were inflicted on the army. With the fall of Killinochchi, the government was compelled to abandon its military campaign to capture the A9 highway.

Though the 'Jaya Sikurui' troops failed to achieve their strategic objective, they captured huge tracts of territory in eastern and western sectors of the Vanni mainland. To liberate these lands, LTTE guerrillas launched a major counter-offensive operation in November 1999, code-named 'Unceasing Waves 3'. The speed, scale and intensity of the counter assault stunned the Sri Lankan forces. For days major military complexes fell, one after another. Unable to withstand the ferocity of the offensive assault, the occupation army fled in total disarray. It was a spectacular military victory for the LTTE. Within weeks the eastern and western sectors of Vanni mainland and large areas of Weli Oya came under the

control of the Tamil Tigers. According to official LTTE estimates, over five thousand Sri Lankan troops perished and double that number were injured in the battle of 'Jaya Sikurui' and the counter-offensive operation 'Unceasing Waves 3'.

The Sri Lankan state's military offensives against the Tamil Tiger guerrillas and the ambition of President Kumaratunga to conquer the Tamil homeland received another disastrous blow when the Liberation Tigers took control of the army bases at Yakachchi and Elephant Pass in April 2000. These giant military complexes situated at the gateway to Jaffna and considered to be impregnable, were overrun by the combat formations of the LTTE on 22 April, after 48 hours of bloody and fierce fighting. Over one thousand Sri Lankan troops were killed and the remaining forces fled in terror and disarray. The fall of the sprawling twin complexes, the bastions of the government's protection of the peninsula from guerrilla incursions, shocked the Sri Lankan Defence establishment.

These series of disastrous military setbacks in the battles of Vanni, culminating in the humiliating defeat at Elephant Pass, severely damaged the combat capability of the Sri Lankan ground forces. For the Liberation Tigers, the capture of these strategic base complexes was a remarkable military achievement that tipped the balance of forces in their favour.

When the LTTE declared a unilateral cessation of hostilities on Christmas Eve 2000, the organisation was on a stronger military foundation. Furthermore, apart from the Jaffna peninsula and Mannar island, it had established administrative control over the entire northern region and large stretches of territory in the eastern province. As the *de facto* administrators of vast areas of the northern Tamil homeland and maintaining a balance of military power, the Tamil Tigers indicated their willingness to embark on the process of political negotiations. However, President Kumaratunga rejected Pirapaharan's offer of peace. In the LTTE's view, the President had her own agenda. She was not prepared to abandon her 'war for peace' strategy, which aimed at militarily crippling the Tamil Tigers before political negotiations. Undaunted by disastrous debacles in the battlefield, President Kumaratunga and her military commanders were planning a massive counter-offensive thrust to regain Elephant Pass.

The LTTE leadership extended the unilaterally observed cease-

fire for four months, in spite of extreme provocations, hoping that the Kumaratunga administration might reciprocate favourably. Convinced beyond doubt that the government was adopting a hard-line position and opposed to seeking peace, the Tigers finally decided to call off their unilateral ceasefire at midnight, 24 April 2001. In an official statement issued from its headquarters in Vanni, the LTTE explained:

‘We are compelled to make this painful decision as a consequence of the hard-line, intransigent attitude of the Sri Lankan government which has not only refused to reciprocate positively to our peace gesture but intensified land, sea and air attacks, causing heavy casualties on our side. It has become impossible to contain the military assaults of the enemy with our self-restrained defensive tactics without resorting to counter-offensive operations. Under such dangerous conditions we can no longer sustain our self-imposed truce, which the enemy has been exploiting to its own military advantage.

‘During the last four months of our self-imposed ceasefire we suffered serious setbacks militarily losing strategically important territory in the Jaffna Peninsula and suffering substantial casualties. Over 160 cadres have been killed and 400 injured, Civilian settlements of the coastal villages of Mullaitivu and Trincomalee have been subjected to regular and systematic aerial bombardments that caused heavy casualties and massive property damage. Though the LTTE has been strictly and rigorously observing cessation of hostilities, the Sri Lanka armed forces have been relentlessly engaged in hostile military operations to frustrate and demoralise our fighters. Furthermore, Sri Lanka government has been importing lethal weapon systems and boosting up its Navy and Air force with the objective of strengthening and modernising its armed forces in preparation for an all-out war. On our part we have co-operated in every possible way with the Norwegian government in their facilitatory peace efforts. Our ceasefire for the last

four months was intended to create a congenial atmosphere conducive for talks.

‘We remain seriously committed to peace and to peacefully resolving the protracted ethnic conflict though we are compelled to withdraw our self-proclaimed cessation of hostilities, which turned out to be a futile exercise as Sri Lanka has failed to recognise its constructive meaning and purpose. Our liberation organisation will continue to support and cooperate in every possible way with the Norwegian government in its untiring and noble effort to bring about peace and negotiated political settlement to the Tamil national conflict.’

‘Fire Flame’: The Decisive Battle

Within hours of the termination of the LTTE’s four months of ceasefire, the Sri Lankan armed forces unleashed a major offensive on the Tamil Tigers’ defence positions in the southern sector of the Jaffna peninsula. The combined armed forces were fully mobilised in this well planned, well co-ordinated offensive campaign. In the early hours of 24 April, twelve thousand troops from the Sri Lankan Army’s 52, 53 and 55 Divisions launched a multi-pronged thrust along the LTTE’s front defence lines at the Killali, Muhamalai, and Nagar Kovil axis. Heavy artillery, tanks and multi-barrel rocket fire supported the ground troops. Amid incessant sorties by Israeli jet fighters, the naval gunboats pounded the LTTE positions. Aptly code-named ‘Fire Flame’ (Agni Kheela), referring to the massive firepower employed in the operation, it was a ferocious assault. Deputy Defense Minister, Anurudha Ratwatte, and the Chiefs of the Armed Forces were stationed at Pallali military base in the Jaffna Peninsula to co-ordinate and supervise the offensive campaign. The presence of the top military hierarchy underlined the importance the government gave to this campaign. The strategic objective of the operation was to recapture the Elephant Pass base complex. Convinced of the possibility of a major military victory, the government despatched to Jaffna a team of journalists from Colombo to cover the military operation.

In the initial stage, after a few hours of fierce fighting, the Sri Lankan troops breached the LTTE's heavily entrenched forward lines at three locations and advanced one and a half kilometres inside Tiger territory. The LTTE combat formations, including the battle-hardened Special Forces commandos, had anticipated an offensive and therefore were well prepared with a counter-offensive strategy. During the months of ceasefire, the LTTE fighting units painstakingly worked out a meticulous plan to lure the invading troops to locations targeted for artillery and mortar fire and to entrap them in camouflaged minefields. In accordance with this plan, the LTTE forces tactically withdrew to the second line of defence, allowing the troops to advance into the interior, without heavy resistance.

The invading Sri Lankan troops marched straight into the Tiger trap. Without knowing the perils that lay ahead, they were jubilant at having captured eight square kilometres of territory within three hours, with little resistance. Then, suddenly, the LTTE combat units struck back in fury with formidable firepower. Artillery, heavy mortars and multi-barrel rocket launchers rained thousands of shells on the Sri Lankan troop positions. The advancing columns were thrown into confusion and chaos. The formations broke and fled, straight into the minefields. It was a nightmare for hundreds of Sri Lankan troops caught in these killing fields.

Meanwhile, on the other fronts, the fighting was savage and brutal and the government's casualty figures were high. In the Nagar Kovil sea and on the Killali lagoon, Sea Tiger gunboats engaged the Sri Lankan Navy vessels in intense battles and prevented an amphibious landing of reinforcements inside Tiger territory. In the late evening, the LTTE combat units fought and drove the Sri Lankan troops back to their original positions at Killali and Nagar Kovil. The following day, heavy fighting broke out between the LTTE forces and the Sri Lankan columns that had advanced and consolidated positions along the A9 highway from Muhamalai. These troops were encircled and subjected to sustained artillery and mortar fire.

The battle of 'Fire Flame' lasted for 72 hours. Battered and beaten and with ever mounting casualties, the Sri Lankan troops were finally forced to withdraw. Six hundred soldiers were killed and over two thousand injured in the fighting. Hundreds of troops

caught in the minefields lost their limbs. The LTTE lost 141 male and female cadres.

The government cancelled all civilian flights from Pallali Air Base and brought in additional aircraft to transport the large number of injured soldiers to the capital Colombo and the provincial hospitals at Anuradapura and Vavuniya, among others. The journalists assembled at Pallali airport saw for themselves the scale of the military debacle, as hundreds of dead and injured soldiers were hurriedly flown out to unknown destinations. A military columnist titled his article questioning, 'Why the 'Fire Flame' failed to burn?'

'Operation Fire Flame' was the last military campaign undertaken by the Sri Lankan army in its war with the Tamil Tigers. It was a decisive battle that demonstrated that the LTTE was an invincible military force with formidable combat capability in defensive and offensive warfare.

Following this disastrous military defeat, the Kumaratunga regime was compelled to abandon the military option. Nevertheless, the government was not willing to favourably consider the Norwegian Memorandum of Understanding, nor was it prepared to enter into a peace dialogue with the Tamil Tigers unconditionally. It was in these circumstances, the Sri Lanka government faced another major disaster, with far-reaching consequences.

In the early hours of 24 July 2001, coinciding with the anniversary of the anti-Tamil riots of 24 July 1983, a 14-member commando unit of the LTTE launched a daring assault on Sri Lanka's most protected security complex in the outskirts of Colombo. The target of the attack was the Sri Lanka Air Force base at Katunayake, 20 miles north of the capital, the island's largest airbase complex, and the adjoining Bandaranaike International Airport, the only civilian airport linked to the outside world.

It was a meticulously planned operation, undertaken after months of intelligence gathering about the airbase's complex security system. The Tiger assault unit, in military uniform and carrying anti-tank weapons, rocket-propelled grenade launchers, general purpose machine guns and T56 assault rifles, infiltrated the heavily guarded air base at around 3.30a.m. Within minutes, before the security personnel could react, widespread destruction of military aircraft ensued. Eight air-force planes - two Israeli Kfir fighter jets,

one Russian MIG fighter aircraft, two MI 17 helicopter gunships and three Chinese advanced training craft - were destroyed. As the military aircraft were set ablaze, intense fighting broke out between the LTTE commandos and air force security personnel. An hour later, the LTTE commandos moved to the adjoining international civilian airport across the tarmac. As airport staff and the panic stricken passengers scrambled for safety inside the airport buildings, the LTTE fighters attacked commercial aircraft and oil storage tanks. Three passenger aircraft belonging to Sri Lankan airlines, including two new airbuses, an A330 and an A340, were destroyed and another three severely damaged. Altogether 11 aircraft, both civilian and military, were destroyed and three civilian were seriously damaged in the raid.

Stunned by the scale and extent of the destruction the Sri Lankan government rushed troops to Katunayake. The terminal and airfield became a battle ground from morning till mid-day. In the six-hour battle that raged between the Tamil Tiger commandos and a crack unit of the army's special forces, all the LTTE fighters were killed. Some of them committed suicide when surrounded and depleted of ammunition. Six military personnel were killed and scores were injured.

As a liberation movement fighting a war against the Sri Lankan state, the LTTE devised the assault with military and economic objectives. Militarily, the supersonic jets and helicopter gunships posed a serious threat. Under the guise of fighting 'terrorism', the Sri Lankan state increasingly utilised its air power to attack civilian targets. Furthermore, the LTTE's air defence system was woefully inadequate for containing the threat posed from the air by the enemy. Therefore, the LTTE leadership planned the ground assault on the airbase to neutralise the destructive potential of the air force. The civilian airport, in the calculations of the Tamil Tigers, was an important economic target. The LTTE aimed to inflict a major economic blow on the country by destroying the Sri Lankan state's assets. The cost to the country of the destroyed civilian and military aircraft was estimated to be 500 million dollars. Therefore the raid on Katunayake, in the LTTE's strategic planning, achieved its objectives.

The noteworthy aspect of the whole operation was that no foreign tourists, passengers or civilians were killed or injured. Though

confronted with the fierce fighting inside and outside the airport terminal, the LTTE commandos clinically avoided civilian casualties.

As anticipated, the LTTE's assault on the airport had a crippling affect on the Sri Lankan economy. It seriously affected the tourist industry, a main source of national income. The violent episode at the airport and widespread international publicity it received sharply curtailed the flow of tourists. The event also had a negative impact on foreign investment. The war had already shattered business confidence. The Annual Report of the Central Bank of Sri Lanka for 2001 announced a negative real growth of 1.4%, characterising the gloomy situation as 'the first economic contraction since gaining independence in 1948, with increased inflation and worsened macroeconomic imbalances.' Having given a dismal picture of the Sri Lankan economy, the Central Bank commented that the future growth and progress of the economy 'depend on the restoration of peace.' To quote the Annual Report in this context:

'The progress, of course, would also depend on the restoration of peace in the country. The continuing war has been an economic drain on this country, in terms of both human and material resources. In addition, it has significantly suppressed the growth potential of the economy. In economic terms, the country cannot continue to bear the cost of prolonged war, and hence, a speedy resolution of the conflict is essential.'¹

New Government in Colombo

Kumaratunga's government faced a crisis, politically, economically and militarily. The only alternative open to it was peace and a negotiated political settlement. On the instructions of the President, Foreign Minister Kadirgamar approached the Norwegian Ambassador, Mr Jon Westborg, to discuss possible ways to re-open the peace process. Mr Westborg told the Foreign Minister that the LTTE leadership distrusted the Kumaratunga regime after the offensive operation 'Fire Flame'. Furthermore, the Ambassador conveyed to Mr Kadirgamar that the Tigers were disappointed with the government's failure to reciprocate positively to the unilateral

ceasefire declared as a gesture of peace.

Because of the mounting politico-economic crisis, the Kumaratunga government indicated a willingness to engage the Tigers in peace talks, but the President was not prepared to meet the terms stipulated by the LTTE leadership as pre-requisites for resuming talks. The LTTE demanded lifting the government's ban on the organisation, removing the economic embargo on the Tamil nation and declaring a mutually agreed cessation of hostilities as necessary pre-requisites to create a congenial condition conducive for peace talks.

In the meantime, in September 2001, the Labour government of Norway resigned, paving the way for the formation of a new coalition government of Conservatives and Christian Democrats. Mr KM Bondevik became the Prime Minister of the new government with Mr Jan Petersen as Foreign Minister. Mr Vidar Helgesen was appointed Deputy Foreign Minister and made responsible for the Sri Lanka peace, process along with Mr Erik Solheim as Special Envoy. The new government pledged to continue with its facilitatory role in helping the parties in conflict to find a negotiated settlement to the ethnic conflict.

Sri Lanka also faced a parliamentary general election on 5 December 2001. The issue of peace and negotiated settlement to the Tamil issue figured as the central themes in the election campaigns in the Sinhala south. The main opposition United National Party (UNP), under the leadership of Mr Ranil Wickremasinghe, sought a clear mandate from the Sinhala people for peace and negotiations with the Tamil Tigers. The UNP's Manifesto of 2001 stated:

'Our prime objective is peace. We stand for peace and peace alone. All these years, our opponents have ruthlessly and viciously misinterpreted our proposals to solve the national issue. We will end the war and build national unity. We will bring about a political solution acceptable to all those who are party to the crisis, within the framework of an undivided Sri Lanka. We will initiate this process with a warm heart and a cool head....

'Once we come to power, we will initiate a dialogue with all political parties, the clergy and civil

society organisations, in order to arrive at a broad-based political solution, acceptable to all. We will also involve the LTTE in the process.

‘We will not introduce constitutional reforms until we have arrived at a political solution acceptable to the majority of all communities.

An interim administration will be set up for the northern and eastern provinces.

We will appoint an independent commission to solve the problems of people who have been displaced and rendered helpless by war.

This sensitive issue should be adequately discussed by all sections of civil society. We are aware of the acute suffering undergone by the people of the North and East on a daily basis, owing to the lack of food, medicine, and other essentials. We also understand the strain that legitimate travellers have to undergo when visiting their loved ones. Once elected we will take immediate steps to make life easier for them.’

Realising that peace had become the cardinal issue in the southern electorate between the political forces who supported it and those extremists who opposed it, Mr Pirapaharan, in his annual Heroes’ Day speech on 27 November 2001, made an appeal to the Sinhala people to identify and reject the ‘racist forces committed to militarism and war.’ The LTTE leader stated:

‘Having assumed itself as the most crucial and cardinal issue in Sri Lankan politics, the Tamil national conflict has effectively polarised the political forces towards two contradictory positions: between war and peace. The elections have become a competitive arena between the forces that seek peace and the extremist forces that are opposed to peace. The general public is given the responsibility of choosing as to whether there will be peace in the future or if the war will continue. The Sinhala people should realise that there can be no peace, ethnic harmony and economic prosperity in the island as long as the Tamil people are denied justice and their political

aspirations are not fulfilled.

We are not enemies of the Sinhala people, nor is our struggle against them. It is because of the oppressive policy of the racist Sinhala politicians that contradictions arose between the Sinhala and Tamil nations, resulting in war. We are fighting this war against a state and its armed force determined to subjugate our people through force of arms. We are well aware that this war has not only affected the Tamils but also affects the Sinhala people deeply. Thousands of innocent Sinhala youth have perished as a consequence of the repressive policies of the war mongering ruling elites. We are also aware that it is the Sinhala masses who are bearing the economic burden of the war. Therefore, we call upon the Sinhala people to identify and renounce the racist forces committed to militarism and war and to offer justice to the Tamils in order to put an end to this bloody war and to bring about permanent peace..’

In the parliamentary elections the UNP swept to victory with a popular mandate for peace and negotiated settlement to the Tamil national question. Mr Wickremasinghe was sworn in as the new Premier. Having assumed power the new Prime Minister met the Norwegian Ambassador, Mr Westborg, and expressed the desire of his government to engage the LTTE in peace talks. He urged the Royal Norwegian Government to continue facilitatory efforts to initiate a dialogue between his government and the Tamil Tigers. Ranil also conveyed a message to the LTTE leadership, through the Ambassador, that his government would soon implement measures to bring relief and redress to the Tamil people.

As an expression of goodwill to the new government, the LTTE announced a declaration of a month long unilateral ceasefire, beginning on midnight 24 December 2001, and called upon Ranil’s administration to respond positively. Announcing the decision, the LTTE’s statement said:

‘Encouraged by the collective mandate for peace and ethnic harmony given by the Sinhala and Tamil masses at the general election, the LTTE leadership has decided to declare, unilaterally, a month long

cessation of armed hostilities during the festive season of Christmas, New Year and 'Thai Pongal' (Hindu harvest Festival) as a gesture of goodwill to facilitate the promotion of peace initiatives. We fervently hope that the new government of Sri Lanka will reciprocate positively to our goodwill gesture and instruct its armed forces to observe peace during this period. Our decision to cease armed hostilities and observe peace during the festive season should be viewed as a genuine expression of goodwill, demonstrating our sincere desire for peace and negotiated political settlement. We are confident that the new government will utilise this space of peace to implement goodwill measures to create congenial conditions of normalcy in the Tamil homeland by withdrawing the economic embargo and other restrictions and prohibitions imposed on our people.'

'If the Sri Lanka government reciprocates positively to our goodwill gesture and ceases armed hostilities against our forces and takes immediate steps to remove the economic embargo and other restrictions, the LTTE will favourably consider extending the period of cease-fire to create cordial conditions for a stable peace and de-escalation.'

The new government reciprocated favourably to the LTTE's unilateral declaration of cessation of hostilities. However, though the government declared cessation of hostilities from midnight 24 December, the security forces and police were instructed to continue to carry out operations in the military controlled Tamil areas. The government also announced that naval operations conducted at sea 'to prevent the import of arms, ammunition and other military equipment would continue.' The LTTE leadership was not pleased with the instructions given to the security forces. After discussing the implication of the issue with me, Mr Pirapaharan requested that I convey his displeasure to the new government through the Norwegians. I sent the following message to Erik Solheim on 27 December 2001 to be conveyed to Ranil's administration:

'Mr Pirapaharan requests you to convey to the leadership of the new government in Colombo his

displeasure over certain specifications in the instructions given to the Sri Lankan armed forces by the military hierarchy with regard to the observation of cessation of hostilities. The LTTE leader is of the opinion that the continuation of the restrictions on the freedom of movement of civilians and the presence of innumerable barricades and checkpoints in the military occupied zones in the northeast cause serious inconvenience to the public. The decision to carry on the cordon and search operations, according to him, will not facilitate de-escalation of the conflict and restoration of normalcy but rather provoke incidents, which might spark-off confrontations. Mr Pirapaharan also wishes to state that Sea Tiger units will fight back in self-defence if they are subjected to deliberate offensive attacks by the Sri Lankan navy. Naval and aerial attacks on Sea Tiger bases causing serious casualties will be considered as hostile action contravening cessation of hostilities, Mr Pirapaharan said'.

Pirapaharan's message was conveyed to Ranil Wickremasinghe through the Norwegian Ambassador in Colombo. The response from the government was immediate. The government's message emphasised that the Prime Minister was earnest and sincere in his commitment to find a solution to the Tamil issue. The government also indicated its willingness to work out parameters and rules for a mutually agreed ceasefire instead of two unilateral declarations of ceasefire. The message addressed to the LTTE leadership further stated:

'It should be emphasised that Sri Lanka government also has issues of critical importance regarding the operation of the cessation of hostilities which needs to be taken up with the LTTE on an urgent basis.

'At the outset both the parties must clearly understand that the current situation is not the result of an agreed cessation of hostilities. In fact the ground realities are results of two unilateral declarations. The very nature of this reality lends itself to

misunderstandings and tensions. It will be in the mutual interest of both parties to exercise caution and to co-operate wherever possible.

‘Given the above, in order to avoid further misunderstandings, it is desirable that the two parties immediately freeze the ground situation and urgently agree upon the parameters and ground rules under which the cessation of hostilities should operate.’

A Mutually Agreed Ceasefire

Accepting the critical importance of formulating a mutually agreed cessation of hostilities, the LTTE leadership informed the Norwegian government that the organisation was prepared to discuss the modalities, parameters and round rules of a structured ceasefire. The LTTE also told the Norwegians that it would submit proposals to the government of Sri Lanka for the formulation of a general framework of a bilateral ceasefire for discussion and consideration. Until both parties worked out a mutual framework with the facilitation of Norway, the LTTE suggested that the government should cease all cordon and search operations and arrests and ‘freeze the ground situation’. Furthermore, if the new government was sincerely committed to the removal of all injustice and inequalities faced by the Tamil population, Ranil’s administration should ensure that all essential items that were freely available to the Sinhala people in the south should also be available to the Tamils in the northeast, the LTTE argued.

The LTTE’s request was communicated to the Prime Minister and the response was prompt. The Norwegians informed us that the Government of Sri Lanka would cease all cordon and search operations and arrests. The government also pledged to lift the economic embargo from 15 January 2002 to allow the free flow of essential items to Tamil areas as worked out in the Norwegian Memorandum of Understanding.

In the meantime, Ranil Wickremasinghe appointed a committee with overall responsibility for the peace process and negotiations under two of his senior ministers, Professor GL Peiris, Minister of Constitutional Affairs, and Mr Milinda Moragoda, Minister of Economic Reforms. The Prime Minister also established a Peace

Secretariat headed by Mr Bernard Goonetilleke, the Sri Lankan Ambassador to China. Furthermore, he wrote to the Norwegian Prime Minister, Mr Bondevik, requesting the Oslo government to continue with the facilitation process. The LTTE was asked to formally make a similar request. On the 1 January 2002, Mr Pirapaharan sent the following letter to Mr Bondevik:

Dear Prime Minister,

To begin with, allow me to express my sincere gratitude and appreciation of the indefatigable effort and valuable assistance provided by the Royal Norwegian Government over the past two and a half years to promote a negotiated political settlement to the Tamil national question in Sri Lanka. I also wish to commend the Norwegian government for its impartiality and objective neutrality shown in the delicate practice of facilitation. Such a noble approach is widely appreciated by the Tamils in Tamil Eelam as well as by the Tamils living throughout the world.

I am writing this letter to you to seek your government's continuous engagement as the facilitator to help the parties in conflict to find a stable peace and a permanent settlement to the ethnic conflict.

V Pirapaharan

Leader

Liberation Tigers of Tamil Eelam

The Norwegian Prime Minister responded thus:

Dear Mr Pirabakaran,

With reference to your letter of 1 January, I would like to assure you of my government's commitment to help to bring the parties together to reach a peaceful political settlement to the ethnic conflict in Sri Lanka.

We are pleased by the LTTE's constructive approach to the process and hope that the renewed level of confidence between the parties can ease the path towards peace.

I have delegated the responsibility for the Norwegian assistance in the peace process to my

Minister of Foreign Affairs, Mr Jan Petersen, and his State Secretary, Mr Vidar Helgesen, who will follow the process on a day to day basis.

With my best wishes for successful peace talks, I remain.

Kjell Magne Bondevik

The Norwegian facilitators took up the responsibility of formalising the unilaterally declared cessation of hostilities into a comprehensive framework for a mutually agreed formal ceasefire. In this context, the Norwegians requested both the parties - the Government of Sri Lanka and the LTTE - to submit proposals. On 7 January 2002, the LTTE submitted its proposals to Mr Vidar Helgesen, as general guidelines or modalities, for the proposed truce. Having received proposals from both parties, the Norwegians undertook the difficult task of formulating a framework that would be acceptable to both parties. Vidar Helgesen, Erik Solheim, Jon Westborg and Kjersti Tromsdal had several rounds of discussions with me in London and with the representatives of the Sri Lanka government to work out a mutually accepted document. During the months of January and February, I was in constant communication with Mr Pirapaharan to receive his inputs, amendments, revisions and improvements. I should compliment the Norwegian facilitators for their patience, untiring and skilful effort in formalising and finalising a ceasefire framework acceptable to the warring parties with a long history of mutual distrust and hostility.

The leader of the LTTE signed the ceasefire agreement first, on 22 February, followed by the Sri Lankan Prime Minister, Ranil Wickremasinghe. Meanwhile, Mr Jan Petersen and his deputy, Mr Vidar Helgesen called a press conference in Oslo to make the ceasefire agreement public. At the press conference Mr Petersen explained:

‘The overall objective of the parties is to find a negotiated solution to the ethnic conflict in Sri Lanka, which has cost 60,000 lives and caused widespread human suffering.

‘Through this formalised ceasefire the parties commit themselves to putting an end to the hostilities. They commit themselves to restoring normalcy for

the inhabitants of Sri Lanka, whether they are Sinhalese, Tamils, Muslims or others. And they commit themselves to accepting an international monitoring mission, led by Norway, which will conduct on-site monitoring.

‘Both sides have taken bold steps to conclude the ceasefire, and this agreement is a message that they are prepared to continue taking bold steps to achieve peace. They are embarking on a long road towards a political solution. It will not be easy. It will require determination and courage. The parties will face risks and uncertainties, and they will have to make hard choices. But no hardships are worse than those of conflict and bloodshed. No gains are greater than those of peace and prosperity.

‘On the journey to peace and prosperity, the inhabitants of Sri Lanka, and their leaders, will need the solidarity of the international community. It must mobilise political and financial support for peace and reconciliation. Norway will continue to accompany the parties in this demanding process.

‘I shall now provide some more detail about the ceasefire agreement.

‘First, it outlines the modalities of the ceasefire, including the total cessation of all offensive military operations, the separation of forces, and increased freedom of movement for unarmed troops on both sides.

‘Second, measures to restore normalcy for all the inhabitants of Sri Lanka - Sinhalese, Tamils, Muslims and others - putting an end to hostile acts against civilians, allowing the unimpeded flow of non-military goods, opening roads and railway lines, and a gradual easing of fishing restrictions.

‘Third, a small international monitoring mission, led by Norway. The mission will conduct international on-site monitoring of the fulfilment of the commitments made by the Parties.’

The international community welcomed the signing of the

permanent ceasefire between the LTTE and the Sri Lanka government. The United States, the United Kingdom, Japan and India congratulated the parties on the agreement and called for a negotiated settlement to the Tamil national conflict. While the world complimented the peace effort, the Sri Lanka President, Chandrika Kumaratunga, expressed her 'shock and dismay' over the signing of the truce. Lashing out at the Prime Minister, she condemned his endorsement of the ceasefire agreement as 'an undemocratic act' since he failed to get her 'prior approval'. Certain articles of the truce agreement, the President argued, had 'compromised the island's sovereignty and national security.' I responded to her critique in an interview with the TamilNet news website in the following terms:

'Her argument that certain articles in the truce agreement have compromised the island's sovereignty and national security is untenable and fallacious. The concepts and categories employed in the ceasefire document such as 'forward defence localities', 'demarcation lines', 'areas controlled by the parties', 'check points on the line of control', do correspond and reflect the actuality of the ground situation and have been formulated with the consent of the parties concerned after careful scrutiny. To argue that these categories are 'highly evocative expressions' capable of 'destabilising the region' and linking them to Kashmir conflict is preposterous and ridiculous. A comprehensive ceasefire document and monitoring mechanisms could not be worked out until the actuality of the ground situation is acknowledged. There are two fighting formations facing each other in several locations in Tamil areas. The monitors must map out the ground positions or rather draw lines of demarcation between the forces to set out the ground rules in order to supervise the violations. To categorise such basic functions in cease-fire monitoring by a renowned international monitors as an infringement of Sri Lanka's sovereignty is unwarranted and utterly absurd.'²

Meeting Pirapaharan in Vanni

Following the signing of the ceasefire agreement, difficulties and delays arose with regard to the implementation of the obligations of the truce. When we took up the issues with the Norwegian facilitators they pointed out that these matters of critical importance should be discussed and resolved through direct negotiations with the Sri Lankan government. Therefore, the Norwegians suggested an early commencement of talks. I impressed upon the facilitators the necessity of meeting the LTTE leader for in depth discussions with him on matters pertaining to the peace talks. The date for talks, venue, the agenda and other critical matters had to be decided on. For security reasons, I told the Norwegians, the LTTE would not agree to hold the peace talks in the Sri Lankan capital, Colombo. The venue of the talks would have to be a friendly country outside Sri Lanka, I suggested.

With so many important issues in the peace process requiring direct consultation with Mr Pirapaharan, I requested the Norwegians to arrange for Adele and myself to travel to Vanni to meet the LTTE leader. Even though a ceasefire was in place, we had not reached a level of trust and confidence in either the government or the security forces, in particular, to risk travelling through Colombo. Subsequently, the Norwegians worked out an elaborate route that circumvented passage through Sri Lanka's international airport and the roads to the Vanni. The journey required the assistance of the Maldivian government. Although it had its own concerns about offering passage to 'terrorist' leaders, it nevertheless was generous enough to allow us to stay overnight in an airport hotel, with elaborate security arrangements, and to use its domestic tourist seaplane facilities and airspace. The Sri Lankan government was also consulted and endorsed the plan.

Accordingly, Erik Solheim and two of his bodyguards met us in Heathrow and escorted us to Male, the capital of the Maldives, where we landed on 24 March. Jon Westborg, Thomas Strangeland and Kjersti Tromsdal from the Norwegian Embassy in Colombo, were there to meet us. Later in the evening, Erik Solheim and Ambassador Westborg took a flight to Colombo, leaving Mr Strangeland to accompany us on the final leg of our journey to the Vanni. Contrary to Sinhala nationalist opinion, we did not enter

the country illegally. Arrangements were made for immigration officials to provide us with an entry visa and we were given a one-month permit.

The flight from Maldives back to the LTTE heartland necessitated some conversion of the plane to allow it to fly the more than four-hour journey to and from the Vanni. Subsequently, the De Havilland - 6 Twin Otter seaplane that the Norwegians had hired had its passenger seats removed and a huge tank for fuel storage installed in the space. One small window seat was made available to Thomas Strangeland and two small seats at the rear of the plane behind the tank of aviation fuel was where we spent the four-hour journey from Male to Vanni. The two Canadian pilots were extremely hospitable to us, particularly concerned to ensure that I was comfortable and to point out that food and fluids had been specially prepared and were available should we need them.

Not long into the journey, with Indian Ocean waters thousands of feet below, the nauseating smell of fuel fumes wafted over us. Adele looked down to see that the floor under her feet was flooded and the source was the fuel tank. We informed the co-pilot, who squeezed past the side of the tank to reach the site of the leak. He tightened some screws and stopped the flow, all the while at pains to reassure us that there was no need for concern!

Cooped up in the back corners of the plane, unable to move about for lack of space and with nothing to look at but sea below, the journey seemed longer than its four hours. Nevertheless, when the blue water of the Mannar coast appeared below us and the pilot turned to indicate we were nearly there, a surge of excitement rushed through me. Three years ago, critically ill, I left the Vanni.³ I could never have imagined that I would ever return, certainly not alive, anyway. So when we felt the descent of the plane and saw the largest irrigation tank in Vanni, the Iranamadu reservoir at Killinochchi, I peered out the window looking for familiar faces to come into sight. Our old friend, the Sea Tiger Commander, Soosai, was in charge of the arrangements for the seaplane landing and the short journey from the plane to shore. He had marked out the stretch of water, safe and deep enough for the plane to rest on. He, along with Mr Nadesan, Tamil Eelam Police Chief, Mr Tamilselvan, Head of the LTTE Political Wing, Mr Tamilenth, Head of LTTE Finance Department and several other senior cadres

guided their inflatable dingy towards the plane and helped us to disembark.

Back on home soil, we were surprised and delighted to see Mr Pirapaharan and his wife Mathivathani, and many of our old friends and cadres, were there to meet us. Soon after the welcome greetings, we departed to our accommodation, where Mr Pirapaharan and I went into private discussions.

The following day, the Norwegian delegation, comprising Mr Erik Solheim, Mr Jon Westborg, General Trond Furohovde, the Head of the Sri Lanka Monitoring Mission (SLMM) and a Finnish official of the SLMM, met the LTTE leader in Killinochchi. Mr Tamilselvan, Adele and myself assisted Mr Pirapaharan in the discussions.

The Government of Sri Lanka, the Norwegian delegates informed us, had agreed to open the northern sector of the main A9 highway on 8 April.

The Tamil Tiger leader expressed deep disappointment over the delay in the implementation of the obligations of the truce agreement. Erik Solheim suggested that the issues pertaining to the implementation of ceasefire should be discussed and resolved at the direct negotiations and it was therefore crucial that talks commence as soon as possible. Expressing their willingness to engage in peace talks with the government, the Tiger delegates insisted on the deproscription of the organisation as a pre-requisite for the commencement of negotiations. The Norwegian delegation assured us that Wickremasinghe's government was favourably considering deproscription of the LTTE before the resumption of peace talks. We were also informed that the Norwegian Deputy Foreign Minister, Mr Vidar Helgesen, would visit Colombo and Killinochchi during April to discuss the agenda for talks and to persuade the government to lift the ban early.

The government fulfilled its pledge to open the A9 highway, linking the Jaffna peninsula with the Vanni mainland. At the ceremony held in Muhamalai, the border town in the southern peninsula, General Furohovde introduced the commanders of both armies. Colonel Banu and Colonel Thieepan represented the LTTE. Major General Sisira Wijesuriya represented the Sri Lankan army. Following the opening of the highway, fifteen cadres from the LTTE's political wing entered the army-controlled region of Jaffna

to a tumultuous welcome from a massive crowd of jubilant residents.

Pirapaharan's address at an international media conference held in Killinochchi on 10 April was another significant political event that took place during our stay in Vanni. It was the LTTE leader's first press conference in over a decade and more than four hundred local and international journalists and cameramen attended. I translated from Tamil into English Mr Pirapaharan's replies to the many questions asked, and, as the theoretician and advisor, where necessary, expanded and clarified any queries.

The Tiger leader spoke at length on the Norwegian facilitated peace initiative and clarified the position of his organisation. The LTTE, he explained, was sincerely and seriously committed to peace. Expressing satisfaction over the development in the peace process, he complimented Mr Ranil Wickremasinghe for his bold action in promoting peace and goodwill among the Tamil people. However, Mr Pirapaharan cautioned that the parliamentary government of Wickremasinghe was weak and unstable and did not possess sufficient authority to find a permanent settlement to the ethnic conflict. 'We don't think that Ranil Wickremasinghe is capable of addressing the core issues and can offer us a permanent solution at this stage, because the executive powers of government are vested with the President, whereas his powers are limited to parliament. It's for that reason we're suggesting the formulation of an interim administration set-up for the northeast in which the LTTE can participate,' Mr Pirapaharan said. Dismissing the allegation that the LTTE was not earnest about peace and political negotiations and that the Tigers were under pressure from the United States sponsored international war on terrorism, the Tiger leader explained that the LTTE unilaterally observed ceasefire for four months in 2001 as a gesture of peace, even before 11 September. 'I met the Norwegian peace envoy, Erik Solheim in October 2000 and gave him an assurance that the LTTE wanted peace and negotiated settlement,' Pirapaharan said. He also expressed hope that the peace process would succeed with the able assistance of the Norwegian facilitators.

On 17 April 2002, a Norwegian delegation led by Mr Vidar Helgesen and including Mr Erik Solheim, Mr Jon Westborg and Ms Kjerti Tromsdal met the LTTE leader at the Tigers' political

headquarters in Killinochchi. Tamilselvan, Adele and I assisted Mr Pirapaharan. Mr Helgesen informed the LTTE delegation that the Royal Government of Thailand was prepared to host the peace talks. The Tiger leader insisted, however, that the Sri Lankan government's ban on the LTTE had to be lifted before direct talks began. The Tiger delegation also expressed their disappointment over the delay on the part of the government in implementing the terms and conditions of the ceasefire agreement. Crucial aspects of the agreement, such as the lifting of fishing restrictions, allowing unarmed political cadres of the LTTE into government controlled areas, withdrawing troops from public buildings, the LTTE delegation pointed out, had not been fulfilled. Mr Helgesen assured us that he would take up the issues with the Sri Lanka government.

After returning to Colombo, the Norwegian delegation met President Kumaratunga on 18 April and briefed her on the discussions they had with the LTTE leader. The Norwegians impressed on the President the need to deproscribe the LTTE before the commencement of talks in Thailand. However, she remained adamant concerning the issue of the ban. The President also insisted on a timeframe for talks. Nevertheless, the state media later reported that the President had assured the Norwegian delegation of her commitment and co-operation to continue the peace process until a negotiated political settlement was found for the ethnic conflict.

Helgesen and Solheim left for Oslo with heightened optimism that the peace talks would soon begin.

A week later Adele and I prepared to depart Vanni and return to London. I felt our political discussions with Mr Pirapaharan had been completed successfully and it was now a matter of the government implementing the terms and conditions of the ceasefire and creating conditions for the peace talks to take place by lifting the ban on the organisation.

However, our departure from the Vanni became as controversial as our arrival, and a great deal more taxing.

The Norwegian Embassy completed all the arrangements and informed us when our departure would take place. Since our journey to the Vanni had gone without any major incident, the only concern we had was the tedium of another long journey back to the Maldives. However, as our De Havilland plane flew east from the Iranamadu Tank, we had no idea of either the danger we were

flying into, or that such a seemingly harmless, well-intentioned operation would become the centre of a military and media storm.

Mr Pirapaharan arrived on the morning of the 24 April to bid us farewell. He appeared disturbed and informed us that there had been a serious incident at sea between the Sea Tiger units and the Sri Lankan navy. We were concerned for the potential threat to the peace process such an incident could have if events spiralled out of control. Nevertheless, at that moment there was little I could do and Mr Pirapaharan was in full command of the situation.

The joy that accompanied our return four weeks earlier was replaced with gloom, as we gathered at the departure point on the banks of the reservoir. Our friends and cadres talking quietly to each other. The future had been plunged into uncertainty. Ms Kjersti Tromsdal, was also waiting to escort us during the flight.

While high drama was being acted out at sea in the east, the Canadian pilots had flown to Iranamadu from the west, oblivious to the storm ahead. They landed the plane on time, totally unaware of the standoff at sea.

The pilots came ashore and suggested that we depart as early as possible, to arrive in Maldives at a reasonable hour. Complying with their wishes and advice, we boarded the dinghies and set out for the plane. Contrary to sceptics' opinion, we were neither consulted nor had knowledge of the travel route. We had confidence in both the Norwegian arrangements and the skills of the pilots. After all, if anything should go wrong, the pilots' lives were in danger also, and we have absolutely no doubt that the last wish of the Norwegian government would be to get unnecessarily embroiled in diplomatic controversy. Furthermore, we had on board one of their official representatives. She was a young woman doing her job and her security would also be foremost in their minds.

In the air, the pilots informed us we would be heading east, for security reasons. For their own reasons they were not comfortable with retracing the route through which they had entered Sri Lankan airspace, and informed us that we were heading east, down the coast and around the bottom of Sri Lanka across to the Maldives, and the journey would be longer.

Sea gave way to land and we could see the movement of boats below us. We had no idea as to the type of boats or to whom they

belonged. In fact we were quite ignorant of the location we were at, above the sea. It later transpired that our plane had apparently flown above or in the vicinity of a major stand off between the Sea Tiger units and Sri Lankan Navy boats at Foul Point, near Trincomalee harbour. The Navy had cordoned off a flotilla of LTTE boats and was waiting instructions from military commanders as to the next course of action. Our plane, it is alleged, gained altitude over the area and then descended again to 100 feet, creating an impression it was about to land on the waters. Since our flights in and out of Sri Lanka were top secret and the pilots had only a 'time-window' rather than a route to follow, neither the Navy nor Air Force hierarchy were informed of the presence of our plane. The inference made by journalists that we might have influenced the decision to fly out of the country in the direction of the stand off, is incredulous. Indeed, it is preposterous to assume that professional civilian pilots would concede to such a request or deliberately fly into a potential conflict zone and all its attendant dangers. As the Norwegian Embassy in Colombo correctly put it in a statement on 5 August:

'The Royal Norwegian Embassy has noted that it has been indicated in several media that the flight-path chosen by the air-craft carrying Mr Anton and Mrs Adele Balasingham out Sri Lanka, was on the request of Mr Balasingham. In this connection the Embassy feel it is correct to provide the following information:

- The aircraft in question was hired by the Royal Norwegian Embassy with the concurrence of the Government of Sri Lanka (GOSL).
- All arrangements regarding the flight were cleared between appropriate representatives of the Maldivian Government, the GOSL and this Embassy. LTTE was not involved and was only informed of the time of arrival and requested to prepare for the landing and loading.
- The pilot did not provide any flight-path for

his entry into or exit out of Sri Lanka. GOSL had, however, provided the pilot a 'time-window' for his arrival and departure.

- The passengers - including a member of the Royal Norwegian Ministry of Foreign Affairs - were unaware of any flight-path prior to their departure. The pilot approached the passengers only after they were air-born to inform that they had chosen to depart via the east coast, thereafter follow the coastline of Sri Lanka, before leaving towards Male somewhere south of Galle.

It is regrettable that the aircraft by such a route ended up near the incident between the Navy and the LTTE on the coast of east Trincomalee. These incidents were, however, in no manner connected. The flight-path out of Sri Lanka was decided by the pilot on the air-craft, and him alone.'

For reasons known only to them, the pilots also made the decision to fly at 100 feet.

So while the Sri Lankan Navy and Air force hierarchy contemplated deploying supersonic jets to engage the 'unidentified' plane on the grounds of its intrusion into Sri Lankan air space, we sat quietly, preparing ourselves for a five hour journey back to the paradise island of Maldives, blissfully unaware of the danger zone we were traversing.

The sun was about to set when we taxied into the jetty at Male. Our journey in the back corner of the seaplane had taken us over five hours. I hadn't moved during that time and all I wanted to do was stretch my legs and lie down for a while. It was only later that evening the Norwegian officials informed us of the controversy that had erupted behind us, and of the dangerous episode we had miraculously escaped.

Meetings with Milinda Morogoda

The Norwegian plan to hold the peace talks in Thailand during the latter part of June 2002 did not materialise because of the unfavourable ground situation in the Tamil homeland. The Sri

Lankan army continued to maintain its tight grip on the Tamil civilian population and refused to comply with the obligations of the truce agreement. The Navy was defiant and hostile. It refused to relax restrictions on fishing and adopted a confrontationist posture with the Sea Tigers. The hostile behaviour of the Sri Lankan armed forces and their refusal to comply with the terms and conditions of the Ceasefire Agreement caused a delay in the resumption of talks. In an interview given to the Tamil Guardian, a London based English weekly on, 5 June, I explained the ground situation:

‘The cardinal objective of the truce agreement is to bring an end to armed hostilities and to establish a congenial situation conducive for peace negotiations. The terms and conditions and a set of goodwill measures enunciated in the cease-fire document are aimed at de-escalation and restoration of normalcy in the war torn Tamil homeland. The truce agreement also seeks to remove the conditions of oppression imposed on the Tamil civilian masses under a rigid military occupation and to improve their conditions of existence.

‘As a party to the cease-fire agreement, we are unhappy that some of the terms and conditions as well as some measures aimed at creating normalcy in Tamil areas are not fully implemented. The military personnel are still occupying temples, schools, colleges and public buildings in defiance of the timeframes stipulated in the truce. Some of the Hindu temples are historical holy sites which are sacred to our people and the reluctance shown by the Sinhala armed forces to vacate these places of worship has angered the Tamil people and is destroying their confidence in the peace process.

‘In blatant violation of the conditions of cease-fire the armed forces refuse to dismantle barriers and checkpoints in densely populated cities and towns and to continue to intimidate and harass civilians. There have been incidents of violence committed by the armed forces against LTTE members and Tamil civilians in the eastern province.

‘The cease-fire document stipulates that unarmed LTTE members will be permitted freedom of movement in the northeast for political activities. But the Sri Lanka government has imposed stringent conditions for the freedom of movement of our cadres in the islets off Jaffna where 35,000 Tamils live. Similarly the Sri Lankan navy is refusing to remove all restrictions on fishing even after the timeframe of 90 days has lapsed which continues to affect seriously the conditions of existence of our fishermen. To put it briefly, the Sri Lankan armed forces are not cooperating in the task of implementing the cease-fire accord and adopting an intransigent and hostile attitude towards the LTTE and the Tamil civilians.

‘The non-implementation of the terms and conditions of the cease-fire is causing delay in the resumption of peace negotiations. A proper and systematic de-escalation of the conflict and the restoration of normalcy in the war affected Tamil region, which are essential pre-requisites for peace negotiations, can only be realised by the smooth implementation of the truce agreement.

‘In our view, the cease-fire should be strengthened and stabilised since it is on a strong foundation of peace that political negotiations should take place. We are disappointed over the lack of concern and inclination on the part of the Sri Lankan government in the process of de-escalation and stabilisation of peace, which is seriously undermining the confidence of our people in the peace process.’

The procrastination on the part of Wickremasinghe’s government to take necessary measures to deproscribe the LTTE was also a crucial factor for the delay of the peace talks. The demand for unconditional deproscription represented the collective aspiration of the Tamil people, who sought the participation of the LTTE, as their legitimate and authentic representatives, in the negotiation process. The LTTE also did not wish to participate in the talks as a banned, illegal entity. Though Wickremasinghe was favourably disposed to the idea of deproscription, some of his hard-line cabinet

ministers had their reservations. They held the view that deproscription could only be considered at a stage when the talks progressed satisfactorily.

The Norwegian peace envoys were aware of the tense situation on the ground, as well as the position of both parties on the issue of deproscription. They realised that a stalemate had arisen. It was during these circumstances that Vidar Helgesen, accompanied by Erik Solheim and Lisa Golden, an official from the Norwegian Foreign Affairs Ministry, met me in London on 15 July 2002. Helgesen enquired about the prospects of resuming peace talks in Thailand. I reiterated that the LTTE would not agree to participate in the talks unless and until the organisation was deproscribed and the obligations of the truce implemented. Helgesen promised to take up the issues with Ranil's administration again. He also requested me to meet Mr Milinda Moragoda, a senior Sri Lankan Minister in charge of the peace talks, and brief him on the LTTE's views and concerns. I consented, and the meeting took place at the Norwegian Ambassador's residence in London, on 27 July. Mr Vidar Helgesen was present. My wife, Adele, assisted me. It was the first direct meeting between a Sri Lanka Minister and the chief negotiator of the LTTE. Mr Morogoda listened carefully to our views and concerns. The belligerent Sinhala army and the hostile navy were opposed to de-escalation and restoration of normalcy in Tamil areas, I explained. On the matter of resuming peace talks, he appreciated our aspiration for deproscription so as to represent the Tamil nation as legal representatives on a status of parity. He assured me that Ranil's administration would soon lift the ban on the organisation. Intelligent and congenial, Milinda demonstrated a willingness to find creative solutions to problems and issues. He promised to undertake a fact-finding mission to Tamil areas. After a constructive two hour meeting, it was decided we would meet in Oslo in mid-August.

Following our meeting I contacted the LTTE leader and conveyed to him the content of my dialogue with the Sri Lankan Minister. From our discussions with Mr Morogoda, I gathered that the government would deproscribe the Tigers before talks and accredit them equal status in negotiations, with the implicit recognition of the LTTE as the sole representatives of the Tamil people. In so far as the issues of de-escalation and non-implementation of

the truce obligations were concerned, Wickremasinghe's regime had little authority over the armed forces, which was under the full control of the all-powerful executive President, I explained to Pirapaharan. As a realist, Pirapaharan was acutely aware of the power struggle and co-habitation conflict between Chandrika and Ranil. He knew that Ranil had the will but lacked the authority to ensure the smooth implementation of the ceasefire agreement. It was precisely for this reason that Mr Pirapaharan did not insist on rigid implementation and showed admirable restraint in provocative, volatile situations. He agreed to my suggestion to commence the talks in Thailand in mid-September if Sri Lanka was prepared to lift the ban before that date and take-up the issues of non-implementation in the direct talks.

On the invitation of the Norwegian Foreign Ministry, we visited Oslo where we met Mr Morogoda again. He was accompanied by Mr Bernard Goonetilleke, the Director General of the Sri Lankan Peace Secretariat. Adele assisted me. Norwegian facilitators, Mr Vidar Helgesen, Mr Erik Solheim, Mr Jon Westobrg and Ms Lisa Golden, were present at the meeting. During the discussions the parties agreed to start formal talks in Thailand, in mid-September. It was agreed that the Norwegian government would announce the exact date of the meeting and other related matters. Primarily, issues related to the implementation of ceasefire and the resettlement of internally displaced persons were covered at the Oslo meeting. During the course of that day each delegation met the Norwegian Foreign Minister, Mr Jan Petersen. He complimented the parties for their agreement to hold direct negotiations in Thailand.

Two weeks after the Oslo meeting, the government of Sri Lanka announced that it would lift the ban on the LTTE from 6 September, ten days ahead of direct negotiations. Accordingly, the Sri Lanka Defence Minister, Mr Tilak Marapone issued the relevant gazette notification on 5 September, deproscribing the LTTE under the Prevention of Terrorism Act.

In the meantime, the Government of Norway announced that the first round of direct negotiations between the Government of Sri Lanka and the LTTE would be held in Thailand at the Sattahip Naval Base from 16-18 September. Both parties agreed to send four member delegations.

Inauguration of Talks

September 16, 2002. Officials rushed to greet us as we stepped from our vehicle at the five star Ambassador City Hotel, Jom Tiem, 50 kilometres from Bangkok, Thailand, to a waiting world of journalists, diplomats, and the public. Peace was beckoning and an abundance of international goodwill and optimism prevailed.

An entourage of security staff, officials and organisers ushered us down the long, wide corridor to the huge lounge in the hotel. One section of the room had been set aside for the big Sri Lanka delegation. Prof G.L Peiris, Mr Milinda Morogada, Mr Bernard Goonatilleke, Mr Rauf Hakeem and their assistants mingled with the invited guests and the Norwegians facilitators. One could not help but be moved by the sense of occasion that filled the air. It was an historical occasion, a grand inaugural ceremony hosted by the Thai government.

While we drank our tea and carried out all the social and diplomatic niceties, the international media scrambled for prime positions and set up their cameras and microphones in the press conference hall. The large gathering of Thai officials, foreign diplomats and dignitaries sat quietly in anticipation of the content of the inaugural speeches from Mr Peiris and myself. The audience was correct in their expectation and the world's curiosity was not unnatural. Everyone was fascinated to see these two warring parties come together on a common podium while the world watched; to hear in their speeches how they set the tone for the forthcoming peace talks and whether in fact their addresses would contain indications of a genuine willingness to put the past behind and move on to the future, or whether in fact it would be a forum to restate entrenched, hostile positions.

Although the LTTE has participated in various peace processes with India and the Sri Lanka government in the past, this first session of talks with the Sri Lanka government in Thailand were particularly poignant. The stage for dialogue had shifted from the regional theatre to an international forum.

At the appointed time, Mr Peiris, chief negotiator for the Sri Lanka government and I, followed by our respective delegations and Mr Vidar Helgesen, leader of the Norwegian team of facilitators, passed through the huge wooden doors into the hall to meet

the world and to the inauguration of the Sri Lanka Peace Process 2002.

The task of ensuring that the official ceremony proceeded smoothly rested with Mr Erik Solheim. This was a particularly poignant day for Erik. He, along with many of his colleagues in the Norwegian Foreign Affairs Ministry had traversed a long, difficult path with the LTTE to reach this point. I am sure he heaved a sigh of relief when he stepped up to the microphone for his short speech, finally making the peace process official and legitimate.

Appropriately, Mr Tej Bunnag, Permanent Secretary, Royal Thai Ministry of Foreign Affairs opened the peace talks, eloquently conveying in his welcoming address, the good wishes of his country and its desire to contribute towards peace in the world in general and in Sri Lanka in particular. 'We are pleased to contribute to the cause of peace in the international community and to make a modest contribution...We hope that your dialogue in the coming days will lead to a universally desired result of national reconciliation in Sri Lanka...'

Professor G.L. Peiris followed on from the Permanent Secretary and spelled out the mood of the Sri Lanka government under Prime Minister Mr Ranil Wickremesinghe's leadership. In his inaugural address, Mr Peiris acknowledged the 'collective calamity' the ethnic conflict had wrought on the island over the past fifty years and obviously viewed the Peace Process as an historic opportunity for the peoples of Sri Lanka to change their lives and work towards a prosperous, peaceful and just country. He resolved that the Sri Lanka government no longer viewed war as means to a solution of the ethnic conflict. 'This is now behind us,' he said and called for an enormous effort by all concerned to rise above animosities and distrust to make the process a success.

My speech was brief as required by the protocol of the inaugural function. I emphasised the urgency of economic recovery of the war affected Tamil population, insisting on an immediate programme of resettlement, rehabilitation and reconstruction. I stated:

'Please permit me to express my sincere thanks to the Government of Thailand on behalf of the Tamil people of Sri Lanka, for offering your beautiful country as the venue for this historic peace-making event. We appreciate the gracious hospitality and wonderful

conference arrangements provided here. We are happy and confident to engage in a constructive peace dialogue in this serene environment.

'May I also express my sincere compliments and congratulations to the Government of Norway for its success in accomplishing the difficult task of bringing the principal protagonists - the Liberation Tigers of Tamil Eelam and the Government of Sri Lanka - to the negotiating table. The Tamil people are grateful to the Norwegian peace envoys for their dedicated and persistent endeavour to bring an end to the armed hostilities and for creating a congenial atmosphere of peace and normalcy in the island. The task of building a permanent peace and reaching a final settlement to the ethnic conflict may be difficult, challenging and time consuming. Nevertheless, we are confident that with the able assistance of the Norwegian facilitators there is a possibility for the peace process to succeed. We are optimistic that the peace talks will succeed because both Mr. Velupillai Pirapaharan, the leader of the Liberation Tigers, and Mr. Ranil Wickramasinghe, the Prime Minister of Sri Lanka, have a genuine will and a firm determination to resolve the conflict through the process of dialogue. As far as the Liberation Tigers are concerned, I can assure you that we are seriously and sincerely committed to peace and that we will strive our utmost to ensure the success of the negotiations. We are well aware that there are powerful political forces in southern Sri Lanka who are irrationally opposed to peace and ethnic reconciliation. Nevertheless, we are confident that the talks will progress successfully because of the fact that the principal parties in the conflict as well as the overwhelming majority of the people of the island want peace and peaceful resolution of the conflict.

'Since we are required, at this inaugural function, to keep our statements brief, I do not wish to dwell in detail or in depth on the historical evolution of the

ethnic conflict in Sri Lanka. The Tamil struggle for self-determination has a lengthy and complex history, the last two decades of which were characterised by a brutal and savage war. All previous attempts to seek a peaceful negotiated settlement to this intractable conflict ended in fiasco.

‘Though the leadership of the LTTE had, on several occasions, opted for cessation of hostilities and peace talks, the previous government rejected our conciliatory gestures and intensified the conditions of war that caused heavy loss of life and monumental destruction of Tamil property.

‘The intransigence of the previous government could only be attributed to its incredible military theory that war begets peace and political solutions can only be realised by military means. By practicing such an absurd notion the last government of Sri Lanka plunged the entire country into the abyss of social and economic disaster.

‘The situation has radically changed with the assumption to power of the new government with the overwhelming popular mandate for peace and negotiated political settlement. The new government reciprocated positively to the unilateral cease-fire declared by our liberation organisation at the end of last year. It was at that stage the Norwegian facilitators were able to intervene constructively and work out a comprehensive cease-fire agreement. A mutually agreed cease-fire agreement with international monitors from Nordic and Scandinavian countries came into effect in February this year.

‘The most encouraging aspect of the current situation is that the cease-fire has held for the last seven months, without any serious violations. In this context I wish to compliment the foreign representatives of the Sri Lanka Monitoring Mission for their dedication, commitment and impartiality in ensuring the smooth implementation of the truce agreement.

‘Peace and stability are being restored in the

island for the first time after two decades of sustained and relentless war that has torn the country apart. This positive atmosphere of peace has brought a sense of relief, hope and confidence to all major communities living in the island: the Tamils, the Sinhalese and the Muslims. A firm foundation has been laid for peace negotiations between the principal parties in conflict.

'Normalcy of civilian life is slowly and systematically returning to the northeast of Sri Lanka, the homeland of the Tamils and Muslims, the region that has faced the brunt of the armed conflict. The north has suffered the most horrendous impact of the war, where the entire civilian infrastructure has been destroyed, where thousands of civilians have lost their lives, where one million people are internally displaced. The economic embargo imposed on the Tamil people for the last one decade has had a devastating effect on their social and economic life. This economic strangulation subjected our people to extreme poverty and severe deprivation. There is an urgent need for relief and assistance to the war affected people. Immediate steps should be undertaken without delay, to embark on a comprehensive program of resettlement, rehabilitation and reconstruction. This monumental task cannot be undertaken without the help and assistance of the international community. The concerned international governments, who have been supporting a negotiated settlement to the Tamil national question, should contribute generously for the reconstruction of the war-damaged economy of the northeast. Improving the conditions of existence of the war affected people and effecting normalcy, congenial for their economic revival, has become a necessary and crucial element in advancing and consolidating the peace process.

'Over and above the intricate questions of conflict resolution and power sharing, the people expect a peace dividend; they require immediate relief to resolve their urgent, existential problems. Therefore,

the peace process cannot be undertaken in isolation without taking parallel steps towards the economic recovery of the suffering population. The leaders of the Sri Lanka government have expressed a desire to transform the island into a successful Tiger economy. We appreciate their aspiration. Such an aspiration can best be realised by embracing the Tamil Tigers as their equal partners in the task of economic reconstruction of the country. The LTTE is the legitimate and authentic representative of the Tamil people. We have lived, fought and suffered with and for our people throughout the turbulent times of the war. We have a comprehensive knowledge of the socio-economic needs confronting the Tamil people. We have built an effective administrative structure for more than ten years which has sustained the social cohesion and law and order. Therefore, it is crucial that the LTTE should play a leading and pivotal role in administration as well as the economic development of the Northeast.

‘The deepest aspiration of our people is peace, a peace with justice and freedom; a permanent peace in which our people enjoy their right to self-determination and co-exist with others. Peace, stability and ethnic harmony are the foundations upon which the economic prosperity of the island can be built. Let us strive, genuinely, with hope and confidence, to consolidate these foundations at this forum to bring a peaceful and prosperous life to all peoples in the island.’

In his summing up speech, Mr Vidar Helgesen also referred to the importance of international financial assistance for economic development projects to consolidate the process and for the people to enjoy tangible dividends from peace while negotiations were proceeding at the top political level. Mr Helgesen, as did everybody who attended the function, recognised that the negotiating process would be long and complicated, but expressed a confidence in the parties’ commitment to a negotiated settlement to the ethnic conflict.

First Session of Talks

The policeman waved our motorcade through the traffic lights as we headed back from the inaugural conference at the Ambassador Hotel to our very comfortable bungalow situated in the heart of the Sattahip Naval Base.

Sattahip was chosen as the venue for the first session of talks as it was seen to have all the facilities required in a protected area where the negotiating parties could stay and meet. I must comment that everyone involved, the Thai government, Norwegian facilitators and the representatives of the Sri Lanka state, were extremely generous in their considerations of my health in choosing this venue. I had no wish to spend ten days cooped up in a hotel room. I wanted an environment where, once free from the seriousness and intensity of negotiations, we could enjoy the natural scenery, sit outside in the sunset and just generally have some space to spend the period of the talks; Sattahip satisfied my wishes.

In the afternoon of 16 September we were driven the few miles within the Naval base precincts to the guesthouse of the Admiral of the Thai Navy overlooking the sea, for the direct talks scheduled to begin at 4p.m. The opening session of talks began after a brief photographic session. Vidar Helegesen, as chief facilitator, chaired the meeting. The chief negotiators and members of both delegations were seated facing each other. Officials and resource persons to assist the teams were seated behind the delegations. Erik Solheim, Jon Westborg, Lisa Golden and Thomas Strangeland assisted the chief facilitator. Helgesen opened the talks by proposing a set of procedures for negotiations. This included the modus operandi of meetings, formulation of agenda, recordings of decisions, handling of media and other related matters. Though there was general agreement on the procedures for talks as proposed by the facilitators, I suggested that rules of negotiations should not be rigid, constraining the scope of the talks. Professor Peiris agreed with my comments, arguing that rigid procedures would restrain the parameters of negotiations, and suggested flexibility.

It is beyond the scope of my work to record the whole range of discussions, arguments and suggestions on various issues taken up during three sittings of the first session of formal talks. There was neither a structured agenda nor a common strategic approach. Both

the parties had their own agenda, preferences and goals. On the Tamil side, the LTTE, as it has always done so, posited the totality and complexity of the Tamil national question to two levels; the urgent existential problems faced by the Tamils, and the core, or fundamental issues, underlying the conflict. This two dimensional approach corresponds with the reality of the conditions of existence of our people. Two decades of war have aggravated the immediate, day-to-day life problems into a serious humanitarian crisis. It was precisely for this reason the LTTE has been insisting on addressing immediate existential problems before embarking on the difficult process of resolving the core issues. In this context, we have always advocated a stage-by-stage approach, a pragmatic process in which the immediate and urgent issues are given primacy. We emphasised this approach at the Sattahip talks. For example, despite various challenges, the ceasefire agreement was holding. It had been a success, we argued, because it was gradually and systematically built up, stage-by-stage. The Sri Lankan delegation endorsed our view and both parties agreed to advance the peace process in stages, giving primacy to urgent humanitarian issues.

In order to advance the peace process in stages, from peripheral to core issues, it was of crucial importance that the ceasefire agreement be stabilised and consolidated while an appropriate administrative mechanism should be institutionalised to address the urgent life problems of the Tamil people. The Ceasefire Agreement was the foundation on which the entire peace process stood. It rested on strategic parity, or rather, on balance of power. Ceasefire provided the scope for de-escalation and normalisation of civilian life. Therefore, it was the ground on which the peace process had been built.

Exploring the urgency of strengthening the ceasefire to consolidate the peace process, I argued that the hostile behaviour and the lack of co-operation of the armed forces posed a serious threat to the truce agreement. The Sri Lankan army had refused to comply with the obligations of the Ceasefire Agreement and continued to occupy public buildings (houses, schools, colleges, temples, hotels etc) in towns and villages causing a huge humanitarian crisis of displacement. Defining the mode of occupation of specific areas as the so-called High Security Zones, the army was holding large areas of land in the northeast, denying the right of our people to return to

their own homes and villages, I said. The LTTE delegation presented a comprehensive list of public places occupied by the army. Milinda Morogada, responding to my criticisms, proposed the formation of a Joint Committee to study and deal with the issues related to the High Security Zones and the problems of the displaced persons.

I took up the issue of Interim Administrative Council, arguing that the formulation of such an institutional mechanism was vital if the urgent humanitarian issues of resettlement, rehabilitation and reconstruction were to be addressed. A northeast administrative structure with a leading role to the LTTE was even endorsed by the Indian government as a post-Accord provisional arrangement, I said. Pointing out that the creation of an interim administrative set-up was proposed in the UNP Election Manifesto, which had received the mandate of the Sinhala people, I insisted that Ranil's government was obliged to set-up this institution as early as possible.

Professor Peiris responded with a lengthy exposition of the constitutional difficulties involved in the formation of an elaborate administrative structure with adequate powers to deal with the issues of rehabilitation and development. His central argument was that the present entrenched constitution could not provide space for the institutionalisation of such an administrative structure. Even if such an administrative mechanism was created, it would violate the constitution and the President, as well as the Chief Justice, would never allow such a measure, Professor Peiris explained. To embark on such a futile exercise would offer the President an opportunity to interfere and stall the peace talks, he said. The Sri Lankan chief negotiator urged with LTTE delegation to give adequate space to the government to find ways and means to overcome the constitutional hurdles in the creation of a proper administrative structure. Instead, Mr Peiris suggested the formation of a provisional mechanism as a 'pre-interim' structure, or rather a 'nucleus', which could be systematically evolved into a substantial framework for an interim administration. I told the Sri Lankan delegation that the LTTE leader, Mr Pirapaharan, would be seriously disappointed if there were a delay in the formation of an interim administration. Professor Peiris argued that the intention of the government was not to delay, but rather accelerate the process of rehabilitation and

reconstruction activities by setting up an alternative, provisional mechanism. In this context, the parties agreed to set-up a Joint Task Force for Humanitarian and Reconstruction Activities based on a partnership between the Government of Sri Lanka and the LTTE 'for the identification, financing and monitoring of urgent humanitarian and reconstruction activities in the North and East.'

As the chief negotiator for the LTTE, I was disappointed with the government's hesitation in setting up an interim administrative council for the northeastern region. Professor Peiris presented rational and convincing arguments explaining the constitutional difficulties involved in the exercise. From the exposition of the constitutional hurdles and the apprehensions he expressed, over the possible Presidential intervention, I could foresee the two major obstacles the government might confront in the future in seeking a reasonable solution to the Tamil issue. The first is the Sri Lankan constitution and the second is the Presidency. I wondered if it would ever be possible for Ranil Wickremasinghe and his team of negotiators to resolve the intractable ethnic conflict within the parameters of an entrenched majoritarian constitution and without the consensus of a single-minded, authoritarian President.

During the three days of deliberations the parties discussed wide-ranging issues i.e. de-mining, internal displaced persons, high security zones, disappearances, restrictions on fishing, political prisoners, repeal of the Prevention of Terrorism Act (PTA), resettlement, reconstruction, rehabilitation, development, ceasefire violations, issue of the Muslims etc. Although Mr Hakeem participated at the talks as a government representative, in his capacity as the leader of the Sri Lankan Muslim Congress, he articulated the interests of the Muslims on several critical issues affecting that community. Mr Morogada suggested the formation of joint committees to address certain issues. Though we reluctantly agreed to form committees, I expressed serious reservations over this typical problem solving methodology of Sinhala governments, which invariably created an ever-expanding corrupt bureaucracy while failing to resolve the problems.

The first session of talks created a positive environment where two adversarial parties engaged themselves in a working relationship, developing mutual trust, rapport and cordiality. There was no acrimony or hostility between the parties and wide-ranging

contentious issues were discussed. When critical issues from the ground situation emerged, the parties amicably resolved the problems. The presence of the Norwegian facilitators was constructive, pulling the threads together and keeping the dialogue focused. Mr Helgesen, as the moderator, carried out his role with considerable sophistication and evenhandedness.

Following the first session of talks, Adele accompanied me, in mid-October, to meet Mr Pirapaharan and the senior leaders of the LTTE to brief them on the discussions in Sattahip. I explained to the LTTE leader the arguments advanced by Professor Peiris clarifying the constitutional difficulties in creating an interim administrative structure. The government, constrained by the constitution and the executive President, could only offer a pre-interim provisional mechanism with limited powers to undertake humanitarian and reconstruction activities. The cohabitation crisis between Ranil's administration and Kumaratunga had become acute and she was waiting impatiently to interfere and topple his parliamentary government if he dared to offer anything substantial to the Tamil Tigers. Pirapaharan was not surprised at my assessment. He was aware of the power struggles in Colombo and that Ranil's regime was unstable and constantly faced the danger of dissolution. Nevertheless, he was disappointed with the prospect of delay in the formation of an interim administration to address the urgent humanitarian problems of his people. He was not impressed by the proposal for a Joint Task Force. The Tamil people would not get a fair deal or dividends from the peace process, since the Sinhala polity was fragmented and polarised on racist grounds, he said. The important element in the peace process was the internationalisation of the Tamil issue, I said. We should impress upon the international community that the LTTE was genuine and serious in the pursuit of peace and that the Tamil people had urgent humanitarian needs, I further explained.

While we were in Vanni deliberating with the LTTE leaders, Mr Vidar Helgesen and Mr Erik Solheim visited Sri Lanka on 20 October. They met Pirapaharan in Killinochchi on the 22nd, accompanied by Mr Jon Westborg and Mr Thomas Strangeland. Tamilselvan, head of the LTTE's political wing, Adele and I assisted the LTTE leader. At the meeting Pirapaharan portrayed a gloomy picture of the plight of the Tamil people. The Ceasefire Agreement

brought an end to war but had failed to usher real peace and normalcy, nor had it brought relief to the suffering masses. The terms and conditions of the truce had not been implemented. The Tamil people continued to be suffocated by the conditions of military occupation. Pirapaharan said that a huge mass of displaced people continued to be languishing in refugee camps and welfare centres, without any prospect of returning to their homes and villages. Norway, as well as the international governments had a moral responsibility to address and resolve the major humanitarian tragedy of the displaced population.

Responding to Pirapaharan's comments, Vidar Helgesen said that a lot of work had to be done on the international level to mobilise financial support for the rehabilitation and reconstruction in the northeast. The Government of Norway, he revealed, was organising a donors' meeting in Oslo on 25 November. Helgesen emphasised the importance of establishing the Joint Task Force as an effective mechanism to receive funds for humanitarian projects as well as for reconstruction.

Commenting on the political crisis in Colombo the Tamil Tiger leader observed that the power struggle among the Sinhala political leadership, particularly between the President and the Prime Minister, would pose a serious threat to the peace process. Helgesen played down the co-habitation crisis in Colombo saying that Ranil enjoyed a parliamentary majority and the President was under heavy pressure from the international community to co-ordinate and work with the Prime Minister. The Norwegian Minister's optimism did not impress Pirapaharan.

Second Session of Peace Talks

The second session of peace talks between the Government of Sri Lanka and the Liberation Tigers was held at the Rose Garden Resort, about 30 kilometres from Bangkok, Thailand. Two additional representatives, Mr Tamilselvan and Mr Muralitharan (Colonel Karuna), Special Commander Batticaloa/Amparai, were included in the main LTTE delegation. Mr Visuvanathan Rudrakumaran and Mr Jay Maheswaran participated as resource persons. There was no change in the composition of the Sri Lankan

delegation. Mr Austin Fernando, Defence Secretary, Major General Shanta Kottegoda of the Sri Lankan army and Mr Aziz of the Sri Lanka Muslim Congress participated in the talks as additional resource persons.

Professor Peiris opened the dialogue with the observation that the international community had welcomed the progress of the talks in the first session and was solidly behind the peace process. Given the climate of international goodwill he felt that it was of critical importance to strengthen the peace process. Professor Peiris expressed serious concern about the incidents of violence in the east (in Valaichenai and Muthur areas) that had created communal tension among the Muslim and Tamil communities and called for urgent measures to normalise the situation. He also said that the problems of such nature allow space and opportunity for spoiler elements to capitalise and undermine the peace process.

Mr Hakeem, while expressing serious concern over the plight of his community in the eastern province, blamed LTTE cadres for the outbreak of violence in Valaichenai, which turned into a communal clash between Muslims and Tamils. He called for co-operation and partnership between the LTTE and the Muslims in the east and action to be taken to resolve sensitive issues such as land disputes.

Addressing the problems in the east, I pointed out that the LTTE leadership had already taken steps to improve the security situation in the east and the ethnic relations between Muslims and Tamils in general and the Muslims and LTTE in particular. I argued that the Memorandum of Understanding signed between Mr Pirapaharan and Mr Hakeem, in April in the Vanni, was an example of such a constructive approach. The LTTE leadership had given strict instructions to its cadres to treat the Muslims people with respect and brotherhood. I also cautioned the government delegation of the sinister activities of Tamil para-military groups working with military intelligence, who harass the Muslims in the name of Tigers to cause inter-communal violence with the aim of disrupting the peace process. I also suggested that the Sri Lanka Monitoring Mission (SLMM) should play an active role in restoring peace and normalcy in the east. After a day's deliberations on the security situation in the eastern province both the parties had agreed on the following:

- to reconstitute the SLMM local monitoring

committees.

- to request the SLMM to establish additional sub-offices, particularly in Batticaloa and Amparai districts.
- to establish direct communication between the commanders of the LTTE and the government in the east to improve the security situation.
- to establish a process of regular consultations between the LTTE commander and Muslim political leaders.
- to establish peace committees to resolve local problems and to promote inter-ethnic reconciliation.

The dialogue for the next two days, 1 and 2 November, was centred on the formation of sub-committees, under the auspices of the negotiating teams, to deal with specific matters. These committees would be active and function with relative autonomy, but present progress reports at the main sessions of talks. After lengthy deliberations, the parties finally agreed to form three important sub-committees to deal with three specific matters. (1) Immediate humanitarian and rehabilitation. (2) De-escalation and normalisation. (3) Political affairs. These sub-committees were the brainchild of Milinda Moragoda. He mooted the idea of sub-committees, under the guidance and supervision of the negotiating teams, as a way of bypassing constitutional difficulties.

The first committee to be formed was the *Sub-Committee for Immediate Humanitarian and Rehabilitation Needs (SIRHN)* to replace the Joint Task force. The role and function of SIRHN would be:

- to identify humanitarian and reconstruction needs of the population and priorities implementation of activities to meet these needs. Priority would be given to activities aimed at rehabilitation of internally displaced persons and to humanitarian mine action programmes.
- to decide on the allocation of the financial resources required for prioritised activities.
- to select appropriate agencies for implementation of the prioritised activities.

The sub-committee would ensure the participation of all ethnic communities in the northeast so as to consider their needs and priority should be given to the mobilisation of local labour. The activities and projects initiated by the sub-committee would be financed through a fund called the NorthEast Reconstruction Fund (NERF) vested with an international financing agency.

The parties decided to set-up an administrative secretariat for SIRHN, which would be located in the government Agent's office in Killinochchi and would be composed of eight members, four selected by the LTTE and four by the government. Two members of the respective negotiating teams would lead each team. Accordingly, the parties agreed to appoint the following members to the sub-committee.

LTTE members:

Mr Tamilselvan, Head, Political Wing

Mr Poovannan, Director,
Tamil Eelam Administrative Service

Mr Velupillai Balakumaran,
Senior LTTE member

Dr Jay Maheswaran, Development expert and
resource person on the LTTE's peace delegation.

Government of Sri Lanka:

Mr Bernard Goonetilleke, Director General,
Sri Lanka Peace Secretariat

Mr MDD Peiris, senior advisor to the Minister of
Economic Reform

Mr MIM Rafeek, Additional Secretary,
Ministry of Planning

A Muslim representative to be decided later.

The *Sub-Committee on De-Escalation and Normalisation* was set up by the negotiating teams as a mechanism for structured dialogue between the parties to address matters relating to the Sri Lanka army's High Security Zones which occupied large tracts of residential areas. The sub-committee would also examine ways and means to ensure resettlement, the return of private property and the resumption of economic activities in these areas. The sub-committee would be composed of senior military commanders and high-

level civilian leaders. Two members of the respective negotiating teams would be included in the sub-committee. The SLMM would assist and advise the sub-committee at meetings and would report to the facilitator.

The parties appointed the following members to the sub-committee.

The LTTE:

Colonel Theepan
 Mr Elamparuthi, Jaffna Political Wing
 Colonel Jayam
 Mr Elilan, Head, Vavuniya Political Wing
 Colonel Pathuman
 Mr Tilak, Head, Trincomalee Political Wing
 Colonel Karuna
 Mr Kousalyan, Head, Batticaloa/Amparai Political Wing

Government of Sri Lanka:

Mr Austin Fernando, Secretary, Ministry of Defence
 Major General SHS Kottegoda
 Major General Sarath Fonseka
 Rear Admiral SP Weerasekara
 Brigadier SR Balasooriya
 Mr Nimal Lewke, SSP
 Group Captain Kolitha Gunatlake
 Mr Divinda Kalupahna
 Mr MA Majeed

In the early stages of the negotiation process, the parties agreed that priority should be given to improve the conditions of existence of the war-affected population and to restore peace and normalcy in the Tamil homeland. At the same time, the parties also recognised that negotiations involved addressing complex political issues to reach a negotiated political settlement to the Tamil national question. This involved a deeper study and analysis of legal, constitutional, political and administrative issues. The parties would also address, jointly and separately, global peace efforts, resolutions to world ethnic conflicts, models and systems of government, issues of post-conflict transition etc. To gain a comprehensive understanding of the global political processes and apply such knowledge to explore a suitable political solution, the parties decided to form a

Sub-Committee on Political Affairs. Heads of the delegations to peace talks, Professor Peiris and myself, would chair this Sub-Committee on Political Affairs. Mr Hakeem was included in the government delegation.

Oslo Donor Conference

The international donor conference organised by the Royal Norwegian Government in support of the peace process and to seek immediate international financial assistance, was held at the Holmenkollen Park Hotel, Oslo, on 25 November 2002. Over one hundred government representatives from 37 countries of the Asia-Pacific region, North American and Europe, participated in the conference. The Norwegian Foreign Minister, Mr Jan Petersen, ceremoniously opened the event.

In his opening speech, Mr Jan Petersen urged the international community to financially support the northeast. 'For the peace process to succeed, popular support for peace must be sustained. People must see tangible benefits of peace in their daily lives. Without significant international assistance, this opportunity will be lost,' he said. The Norwegian Minister further stated:

'The parties are showing a high degree of pragmatism and innovation in the peace negotiations. They are showing courage and political leadership in taking a gradual approach. It is incumbent upon donor governments to respond likewise. In our assistance to Sri Lanka, we should be sensitive to the needs of the peace process and make every effort to be flexible and cut through red tape when necessary. In the peace process, the parties are shouldering responsibility for the destiny of Sri Lanka. In the same way, they are taking ownership of rehabilitation and development efforts...

'The parties will rely on the continued support of the peoples of Sri Lanka. There is a groundswell of support for a peaceful settlement, and this must be sustained. It is critical that civil society help to consolidate the broad base of political support. This

needs to be matched by international political and financial assistance, to demonstrate that peace will bring tangible benefits to the long-suffering population.'

Mr Ranil Wickremasinghe, appealed to the international community to help Sri Lanka rebuild the economy devastated by war. 'Without continuing international support and help with resources to build the peace dividend, the momentum for peace could be retarded. With the re-creation of opportunities for growth politicians and negotiators alike will be driven to stabilise and advance the peace,' Mr Wickremasinghe told the conference. The Sri Lankan Premier further stated:

'Our collective experience of pain and deprivation, of armed conflict of eighteen long years, has banished forever the appeal of arms. Human aspirations are anchored in legitimate expectation. During the past 10 months our people, whatever their ethnicity have savoured deeply the fruits of peace.

'The fear which stalked a generation of Sri Lankans has become a thing of the past. Our people have rediscovered for themselves regions of their country, which had been inaccessible to them in recent times. There is no way that the people on the threshold of such possibilities, would give it all up to return of their own volition to the pain and trauma of war.

'Therein, deep in the hearts of all our people, lies the durability of the peace process on which we are now firmly launched. And we will not let our people down. That is our pledge. However with your sustained help now we can make a permanent peace in Sri Lanka happen sooner than later. Support now is of the essence. Let us leave no room for future generations to say that we have missed an unique window of opportunity and be faulted for having done 'too little, too late'. This is the opportunity for the international community that our meeting at Oslo provides.'

Speaking at the occasion, Richard Armitage, United States Deputy Secretary of State, declared that his country would

continue to support programmes that promote peace and good governance. He called upon the LTTE to renounce violence and secession. 'The United States is greatly encouraged that the LTTE has made a commitment to the political solution: it has agreed to settle this conflict through peaceful means. We urge the LTTE to go one step further and add to this commitment a public renunciation of terrorism and violence to make it clear to the people of Sri Lanka and indeed the international community that the LTTE has abandoned its armed struggle for a separate state..' he said.

These unwarranted provocative comments, made by a senior US official, discrediting the Tamil freedom struggle at an international forum organised to support and encourage the parties in armed conflict to seek peace and negotiated settlement, annoyed me. I was aware that the American conception of armed struggle was superficial and biased. Operating with the ill-defined category of political violence, America characterises all forms of conflict and popular agitations that manifest all over the world as 'terrorism', without taking into account the moral basis, the political context and the history of specific struggles fought against state terror and oppression. However, it was not the proper forum to raise controversial debates. Nevertheless, I later had an opportunity to respond to Mr Armitage, in a polite form, briefly explaining the political and historical background of the emergence of the armed resistance movement of the Tamils.

After the tea break, Mr Yashusi Akashi, the Japanese government representative, Mr Peter Lysholt Hanse Hanson, European Union representative, Margot Wallstrom, European Union Commissioner and Claire Short, British Secretary of State for International Development, addressed the forum expressing full support for the Sri Lanka peace process. Thereafter I was called upon to speak. I made the following speech:

'It is a privilege and honour to be invited to address this prestigious conference on behalf of the Tamil people of north-eastern Sri Lanka. I sincerely thank the Royal Norwegian Government for convening this conference; it has provided a forum for the parties in conflict to bring into focus to the international donor community the urgent and critical humanitarian needs of the war affected people.

As concerned nations committed to peace, political stability and economic prosperity in South Asia, you will certainly be eager to know the reality of the current situation and the existential conditions prevailing in the war affected region of northeastern Sri Lanka.

The most remarkable achievement of the negotiating process is that the ethnic war that ravaged the island for nearly two decades, has come to a halt and a stable peace is firmly established on the ground. The parties in conflict have ceased violence under the truce agreement and the guns are silent. The cease-fire agreement, with an effective international monitoring mechanism, has held for the last nine months without any serious violations. A de-escalation process is set in motion to systematically reduce the tensions caused by intense military occupation. Conditions of normalcy are slowly returning to the northeast of Sri Lanka, the region that bore the brunt of the brutal war.

The formal peace talks that commenced on 16 September have made considerable progress with substantial gains. The mode of dialogue has helped to foster friendly inter-personal relations that strengthened mutual trust and confidence. This congeniality promoted co-operation and accommodation. Adopting a realistic, pragmatic and conciliatory approach, the negotiating teams were able to resolve several thorny issues and the talks advanced significantly. The most positive outcome of the negotiations has been the establishment of committees to deal with the urgent issues of restoring normalcy and improving the security situation in the northeast and to rehabilitate the internally displaced persons. These committees are already operational and are addressing critical issues. A political affairs committee has been set up to explore models and systems of governance to formulate a framework for political settlement. This committee has also become functional. The

sessions of talks held so far have clearly demonstrated that the protagonists are earnest and sincerely committed to resolving all issues - peripheral and fundamental - that underlie the ethnic conflict through peace negotiations.

As the negotiating process moves forward with a clear vision and strategy to consolidate the current peace and to seek a permanent solution to the ethnic conflict, there are growing expectations and hopes among the war affected civilian population that their urgent existential needs and wants will be addressed and redressed without delay. For the suffering masses, peace and negotiations have little or no meaning unless they gain the peace dividend in concrete monetary and material assistance without delay. The savage war that ravaged the Tamil homeland has created enormous hardships and monumental humanitarian problems. If the hardships of the people are not remedied and their humanitarian needs are not met, the momentum, the optimism and the confidence that arose from the peace process will be severely undermined.

Please permit me to present here, as briefly as possible, the scale and magnitude of the catastrophic disaster that befell the Tamil people as a consequence of the horrendous war. Since I have lived and worked in the war zones of northern Sri Lanka for years, I feel myself qualified to depict the objective reality of the conditions of life in the Tamil areas.

The northeastern region of Sri Lanka, particularly the northern province, has been the war zone where ferocious battles raged incessantly for nearly twenty years. The conflict arose as a consequence of oppression and alienation of the Tamil people from effective participation in the democratic system of governance. The Tamils also faced discrimination in the allocation of resources and opportunities. As conditions of state oppression and violence intensified the Tamils resorted to armed resistance. In a determined effort to

destroy the Tamil resistance movement and to subjugate the Tamil homeland the previous governments of Sri Lanka unleashed an endless series of military offensive operations with massive firepower. The consequences of such military engagements were disastrous. Ancient cities, historical towns and villages that were dear to our people were razed to the ground. The destruction of Tamil property is immeasurable. Those of you who have travelled across Vanni along the A9 highway to Jaffna would have observed the scale and magnitude of the destruction of the built-up areas. Some devastated ghost towns invoke the memories of the tragic scenes of the Second World War. The Tamil civilian casualties of the war have been extremely high. More than sixty thousand Tamil civilians perished in the war. The aggressive nature of the war up-rooted huge Tamil populations from their traditional villages and towns. Nearly a million people became internally displaced. Several thousands fled to India and abroad. There were serious violations of human rights in the military occupied Jaffna including the disappearance of several hundreds of persons.

Though the armed conflict has come to an end, the tragic conditions created by the war in the northeast continue to cause enormous suffering to the civilian population. The internally displaced are still languishing in refugee camps and welfare centres in appalling conditions. Those who have returned to their damaged or destroyed homes face a miserable existence without proper shelter. The poverty and unemployment in the Tamil homeland is pervasive. The war has systematically and effectively destroyed the social and economic infrastructure. The fertile agricultural lands have been turned into minefields and therefore abandoned. It is estimated that anti-personnel landmines numbering over two million are littered around the civilian environment in the north, posing a major threat to life. The task of de-mining has become

crucial as huge populations await resettlement in the environment infested with anti-personnel mines and unexploded ordinances. The war as well as the economic embargo that was imposed on our people by the last government has seriously undermined the agricultural and fishing industries that form the economic foundation of the Tamil nation. The war has crippled the Tamil national economy and shattered the livelihood of the Tamil civilian masses. The people of the northeast are the real victims of this brutal war and therefore they deserve urgent and immediate assistance.

You are well aware that the Sri Lanka government, faced with a critical economic situation, cannot undertake the immense task of rebuilding the war damaged economy of the northeast. Resettlement, rehabilitation and reconstruction constitute a monumental endeavour; the cost of such an enterprise is beyond the internal resources of the government. Therefore, both the parties have decided to seek the assistance from the concerned international governments. The Sub-Committee for Immediate Humanitarian and Rehabilitation Needs of the Northeast, constituted by the representatives of the Government of Sri Lanka and the Liberation Tigers of Tamil Eelam, is making a joint appeal to the international community specifying the central areas of concern and emphasising the urgent and critical needs.

As we continue to engage in the difficult task of resolving the complex issues underlying the protracted ethnic conflict, we urge the international governments to offer substantial financial assistance for the resettlement and rehabilitation of the war affected people in the northeast. This assistance should reach our people without delay as tangible benefits of the peace process. Concrete international assistance at this critical stage of negotiations will demonstrate the international political support for the peace process. International backing is crucial at this juncture to

silence the subversive elements that are opposed to peace and ethnic reconciliation. Such a gesture will generate confidence among the people, create a positive atmosphere and help to advance the negotiating process towards the goal of permanent peace.

We are conscious of the fact that the international community, particularly the donor nations, is fully supportive of the current peace process. They strongly advocate a negotiated political settlement to the ethnic conflict.

On our part, we can assure the international community that our organisation is sincerely and firmly committed to peace and negotiated political settlement. We will continue to make every endeavour to advance the negotiating process towards its ultimate aim of finding a permanent solution to the Tamil national question. As solemnly pledged in the truce agreement, we will not resort to war or violence. We fervently hope that the Sri Lankan armed forces will also abide by that commitment. Both the parties have realised the destructive nature of war. There is no need to recourse to violence if our people are not subjected to repression, if the will and aspirations of our people are respected, if the political conflict is resolved by political negotiations. We pledge that we will strive our best to avoid all possible conditions of conflict and pursue the path of peace with commitment and dedication, until we establish a permanent peace and a permanent solution to the ethnic conflict.

After a day of deliberations international governments pledged 70 million dollars in immediate humanitarian aid. 'It was a promising signal of confidence in the Sri Lanka peace process for the international donors,' Mr Helgesen told the media. The government representatives from Asia-Pacific region, North America and Europe who participated at the conference issued a joint statement expressing strong support 'for the historic peace process.' The statement said:

'While the Government of Sri Lanka and the Liberation Tigers of Tamil Eelam have already

achieved important results, which have required great political courage, we urge both parties to exert further expeditious and systematic efforts, without recourse to violence, to resolve the hardcore political issues in order to achieve a lasting political settlement of decades of protracted conflict.

‘The Government of Sri Lanka and the Liberation Tigers of Tamil Eelam have already taken resolute steps towards peace. They face many challenges in seeking a lasting political settlement, acceptable to all communities living in the island. We therefore pledge to support their efforts with financial assistance to the peoples of Sri Lanka and continued encouragement to the parties in their search for a lasting peace through a negotiated final resolution to the conflict.’

Dr Jay Maheswaran, Mr Reggie, Head of the Tamils Rehabilitation Organisation, Mr Suthaharan Nadarajah, press coordinator, Adele and myself comprised the LTTE delegation. In the evening, after the event, I met Mr Ranil Wickremasinghe and discussed with him the ground situation in the Tamil homeland.

At the conference I also had a meeting with Mr Akashi. The Japanese diplomat enquired about the progress in the negotiations and expressed Japan’s desire to be involved in the Sri Lankan peace process. He further said that Japan had decided to organise a major donor conference in Tokyo, in May 2003, to mobilise funds from the international community for reconstruction and development projects in the island.

When I queried Erik Solheim concerning the reasons behind Japan’s interest in the peace process, he replied that the Japanese were interested in raising their political profile in international relations. The Japanese had become dejected and tired of paying the bills for reconstruction and development in post-conflict situations and not gaining any political recognition for their significant economic contributions. Japan was the major provider of economic aid to Sri Lanka and now viewed the current peace process as an opportunity to play a political role as a peace-maker, Solheim further explained.

The Oslo Donor Conference signalled a significant turning point in the Sri Lankan peace process. It created a space and an

opportunity for powerful international governments to become more involved in the peace process with divergent economic and geo-political interests. At the initial stages, the role of the international community was to encourage the protagonists to seek the path of negotiated settlement with pledges to mobilise resources for reconstruction and development. Following the Oslo conference with America, the European Union and Japan playing dominant roles, the development aid was tied to the progress of the talks; the peace dividend was pledged as reward for the renunciation of armed struggle and the quest for secession. Encouraged by Wickremasinghe's grand strategy of mobilising the international community as a 'safety net' to contain the LTTE, international actors began to be more actively involved in imposing constraints and prescribing parameters on one party (the LTTE) that began to shift the strategic equilibrium in Sri Lanka's favour. Apprehensive about this development, the LTTE criticised 'excessive internationalisation' as having a negative impact on the peace process. Furthermore, the Oslo Donor Conference, while it opened the door for Japan to play a significant role, also contributed to the marginalisation of India, the South Asian super-power, which had national and geo-strategic interests in the region. The other significant shortcoming was that the donor conference secured pledges of support for reconstruction and development in the war ravaged areas before institutionalising an effective mechanism for the utilisation of aid funds.

Third Session of Talks

A week before the third session of peace talks, the LTTE leader, Mr Pirapaharan, made a significant policy statement on the Tamil national question, in his Heroes' Day speech on 27 November 2002. Pirapaharan declared:

'The objective of our struggle is based on the concept of self-determination as articulated in the UN Charter and other instruments. We have always been consistent with our policy with regard to our struggle for self-determination. Tamil homeland, Tamil nationality and Tamils' right to self-determination are

the fundamentals underlying our political struggle. We have been insisting on these fundamentals from Thimpu to Thailand. Our position is that the Tamil national question should be resolved on the basis of these core principles. Tamils constitute themselves as a people, or rather as a national formation since they possess a distinct language, culture and history with a clearly defined homeland and a consciousness of their ethnic identity. As a distinct people they are entitled to the right to self-determination. The right to self-determination has two aspects: external and internal. The internal right to self-determination entitles a people to regional self-rule.

‘The Tamil people want to live in freedom and dignity in their own lands, in their historically constituted traditional lands without the domination of external forces. They want to protect their national identity pursuing the development of their language, culture and economy. They want to live in their homeland under a system of self-rule. This is the political aspiration of our people. This constitutes the essential meaning of internal self-determination. We are prepared to consider favourably a political framework that offers substantial regional autonomy and self-government in our homeland on the basis of our right to internal self-determination. But if our people’s right to self-determination is denied and our demand for regional self-rule is rejected we have no alternative other than to secede and form an independent state.’

Pirapaharan’s statement, expressing a willingness to consider models of regional autonomy and self-government for the Tamil nation, became a crucial issue for discussion and clarification at the third round of peace talks, held at the Radisson SAS Plaza Hotel, in Oslo, between 2-5 December 2002. The LTTE negotiating team remained unchanged. On the Sri Lankan side, the missing delegate was Mr Rauf Hakeem, who rushed back to Colombo soon after his arrival in Oslo, to sort out an internal party revolt. However, in his absence, Mr MIM Mohudeen, the SLMC’s advisor, was present as

a resource person.

As the talks opened with the discussion on the Sub-Committee on De-escalation and Normalisation, I presented a critique of the attitude and behaviour of the Sri Lankan army occupying the Tamil homeland, particularly in the Jaffna peninsula. The military personnel were hostile towards the civilian population and refused to vacate public buildings in violation of the ceasefire agreement. While denying the right of access of the displaced to return to their homes, which constituted a serious violation of UN conventions on the rights of the displaced, the Sri Lankan army was building new camps to consolidate its position. Because of the intransigence of the army, the formidable humanitarian problem of the displaced could not be resolved. In these circumstances the LTTE leadership felt that the Sub-Committee on De-Escalation and Normalisation served no meaningful purpose, I pointed out. Defence Secretary, Mr Austin Fernando, responded with a feeble explanation that the Sri Lankan forces needed time to move to alternative locations and to construct new camps.

Raising the issue of de-mining, Professor Peiris said that the government was interested in signing the Ottawa Agreement, but could not unilaterally do so unless the LTTE reciprocated positively. For security reasons, I responded, the LTTE was reluctant to sign the agreement. Mr Pirapaharan had already explained to Mr Helgesen that unless the Sri Lankan army took constructive steps towards de-escalation, the LTTE would not commit to de-mining, I told the Sri Lankan negotiators. I further explained that the LTTE had embarked on a massive programme of de-mining and had cleared vast tracts of territory in Vanni, facilitating re-settlement of the displaced.

Mr Tamilselvan presented a report on the meeting of the Sub-Committee on Immediate Humanitarian and Rehabilitation Needs (SIRHN) and complained that the functional process was slow and ineffective. Jay Maheswaran underscored the need to move rapidly and effectively to embark on humanitarian and rehabilitation programmes in the northeast. For this purpose, the parties agreed to establish the North-East Reconstruction Fund (NERF), as soon as possible. The parties also agreed that the custodian of the fund must be selected from international funding agencies, the World Bank, International Monetary Fund or the Asian Development Bank, and

modalities for its operation agreed at the next meeting of the sub-committee.

The importance of gender issues in relation to the peace process was discussed. The parties agreed to form a women's sub-committee to explore the inclusion of gender issues in the peace process.

Realising the need to improve the conditions of children, the parties agreed to adhere to international norms, protecting the rights of the child. The LTTE agreed to engage in partnership with the United Nations Children's Fund (UNICEF) to draw up an action plan for the rehabilitation of children.

Exploring Federal Solution

At this session of talks the parties agreed to explore a federal solution founded on the principle of internal self-determination. Since this decision has been projected as a major political breakthrough, a 'paradigm shift', and has become known as the 'Oslo Declaration', with interpretations claiming that the LTTE has abandoned the right to external self-determination and secession, I feel it necessary to clarify our position on this controversial issue.

Firstly, it must be stated that there was not any specific proclamation titled the 'Oslo Declaration'. The decision to explore federalism was included in the record of decisions at the Oslo talks and signed by the chief negotiators of both delegations and the head of the Norwegian facilitating team. It was later announced in the press communiqué released by the Norwegian Foreign Ministry.

Secondly, the decision was made in accordance with the proposal outlined by the LTTE leader in his Heroes' Day speech. Pirapaharan operates his concepts and categories within the overall framework of the right to self-determination, with its internal and external aspects. As a distinct people, the Tamils are entitled to both internal and external elements of self-determination. By invoking the right to internal self-determination he states that his people are entitled to regional autonomy and self-government. To quote him again: 'We are prepared to consider favourably a political framework that offers substantial regional autonomy and self-government in our homeland on the basis of our right to internal self-determination.' But at the same time, he cautioned that if

this internal element of self-determination is blocked or denied and that the 'demand for regional self-rule is rejected we have no alternative other than to secede and form an independent state.' In this context he enunciates the right to external self-determination as the last and the final option. Therefore, it is very clear that he operates with both aspects, the internal and external elements of the right to self-determination. I have also given similar expositions of Pirapaharan's conception in media interviews and speeches. Before delving into more depth on the legitimacy of our position in terms of UN Declarations and international law, I wish to clarify as to why we opted to *explore* a solution based on a federal structure.

At this session of talks, international resource persons from the Forum of Federations in Canada were in attendance and available for discussions with both parties. The Forum's experts included the former Premier of Ontario, Mr Bob Rae, Chairman of the Board of Directors, Professor David Cameron, from the Department of political science, University of Toronto, and Mr Karl Narenberg, Director of Communications and senior editor with the Forum. The LTTE delegates had two sessions of discussions with the Canadian experts. Pirapaharan's Heroes' Day policy statement became the centre of discussion.

I presented Pirapaharan's position, or rather, his demand for regional autonomy and self-government under the right to internal self-determination. Professor David Cameron argued that as an oppressed people, discriminated against and denied access to governance, the Tamils were eligible to exercise their right to internal self-determination and could demand self-governance. But he said that 'regional autonomy and self-government', the categories used by Pirapaharan, were vague, imprecise concepts. Supporting Cameron's argument, Bob Rae said that the LTTE should articulate using concrete concepts that reflect the realities of the modern world. He said that our demands and political goals should not be couched in ill-defined and abstract categories. 'You should articulate your views in terms of structures and systems of governance as they exist in the current world so that the policies of your organisation will be intelligible and will be acceptable to the international community if they are reasonable,' said Rae. The Forum's experts argued that our demand for regional self-rule could only be accommodated within a federal system of government, which was

essentially a political system combining self-rule and shared rule, two orders of government interacting at the centre and regional levels.

I felt that the Canadian experts were correct in their assessment that both the LTTE, as well as the Sri Lankan government, were articulating abstract categories that did not correspond to actuality. Sri Lankan politicians continued to use the concept of '*devolution of power*' to regions, in their peculiar vision of federal models, whereas federal constitutions dealt with '*sharing of power*', or rather, assigning sovereign power to regional and central governments.

Having given serious reflection to their view point, I told them that the LTTE was prepared to study and explore, in more depth and detail, the structures and systems of federal governments in relation to our own specific conditions, before committing ourselves to particular models. Later, Professor Peiris and I formulated the following as a joint decision:

'Responding to a proposal by the leadership of the LTTE, the parties agreed to explore a solution founded on the principle of internal self-determination in areas of historical habitation of the Tamil speaking peoples, based on a federal structure within a united Sri Lanka. The parties acknowledged that the solution has to be acceptable to all communities.'

Self-Determination: Internal and External

The right to self-determination is an evolving concept. It is a developing principle in international law as well as a universal human right guaranteed by international human rights instruments. Originally, the right to self-determination dealt with the colonial peoples and their entitlement to political independence and statehood. By 1970, the UN Declaration on Principles of International Law Concerning the Friendly Relations and Cooperation Among States, the right to self-determination assumed a definite and precise meaning in its internal and external dimensions. Under the heading entitled, 'Principles of Equal Rights and Self-Determination', the Declaration states:

‘By virtue of the principle of equal rights and self-determination of people’s enshrined in the charter of the United Nations, all peoples have the right freely to determine, without external interference, their political status and to pursue their economic, social and cultural development and every state has the duty to respect this right in accordance with the provisions of the charter.’

Implicit in the principle of the 1970 UN Declaration is a clear distinction between internal and external aspects of self-determination. The right to self-determination is normally realised internally, within existing states. ‘Every state has the duty to promote, through joint and separate action, the realisation of the principle of equal rights and self-determination of peoples, in accordance with the provisions of the charter,’ says the Declaration. The Declaration upholds the territorial integrity and political unity of sovereign and independent states. Nevertheless, it qualifies its statement by stating that states can only invoke the principle of territorial integrity if they are ‘conducting themselves in compliance with the principle of equal rights and self-determination of peoples as described above and thus possessed of a government representing the whole people belonging to a territory without distinction as to race, creed or colour.’

Based on the 1970 Declaration and other international instruments, the Supreme Court of Canada, on the question of Quebec secession, made the following determination on the relations between internal self-determination and territorial integrity of the state:

‘There is no necessary incompatibility between the maintenance of the territorial integrity of existing states including Canada, and the right of a ‘people’ to achieve a full measure of self-determination. A state whose government represents the whole people or peoples without discrimination and respects the principles of self-determination in its own internal arrangements, is entitled to protection under international law of its territorial integrity.’⁴

The 1970 UN Declaration, as well as the Canadian Supreme Court decision, do not entirely rule out the right to external self-

determination i.e. secession. 'The Declaration affirms state's right to territorial integrity. The one exception implied in the Declaration where secession might be permitted is where a state forfeits its right to territorial integrity by abuse of minority group.'⁵

The Canadian Supreme Court, commenting on the specific circumstances where the right to unilateral decision be exercised, states:

'...the right to external self-determination, which entails the possibility of choosing (or restoring) independence, has only been bestowed upon two classes of people (those under colonial rule or foreign occupation)..

'The right of colonial peoples to exercise their right to self-determination by breaking away from the 'imperial' power is now undisputed..

'The other case where the right to external self-determination occurs is where a people is subject to alien subjugation, domination or exploitation outside a colonial context..

'A number of commentators have further asserted that the right to self-determination may ground a right to unilateral secession in a third circumstance. Although this third circumstance has been described in several ways, the underlying proposition is that, when a people is blocked from the meaningful exercise of its right to self-determination internally, it is entitled, as a last resort to exercise it by secession.'⁶

The internal and external aspects of the right to self-determination are interlinked. The UN instruments as we have seen, place the obligation on the states to ensure the principles of equal rights and self-determination of peoples are fulfilled internally. Furthermore, the states can only invoke their right of unity and territorial integrity if those principles (equal rights and self-determination) are realised within the existing state. If a people are denied their right to internal self-determination, deprived of access to governance and subjected to conditions of oppression and discrimination, they are entitled to external self-determination. Based on the determination of the Canadian Supreme Court and on the 1970 UN Declaration, there is a growing body of written works supporting

the legal entitlement to external self-determination if peoples are denied the right to internal self-determination and subjected to state repression. It is within this context LTTE's theoretical position has to be examined.

The Tamils, living predominately in the northeastern region of Sri Lanka, constitute themselves as a distinct people. As a people, they are entitled to the right to self-determination, to both internal and external aspects. Under the right to self-determination, the Tamil people are entitled to freely determine their political status and to pursue their social, economic and cultural development. As Pirapaharan said in his 2002 Heroes Day speech, '...they want to protect their national identity... they want to live in their homeland under a system of self-rule. This is the political aspiration of our people. This constitutes the essential meaning of internal self-determination.'

Having invoked the principle of internal self-determination, Pirapaharan calls upon the Sri Lankan state to offer self-rule to the Tamil people in their own homeland. However, the LTTE leader was not confining himself to the parameters of the principle of internal self-determination. Knowing very well that the Sri Lankan state, entrenched in chauvinistic ideology, would not comply with 'the principles of equal rights and self-determination' as demanded by the UN resolutions, he warned that if our people's right to internal self-determination was denied and the demand for self-rule was rejected, the Tamils would unilaterally secede under the right to external self-determination. The LTTE's theoretical position is based on the specificity of the conditions of oppression of our people and their political struggle, a legitimate struggle that combines the internal and external dimensions of the right to self-determination. In essence, the LTTE's policy orientation is charted in compliance with the principles of international law and UN resolutions.

The Controversy Over High Security Zones

The second meeting of the Sub-Committee on De-Escalation and Normalisation was held in Muhamalai, the border town in the southern Jaffna peninsula, on 14 December 2002. The meeting lasted seven hours. The LTTE and the government delegations discussed the critical issue of High Security Zones (HSZ),

particularly in the Jaffna peninsula. The LTTE delegates emphasised the urgency of resettling the internally displaced people in their homes and villages declared by the army as High Security Zones. General Sarath Fonseka, Commander of the Sri Lankan army in the Jaffna peninsula, agreed to submit a plan before 21 December, for civilian resettlement in the HSZs. This plan would be discussed and agreed upon in a later meeting between General Fonseka and Colonel Theepan, LTTE Commander of the North, assisted by General Furuhovde, the Head of the SLMM.

As promised General Fonseka submitted his proposal to the LTTE on 20 December, under the title, 'De-Escalation Plan'. The document containing his proposals was sent to LTTE headquarters through the SLMM. Fonseka's plan created a furore, since he demanded disarming of the LTTE as a condition for de-escalation and resettlement of the displaced. General Fonseka insisted that the Sri Lankan army would consider allowing the displaced back to their homes and villages only if the LTTE agreed to 'disarm its cadres and decommission of its long range weapons.' Written in hostile and bellicose language, Fonseka's letter characterised the LTTE as 'terrorists' and protested that relaxing the difficulties of the displaced would enhance the LTTE's image. 'Resettling civilians in the HSZ can bring about a big political success to the LTTE. Therefore, it can have a direct impact on the political situation in Jaffna which may probably go in favour of the LTTE.' General Fonseka also cautioned the government, that 'no risks or chances should be taken to weaken security by making HSZ vulnerable.'

The LTTE outrightly rejected the plan proposed by the Jaffna Army Commander. In an angry response, an official statement issued by the LTTE on 26 December accused the Sri Lankan military hierarchy of imposing unacceptable and unrealistic conditions for the resettlement of the internally displaced people. The LTTE's statement blamed the military for placing insurmountable obstacles in the path of peace and normalcy. 'Disarming of the LTTE cadres and de-commissioning of their weapons are non-negotiable issues at this stage. These are critical issues linked to the safety and security of the Tamil people. To raise the issue at this stage of the peace process and stipulate it as a condition for the humanitarian task of resettlement has a diabolical motive of disrupting the current peace effort,' the statement said. The following are the extracts of the

LTTE's statement:

'The LTTE leadership has critically reviewed the document put forward by the Sri Lanka Army commander of Jaffna, Major General Sarath Foneska, with regards to de-escalation and return to normalcy of civilian life in the Jaffna peninsula which was sent to the LTTE through the SLMM.

'The considerable difficulties faced by the large numbers of Tamil people displaced from their homes in Jaffna by Sri Lankan military offensives over the past two decades have been recognised as deep humanitarian concerns by all parties in the peace process. The importance of returning normalcy to the Jaffna peninsula, to expedite the resettlement of the displaced people, is also reflected in the specific obligations in the cease-fire agreement signed by the Sri Lankan government and the LTTE in February 2002. Regrettably, to date, these aspects of the cease-fire agreement have not been fully implemented by the Sri Lankan military. The limited progress in this regard has been made with great reluctance on the part of the military and under considerable public and international pressure.

'The issue of restoring normalcy has also been taken up repeatedly in the direct negotiations between the LTTE and the GOSL in Thailand and Norway. The resulting formation of two sub-committees, the Sub-Committee on Immediate Humanitarian and Rehabilitation Needs (SIHRN) and Sub-committee on De-Escalation and Normalisation (SDN) were motivated by the urgent need to quickly address this problem.

'Having carefully studied General Fonseka's document, it is quite clear that the Sri Lanka military is simply not prepared to ease urgent existential problems of the people of Jaffna. In fact, these problems have been trivialised as secondary to the security forces' own comfort and concerns. Furthermore, apart from the belligerent and hostile tone of its document,

the SLA is reducing the considerable difficulties faced by the people of Jaffna to the question of whether political benefits that may or may not accrue to the LTTE should be permitted.

‘Most importantly, the SLA is now making its adherence to the normalisation aspects of the standing cease-fire agreement and the subsequent agreements reached by the LTTE and the GOSL at the direct talks, conditional on the LTTE’s disarming of its cadres and decommissioning of its weapons. These conditions are unacceptable and unrealistic.

‘Inevitably, the SLA’s refusal to honour the commitments already reached between the GOSL and the LTTE seriously undermines the ongoing peace process. The step-by-step approach hitherto adopted by all parties is intended to build confidence on both sides. As such, the SLA’s refusal to honour the agreements already reached considerably weakens this confidence. In particular, the Sub-Committee on De-Escalation and Normalisation is rendered irrelevant by the SLA’s new conditions for de-escalation. The SDN was formed specifically to work out the details of returning civilian homes and properties presently occupied by the military to their rightful owners. As such, and as long as the SLA insists on its unacceptable demands that the LTTE must disarm and decommission its heavy weapons, there is no purpose to be served by further meetings of the SDN. We also point out that the SLA’s reluctance to permit the resettlement of civilians in areas it has occupied and demarcated as High Security Zones also hampers the functioning of the Sub-Committee on Immediate Humanitarian and Rehabilitation Needs.

‘It is quite clear that the Sri Lankan Army is opposed to the peace process and is adopting a hard-line position in full awareness of the negative impact this will have on efforts to resolve the conflict in Sri Lanka. As such, while refusing to honour its obligations under the cease-fire agreement and subsequent

commitments made by the Sri Lanka government, is now making the easing the difficulties of the people of Jaffna conditional on unacceptable demands on the LTTE.'

While the controversy was raging over General Fonseka's plan on the HSZs, SLMM chief General Furuhovde issued a statement on the ground situation on 26 December, to mark the anniversary of the ceasefire. The LTTE leadership was irritated by his comments on the HSZ, which favoured General Fonseka's hawkish position. Furuhovde advanced the theme of 'balance of forces', to reinforce his position. He observed:

'In order to build peace the forces on both sides must be kept stable. In Jaffna, simply dismantling High Security zones for resettlement and handing over land for cultivation will decrease both security and combat potential of the government forces. The balance of forces is the basis of the ceasefire agreement and disturbing that balance is disturbing the ceasefire.'

Annoyed by the comments of the head of the SLMM, Pirapaharan requested me to respond to General Furuhovde, saying that his justification of General Fonseka's hard-line position had rendered the Sub-Committee on De-Escalation and Normalisation defunct. He also requested me to convey his decision to dissolve the sub-committee to the Sri Lankan peace delegation at the next round of talks. Accordingly, in my capacity as the chief negotiator for the LTTE, I wrote to General Furuhovde:

Dear General Furuhovde,

We have carefully scrutinised the statement released by you yesterday (26.Dec.2002) on the issues of normalisation, de-escalation, resettlement and High Security Zones. Though your evaluation of one-year cease-fire period under the truce agreement has optimistic and positive elements, your comments and value judgements on the security situation in Jaffna are unacceptable to us.

You are fully aware that the issue of resettling hundreds of thousands of internally displaced persons in the Jaffna peninsula has evolved into a formidable

humanitarian problem and has become the central problematic in the peace dialogue as well as a major public agitation. The SLA has forcefully usurped the public property to the extent of 30% of landmass of Jaffna and claims the area as 'high security zones'. The belligerent refusal of the SLA to allow IDPs to reclaim their property, you are fully aware, constitutes a serious violation of the human rights and individual freedoms. Furthermore, the SLA has not yet fully implemented its obligations of the cease-fire agreement by vacating from public places and removing restrictions on fishing. Under these circumstances, the hard-line statement issued by the Jaffna military commander General Sarath Fonseka linking the process of de-escalation to the de-commissioning of the our cadres, has severely undermined our confidence in the peace process and aggravated public frustrations.

What has deeply disillusioned us is your intervention on behalf of the SLMM justifying the continuous existence of the High Security Zones on security grounds. We cannot accept your argument or rather your judgement, that any disturbance of the High Security Zones 'will decrease both security and combat potential of the Government forces'. This adjudication simply reinforces the SLA's position on the illegal military occupation of public property. This purely militaristic argument to support your thesis on balance of forces has completely ignored and trivialised the grave humanitarian issue of the displaced population.

You are aware that the LTTE is not calling for the withdrawal of troops from Jaffna or total dismantling of camps. Rather we suggest the relocation of military positions in built-up civilian areas and settlements to facilitate the resettlement of IDPs. Furthermore, the LTTE cadres are totally disarmed in the military controlled region of Jaffna and therefore cannot pose any serious threat to the military, nor can they cause any

disturbance in the balance of forces.

As far as we are concerned, de-escalation and normalisation are inter-related concepts denoting the process of restoring normal civilian life by reducing the level of intensity of conflict. Your position justifying the intense military occupation of Jaffna depriving the displaced their homes and decent peaceful living is untenable with the political and philosophical principles advocated by you in your statement. You may be aware that High Security Zones in densely populated areas are operating with the sinister motive of using innocent civilians as shields for security cover, a notorious method that cannot be justified under any theory of balance of forces.

In conclusion we regret to say that the hard-line position of the Jaffna army commander and your assessment legitimising High Security Zones have rendered the sub-committee on de-escalation and normalcy as irrelevant and meaningless which has its implications on the functioning of the sub-committee for humanitarian needs, the gains of the historic peace process.

Fourth Session of Talks

The fourth session of talks took place at the Rose Garden Hotel, Nakorn Pathom, Thailand, in the backdrop of a tense politico-military situation. A media controversy had already blown-up following the leakage of the secret security document on the HSZs to the newspapers by the military hierarchy. In the meantime, the Sri Lankan Army Commander, General Balagalle, just a few days before the Thailand talks declared, in a public meeting, that the displaced Tamil civilians would not be allowed to resettle in occupied villages in the High Security Zones unless the LTTE first laid down its heavy weapons. To add fuel to the fire, President Kumaratunga congratulated Fonseka for his brave stand on the HSZs, when he met her at the Presidential Palace. The hard-line, confrontationist posture of the military hierarchy, supported and encouraged by the

President, dealt a severe blow to the project of de-escalation, a crucial measure for restoring normal civilian life in the Tamil homeland. I felt the peace process was slipping into a major crisis. But I was surprised to find the Sri Lankan negotiating team, as well as the Norwegian facilitators, composed and cheerful, unruffled by the controversy over the HSZs.

When the talks opened I registered a strong protest to General Fonseka's 'impossible and irrational conditions' for the resettlement of displaced in the 'military occupation zones'. I gave a lengthy address on the predicament of our people who were denied access to their homes under conditions of peace, which I termed as a serious violation of the UN Conventions on the Rights of the Displaced. The central obligations of the ceasefire agreement and the fundamental objectives of the Sub-Committee on De-Escalation and Normalisation were rendered useless by the attitude of the Sri Lankan army. The peace process itself was seriously threatened. The LTTE leadership was deeply disillusioned, and because of the army's attitude Pirapaharan considered the sub-committee defunct, I said. I was surprised that there was no response to my critique from the Sri Lankan negotiators. Either failing to realise the seriousness of the issue I was trying to convey, or, in an attempt to play-down the matter, the Sri Lankan delegates felt that I was unnecessarily angry and emotional. Looking into the agenda, Vidar Helegesen pointed out that the day's topic was the Sub-Committee on Immediate Rehabilitation and Humanitarian Needs (SIRHN) and the next day's discussions would be on the Sub-Committee on De-Escalation. The indifference to this issue at the negotiating table irritated me, and I muttered to myself, 'The sub-committee on de-escalation is dead.'

Tamilselvan presented his report on the meetings of the Sub-Committee on Immediate Rehabilitation and Humanitarian Needs. Having criticised the sluggishness of the sub-committee, he emphasised the need to implement humanitarian and rehabilitation programmes. The delay in getting humanitarian relief resulted in a significant erosion of confidence among the Tamil people in the peace process. The socio-economic conditions of the people were deteriorating. The displaced and the refugee population were languishing in camps and welfare centres in despair and frustration. The infrastructure in the northeast was totally destroyed and no action had

been taken to improve the situation. The Tamil people, who bore the brunt of the war and suffering, were becoming more and more impatient, he said. He complained that several government institutions and bureaucratic structures concerned with rehabilitation work in Tamil areas were working at cross-purposes and should be streamlined under SIRHN.

After a lengthy discussion, it was decided that the government would promote SIRHN as the prime decision-making body in dealing with immediate humanitarian and rehabilitation needs. Various government institutions engaged in rehabilitation work in the northeast would be co-ordinated with the SIRHN. Furthermore, both parties agreed on the selection of the World Bank as the custodian of the North-East Reconstruction Fund (NERF).

The negotiating parties agreed to appoint five representatives each to the Sub-Committee on Gender Issues. The LTTE appointed, Ms Sivahami Subramaniam, Ms Renuga Shunmugarajah, Ms Mathimalar Balasingam, Ms Sridevi Sinnathamby and Ms Vasantha Somasundarm, to speak on gender issues in the peace process. Dr Kumari Jayawardena, Dr Deepika Udagama, Ms Kumudini Samuel, Ms Faizoon Zakariya and Dr Fazeela Riya represented the Sri Lankan side.

Following the first day's sitting, I met a group of journalists in the reception hall of the Rose Garden Hotel in the evening. They tried to pin me down on questions regarding the controversy raised by General Fonseka on the HSZs and about the future functioning of the Sub-Committee on De-Escalation and Normalisation. Having rejected the conditions stipulated by Fonseka as 'provocative and impracticable', I said, 'that the Sub-Committee on De-Escalation had become defunct as the consequence of the army's hard-line position.' Answering further probing by inquisitive journalists, I said that the sub-committee was dead and that it would no longer function. Later, I was informed that Professor Peiris had already briefed the journalists, painting a positive picture about the progress of the peace talks and the well being of the sub-committee! The following morning the news reports highlighted the contradictory statements made by the chief negotiators, projecting positive and negative views.

On the second day, when I led the LTTE delegation into the meeting hall, I could sense hostility and gloominess from the stern

faces of the government delegation, who were standing in a corner in two groups, engaged in serious dialogue with the Norwegian facilitators. The usual warm, cheerful greeting of 'good morning' was absent. We seated ourselves in the opposite corner and waited, wondering what had gone wrong. A few minutes later a disconcerted Professor Peiris approached me and protested that my press interview, claiming that the Sub-Committee on De-Escalation had become defunct and non-functional, contradicted his previous press briefing on the status of the committee. 'Now I will be seen to be a liar,' he charged in an acrimonious tone, quite uncharacteristic of the soft-spoken, well-composed gentleman. I was taken aback. 'I told the journalists the truth. The LTTE leadership has decided to withdraw from the Sub-Committee on De-Escalation because of the unacceptable conditions stipulated by the Sri Lankan army. I didn't say anything to offend you, nor did I have any knowledge of the version of your brief,' I tried to explain to Professor Peiris. Mr Helgesen intervened to say that the proper procedure was to announce the decisions of the LTTE leadership at the sessions of talks. 'That was precisely what I was attempting to do and nobody took me seriously,' I retorted. Neither the chief negotiator for the government, nor the chief facilitator seemed satisfied with my explanation. The acrimony continued. I stuck to the position that the LTTE would not participate in the Sub-Committee on De-escalation as an expression of our strong protest against the hard-line attitude of the army. When everybody realised that our position was irrevocable, the heat of the emotions died down.

During the discussions on the topic of de-escalation, I argued that the President and the military hierarchy had given priority to security issues over and above the critical humanitarian crisis. By imposing a set of impossible demands, the armed forces had effectively blocked the resettlement of hundreds of thousands of displaced people. No meaningful purpose would be served by the meeting of the Sub-Committee if the displaced could not return to their homes. The decision of the LTTE to boycott the meeting entailed the demise of the sub-committee, I argued.

The Sri Lankan delegates, as well as the Norwegian facilitators, were unhappy over our decision to discontinue participating in the Sub-Committee. It was the first major setback to the peace process. The collapse of the Sub-Committee meant that resettlement of the

displaced, an urgent humanitarian priority, could not be implemented. The discontinuation of the Sub-Committee on De-Escalation would seriously affect the activities of the other sub-committee, SIRHN, which was concerned with similar humanitarian projects.

Mr Morogoda informed us that with regard to the controversy over the HSZ's issue, the Government of Sri Lanka had sought the assistance of an Indian military expert (Lieutenant General Satish Nambiar) to carry out a review of the problem, taking into account the relevant humanitarian and security needs. I told Mr Morogoda, that any reviews or recommendations from anybody linking the issue of resettlement in the HSZs with decommissioning would be unacceptable to the LTTE.

Fifth Session of Talks

For health reasons, I requested a break from long distant travel and for a shorter session of talks, and so the fifth sessions were held on 7-8 February 2003, in Berlin, Germany.

In the meantime, Lt. General Nambiar's preliminary report on the HSZs was leaked to the Colombo press. In his 'observations and reflections' on the HSZs, Nambiar noted, 'Any review of the scope and content of the HSZs will only come about if the LTTE deposits its weapons to neutral supervision and initiates measures to withdraw from frontline positions into nominated areas.' Nambiar was opposed to any proposals for a unilateral de-escalation by the Sri Lankan army in the north. In his final report he made this point very clear by stating that, 'Any dismantling of the HSZs or the forward defences of the Sri Lankan Defence Forces (SLDF) will have to be matched by simultaneous dismantling of the LTTE operational military positions.'⁷

The LTTE leadership outrightly rejected Nambiar's recommendations on the HSZs. In an interview to the Tamil Guardian on Nambiar's report, I observed,

'It is interesting to note that General Nambiar's attempt to link the humanitarian problem of resettling the refugees to a militaristic issue of balance of forces giving over-riding precedence to an imaginary security vulnerability of the government troops is clearly

reflected in the statements by the Jaffna military commander General Fonseka and the SLMM's chief General Furuhovde. In our view any attempt to connect the return of refugees and IDPs to their own homes in Jaffna Peninsula to the demobilisation of LTTE's fighting formations confined to barracks in Vanni jungles is illogical and ridiculous. Re-modification of the security system of the so-called 'high security zones' to facilitate the return of the refugees and displaced is a cardinal obligation of the state. Sri Lanka can seek advice from any international experts without jeopardising its strategic and security concerns. But the LTTE will fiercely oppose and reject any proposal that makes resettlement of refugees conditional upon de-commissioning of LTTE weapons.³⁸

Just a few hours before the fifth session of peace talks started in the Norwegian Embassy, I received an urgent message from Vanni saying that the Sri Lankan Navy had impounded an LTTE boat near Delft Islands, off the Jaffna peninsula, and the vessel was being towed to the Navy camp. General Furuhovde had been immediately informed of the incident. Meanwhile, the LTTE's Sea Tiger Commander, Soosai, was on the line to inform us that the three Sea Tiger cadres in the LTTE vessel were threatening to commit suicide if taken to the Naval camp. I urged Professor Peiris and Mr Morogoda to contact the naval authorities to resolve the problem amicably to avoid a major tragedy. Soosai contacted me again to say that he had lost communication with the cadres in the boat. Mr Morogoda was trying to contact the Defence Minister and the Naval Commander. As everybody was desperately trying to save the situation, General Furuhovde informed us that the Tiger vessel had exploded and the three LTTE cadres had committed suicide.

The fifth session of talks resumed with the discussion of this tragic event. I protested that the repetition of the events of this nature would have far reaching implications that would seriously damage the peace process. Insisting that the Sri Lankan Navy should not seek a confrontationist course, I urged that the government to allow freedom of mobility to LTTE vessels to engage in legitimate activities i.e. fishing, transporting cadres, etc. Both the parties finally decided to arrange a meeting between the

Government of Sri Lanka, the LTTE and the SLMM to work out effective safeguards and mechanisms to avoid incidents at sea.

Mr Bernard Goonetilleke presented a progress report on the latest meeting of the Sub-Committee on Immediate Humanitarian and Rehabilitation Needs (SIRHN). Mr Tamilselvan and Mr Jay Maheswaran emphasised the need to accelerate the humanitarian and rehabilitation activities in the northeast. Mr Goonetilleke informed the delegates that the agreement with regard to the World Bank custodianship of NERF would soon be finalised. Both parties agreed to urge the donor community to make funds rapidly available for immediate humanitarian needs in Tamil areas.

Thereafter, the issue of recruitment of children by the LTTE was taken up for discussion. Rejecting the accusation that the LTTE had been recruiting 'child soldiers', Tamilselvan pointed out that the LTTE was maintaining thousands of war-affected children in a number of orphanages and child welfare centres. The conditions of war, economic deprivation and extreme poverty had driven the children into the fold of the LTTE, which was spending huge amounts of money for their welfare and rehabilitation. Tamilselvan pledged that the LTTE would not recruit children under the age of eighteen. He revealed that 350 children who had joined the LTTE had been reunited with their parents and guardians. Following the discussion the LTTE agreed to work with UNICEF to formulate and implement a plan of action for the rehabilitation of the children affected by the armed conflict.

A few weeks after the Berlin talks Mr Pirapaharan invited Adele and me to Vanni to review the peace process. We arrived in Killinochchi on 2 March. During our stay, on 5 March, General Furuhoide, the outgoing head of the SLMM and his successor, General Tryggve Tellefsen, paid a courtesy call on the LTTE leader. Tamilselvan, Adele and I joined Mr Pirapaharan for the meeting.

Opening the dialogue, the LTTE leader complained of the lack of effective safeguards to prevent the hostile acts of the Sri Lankan Navy against the Sea Tigers and Tamil fishermen. The ceasefire agreement had severely restrained the freedom of mobility of the LTTE's naval unit, Pirapaharan said. Furthermore, while the Sri Lankan government continued to spend millions of dollars to modernise its armed forces and weapons systems, the LTTE was not allowed to strengthen its military structure, he said. Pointing out

General Furuhovde's theory of 'balance of forces' as a cardinal factor for the maintenance of ceasefire, the LTTE leader argued that Sri Lanka's build up of military assets, while suffocating the LTTE's naval force, would shift the balance of forces in Sri Lanka's favour, and the ceasefire agreement would be undermined as a consequence. He also said that there were serious flaws in the truce agreement with regard to the mobility of the Sea Tigers, which might lead to serious incidents. The incumbent General assured Mr Pirapaharan that he would consult the naval authorities to work out safeguards to prevent clashes at sea.

General Furuhovde raised the issue of arrest and imprisonment of military personnel by both sides. According to the ceasefire agreement, the role of the SLMM was to handle disputes between the parties, he said. As a gesture to the outgoing General, Pirapaharan agreed to release two prisoners, a Sri Lankan soldier and a policeman, and urged the SLMM to secure the release of six LTTE cadres in Sri Lankan custody. He was also prepared to accept the arbitration of the SLMM in resolving disputes if the government also agreed.

Pirapaharan, while welcoming the new head of the SLMM, paid tribute to General Furuhovde for his dedicated service and professionalism in monitoring of the ceasefire agreement.

While we were engaged with the Generals of the SLMM, the first meeting of the Sub-Committee on Gender Issues (SGI) was proceeding at the LTTE's Peace Secretariat in Killinochchi. The meeting took place on the 5-6 March. Extracts from the press release issued after the meeting stated:

'The deliberations between the delegates were positive and constructive and included a wide range of issues of concern to women in this stage of the peace process. The Committee members acknowledged the widespread and profound suffering of women as a consequence of war, especially in the most affected areas. In their determination to include the gender perspective in the peace process they decided to focus their efforts on the following issues in the immediate and long term:

Sustaining the peace process
Resettlement

Personal security and safety
 Infrastructure and services
 Livelihood and employment
 Political representation and decision-making
 Reconciliation

‘The SGI will report directly to the plenary session of the peace talks and work closely with the other Sub-Committees and other mechanisms associated with the peace process. It will identify issues of concern to women that need to be addressed and bring those concerns into the agenda of the peace process...’

‘The SGI supports SIHRN’s project for traumatized women in Kilinochchi and strongly encourages SIHRN to set up similar centres in the east and in other districts affected by the conflict.’

‘The SGI will formulate Gender Guidelines for the Sub-Committees and other mechanisms associated with the peace process. The SGI decided to establish a Secretariat in Kilinochchi. An office of the SGI shall be established in Colombo. The two entities will co-operate closely in serving all members of the SGI in their work.’

‘The SGI discussed fundamental elements of the Terms of Reference that will be presented to the plenary session of the peace talks in April 2003.’

‘The Committee members visited several projects concerning the welfare of women in the Kilinochchi area.’

‘The next meeting of the SGI will take place in Kilinochchi 4-5 April 2003. Future meetings of the SGI will be organised in different areas.’

‘The Sub-Committee on Gender Issues consists of the following five members from each of the parties.’

GOSL:

Dr. Kumari Jayawardena
 Dr. Deepika Udagama
 Dr. Fazeela M. Riyaz
 Ms. Kumuduni Samuel

Ms. Faizun Zackariya

LTTE:

Ms. Thamilini Subramaniam

Ms. Kaaya Somasundram

Ms. Premila Somasundram

Ms. Suthamathy Sanmugarajah

Ms. Yalisai Balasingham

‘The parties have requested Norway to appoint a resource person as a facilitator to the SGI. The Norwegian government assigned Dr. Astrid N. Heiberg, a professor of psychiatry to the University of Oslo, and past president of the International Red Cross Federation.’

A Major Incident at Sea

On 10 March, while we were lunching with Pirapaharan, Sea Tiger Commander, Soosai, rushed in with the news that Sri Lankan Navy was following an LTTE merchant vessel in international waters, 220 nautical miles off Trincomalee. Pirapaharan asked me to inform General Tellefsen immediately. I contacted the General and briefed him on the incident. He assured me that nothing serious would happen since the ship was plying in international waters. An hour later, Soosai informed us that the naval gunboats had attacked the ship. Eleven Sea Tigers, including the captain of the ship, were killed as the vessel caught fire and sank. Pirapaharan was furious. He stormed out of my residence with Soosai to his base. I thought that it would be the end of the peace process. Later I learned that Pirapaharan had given orders to all political cadres working in the government controlled areas to withdraw to bases in Vanni. In the evening Soosai came to my house and informed me that the Sea Tiger units were placed on high alert and ordered to retaliate if intercepted by the Sri Lankan Navy. I knew a dangerous situation was brewing that might lead to the resumption of war.

In the evening Pirapaharan came to visit me. He was calm and composed. During our private discussion I told him that the LTTE should not go to war over the tragic incident at sea. The navy was deliberately provoking us for an armed confrontation and we

should not fall into the trap, I advised the LTTE leader. He accused the Sri Lankan government of political duplicity, of hypocrisy, of talking peace on one side and creating conditions for war on the other. I told him that, in my view, Wickremesinghe's administration had no hand in the incident at sea. The naval high command, in my assessment, was acting on its own and functioning under the authority of the President. The navy was belligerent, hostile and seeking every opportunity to provoke us into an armed confrontation with the aim of disrupting the peace process, I explained. The real power was vested with the executive President, and Wickremesinghe and his ministers had little authority over the armed forces, I told him. In these circumstances, I said, we had to be cautious since the international community was watching the behaviour of both parties. Pirapaharan reflected deeply; he understood my message.

We registered a strong protest with the government over the incident at sea, characterising the event as a grave violation of the ceasefire agreement. In a letter addressed to Tilak Marapane, the Sri Lankan Defence Minister, Tamilselvan stated:

'We consider the incident a grave violation of the ceasefire agreement as our vessel was not involved in any illegal action. Furthermore, the incident occurred in international waters beyond the jurisdiction of the Sri Lankan Navy. Our merchant vessel was intercepted and attacked without provocation. We contacted the Sri Lankan Monitoring Mission (SLMM) when the incident began and registered a complaint. The head of the SLMM, Maj.Gen.Tryggve Tellefsen, observed that the authority of the Sri Lankan Navy does not extend into the international waters where the incident was taking place and assured us that he would use his good offices to prevent any confrontation.

Eleven of our cadres, including the ship's captain, were killed when the vessel caught fire and sank after being attacked by the Sri Lanka Navy. We wish to emphasise that this grave incident will have far reaching implications for the peace process. We also wish to point out that, despite the ceasefire agreement, the

Sri Lanka Navy has been involved in several deliberate and provocative acts against the LTTE for some time. Please convey our deep displeasure over these matters to your government.'

12 March was a busy day. The first of the many visitors expected in Killinochchi were from the Forum of Federations, Mr Bob Rae, Professor David Cameron and Ms Priya Sood. I introduced them to the LTTE's Political Affairs Committee at the Peace Secretariat. While they got on with the day's seminar on systems of government, I went and met Mr Ian Martin, the international expert on human rights and the resource person at the peace talks. After introducing him to Mr Nadesan, the head of the Tamil Eelam Police Force and Mr Pararajasingham, the head of the Justice Department, he was taken to the headquarters of the respective departments for further discussions.

In the afternoon, General Tellefsen met me to discuss the incident at sea. Tamilselvan and Adele were with me. The General came to hear our version of the incident. I re-iterated that the incident had taken place in international waters, where Sri Lanka had no sovereign rights, and that it was an LTTE commercial vessel. I denied the accusation that the LTTE vessel was carrying weapons and had fired at the Navy. Furthermore, it was me who had informed the SLMM of the event and not the navy personnel, I told him. Finally, and most importantly, I impressed upon him that the navy should abide by the obligations of the ceasefire agreement, which strictly forbids hostile armed actions.

The General explained that the navy draws on international maritime laws to defend its position. He said it would be difficult for the SLMM to make a determination on the issue since it was not directly involved in the incident. Nevertheless, he assured us that he would work out modalities and safeguards to prevent similar situations from happening in the future.

A Norwegian peace delegation comprising Mr Vedar Helgesen, Mr Jon Westborg Mr Hans Brattsker (the incoming Ambassador), Ms Lisa Golden and Mr Thomas Strangeland arrived in Killinochchi on the morning of 13 March. Mr Tamilselvan, Adele and I met them at the Peace Secretariat. The discussions centred mainly around the incident at sea, and I presented the LTTE's version and pointed out the flaws in the navy's position. Mr Helgesen

said that the SLMM was investigating the issue and would also work out a formula to avoid any further problems at sea. Among other issues discussed, relating to the forthcoming sixth session of talks in Japan, he suggested that there should be a thorough review of the peace process. In his assessment as chief facilitator, he said that the political, humanitarian and security aspects of the peace process needed to be taken forward simultaneously.

Sixth Session of Talks

The Prince Hotel in Hakone, Japan, provided the setting for the two unchanged negotiating teams and the Norwegian facilitators to conduct the sixth session of talks on 18-21 March.

The first day of dialogue was dominated by the previous week's incident at sea. I opened up the exchange by registering a strong, official protest with the Sri Lankan government. Describing the incident as a grave violation of the truce agreement, I said that it could have precipitated a war had the LTTE leadership responded with a retaliatory assault on the navy. I urged the government delegates to ensure that their security forces gave primacy to compliance with the ceasefire agreement rather than seeking shelter behind international maritime laws. The navy, I said, had made a grave blunder by not informing the SLMM of the movement of the ship. The accusation that the vessel was carrying 'war like material' was purely conjecture, I asserted.

In reference to the balance of forces, I once again pointed out that the Sri Lankan Defence establishment was spending millions of dollars to refurbish their weapon systems and modernise their armed forces, thereby shifting the balance in favour of the state's military machine. In Mr Pirapaharan's perception, the government had failed to take any serious action to de-escalate the conflict and to restore normal civilian life. The ground situation, according to the LTTE leader, was becoming more tense and unstable, I said. Concluding, I suggested a top level meeting of four parties, the government, the LTTE, the naval authorities and the SLMM to work-out safety mechanisms to improve the security situation and to prevent hostile incidents at sea.

Professor Peiris, while expressing regret over the loss of life of

the LTTE cadres at sea, defended the action of the navy as being in compliance with international laws of the sea. The ship, he argued, had neither a flag nor a call sign, and, according to maritime law, came under the ambit of piracy and could be intercepted. He argued that the action of the navy could not be construed as a violation of the ceasefire agreement. Nevertheless, little purpose could be served in dwelling on the past, but rather to contemplate concrete action to prevent unfortunate incidents in the future, he argued. Further, we endorsed my suggestion to call a meeting of the parties concerned to work out effective modalities to improve the security situation at sea.

After a lengthy debate between the parties on the fragile security situation on the sea and the land, it was decided to consolidate the ceasefire agreement and empower the SLMM to arbitrate on disputes. The parties agreed to convene a top-level meeting of senior naval and political representatives from both sides, within three weeks, to work out safeguard mechanisms to prevent future incidents at sea. The head of the SLMM and the Norwegian government representatives would convene the meeting. At the discussions the delegates would explore and formulate effective arrangements for the operation of both naval forces, in keeping with existing treaty obligations. The parties agreed to instruct their respective navy personnel to exercise restraint and avoid provocative action.

Mr Yasushi Akashi, the Japanese Special Envoy to Sri Lanka and the Economic Advisor to SIRHN, chaired the second day of the sixth session of talks. Mr Tamilselvan opened the discussions with a report centred on the working of SIRHN. He presented a gloomy picture, arguing that SIRHN was not functioning effectively and the urgent humanitarian needs of the Tamil people were still not addressed. Bureaucratic delays coupled with government lethargy in appointing persons to the District Needs Assessment Panels, were causing impediments to the effective functioning of SIRHN, he said. Furthermore, SIRHN had identified projects based on the immediate needs of the people, but funds were not available to implement projects. Crucially, he said, resettlement had become an impossible task, since the army refused to allow civilian settlements in the military occupation zones.

Responding to Tamilselvan's critique that the army's HSZs were the stumbling block for resettlement of the displaced, Austin

Fernando said that the Sri Lankan Army Commander, General Balagalle, had worked out a programme for the troops to vacate certain public buildings and houses to new camps in Jaffna. I intervened to say that the LTTE leadership had rejected Balagalle's plan since it sought to re-occupy strategic locations in the Jaffna city under the guise of re-location.

Mr Bernard Goonetilleke presented a 'progress' report of the functioning of SIRHN and details of decisions taken at its last meeting on 27-28 February. From the meticulous details submitted by Goonetilleke I could gather that SIRHN was not progressing forward but rather regressed towards immobility.

The afternoon discussion centred on Mr Ian Martin's document on human rights issues. Both the parties requested Martin to develop the following three aspects in his proposed roadmap for human rights, to be adopted at the seventh session of talks.

1. The drafting of a Declaration of Human Rights and Humanitarian Principles. This would reflect aspects of fundamental international human rights and humanitarian standards.
2. The planning of a programme of human rights training for LTTE cadres and government officials, police and prison officials, which would contribute to the respect of these principles in practice, and of human rights education and awareness for other sections of the population.
3. Proposals for the strengthening of the Human Rights Commission of Sri Lanka to enable it to develop the capacity for increasingly effective monitoring throughout the country.

During discussions on political affairs, I revealed that the LTTE had expanded the Political Affairs Committee to twenty-one leading members of the organisation. The committee would undertake an in-depth study of the systems of government, particularly federal models. Political committee members would make a study tour of foreign countries, organise seminars for LTTE cadres, consult intellectuals, parliamentarians and constitutional experts to evolve a political solution within the parameters of the right to self-determination, I explained. At the end of the discussion both the parties

agreed to invite experts from the Forum of Federations to participate as consultants at the seventh session of talks.

Discussing measures to promote reconciliation between the Tamil and Muslim communities, it was arranged that the LTTE and Muslim representatives in Batticoloa would meet soon. We agreed to a request from Mr Rauf Hakeem for a separate dialogue with the LTTE leadership in Killinochchi, to discuss political matters and the participation of a Muslim delegation in negotiations at the plenary sessions.

During the afternoon sitting of the third day of talks, Mr Vidar Helgesen presented an overall review of the six sessions of peace talks over the past six months. Analysing the peace process in a three dimensional approach, security, humanitarian and political, Helgesen argued that while substantial progress had been made on the political level, there was slow progress on humanitarian issues and the security situation. He acknowledged that the HSZs had become serious problem, which needed to be resolved for the resettlement of the displaced people. SIRHN was moving slowly, while the Northeast Development Fund (NERF) was still to be activated. He also lamented that the problems of the Muslim people, particularly their land disputes, were still to be resolved.

The parties agreed to hold the seventh session of talks from 29 April till 2 May, in Thailand.

LTTE Decides to Boycott Talks

While Mr Helgesen thought the sixth session of talks was the appropriate time to review the peace talks between the parties at the negotiating table, the LTTE leadership also undertook its own critical appraisal of the whole process. The positive achievements of the negotiations were that the adversaries were able to develop rapport and mutual trust and were able to engage in serious dialogue, identifying issues and resolving critical problems that potentially jeopardised the peace process. However, the discussions, resolutions and joint decisions, on several major matters, remained inscribed in documents, but were not realised in practice. The Sri Lankan government, as well as the facilitators, sought progress on the political level, over and above the most critical and pressing

humanitarian issues faced by the war affected Tamil community. After two decades of brutal war, the people of the northeast were still waiting, in anticipation, of substantial peace dividends. The Tamils became frustrated and disillusioned with the failure of the peace negotiations to deliver tangible results. In particular, the most affected was the huge population of displaced, who faced a dark future with no prospect of resettlement and rehabilitation, as the army refused to relax its grip on occupation. The project of de-escalation and normalisation had collapsed, closing the doors for rehabilitation and reconstruction. Devoid of power, funds and direction, SIRHN, the only joint institution that had been mooted to undertake urgent humanitarian programmes, became a non-functional entity. Furthermore, Wickremesinghe's administration engaged the international community for the mobilisation of resources, primarily aimed at 'regaining' and developing southern Sri Lanka, and building up an effective international safety-net to contain the LTTE. In these circumstances, the LTTE's strategy to advance the peace process in stages, giving primacy to urgent, existential problems and the restoration of conditions of normal civilian life, became problematic.

At this stage, when a sense of deep despair was descending on the LTTE over the failure of the peace talks to address the critical life problems of the people, the Tamil Tiger leadership was deeply annoyed when they learned that the organisation had been excluded from an international donor meeting, to be held in Washington on 14 and 15 April, hosted by the United States. I was not happy when Mr Moragoda told me about this meeting during the talks at Hakone, describing it as a preparatory seminar prior to the main Tokyo Donor Conference to be held in June. I reminded him that there was a commitment between the parties to seek international assistance as joint partners in peace, and the exclusion of the LTTE from any major international conclave designed to seek development aid, would have serious implications. Mr Pirapaharan and other senior leaders were upset when I conveyed to them that the proscription of the organisation in the United States prohibited them from attending the aid meeting in Washington. Marginalisation from the meeting, Mr Pirapaharan felt, was a humiliation, totally unacceptable to an organisation representing the Tamil people and seeking to enjoy equal status as a party in

negotiations.

On 4 April, the LTTE's political headquarters in Killinochchi released an official statement expressing deep disappointment over the exclusion of the organisation from the aid meeting, stating that it would 'undermine confidence in the ongoing peace process.'

The following are the extracts of the LTTE's statement:

'The Liberation Tigers of Tamil Eelam (LTTE) is disappointed by its exclusion from the international conference to support reconstruction and rehabilitation efforts in the north and east of Sri Lanka to be hosted by the United States in Washington on April 14.

'From the outset of the Norwegian-brokered negotiations, the two parties to the conflict, the LTTE and the Government of Sri Lanka (GoSL), agreed to equal and joint partnership in efforts to solicit international financial assistance for reconstruction and rehabilitation efforts in the north and east of Sri Lanka. We point out that Sub-Committee on Immediate Humanitarian and Rehabilitation Needs was formed in the context of this equal and joint partnership. It was also in this context that the first international donor conference held in Oslo on November 25, 2002 was successfully staged. Whilst funds were pledged for urgent needs at that meeting, a larger donor conference to be held in June this year in Japan was promoted as the main forum for securing international assistance for reconstruction efforts in the war-torn Tamil areas.

'Regrettably, the United States has undermined this joint effort by isolating the LTTE and solely promoting the GoSL at the preliminary meeting on April 14. The exclusion of the LTTE from reconstruction efforts in the Tamil areas of Sri Lanka is against the spirit of the peace process. It also undermines confidence in both the reconstruction initiative and the peace process. The LTTE is therefore dismayed and disappointed by the US action.'

As there was no response from the Sri Lankan to the LTTE's

protest over its exclusion from the Washington conference, the LTTE issued a statement on 12 April, suggesting it would review its decision to attend the Japan Donor Conference. The text of the statement is as follows:

‘The leadership of the Liberation Tigers of Tamil Eelam (LTTE) in an official statement issued from its headquarters in Killinochchi, northern Sri Lanka today, declared that the organisation would review its decision to participate at the Tokyo Donor’s Conference in June in protest against the exclusion of their accredited representatives from the crucial international aid conference in Washington to be held on Monday (14 April) in preparation for the main donor conference in Japan.

‘In gross violation of the pledges taken at the peace negotiations that the Government of Sri Lanka and the LTTE should work together and approach the international community in partnership, Sri Lanka has opted to marginalise our organisation at the Washington Conference. This deliberate exclusion of the LTTE from discussions on critical matters affecting the economic and social welfare of the Tamil nation is a grave breach of good faith. We are deeply disappointed that the Sri Lanka Government and Norway, as our facilitator, have failed to ensure the LTTE’s participation in this crucial preparatory aid conference by not selecting an appropriate venue.’

‘Pointing out that the proposed joint efforts by the LTTE and the Sri Lanka government with regards to the resettlement and rehabilitation of Tamil refugees and IDP’s had been hailed at the first round of negotiations as ‘a sign of the increasing level of trust between parties and their willingness to work together...’ the LTTE statement said ‘its exclusion has severely undermined our trust and confidence in Sri Lanka government’s intentions.

‘The LTTE’s statement also severely criticised the Sri Lankan military for its continued occupation of Tamil homes, schools, places of worship and other

public buildings in violation of both the ceasefire agreement of February 2002 and subsequent agreements reached at the negotiating table. "The irreconcilable attitude of the Sri Lanka military hierarchy and the impotence of Ranil Wickremesinghe's administration have made all programmes of resettling and rehabilitating hundreds of thousands of Tamil refugees and IDPs unrealisable. The very efficacy of the negotiating process has become questionable since decisions and agreements reached at the peace talks are not being implemented eroding the confidence of the Tamil people.

'Whilst all of Sri Lanka has suffered from this protracted and bloody conflict, we point out that the north and east are the regions worst affected by the war and decades of underdevelopment, and hence the most urgently in need of international assistance. Apart from the continuing military occupation of Tamil property and buildings there is an unacceptable delay in starting resettlement and reconstruction works in the north and east. In these circumstances, it is only fair and just that the authentic representatives of the Tamil people should have been invited to this major international conference to articulate the interests and aspirations of our people.

'With a view to restoring confidence and re-establishing goodwill, the LTTE is therefore calling for the full implementation of the normalisation aspects of the February 2002 ceasefire agreement as well as the implementation of agreements pertaining to resettlement of refugees and IDPs reached in the six rounds of talks held by both parties,' the LTTE's statement concluded.

In spite of the LTTE protest, the preparatory donor conference, chaired by Secretary of State, Mr Richard Armitage, went ahead. The Washington conference signified the growing involvement of the US in Sri Lankan affairs. Senior diplomats from 21 countries, and officials from 16 international organisations attended the conclave. Its Ambassador to the United States represented India. It

should be noted that whereas the Government of India played a low profile by sending a junior official, (a Third Secretary from its Oslo Embassy) to the Oslo Donor Conference, it took an active role, allowing a senior diplomat to participate and address the Washington conference.

Mr Moragoda, Sri Lanka's dynamic Economic Affairs Minister, led the country's delegation. Though Sri Lanka said that it was not a pledging conference, media reports claimed that 3.5 billion dollars were allocated as reconstruction and development aid. Clarifying the US decision to exclude the LTTE from the aid conference, Richard Armitage, addressing the meeting, said, 'Our position is crystal clear. The Liberation Tigers of Tamil Eelam must unequivocally renounce terrorism, in word and deed.'

Dismayed over the lack of progress in the negotiations, frustrated with the inability to address the mounting socio-economic problems of the Tamil people, the LTTE leadership found it faced a new phenomenon, the intervention, or rather, excessive involvement of the 'international custodians of peace' in the negotiating process. Inter-linking political pressure with economic assistance, the international actors intervened to promote the interests of the Sri Lankan state, which severely undermined the status and power relations between the protagonists. As a non-state actor caught up in the intrigue ridden network of the international state system, the LTTE was compelled to act to free itself from the over-powering forces of containment. After a careful study of the developing situation, the LTTE high command decided to suspend its participation in the peace talks and to boycott the Tokyo Donor Conference. Mr Pirapaharan requested me to convey the decision of the leadership to Mr Rail Wickremesinghe, explaining the reasons behind our action. In my capacity as chief negotiator, I wrote a comprehensive letter to the Sri Lankan Prime Minister, on 21 April.

Dear Prime Minister,

'In accordance with the decision of our leadership I am advised to bring to your urgent attention the deep displeasure and dismay felt by our organisation on some critical issues relating to the on-going peace process.

'You are well aware that the Ceasefire Agreement that has been in force for more than one year and the

six rounds of peace negotiations between the principal parties has been successful, irrespective of the occurrence of some violent incidents that endangered the peace process. The stability of the ceasefire and the progress of the peace talks, you will certainly appreciate, are the positive outcome of the sincere and firm determination of the parties to seek a permanent resolution to the ethnic conflict through peaceful means. The cordial inter-relationship, frank and open discussions and the able and wise guidance of the facilitators fostered trust and confidence between the negotiators and helped to advance the talks on substantial levels. The negotiating teams were able to form important sub-committees on the basis of equal and joint partnership. During the early negotiating sessions it was agreed that the Government of Sri Lanka and the LTTE should work together and approach the international community in partnership. The Oslo Donor Conference held on 25 November 2002 turned out to be an ideal forum for such joint endeavour.

‘The LTTE has acted sincerely and in good faith extending its full co-operation to the government of Sri Lanka to seek international assistance to restore normalcy and to rehabilitate the war affected people of the northeast. The LTTE to date has joined hands with the government and participated in the preparation of joint appeals and programmes. In spite of our goodwill and trust, your government has opted to marginalize our organisation in approaching the international community for economic assistance. We refer to the exclusion of the LTTE from the crucial international donor conference held in Washington on 14 April 2004 in preparation for the major donor conference to be held in Japan in June. We view the exclusion of the LTTE, the principle partner to peace and the authentic representatives of the Tamil people from discussions on critical matters affecting the economic and social welfare of the Tamil nation, as a

grave breach of good faith. Your government, as well as our facilitator Norway, are fully aware of the fact that the United States has legal constraints to invite representatives of a proscribed organisation to their country. In these circumstances an appropriate venue could have been selected to facilitate the LTTE to participate in this important preparatory aid conference. But the failure on the part of your government to do so gives cause for suspicion that this omission was deliberate. The exclusion of the LTTE from this conference has severely eroded the confidence of our people in the peace process.

‘As you are aware, considerable optimism and hopes were raised among the people when your government, shortly after assuming power, entered into a ceasefire agreement with our organisation, bringing to an end twenty years of savage and bloody conflict. Expectations were further raised when both sides began direct negotiations with Norwegian facilitation. In particular, there was a justifiable expectation that the peace process would address the urgent and immediate existential problems facing the people of the north and east, particularly the million people who are internally displaced by the conflict and are languishing in welfare centres and refugee camps.

‘As such, the Ceasefire Agreement included crucial conditions of restoring normalcy which required the vacation, by occupying Sri Lankan troops, of Tamil homes, schools, places of worship and public buildings. Despite the agreed timeframe for this evacuation of troops, which has since passed, there has been no change in the ground situation. We have repeatedly raised the issue of continuing suffering of our people at every round of talks with your government. Your negotiators’ repeated assurances that the resettlement of the displaced people would be expedited have proven futile. The negotiations have been successful in so far as significant progress has been made in key areas, such as the agreement to explore

federalism on the basis of the right to self-determination of our people. But this progress has not been matched by any improvement in the continuing hardships being faced by our people as a result of your government's refusal to implement the normalisation aspects of the Ceasefire Agreement and subsequent agreements reached at the talks. As a result, considerable disillusionment has set in amongst the Tamil people, and in particular the displaced, who have lost all hope the peace process will alleviate their immense suffering.

'Though there is peace due to the silencing of the guns, normalcy has not returned to Tamil areas. Tens of thousands of government troops continue to occupy our towns, cities and residential areas suffocating the freedom of mobility of our people. Such a massive military occupation of Tamil lands, particularly in Jaffna - a densely populated district - during peace times denying the right of our displaced people to return to their homes, is unfair and unjust.

'Your government, in international forums, continues to place poverty as the common phenomenon affecting the entire country. The Poverty Reduction Strategy forms the essence of the document 'Regaining Sri Lanka' which defines the macro-economic policy of your government. Though poverty and poverty alleviation constitute the centrality of the new economic vision of your government as exemplified in 'Regaining Sri Lanka' the document fails to examine the causality of the phenomenon of poverty, the effects of ethnic war and the unique conditions of devastation prevailing in the northeast.

'In our view, the conditions of reality prevailing in Tamil areas are qualitatively different from southern Sri Lanka. The Tamils faced the brunt of the brutal war. Twenty years of intense and incessant war has caused irreparable destruction to the infrastructure in the northeast. This colossal destruction augmented by continued displacement of the people and their

inability to pursue their livelihoods due to military restrictions and activities have caused untold misery and extreme poverty among the people of the north-east. Continued displacement has also depleted all forms of savings of these people disabling them from regaining their lives on their own. The war-affected people need immediate help to regain their dignity. They need restoration of essential services to re-establish their lives. Reconstruction of infrastructures such as roads, hospitals, schools and houses are essential for them to return to normal life.

‘The poverty that is prevailing in southern Sri Lanka is a self-inflicted phenomenon, caused by the disastrous policies of the past governments (both the UNP and the SLFP) in dealing with the Tamil national conflict. In its fanatical drive to prosecute an unjust war against the Tamil people, the Sinhala state wasted all national wealth to a futile cause. The massive borrowings to sustain an absurd policy of ‘war for peace’ by the former government caused huge international indebtedness. The economic situation of the south has been further worsened by the mismanagement of state funds, bad governance and institutional corruption. Therefore, the conditions prevailing in the south are distinctly different from the northeast where the scale and magnitude of the infra-structural destruction is monumental and the poverty is acute. Ignoring this distinctive reality, your government posits poverty as a common phenomenon across the country and attempts to seek a solution with a common approach. This approach grossly under states the severity of the problems faced by the people in the northeast.

‘The government’s ‘Regaining Sri Lanka’ document completely lacks any form of identified goals for the northeast. Statistics presented for substantiating the policy totally ignore the northeast and solely concentrate on southern Sri Lanka. However, this has been promoted as the national strategy to the

international community to seek aid. It is evident from this that the government lacks any comprehensive strategy for serious development of the northeast. The Poverty Reduction Strategy fails to address the poverty of the northeast as distinct from the rest. In seeking international assistance your government disingenuously speaks of reconstruction being needed in all areas, thereby masking the total destruction of the infrastructure of the northeast which has resulted from the militarist policies of the past three decades.

‘As we pointed out above, the exclusion of the LTTE from critical aid conference in Washington, the non-implementation of the terms and conditions enunciated in the truce document, the continuous suffering and hardship experienced by hundreds of thousands of internally displaced Tamils, the aggressive Sinhala military occupation of Tamil cities and civilian settlements, the distortion and marginalisation of the extreme conditions of poverty and deprivation of the Tamils of the northeast in the macro-economic policies and strategies of the government have seriously undermined the confidence of the Tamil people and the LTTE leadership in the negotiating process. Under these circumstances the LTTE leadership has decided to suspend its participation in the negotiations for the time being. We will not be attending the donor conference in Japan in June. While we regret that we were compelled to make this painful decision, we wish to reiterate our commitment to seek a negotiated political solution to the ethnic question. We also urge the Government of Sri Lanka to restore confidence in the peace process amongst the Tamil people by fully implementing, without further delay, the normalisation aspects of the Ceasefire Agreement and permit the immediate resettlement of the internally displaced people of the northeast. We also request the government to re-evaluate its economic development strategy to reconstruct the Tamil nation destroyed by war.’

The following day Mr Wickremesinghe responded to my letter, stating that he had noted our concerns and would be responding to them in full. In the meantime, the LTTE also decided to postpone the meeting of SIRHN, scheduled for the last week of April. In a letter addressed to Mr Bernard Goonetilleke on 23 April, Tamilselvan informed him of the LTTE's decision of postponement and called for 'tangible action on the ground' before the sub-committee meeting resumed. The text of Tamilselvan's letter is as follows:

'In accordance with the decision of our organisation's leadership to suspend our participation in the negotiations, we regretfully wish to postpone the next meeting of the Sub Committee on Immediate Humanitarian Rehabilitation Needs (SIHRN). It is our leadership's wish to await action and implementation on urgent matters raised by Mr. A. Balasingham in his letter to the Prime Minister, Hon. Mr. Ranil Wickremesinghe, prior to setting a date for the next meeting. As you are aware, urgent action is required on resettlement and rehabilitation of Internally Displaced People and of refugees.

'We also wish to implore the Government of Sri Lanka to take immediate steps to act on matters already agreed at previous meetings of the sub-committee and ensure humanitarian and rehabilitation projects in the Northeast are implemented enabling the return of normal life to the people living there. In the meantime, we are also hopeful that all efforts will be made by your government to urgently seek the funds from pledges made by several international donors at the Oslo conference on 25th November last year to be targeted for identified projects through the Northeast Reconstruction Fund (NERF). In the last few months, from announcements made at our meetings, expectations among the people of the Northeast have been raised to a high level. Therefore it would be meaningless for the sub-committee to continue to meet regularly without any tangible action on the ground.

‘While we regret that we are compelled to postpone the next meeting of the SIHRN, we wish to reiterate that mutual trust and cooperation can be restored through decisive and urgent action from the Government of Sri Lanka to alleviate the hardships of the people in the Northeast.’

While waiting for a detailed reply to my letter announcing the suspension of our participation in the peace talks, the US Ambassador to Sri Lanka, Mr Ashley Wills, intervened in the debate, presenting a critique of my letter to Wickremesinghe. In a comprehensive interview with Reuters, Mr Wills argued that the LTTE should have continued to engage the Sri Lankan government to address grievances, rather than ‘walking away from talks.’ He also reiterated the American position, that the LTTE should renounce ‘terrorism and violence’ to be accepted and respected by the international community. The US Ambassador further commented that the possession of weapons and the maintenance of armed formations by the LTTE were ‘not going to protect the Tamil rights’, but rather, would prolong the conflict. The provocative nature of the critical commentary compelled me to respond to Mr Wills. In an interview to TamilNet on 25 April, I clarified the LTTE’s position in the following terms:

‘Mr Wills’ central contention is that the LTTE should continue to engage the Government of Sri Lanka to address grievances rather than walking away from talks. There is an element of misunderstanding here with regard to our position. We have not terminated the negotiating process or walked away from talks. What we have decided is to temporarily suspend the talks to provide time and space for the government to implement crucial decisions, particularly the normalisation aspects of the Ceasefire Agreement. We have not scuttled the peace process or terminated negotiations. We intentionally created an interval, an interregnum for the government to take immediate and constructive measures to address urgent humanitarian issues faced by the Tamils. Our intention is to pressurise the government to realise the urgency of the existential issues confronting our

people and to impress upon them the importance of fulfilling obligations, pledges and decisions.

'Mr Wills as well as Mr Armitage have always advocated the renunciation of 'terrorism and violence' by the LTTE. The Americans are well aware that our organisation has already abdicated all acts of armed violence ever since we signed a Ceasefire Agreement. Yet we do have military formations to protect our lands and our people. The ethnic conflict is not yet resolved and the threat of Sinhala military aggression of Tamil lands is not yet over. Under these circumstances, decommissioning or abdication of arms is non-negotiable. The majority of the Tamil people will not agree with Mr Wills's perception that the maintenance of armed formations by the LTTE would not protect the Tamil rights but rather create conflicts. On this issue the Tamils seriously differ with Mr Wills. Our people have suffered bitter historical experience of state terror and oppression extending over decades. The Tamils resorted to armed resistance as the last resort to defend their right to existence. Having gone through turbulent periods of state repression and armed resistance, of failed negotiations and betrayals, the Tamil people have genuine fears and anxieties with regards to their safe and secure existence. The Tamils are seeking, not only substantial political autonomy but also a security system that would permanently ensure the protection of their right to live peacefully with dignity and freedom in their historically given homeland. I sincerely hope that the Americans will appreciate and understand the aspirations as well as apprehensions of a people who have faced genocidal oppression from State terrorism and violence.'

The Sri Lankan Prime Minister answered my letter on 29 April. It was a feeble attempt to defend the government policies against the pertinent criticisms advanced by the LTTE. Mr Wickremesinghe presented an upbeat picture of the peace process and the situation in the country. 'There has been substantial progress towards

peace and development throughout the country', in his assessment. Answering the main criticism of the Tigers for excluding the organisation from the Washington aid meeting, he argued the government's position thus:

'As you would know, the Japanese Government suggested preparatory seminars in Washington, Brussels and Oslo prior to the Tokyo Conference. The Government of Norway later felt that it would forego this opportunity since the Oslo meeting last November had virtually served this purpose. Subsequently for various logistical reasons mainly connected with the Iraq crisis, the decision to hold a meeting in Europe was changed and it was proposed to have a preparatory meeting in Colombo in May. These arrangements were discussed at the meeting at Hakone.

'There were two other significant reasons for going ahead with the Washington seminar in April. The first, was the fact that such a seminar would enable the gathering of major Donors who would be present in Washington as participants in the important Spring Meetings of the World Bank and IMF. The other reason was that it was important to obtain commitment of the Donors to this process before their attention was absorbed by the needs of Iraq as a consequence of the situation following that conflict.

'The Washington preparatory seminar was not a pledging conference. The multilateral organisations present at the seminar announced their indicative figures under their Country programme at the meeting.

'The LTTE's inability to attend the seminar was due to the fact that the organisation still remains a banned organisation under United States Law. I regret the LTTE could not participate and you will appreciate that the Government cannot be blamed for this situation.

'From the inception the Government was committed to working with the LTTE in rebuilding the North-East. In fact the Tokyo Conference offered by the

Japanese Government as a pledging conference for the Reconstruction and Development of Sri Lanka took this fact into consideration. The Conference is to be opened by the Prime Minister of Japan.'

On the criticism of non-implementation of the terms and conditions enunciated in the truce document, Mr Wickremesinghe said that, 'I agree with you that there is yet much to be done to implement fully, the provisions of the Ceasefire Agreement. Our view is that both parties should commit themselves to doing so.' It was an evasive answer to a critical problem of de-escalation, which was crucial to restore normal civilian life. On the problem of extreme hardship 'experienced by hundreds of thousands of internally displaced Tamils, the Premier said that the highest priority has been given by the government 'to alleviate the conditions of the internally displaced, as quickly as possible.' This was a lame excuse for the LTTE's demand for immediate and concrete action to a critical humanitarian issue. Mr Wickremesinghe's letter was placatory, but devoid of any substance. In essence, his written response failed to address, in concrete terms, several critical issues raised by the LTTE.

Demand for An Interim Administrative Set-up

The LTTE's decision to suspend participation in the peace talks and to boycott the Tokyo Donor Conference caused a flurry of diplomatic activity to persuade the LTTE to rethink their position, amid speculation that the conference would be postponed.

Adele and I decided to travel to Vanni to meet the LTTE leadership and to convey to Mr Pirapaharan the sentiments of the international community concerning the LTTE's decision. We arrived in Colombo on 5 May. In the meantime, the Japanese Envoy, Mr Yasushi Akashi, and the Norwegian Deputy Foreign Minister, Mr Vidar Helgesen arrived separately in the capital.

A helicopter flew Adele and I to Killinochchi on 6 May where we met Mr Pirapaharan and prepared for discussions with Mr Akashi the following day. The Japanese Envoy and his delegation arrived in Killinochchi for their first meeting with Mr Pirapaharan on 7 May. Mr Tamilselvan, Dr Jay Maheswaran,

Adele and I participated in the talks at the LTTE political headquarters. Mr Akashi expressed his wish that the LTTE participate in the Tokyo Donor Conference and take the opportunity to raise funds for the development of the northeast. Japan, he said, would make available funds for development projects both in the south and the northeast. Furthermore, he commented, the conference aimed at consolidating the peace process would not be the same if one party failed to participate.

Mr Pirapaharan reiterated that concrete steps by the government were necessary to implement decisions arrived at in the previous negotiations.

The journey to Sri Lanka coupled with the intensity of diplomatic work took its toll and I was feeling very unwell and tired. A concerned Mr Pirapaharan supported our decision to leave the Vanni, and on 11 May a helicopter flew us to Colombo. After a night's rest we boarded the plane to London for an immediate medical check-up and treatment.

Diplomatic pressure on the LTTE continued, culminating in a meeting between the Norwegian Foreign Minister, Mr Jan Petersen and Mr Pirapaharan on 15 May. Mr Tamilselvan, Dr Jay Maheswaran and Mr V Rudrakumaran were present in the meeting, while the Foreign Minister was assisted by his Deputy, Mr Vidar Helgesen, and the Norwegian Ambassador in Colombo. Lengthy discussions failed to resolve the political dispute over the LTTE's attendance at the Tokyo Conference. Mr Pirapaharan repeated his stand to the Minister. He further said that in his view it was in the interests of the Tamils to have an effective interim administrative set-up for the northeast. The government departments were corrupt, inefficient and bureaucratic and incapable of carrying out the mammoth task of reconstruction and development of the war ravaged Tamil homeland. He proposed that the government put forward a set of ideas for an interim administrative mechanism.

While I was in London recuperating from renal illness, Mr Helgesen visited Vanni on 17 May and submitted a set of proposals to Tamilselvan for the establishment of a new mechanism for development and reconstruction in the northeast. Pirapaharan requested me to respond. I presented a critique of the proposals in my letter to Helgesen on 21 May. The extracts of my letter are as follows:

Dear Mr Helgesen,

‘In accordance with the decision of the leadership I am advised to respond to a set of proposals submitted by you in connection with the request made by our leader Mr Pirapaharan to establish an interim administrative structure with adequate powers to undertake Northeastern reconstruction and development activities..

‘..Mr Pirapaharan, during his discussions with your Foreign Minister Mr Peterson, suggested a new innovative structure for the Northeast with adequate authority and legal status for the rapid implementation of humanitarian and development activities. This innovative new structure, in his view, should be efficient, transparent and accountable with definite functions and powers so that the peace dividends pledged to the people can be delivered to the people without delay, without corruption, without bureaucratic obstacles.

‘The LTTE leadership is of the view that a permanent political settlement to the Tamil national question can only be actualised in a supreme constitution instituting a radically new polity, an endeavour that cannot be realised under the current unstable political climate. Since a permanent political settlement is not feasible in the immediate future, the Tiger leadership proposes an interim administrative structure with greater participation of the LTTE in both decision making and delivery of the tasks of rebuilding the war damaged economy and restoring normalcy in the Tamil speaking homeland. In this context, we wish to point out that the Government of India proposed an interim administrative mechanism following the Indo-Sri Lanka Accord of 1987 providing LTTE with a dominate participatory role. Mr Pirapaharan envisages that the proposed interim administrative mechanism should supersede the multiplicity of existing structures, which work at cross-purposes and impede the efficient utilisation of development funds.

‘Finally, in view of the upcoming Donors Conference in Japan, the LTTE leadership is of the view that an efficient, radically new administrative mechanism should be instituted immediately, without delay, with wide powers to expedite the resettlement, rehabilitation and reconstruction works in the Northeast. We are of the view that SIRHN, with its limited functions and powers, cannot undertake such monumental tasks.

‘Now let us scrutinize critically the set of ideas and proposals outlined in your communications addressed to Vanni leadership and to me in London. The two-paged Draft Agreement, worked out by you with the consultation of the Government of Sri Lanka, was submitted to Mr Tamilselvan on Saturday 17 May 2003. Constructed as a joint agreement between the GOSL and the LTTE, your draft briefly mentions the proposed North East Development and Reconstruction Council (DRC) as an expanded version of SIRHN. The functions, powers and mechanism of the proposed structure, according to your draft, have to be established through negotiations between the parties ‘following consultations with the donor community at the Tokyo donor conference.’ The DRC is not presented as a concrete proposal but as a notion or rather as a concept that has been worked out into a framework subjected to the ‘guidance’ and endorsement of the international community. This draft on the DRC falls short of Mr Pirapaharan’s expectations of a concrete framework for an interim administrative set-up. Instead the draft paper attempts to situate the DRC within an overall package of binding commitments to various issues including an abstractly formulated ‘road map’ of an envisaged federal solution.

‘The other brief draft paper entitled ‘Elements of a Strengthened and Expanded Mechanism for Reconstruction and Development of the North and East’ is an interesting document with some detailed

input into the structure of the 'Development and Reconstruction Council' (DRC). This draft offers an expanded mechanism of SIHRN transforming it into three-layered structure consisting of a policy board, project committee and an administrative body, deriving its sole authority from the Prime Minister's office. The draft suggests that the LTTE can enjoy equal representation at the decision-making bodies (in the policy board and project committee) but 'the administration should primarily employ Tamils living in the North and East.' This means the LTTE's political representatives cannot play any role in the administrative structure. Essentially the document is brief and fails to provide clear definitions of the powers and functions of the decision making bodies and the question of the legal status of the DRC is not properly defined, but eventually subjected to legislation by Parliament. Finally, and most importantly the donor community is given the final determination over the establishment of the DRC. We do not know whether this draft is your own formulation or a set of proposals worked out by the government. The Colombo media has already given wide publicity to the proposal claiming that the government has decided to set-up a 'central co-ordinating mechanism' with wide powers to implement reconstruction and rehabilitation works. Though the proposals have new elements they have limitations in addressing the central proposal made by the LTTE leader calling for the establishment of an effective interim administration structure for the Northeast with significant participation of the LTTE...

'While expressing our gratitude for your indefatigable endeavour in seeking solutions to break through the current impasse in the peace process we kindly request you to urge the Prime Minister Mr Ranil Wickremesinghe to officially respond to our leader Mr Pirapaharan's proposals for an interim administrative set-up. A positive and constructive response from

the Prime Minister setting out his ideas and proposals in clear and concrete terms will certainly help our leadership to take a crucial decision on the resumption of peace talks and participation at the Donor Conference in Japan.'

On 28 May, the LTTE leadership received a new set of proposals from Prime Minister Wickremesinghe through the Norwegian facilitators, offering to institute a development structure for the rehabilitation and development of the northeast. On the request of the LTTE leadership, I responded to the Prime Minister on the 30 May outlining the flaws and limitations of the framework. The following are extracts of my letter:

Dear Prime Minister,

'Having carefully and critically examined the set of proposals submitted by your government through the Norwegian facilitators, the leadership of the Liberation Tigers of Tamil Eelam (LTTE) has requested me to respond to you clarifying the position of our liberation organisation.

'Before we set-out our critical elucidation of the contents of your government's proposals, I wish to draw your attention to my letter addressed through Mr Helgesen in which we have elaborated the reasons or rather the 'frustrating circumstances' that led the LTTE leader Mr Vellupillai Pirapaharan to propose an interim administration for the northeast. In his deliberations with the Norwegian Foreign Minister Mr Jan Petersen, Mr. Pirapaharan suggested an innovative interim administrative structure vested with adequate authority and legal status 'with greater participation of the LTTE in both decision making and delivery of the tasks of rebuilding the war damaged economy and restoring normalcy in the Tamil speaking homeland.' You would have observed that we did not elaborate on the powers, functions and mechanisms of the proposed administrative structure. We entrusted the task of formulating the framework to your government with the hope that you will act with courage and creativity to accommodate the aspirations of our people

since your government has an overwhelming mandate from the Sinhala masses to establish an interim administrative structure for the northeast...

‘..You will certainly appreciate that we are sincerely and seriously committed to the peace process and are doing our utmost to seek a settlement through negotiations. On our own initiative we declared a unilateral ceasefire during a strategically advantageous conjuncture when the Sri Lanka forces were severely drained of combat capability and the Sri Lanka state was deprived of funds to prosecute the war. During the negotiations we have been very flexible, accommodative and conciliatory and offered major political concessions from our entrenched positions and maintained peace under extreme provocations. We have done our best to advance the negotiating process even at the risk of losing grass-root support. But our sense of equal partnership in peace building and reconciliation suffered a severe blow when the main international and regional players continued to treat the LTTE shabbily as a proscribed entity with a ‘terrorist’ label to be excluded from international forums. We are also concerned over the growing involvement in the peace process of formidable international forces from whom you have been soliciting not only aid but the setting-up of a grand international ‘safety net’ to bring undue pressure on the freedom of our people to determine their political status and destiny. Though your government has de-proscribed our organisation and substantial progress has been made in the peace process and that we have renounced violent struggle and war, the continuous hard-line attitude adopted by powerful international governments against the LTTE under their proscription laws casts a negative impact in promoting peace and ethnic reconciliation in Sri Lanka.

‘Having studied the contents of your proposals we are surprised, and at the same time, dismayed that your government did not address the critical issue of

setting up an interim administrative structure for the northeast as suggested by the LTTE leadership. Instead, you have proposed a development orientated structure with extremely limited administrative powers in which the participatory role of the LTTE is not clearly defined, or rather, left deliberately ambiguous. Essentially, what is sought and what is delivered are two different sets of structures. In offering a development structure you have effectively rejected our proposal for an administrative structure maintaining a studied silence without specifying any reasons for your stand. We can only assume that your administration has found refuge under the existing constitution to deny even an interim measure to the Tamils. You have commented that the government has to operate within the laws of the land. We can certainly understand the fragile position of your government caught up with an enraged President seeking revenge and an entrenched constitution that allows no space for manoeuvre. You will certainly agree that if the political system is unstable and your administration is powerless, it will be impossible to resolve the ethnic conflict either by interim means or by permanent settlement. How long can our people wait and tolerate their hardships if your government seeks refuge under legal and constitutional obstacles? Have they not been waiting for more than half a century for redemption while the Sinhala political classes fought ferociously among themselves to deny the inalienable political rights of our people? ..

‘We do not wish to provide a detailed critical elucidation of all the elements of your proposal. We will confine our criticism only to some crucial aspects of the new development structure.

‘The proposal contains a three layered structure consisting of a ‘representative Apex Body’ (or Council) at the uppermost level which will function as a ‘policy advisory and review board’ having decision making authority in regard to reconstruction and

development work. The middle structure consists of a Management Board with power to co-ordinate state agencies to ensure speedy implementation of the decisions of the Apex Body. The Board will be chaired by a Special Commissioner and will have a Secretariat under him. Bodies implementing the projects at the third level consist of existing government ministries and bureaucracies and non-government organisations. The main objective of this structure is 'to expedite efficient implementation of programmes and projects relating to relief, rehabilitation and development in the North' as outlined in the title of the proposal. This is the essence of the new structure. Let us now look into the powers, functions and composition of this development body and the participatory role assigned to the LTTE.

'The Apex Body has no administrative powers but is only an advisory council whose functions include the formulation and approval of plans, schemes and projects for reconstruction and development. Surprisingly, the government document does not refer to any participation by the LTTE in this so-called decision-making body. With regard to the composition and constituting members, para 2 of the proposal states, "The Apex Body shall be constituted in a manner that it reflects the ethnic composition in the North-East and comprise members who are truly representative of the ethnic groups constituting the Northeast." The government has not clearly spelt out as to who are these 'true representatives' of ethnic groups. It could be assumed that the government is referring to the non-LTTE elected representatives of the Tamil, Muslim and Sinhala people. The failure to define the participatory role of the LTTE in the Apex Body is a major flaw in the entire project...

'We wish to point out that the envisaged new structure does not offer significant participatory role for the LTTE, except in the low level Development Committees and in administering the North East

Reconstruction Fund. Situating the development structure within the parameters of the constitution you have effectively placed the proposed institution under the authority of the central government, particularly under the authority of your office and Parliament. Having completely rejected our suggestion for an interim administrative structure with significant role for the LTTE, your proposal clearly states that the 'administration of the Northeast is the responsibility both of the Northeast Provincial Council and the central government'. In this context, you have conveniently ignored the stark reality that the LTTE runs a de-facto administration of its own in vast tracts of territories under its control in the Northeast.

'As you are aware we have been critical of the functions of multiple government structures and agencies that work at cross purposes at various levels of administration and have created serious impediments for rehabilitation and development activities. We are of the opinion that the proposed new structure for rehabilitation and development will turn out to be a new apex bureaucracy administratively linked to several other inefficient and defunct state agencies and mechanisms and will not be able to carry out the immense humanitarian tasks efficiently. For the reasons set-out in our critique the leadership of our liberation movement regrets to inform you that the new proposal submitted by your government for our perusal is unacceptable to us.'

The Prime Minister responded to my letter on 1 June thus:

Dear Mr Balasingham,

'I have your letter of 30th May 2003, containing the response of the leadership of your organization to the proposal made by me through the Norwegian Facilitator.

'I appreciate that your organisation is doing its utmost to seek a settlement through negotiations and

that you are sincerely and seriously committed to the peace process. Furthermore, I am pleased by the reiteration of the LTTE's position that it has "renounced violent struggle and war". The Government for its part is fully committed to achieving an atmosphere where the process could be carried forward towards the accomplishment of our common objective.

'The international Donor community is also playing its role to further the peace process. Moreover despite a final settlement not yet being in place, the Donor community has unlike in other similar situations in the world, thought it would be appropriate to invest considerable material support for the North-East reconstruction. You would also appreciate that an interim administrative structure would need to have the endorsement of the international community in order to mobilise adequate resources for the reconstruction of the North-East. The funding mechanisms proposed will ensure that the funds that are intended for the rehabilitation of the North-East will be utilised for the purposes for which they are pledged and committed. This to our mind is the gist of the international safety-net which protects the whole of the peace process.

'As I indicated in my letter of 27th May, to the Norwegian Minister of Foreign Affairs, a copy of which was made available to you, the innovative administrative structure that was proposed for reconstruction and development of the North-East will have to achieve the following objectives:

- to be efficient, transparent and accountable;
- safeguard the interests of all communities in the North-East;
- enable the LTTE to play a significant role;
- not be in conflict with the laws of Sri Lanka.

'Let me reiterate here our position regarding the innovative structure for the development of the North-East. It was our intention that any further clarification could have been provided by the Norwegian

team.

‘At the pinnacle of the structure is the Apex Body. It was intended to be a provisional measure and would have adequate administrative authority for the delivery of tasks. It will play the dominant role. Its core activity would be strategic decision-making in respect of all immediate and medium term rehabilitation, reconstruction and development work in the North-East.

‘The composition and size of the Apex Body would be the subject of discussion between the Parties. But undoubtedly the LTTE will participate in the Apex Body and have a majority voice in its deliberations, subject to effective safeguards which are mutually agreed upon for Muslim and Sinhala interests.

‘The institutions at the middle level will act as support mechanisms and will not usurp the dominant role of the Apex Body. The LTTE will also have effective participation at these levels.

‘We are convinced that the structure proposed by us taken as a whole, will fully enable the accomplishment of the objectives which you have stipulated in respect of development, rehabilitation and humanitarian activities in the North-East. We are also confident that this fact can be made clear to you if the opportunity for a comprehensive discussion about the content of the proposal could be arranged at this juncture. In view of the complex and innovative character of the elements that comprise this proposal it is our conviction that a practical resolution of this matter is possible only by substantive discussion and that communication through the exchange of letters will not be sufficient.

‘It is for this reason that we urge the holding of such a meeting, with the active participation of the Facilitator in order to surmount the existing problems and carry the process forward in a manner acceptable to both parties.

‘Therefore I am writing to Mr Jan Petersen Norwegian Foreign Minister requesting that the Facilitator arrange for a dialogue in order to enable representatives of the Government to explain, provide whatever clarification is necessary and to enable an understanding of your views. A discussion between the two Delegations could be subsequently arranged.’

Responding to the Prime Minister’s letter on the 4 June, I stated that ‘the LTTE was disappointed to note that you have not given a clear and precise response to our letter proposal but rather indicated, negatively that you could not act against the rules and laws of the land.’ Extracts from my letter are as follows:

Dear Prime Minister,

‘Having given careful study to the contents of your communication, the leadership of the LTTE is of the opinion that you have failed to address the central issue raised by us. Instead, you have attempted to provide clarifications to some elements of your proposal for a development structure and called for a comprehensive and substantial dialogue with the LTTE for further clarifications.

‘At the outset, we wish to point out that we seriously differ in perception in connection with what the LTTE leadership proposes and what your government offers. While our leadership has proposed an Interim Administrative framework, a politico-administrative structure for the Northeast with wider participation of the LTTE, your government has offered a council with a structure and mechanism for the development of the region. While the LTTE is seeking an Interim Administrative framework as pledged by you in the elections and for which you received a mandate from the people, your government is proposing a development structure with limited scope and power in which the role of the LTTE is not yet clearly defined and subjected to further discussion and clarification...

‘We have had a bitter and frustrating experience of the lack of performance of the mechanisms already instituted. We are not convinced that by creating a

new apex bureaucracy within the existing systems will provide a realistic, practical solution to the formidable humanitarian problems faced by our people.

‘Having realised that the Tamil people are loosing confidence and patience in the peace process in resolving urgent humanitarian issues, our leadership was forced to reappraise the entire situation. We felt that the negotiating process has moved in the direction of exploring theoretical models and road-maps towards a permanent solution ignoring the harsh existential ground realities of a suffering population who yearn to experience a sense of peace, normalcy and decent life. We also felt that your administration is unstable and caught up in a ferocious cohabitation war with the all powerful President and therefore cannot bring about a permanent settlement to the ethnic conflict by restructuring the Sri Lankan political and constitutional systems. We had no choice but to suspend the talks to compel you to rethink and review the ground situation and redefine the agenda for a radical change. It is in this context our leadership proposed an Interim Administrative framework, an innovative new structure with specified politico-administrative functions, vested with adequate authority and legal status ‘with greater participation of the LTTE in both decision making and delivery of the tasks of rebuilding the war damaged economy and restoring normalcy in the Tamil speaking homeland.’ As we have stated, we entrusted the task of formulating the new interim administrative structure to your government hoping that you may find a radical and creative method to overcome the legal and constitutional impediments. But we are disappointed to note that you have not given a clear and precise response to our proposal but rather indicated, negatively that you could not act against the rules and laws of the land. Instead, you are suggesting a new structure limited to development and reconstruction activities in which the role of the LTTE is subjected to further discussions and

clarifications. We regret to say that your suggestions are unsatisfactory and therefore unacceptable.'

Having carefully examined the contents of Mr Wickremesinghe's letters, the LTTE leadership was convinced that the government, constrained by the constitution on one side and cautioned by the President on the other, would not be able to offer a concrete interim framework with substantial administrative powers as envisaged by Pirapaharan. Our decision to suspend participation in the peace talks and to boycott the Tokyo Conference, however we rationalised, led to doubts about our very commitment to the peace process and negotiated political settlement among the international community. Furthermore, our systematic and continuous rejection of the proposals and counter-proposals made by Mr Wickremesinghe had also a negative effect, construing us as uncompromising and intransigent. Pirapaharan discussed with me the implications of this negative perception. He suggested that instead of demanding proposals from the government, the LTTE should put forward, in writing, with the consultation of eminent scholars and constitutional experts from the Tamil diaspora, a concrete set of proposals for an interim administrative structure. Accordingly, arrangements were being made to convene a conference of Tamil experts in Europe to formulate an adequate framework.

In the meantime, the Tokyo Donor conference was held on June 9-10 with the participation of government Ministers and representatives from 51 countries and 22 international organisations. The Prime Minister of Japan, Mr J Koizumi and the Premier of Sri Lanka, Mr Wickremesinghe, made opening addresses. The US, Japan, European Union and Norway functioned as co-chairs of the conference. The donors pledged 4.5 billion dollars for the reconstruction and development of Sri Lanka over a period of four years.

At the end of the conference a document entitled, 'Tokyo Declaration on Reconstruction and Development of Sri Lanka', was released. The cardinal element of the declaration was the linkage between the donor support and progress in the peace talks, a theme that was elaborated in the following para 18:

'Assistance by the donor community must be closely linked to substantial and parallel progress in the peace process towards fulfilment of the objectives

agreed upon by the parties in Oslo. The Conference encourages the Government of Sri Lanka and the LTTE to enter into discussions as early as possible on a provisional administrative structure to manage the reconstruction and development aspects of the transition process. The process would need the expeditious development of a roadmap with clear milestones indicating the path towards a mutually acceptable final political solution. With this in view, the international community intends to review and monitor the progress of the peace process closely, with particular reference to objectives and milestones including:

- a. Full compliance with the cease-fire agreement by both parties.
- b. Effective delivery mechanisms relating to development activity in the North and East.
- c. Participation of a Muslim delegation as agreed in the declaration of the fourth session of peace talks in Thailand
- d. Parallel progress towards a final political settlement based on the principles of the Oslo Declaration.
- e. Solutions for those displaced due to the armed conflict.
- f. Effective promotion and protection of the human rights of all people.
- g. Effective inclusion of gender equity and equality in the peace building, the conflict transformation and the reconstruction process, emphasizing an equitable representation of women in political fora and at other decision-making levels.
- h. Implementation of effective measures in accordance with the UNICEF-supported Action Plan to stop underage recruitment and to facilitate the release of underage recruits

and their rehabilitation and reintegration into society.

- i. Rehabilitation of former combatants and civilians in the North and East, who have been disabled physically or psychologically due to the armed conflict.
- j. Agreement by the Government of Sri Lanka and the LTTE on a phased, balanced, and verifiable de-escalation, de-militarization and normalization process at an appropriate time in the context of arriving at a political settlement.

The LTTE, in an official statement issued from its headquarters in Vanni, on 23 June, rejected the resolutions and declarations adopted by the donor community at Tokyo. The statement said that the document had no binding obligations on the organisation. The statement further stated:

‘We have not been consulted on the set of propositions and resolutions enunciated in the Tokyo Declaration. The Colombo government, with the active assistance of the facilitator and its international ‘tactical allies’ has formulated this strategic paper to super-impose its own agenda on the LTTE. This is unacceptable to us,’ the LTTE statement said.

‘The LTTE has also criticised the government of Ranil Wickremesinghe for complicating the peace process by allowing undue and unwarranted interference by extra territorial forces in the ethnic conflict, which is an internal political affair that has to be resolved by the parties in conflict.

‘The compulsions that arose from severe economic and political bankruptcy have compelled the government to seek the ultimate refuge in the so-called ‘international safety net’ to resolve the economic and political crisis of the country. By seeking this ‘safety net’ the Colombo regime has shifted the peace process from third party facilitation to the realm of international arbitration by formidable external forces that has far-reaching consequences to the political and

economic destiny of the island.’

In the meantime, the LTTE leader appointed a Constitutional Affairs committee, comprising of Professor Sornarajah, Professor of Law, National University of Singapore, Mr Shiva Pasupathi, PC, former Attorney General of Sri Lanka, Mr Rudrakumaran, legal advisor to the LTTE, Dr Manuelpillai Paul Dominic, Professor of Law, University of Sydney, Professor P Ramasamy, Professor of Political Science, National University of Malaysia, Mr Visvendran, legal expert and Dr Jay Maheswaran, economic advisor. The constitutional experts met in Paris during the latter part of August 2003 and formulated a set of proposals for an Interim Self-Governing Authority for the northeast. (see Appendix for details) The proposals consisted of radical, innovative features delegating plenary power necessary for the governance of the northeast, including powers relating to resettlement, rehabilitation, reconstruction and development. Having been endorsed by the LTTE leadership, the proposals were submitted to the government of Wickremesinghe through the Norwegian Ambassador in Colombo, on the 1 November 2003. Exactly four days after the submission of the LTTE proposals, on 4 November, while the Wickremesinghe administration was considering the proposals, President Kumaratunga struck at the government by removing Mr Tilak Marapone, Minister of Defense, Mr Jon Armaratunga Minister of Interior and Mr Imtiaz Bakeer, Minister for Media from their posts. On 7 February 2004, President Kumaratunga issued a gazette notification dissolving Sri Lanka’s Parliament, the final act that brought an end to Wickremesinghe’s government.

Critical Appraisal of the Peace Talks

The peace talks between the government of Ranil Wickremesinghe and the Liberation Tigers did not collapse irredeemably, leading to the resumption of war. The talks were suspended, intentionally, by the LTTE to provide time, space and opportunity for Wickremesinghe’s administration to formulate an effective administrative mechanism with adequate power and capacity to undertake the monumental tasks of rehabilitation and reconstruction in the war devastated northeast. Since the

government's proposals were totally unsatisfactory, the LTTE presented its own framework, the Interim Self-Governing Authority (ISGA), as a basis for the resumption of talks. The sudden intervention of President Kumaratunga in paralysing Wickremesinghe's administration was motivated to advance her own agenda to maximise her power. By winning the elections with the alliance of the JVP, she was able to extend her sphere of influence and power in the legislature. The ISGA, the only instrumentality that could have saved the peace talks from protracted stalemate, became the victim of the power struggle in Colombo, between the two major Sinhala political parties, the United National Party (UNP), and the Sri Lanka Freedom Party (SLFP). On the day the President took over the limited executive authority vested with the Defense and Interior Ministries of Wickremesinghe's regime, the SLFP released its official statement, written by Laksman Kadirgamar, the Presidential Advisor, condemning outrightly the LTTE's proposal. The statement said that, 'the ISGA proposals laid the legal foundation for a future, separate, sovereign state. The proposals clearly affect the sovereignty of the Republic of Sri Lanka and violate the constitution'. After the elections, having assumed power in parliament, the President changed her tune when confronted with the necessity of resuming the peace talks with the LTTE. Asserting that any interim arrangement should be an integral part of the final settlement, she invited the Tigers for parallel talks, both on interim and permanent solutions, the former to be the organic part of the latter. The President also suggested that her draft constitution of 2000, which dealt with the establishment of an interim administration, could be the basis for talks with the LTTE. She needed a restructuration of the constitution to abolish the presidency, and to consolidate a Westminster model of Parliament, which would provide the opportunity for her to remain in politics as Prime Minister. In other words, the President's personal agenda of perpetuating and maximising power could also be realised by linking the peace process to constitutional reform.

The power struggle within the Sinhala ruling elites, the calculated abuse of the ethnic conflict to promote and maximise their political power and influence, were cardinal causes for the failures of the negotiating process. None of the major Sinhala political parties - the UNP, SLFP and the JVP, has a clear, coherent, well-conceived

policy or a framework of a solution to the national conflict. The Sinhala political establishment is fully aware of what constitutes the core issues, or the fundamentals of the Tamil national question. The Tamils had already enunciated those fundamentals, or core demands, in terms of the Thimpu principles. None of the Sinhala political parties dared to address the issues. The lack of a coherent policy on the ethnic conflict, the absence of consensus within the Sinhala polity on a framework for settlement, the dearth of political will among the Sinhala political leaders, have been the source and cause of the failure of several peace negotiations.

From the early stages of the Norwegian facilitated peace talks, we found that Wickremesinghe's political power was built on a shaky foundation. There was a dual power structure in Colombo: the legislative was in conflict with the executive and the state system was essentially unstable. Mr Wickremesinghe's authority in the fragmented power system was extremely limited. His position was further weakened by the hostile uneasy relations with the President, who yielded immense executive authority, with total control of the armed forces. Furthermore, the highly entrenched constitution and its judicial guardian, the Chief Justice, precluded him from embarking on any radical, innovative measures to find solutions to varieties of issues that underlie the ethnic conflict. The SIRHN, the only institution mooted to resolve urgent humanitarian issues, was functioning under the Prime Minister's office, ground to a halt primarily because of the poverty of power. Professor Peiris, a sharp legal expert, was reluctant to seek legislative authority to build up institutional structures for fear of constitutional constraints. A powerless, unstable government caught up in a co-habitation conflict with the Presidency, could not address the immediate existential problems or the underlying core issues of the Tamils, a crucial factor for the setback of talks. Mr Wickremesinghe had his own agenda and goals. He probably entertained a hope that he could eventually resolve the protracted conflict, if and when he assumed power as an all-powerful President, with the backing of the minority communities. But the LTTE leadership could not be expected to wait in a political vacuum for more than two years, facing an impatient, angry population.

The LTTE's negotiating strategy was, as I have pointed out earlier, to advance the peace process stage-by-stage, identifying

crucial issues and to seek solutions, with mutual understanding and agreement. Within this pragmatic strategic framework, the Tamil Tigers gave primacy to the resolution of urgent and immediate life problems. We did not deliberately defer or avoid contentious or core issues during negotiations. We knew that Wickremesinghe's administration, though it entertained such intentionality, did not have the necessary political authority to deal with the fundamental issues underlying the Tamil national question. Wickremesinghe's party (UNP) was divided and confused over the core demand of the Tamils for a unified, contiguous homeland encompassing the north-eastern region. Furthermore, to fulfil the aspirations of the Tamil people for self-rule in their homeland entailed a redefinition of the Sri Lankan polity through a radical, new constitution, a task beyond the political capacity of Wickremesinghe's government. Nevertheless, Professor Peiris and the facilitators wanted substantial progress on the political level, downplaying the burning humanitarian issues. It was in this context that the decision to 'explore federal systems' was taken out of its theoretical construction and blown up as a paradigm shift'. Having spent considerable time and effort on the groundwork to initiate the talks, the Norwegian facilitators were inclined to paint a positive picture of systematic progress in the negotiations. Official Norwegian press releases on the talks revealed a sense of overoptimism, as if there had been substantial achievements and break throughs.

I should compliment the facilitators since they handled the negotiating process skilfully, encouraging the parties to engage in discussions, identifying issues, avoiding acrimony and helping develop and consolidate mutual trust and goodwill. Most importantly, the facilitators took great care and were sensitive in maintaining the balance of equal partnership between the protagonists, between the state and non-state actors. Unfortunately the excessive involvement of the international actors and their own strategic interests and power projections, began to affect the balance of power relations between the parties on conflict. The donor conference organised by the Norwegians allowed space for the donor community to impose parameters on the nature of the settlement that affected the parties' freedom to determine their political status and destiny. The economic agenda of the government, necessitating massive aid, created space for the intrusion of international donor

involvement in the peace process. Wickremesinghe's grand plan of an 'international safety net' as a containment strategy against the LTTE, made the Tamil Tigers cautious and suspicious of international entrapment via the peace process.

In my assessment, the only substantial achievement of the entire peace process was the Ceasefire Agreement entered into between the parties in conflict with Norwegian facilitation. Norwegian peace envoys played a critical role in the formulation and the promulgation of the truce agreement between the adversaries who fought the most savage and bloody battles for nearly two decades. The ceasefire has been holding for two and a half years, without any major armed confrontation between the parties. The Norwegians also continue to play an important role as monitors, maintaining impartiality and objective neutrality in supervising the truce in a politically turbulent environment. Based on military power balance or strategic equilibrium, the Ceasefire Agreement is of paramount importance to peace in Sri Lanka. The possible resumption of the negotiating process, rests squarely on the foundation of the Ceasefire Agreement. As such, the parties in conflict are conscious of the importance of the stability of the ground situation. Consolidation of ceasefire is a necessary condition for peace and peaceful means of securing a negotiated political settlement.

References and Notes

1. Annual Report of the Central Bank, 2001.
2. See TamilNet March 2, 2002
3. Adele Balasingham in her book, 'The Will to freedom' has covered this area extensively.
4. Schneiderman, David, edited. 'The Quebec Question'. Page 61. James Lorimer and Co. Toronto, 1999.
5. Shelton, Dinah. 'Self-determination and Secession: The Jurisprudence of International Human Rights Tribunals', in Dahlitz, Julie, edited, 'Secession and International Law', page 51. United Nations publication, 2003
6. Scheiderman, David. edited, 'The Quebec Decision' page 61-62.
7. Lt General Satish Nambiar submitted his final eight-page report to the Sri Lankan Prime Minister in May 2003.
8. See Tamil Guardian 28 January 2003.

ANNEXURE I

Text of the Indo-Sri Lanka Accord of July 29, 1987

The President of the Democratic Republic of Sri Lanka, His Excellency Mr. J. R. Jayawardene, and the Prime Minister of the Republic of India, His Excellency Mr. Rajiv Gandhi having met at Colombo on 29th July 1987.

Attaching utmost importance to nurturing, intensifying and strengthening the traditional friendship of India and Sri Lanka and acknowledging the imperative need of resolving the ethnic problem of Sri Lanka, and the consequent violence, and for the safety, well-being and prosperity of people belonging to all communities of Sri Lanka.

Have this day entered into the following agreement to fulfil this objective, In this context,

- 1.1 desiring to preserve the unity, sovereignty and territorial integrity of Sri Lanka;
- 1.2 acknowledging that Sri Lanka is a multi-ethnic and multi-lingual plural society consisting, *inter-alia*, of Sinhalese, Tamils, Muslims (Moors) and Burgers,
- 1.3 recognising that each ethnic group has a distinct cultural and linguistic identity which has to be carefully nurtured;
- 1.4 also recognising that the Northern and the Eastern provinces have been areas of historical habitation of Sri Lankan Tamil speaking people, who have at all times hitherto lived together in this territory with other ethnic groups,

1.5 conscious of the necessity of strengthening the forces contributing to the unity, sovereignty and territorial integrity of Sri Lanka, and preserving its character as a multi-ethnic, multi-lingual and multi-religious plural society, in which all citizens can live in equality, safety and harmony, and prosper and fulfil their aspirations;

2. Resolve that:

2.1 Since the Government of Sri Lanka proposes to permit adjoining Provinces to join to form one administrative unit and also by a Referendum to separate as may be permitted to the Northern and Eastern provinces as outlined below:

2.2 During the period, which shall be considered an interim period (i.e., from the date of the elections to the provincial council, as specified in para 2.8 to the date of the Referendum as specified in para 2.3), the Northern and Eastern provinces as now constituted, will form one administrative unit, having one elected Provincial Council. Such a unit will have one Governor, one Chief Minister and one Board of Ministers.

2.3 There will be a referendum on or before 31st December 1988 to enable the people of the Eastern Province to decide whether:

(a) The Eastern province should remain linked with the Northern province as one administrative unit, and continue to be governed together with the Northern Province as specified in para 2.2., or:

(b) The Eastern Province should constitute a separate administrative unit having its own distinct provincial council with a separate Governor, Chief minister and Board of Ministers. The president may, at his discretion, decide to postpone such a referendum.

2.4 All persons, who have been displaced due to ethnic violence or other reasons, will have the right to vote in such Referendum. Necessary conditions to enable them to return to areas from where they were displaced will be created.

2.5 The Referendum, when held, will be monitored by a committee headed by the Chief Justice, a member appointed by the President, nominated by the Government of Sri Lanka, and a member appointed by the President, nominated by the representatives of the Tamil speaking people of the Eastern province.

2.6 A simple majority will be sufficient to determine the result of the Referendum.

2.7 Meetings and other forms of propaganda, permissible within the laws of the country, will be allowed before the Referendum.

2.8 Elections to Provincial Councils will be held within the next three months, in any event before 31st December 1987. Indian observers will be invited for elections to the Provincial Council of the North and East.

2.9 The emergency will be lifted in the eastern and Northern provinces by August 15, 1987. A cessation of hostilities will come into effect all over the Island within 48 hours of signing of this Agreement. All arms presently held by militant groups will be surrendered in accordance with an agreed procedure to authorities to be designated by the Government of Sri Lanka. Consequent to the cessation of hostilities and the surrender of arms by militant groups, the army and other security personnel will be confined to barracks in camps as on May 25, 1987. The process of surrendering arms and the confining of security personnel moving back to barracks shall be completed within 72 hours of the cessation of hostilities coming into effect.

2.10 The Government of Sri Lanka will utilise for the

purpose of law enforcement and maintenance of security in the Northern and Eastern Provinces the same organisations and mechanisms of Government as are used in the rest of the country.

2.11 The President of Sri Lanka will grant a general amnesty to political and other prisoners now held in custody under The Prevention of Terrorism Act and other Emergency Laws, and to combatants, as well as to those persons accused, charged and/or convicted under these laws. The Government of Sri Lanka will make special efforts to rehabilitate militant youth with a view to bringing them back to the mainstream of national life. India will cooperate in the process.

2.12 The Government of Sri Lanka will accept and abide by the above provisions and expect all others to do likewise.

2.13 If the framework for the resolutions is accepted, the Government of Sri Lanka will implement the relevant proposals forthwith.

2.14 The Government of India will underwrite and guarantee the resolutions, and cooperate in the implementation of these proposals.

2.15 These proposals are conditional to an acceptance of proposals negotiated from 4.5.1986 to 19.12.1986. Residual matters not finalised during the above negotiations shall be resolved between India and Sri Lanka within a period of six weeks of signing this agreement. These proposals are also conditional to the Government of India cooperating directly with the Government of Sri Lanka in their implementation.

2.16 These proposals are also conditional to the Government of India taking the following actions if any militant groups operating in Sri Lanka do not accept this framework of proposals for a settlement, namely:

- (a) India will take all necessary steps to ensure that Indian territory is not used for activities

prejudicial to the unity, integrity and security of Sri Lanka

(b) The Indian Navy/Coast Guard will cooperate with the Sri Lankan navy in preventing Tamil militant activities from affecting Sri Lanka.

(c) In the event that the Government of Sri Lanka requests the Government of India to afford military assistance to implement these proposals the Government of India will cooperate by giving to the Government of Sri Lanka such military assistance as and when requested.

(d) The Government of India will expedite repatriation from Sri Lanka of Indian citizens to India who are resident there concurrently with the repatriation of Sri Lankan refugees from Tamil Nadu.

(e) The Governments of Sri Lanka and India will cooperate in ensuring the physical security and safety of all communities inhabiting the Northern and Eastern Provinces.

2.17 The Governments of India and Sri Lanka shall ensure free, full and fair participation of voters from all communities in the Northern and Eastern Provinces in electoral processes envisaged in this Agreement. The Government of India will extend full cooperation to the Government of Sri Lanka in this regard.

2.18 The official language of Sri Lanka shall be Sinhala. Tamil and English will also be official languages.

3. This agreement and the annexure thereto shall come into force upon signature.

IN WITNESS WHEREOF we have set our hands and seals hereunto.

DONE IN COLOMBO, SRI LANKA, on this the Twenty Ninth day of July of the year One thousand Nine hundred and Eighty Seven, in duplicate, both texts being equally authentic.

RAJIV GANDHI
*Prime Minister of
the Republic of India*

JUNIUS RICHARD JAYEWARDENE
*President of the Democratic
Socialist Republic of Sri Lanka*

ANNEXURE TO THE AGREEMENT

1. His Excellency the President of Sri Lanka and the Prime Minister of India agree that the Referendum mentioned in paragraph 2 and its sub-paragraphs of the Agreement will be observed by a representative of the Election Commission of India to be invited by His Excellency the President of Sri Lanka.

2. Similarly, both Heads of Government agree that the elections to the Provincial Council mentioned in paragraph 2.8 of the Agreement will be observed by a representative of the Government of India to be invited by His Excellency the President of Sri Lanka.

3. His Excellency the President of Sri Lanka agrees that the Home guards would be disbanded and all para-military personnel will be withdrawn from the Eastern and Northern Provinces with a view to creating conditions conducive to fair elections to the Council. The President, in his discretion, shall absorb such paramilitary forces, which came into being due to ethnic violence, into the regular security forces of Sri Lanka.

4. The Prime Minister of India and the President of Sri Lanka agree that the Tamil militants shall surrender their arms to authorities agreed upon to be designated by the President of Sri Lanka. The surrender shall take place in the presence of one senior representative each of the Sri Lankan Red Cross and the Indian Red Cross.

5. The Prime Minister of India and the President of Sri Lanka agree that a joint Indo-Sri Lankan observer group consisting of qualified representatives of the Government of India and the Government of Sri Lanka would monitor the cessation of hostilities from 31 July, 1987.

6. The Prime Minister of India and the President of Sri Lanka also agree that in the terms of paragraph 2.14 and paragraph 2.16 (c) of the Agreement, an Indian Peace Keeping contingent may be invited by the President of Sri Lanka to guarantee and enforce the cessation of hostilities, if so required.

ANNEXURE II

Proposals for Devolution of Powers Known as Annexure C

In terms of paragraph six of the President's statement of December 1st, 1983, the following proposals which have emerged as a result of discussions in Colombo and New Delhi are appended for consideration by the All Party Conference. These proposals are in the context of the unity and integrity of Sri Lanka and will form the basis for formulating the Agenda of the All Party Conference.

- (1) The District Development Councils in a Province be permitted to combine into one or more Regional Councils if they so agree by decisions of the Councils and approved by Referendum in that district.
- (2) In the case of the District Councils in the Northern and Eastern Provinces respectively, as they are not functioning due to the resignation of the majority of Members, their union within each province to be accepted.
- (3) Each Region will have a Regional Council if so decided. The convention will be established that the leader of the party which commands a majority in the Regional Council would be formally appointed by the President as the Chief Minister of the Region. The Chief Minister will constitute a Committee of Ministers of the Region.
- (4) The President and the Parliament will continue to have overall responsibility over all subjects not transferred to the regions and generally for all other

matters relating to the maintenance of the sovereignty, integrity, unity and security and progress and development of the Republic as a whole.

(5) The legislative power of the Region would be vested in the Regional Councils which would be empowered to enact laws and exercise executive powers in relation thereto on certain specified listed subjects including the maintenance of internal Law and Order in the Region, the Administration of Justice, Social and Economic Development, Cultural matters and Land Policy. The list of subjects which will be allocated to the Regions will be worked out in detail.

(6) The Regional Councils will also have the power to levy taxes, cess or fees and to mobilise resources through loans, the proceeds of which will be credited to a Consolidated Fund set up for that particular Region, to which also will be credited grants, allocations or subventions made by the Republic. Financial resources will be apportioned to the Regions on the recommendations of a representative Finance Commission appointed from time to time.

(7) Provision will be made for constituting High Courts in each Region. The Supreme Court of Sri Lanka will exercise appellate and constitutional jurisdiction.

(8) Each Region will have a Regional Service consisting of (a) officers and other public servants of the Region and (b) such other officers and public servants who may be seconded to the Region. Each Region will have a Regional Public Service Commission for recruitment and for exercising disciplinary powers relating to the members of the Regional Service.

(9) The armed forces of Sri Lanka will adequately reflect the national ethnic position. In the Northern and Eastern Regions, the Police forces for internal security will also reflect the ethnic composition of

these Regions.

(10) A Port authority under the Central Government will be set up for administering the Trincomalee Port and Harbour. The area which will come under the administration of the Port Authority as well as the powers to be assigned to it will be further discussed.

(11) A national policy on land development and the basis on which the Government will undertake land colonisation will have to be worked out. All settlement schemes should be based on ethnic proportions so as not to alter the demographic balance subject to agreement being reached on major projects.

(12) The Constitution and other laws dealing with the official language Sinhala and the national language, Tamil, be accepted and implemented as well as similar laws dealing with the National Flag and Anthem.

(13) The Conference should appoint a committee to work out constitutional and legal changes that may be necessary to implement these decisions. The Government would provide its Secretariat and necessary legal offices.

(14) The consensus of opinion of the All Party Conference will itself be considered by the United National Party Executive Committee and presumably by the executive bodies of the other parties as well, before being placed before Parliament for legislative action.

ANNEXURE III

Text of Letters Exchanged Between Lankan President Mr. Premadasa and the Indian Prime Minister Mr. Rajiv Gandhi

Letter dated 2nd June 1989

*Written by President Premadasa to the Indian Prime
Minister Mr. Rajiv Gandhi*

My dear Prime Minister,

I am writing to you on some matters of urgent importance. The most important matter relates to the presence of Indian forces in Sri Lanka. After I assumed the Presidency of Sri Lanka, the Government of India initiated the withdrawal of troops. We are grateful for your prompt action in this regard.

One of the important campaign pledges made by me at both the Presidential and Parliamentary elections was the withdrawal of the IPKF on being elected to office. I assumed the office of President of Sri Lanka on the 2nd of January, 1989. Five months have elapsed since then. The complete withdrawal of the IPKF will hopefully contribute to stabilising the situation in Sri Lanka, where the presence of the IPKF has become a deeply divisive and resentful issue. It is also in keeping with your often expressed sentiments that the IPKF will be withdrawn when requested by the President of Sri Lanka. I am thankful for the efforts of the IPKF during the time it has been in our country. I have often paid tribute to the bravery of the many officers and men who lost life and limb in the discharge of their duties. The tragedy of violence has not only affected your soldiers, it has also destroyed many Sri Lankans as well as our Armed Forces and large numbers of civilians, innocent and uninvolved, have suffered beyond description. Their sacrifices must not be in vain. I am confident that a complete withdrawal of the IPKF

will enable me to secure the trust and confidence of my people. Therefore, I would like all IPKF personnel to be withdrawn by July 31st, 1989.

The withdrawal of the IPKF will also enable Sri Lanka to host the SAARC Summit in November this year in a climate of tranquillity. As you are aware, we could not undertake our obligation to do this in 1988. You will appreciate how difficult it is to a regional gathering of this nature with foreign forces on our soil. Our people are most enthusiastic about welcoming leaders of our own region, particularly our closest neighbours. However, their anxieties must also be satisfied especially in relation to their deep patriotic and nationalist sensitivities.

In this context, we have submitted several proposals regarding an Indo-Sri Lanka Friendship Treaty. I believe that, in the long term, such an agreement will further strengthen relations between India and Sri Lanka. I await your response to our proposals in this regard.

We have always appreciated your sincere interest in the unity and the territorial integrity of our country. Our own efforts to this end need the understanding and goodwill of our neighbours. I believe, that your people and you yourself share these objectives and will contribute to their realisation.

I have just seen the Aide Memoire which was handed over by your High Commissioner this evening. As the Aide Memoire refers to the need for consultations between the Governments, I am designating my Foreign Secretary to personally clarify our position on these matters. With the assurance of my highest consideration and esteem.

Letter dated 20th June 1989

Written by Mr. Rajiv Gandhi to Mr. Premadasa

Dear Mr. President,

I have your letter of the 2nd June, which was handed over to me by your Special Envoy, Foreign Secretary Tilakaratne.

India is committed to preserving the unity and integrity of Sri Lanka, under the terms of the Indo-Sri Lanka Agreement. It was a result of this commitment and our responsibility as a guarantor for the implementation of the Indo-Sri Lanka Agreement that we responded to the request of the Government of Sri Lanka, to send

the IPKF. This was at a time when the situation seemed headed inexorably towards the break-up of Sri Lanka. During its presence, the IPKF has striven with considerable success but at heavy cost to itself, to prevent such an outcome and safeguard the unity and integrity of Sri Lanka. Three successive elections have been held peacefully despite threats of terrorist violence in the North-East and all Tamil groups barring one, had given up the demand for Eelarn. If the process of devolution of powers to the Provincial Council had been implemented in time and had the deliberate attempt by the Sri Lankan Government to alter the population balance in the Tamil areas by the continued state sponsored colonisation of Tamil areas been stopped, the extremists would have been further isolated and marginalised, and the violence ended.

You have yourself stated that we had started the withdrawal of the IPKF even before you requested for it. A broad time-frame for the IPKF withdrawal was also discussed at our initiative, based on which your Foreign Minister had made a statement in your Parliament on the 31st March, 1989. All this was being done on the basis of assurances given by the Sri Lankan Government and on assumption that the implementation of the Indo-Sri Lanka Agreement-especially the devolution of powers to the Provincial Councils-would proceed simultaneously, so that the legitimate aspirations of the Tamils could be met within the framework of the unity and integrity of Sri Lanka. It is pertinent to recall that it was precisely because these aspirations were not being met that a situation was created which threatened the unity and integrity of Sri Lanka.

I have always maintained that the IPKF will not stay in Sri Lanka a day longer than necessary. But we cannot be unmindful of the responsibilities and obligations of the two countries under the Indo-Sri Lanka Agreement and to join the democratic process within the framework of a united Sri Lanka only on the basis of assurances that the Tamil majority in North-Eastern Province will be given substantial devolution of powers. Our two Governments are therefore morally and legally bound to ensure that the Tamils are given the autonomy they were promised, both in the 13th Amendment to the Sri Lankan Constitution, as also in the additional areas promised in the Agreement signed between the former President Jayewardene and myself on the 7th November, 1987.

Failure to do so will only lend credence to the claims made by Tamil groups that Tamils cannot expect justice within a united Sri Lanka. We have to be fully conscious of the dangers of a return to a situation which may be worse than prevailing prior to the Indo-Sri Lanka Agreement. We believe that, in the spirit of traditional friendship between our two countries, we must jointly draw up a mutually agreed schedule for the full implementation of the Indo-Sri Lanka Agreement and the complete withdrawal of the IPKF. The two have to be joint, parallel exercises.

We have no objection to your proposal for a friendship treaty. I had told your Special Envoy that we could set dates for commencing discussions with a view of finalising the text of the proposed treaty.

Letter dated 29th June 1989

Written by Mr. Premadasa to Mr. Rajiv Gandhi.

Excellency,

I am glad to inform you that the LTTE has announced a complete cessation of hostilities against the Sri Lanka Government with immediate effect.

The LTTE which is no longer a proscribed group has in the course of recent discussions with the Government of Sri Lanka agreed to settle whatever problems they have through the process of negotiation. Under the circumstances it will be appreciated if Your Excellency will ensure that the IPKF does not take any offensive action against the LTTE which will tend to prejudice the negotiations that are currently in progress. Accept Excellency, the assurances of my highest consideration.

Letter dated 30th June 1989

Written by Mr. Premadasa to Mr. Rajiv Gandhi in response to Mr. Gandhi's letter of 20th June 1989.

Dear Prime Minister,

I am in receipt of your letter of 20th June in reply to my letter of 2nd June, 1989. I thank you for reiterating India's commitment to preserve the unity, sovereignty and territorial integrity of Sri Lanka as was stated in the Indo-Sri Lanka Agreement.

We appreciate the assurance given by the Indian Government in providing the personnel to assist in the acceptance of arms surrendered by the militants as envisaged by Article 2.9 of the Agreement. We are also thankful for the assistance provided at our request, in terms of Article 2.16 (c) of the Agreement and paragraph 6 of the Annexure in affording military assistance to ensure the cessation of hostilities.

I am unable however to accept the contention that the implementation of the Indo-Sri Lanka Agreement, including the devolution of powers to the Provincial Councils, is in any way linked with the withdrawal of the Indian Armed Forces. They had been invited to Sri Lanka for the specific purpose of guaranteeing and enforcing the cessation of hostilities. The Indo-Sri Lanka Agreement does not provide for continued military activities by the Indian armed forces in Sri Lanka after a request has been made by me to have them withdrawn. Continuation of such military activities would also be a violation of preemptory norms of international law.

The Indian Peace Keeping Force came to Sri Lanka at the request of the President of Sri Lanka. Due to the circumstances that arose thereafter the IPKF was requested by the President to afford military assistance to ensure the cessation of hostilities. The only condition that should be satisfied for the withdrawal of the Indian armed forces is a decision by the President of Sri Lanka that they should be withdrawn. The request made by me to withdraw the Indian armed forces has satisfied this condition. It is therefore incumbent on the Government of India to withdraw the Indian armed forces from Sri Lanka. The proposals for the political settlement of the ethnic problem negotiated from 4.5.1986 to 19.12.1986 as well as the residual matters to be finalised between the government of Sri Lanka, and the government of India have all been accepted and incorporated in the relevant amendments to our Constitution and the Provincial Councils Act. The delay in giving effect to certain proposals within the time-frame envisaged by the agreement had been occasioned by the inability of the Indian armed forces to ensure cessation of hostilities and violence in the North and the East.

The actual functioning of the Provincial Councils in the new system of administration is applicable not only to the North and the East but to all the Provinces of Sri Lanka. This is entirely a

political process in which the military has no role whatsoever. You will no doubt agree that it has been an experience common in many other jurisdictions that the establishment of an entirely new structure of administration based on devolution, is essentially a long-term process. There is neither a legal nor any other rational basis for the presence of any military force to ensure that the administrative structure is fully in place in any Province of Sri Lanka. I have, in consultation with the Ministers of the Cabinet and the Chief Ministers of the Provincial Councils, taken all steps to ensure that the administrative structure necessary for the effective exercise of devolved powers is in place as expeditiously as possible.

As I have already intimated to you in my letter of 2 June, 1989 one of the important pledges made by me both at the Presidential and at the Parliamentary elections was to ensure the withdrawal of the Indian forces. To quote the manifesto:

“We will seek a Friendship Treaty with India on the lines of the Indo-Soviet Friendship Treaty. If by the time our candidate is elected President, the Indian forces have not left, we will ensure that they are withdrawn.”

The main Opposition Party, the Sri Lanka Freedom Party, in their election manifesto had stated that the Indo-Sri Lanka Agreement would be abrogated and the Indian forces asked to leave. Thus, it will be seen that over 95 per cent of the voters clearly mandated the withdrawal of the Indian forces. The majority approved the UNP proposals for the conclusion of a Friendship Treaty with India.

I would like to mention a most significant development, which may not have been brought to your notice, namely that the majority of people of all three communities in North and the East demand the immediate withdrawal of the Indian forces.

In your letter you have mentioned that there has been a deliberate attempt by the Government of Sri Lanka to alter the population balance in the Tamil areas by continuing state-sponsored colonisation. I must emphatically refute this. There has been no colonisation whatsoever in these areas since the signing of the Indo-Sri Lanka Agreement.

The ground is now set for the Government to resolve any outstanding issues relating to the ethnic problem on the basis of

consultation, compromise and consensus with all communities and groups concerned. As I have already informed you, the LTTE has announced the cessation of hostilities against the Government of Sri Lanka. They have also resolved to settle any issues outstanding through negotiations and discussions. It is in this context that I have requested you to issue the necessary instructions to the Indian armed forces to refrain from any offensive operations against the LTTE. The LTTE has already expressed its willingness to put an end to such activities against the Indian armed forces on a reciprocal basis. The withdrawal of the Indian armed forces within the time-frame visualised by me is an essential pre-condition for the Government to proceed with the consolidation of a political settlement.

Far from being of any assistance in the complete resolution of the ethnic problem, the presence of the Indian forces are now a serious impediment. In this connection, I must bring to your notice an alarming development that has been taking place in the Northern and Eastern Provinces. There are complaints that youths mostly of tender age are being forcibly conscripted by certain political groups and are being trained at the hands of the Indian forces. I need not elaborate on the possible consequences that will follow if this is not checked forthwith.

Therefore, in consideration of all these circumstances, I again earnestly request the immediate recommencement of the withdrawal of the Indian armed forces and an acceleration of this process.

I am glad at your favourable response to my proposal for a Friendship Treaty with India. We have already given our draft to the Ministry of External Affairs in New Delhi. I would request that discussion should commence without delay, so that this Treaty could give concrete and expeditious expression to the traditional bonds of friendship between our two countries.

Letter dated 30th June 1989

Written by Mr. Rajiv Gandhi to Mr. Premadasa in response to Mr. Premadasa's letter of 29th June 1989.

Dear Mr. President,

I have your message of 29th June sent through your High Commissioner.

The Indo-Sri Lanka Agreement provides for a cessation of

hostilities between the Tamil militant groups and the Sri Lankan forces, and also for the Sri Lankan Forces to stay in barracks in the North-East Province. Both these were achieved on 30th July, 1987. Thus, there has already been an effective cessation of hostilities between the Sri Lankan forces and the LTTE. I am glad that the LTTE has now formally conceded this reality.

We hope that the formal agreement of the LTTE to cease hostilities clearly implies their commitment to the unity and integrity of Sri Lanka and to renounce violence and to respect democratic processes. We trust that, consequent to giving up violence, LTTE will resume surrender of arms through the Sri Lankan Government—a process which had started on the 5th August, 1987 and is not yet complete. Unless the LTTE have undertaken to hand over their arms and to renounce violence not only

towards the Sri Lankan Government but towards the other citizens of the North-Eastern Province, their announcement of cessation of hostilities would be meaningless.

Since IPKF has a mandate in terms of India's role as a guarantor, for ensuring the physical safety and security of all communities of the North-Eastern Province, I would appreciate clarifications on the points I have mentioned above. These clarifications will facilitate an immediate decision on the IPKF's cessation of offensive action to disarm the LTTE. The earlier we receive your response, the quicker will be the process of initiating suitable action.

Letter dated 4th July 1989

Written by Mr. Premadasa to Mr. Rajiv Gandhi

Dear Prime Minister,

I have your message of 30th June sent through your High Commissioner, in response to my message requesting you to ensure that the Indian armed forces in Sri Lanka do not take any offensive action against the LTTE. Such action or any intensification of operations is liable to prejudice the negotiations currently in progress and prolong the armed conflict.

Your statement that the cessation of hostilities took place on 30th July, 1987 does not accord with facts. The LTTE ceased hostilities against the Sri Lankan security forces only for a few days but resumed violence on 2nd August, 1987 and continued until they announced a cessation of hostilities in June, 1989. During the

interim 148 service and police personnel were killed and 80 were wounded: 481 civilians were killed and 115 injured.

The LTTE announced a cessation of hostilities only in June this year after the commencement of the dialogue with the Government. This cessation covers not only the Government but also the people in the North and the East and in fact the people in the whole of Sri Lanka. At the same time, the LTTE reiterated its commitment to resolve all outstanding problems through negotiations and discussion and indicated their readiness to enter the democratic process.

As stated in your message, you have been seeking to disarm the LTTE for the past two years and this process is not yet complete, nor have you been able to bring them to the negotiating table. I am confident that I will be able to ensure that the LTTE will give up their arms after the Indian armed forces have been withdrawn.

The political solution which I seek to provide will not only be within the framework of our Constitution but must also preserve the sovereignty of our people, the unitary character and the territorial integrity of our country.

The responsibility of providing safety and security for all citizens within Sri Lanka is solely the responsibility of the Government of Sri Lanka. The Indo-Sri Lanka Agreement does not and indeed cannot in international law provide a mandate for the Government of India or its armed forces to assume any responsibility for this function otherwise than at the express request of the Sri Lankan Government. In any event, during the past two years when the Indian armed forces were operating in the Northern and Eastern Provinces they were unable to prevent the killings of a number of civilians and the displacement of even a larger number from their homes besides the casualties referred to above.

Any interpretation of the agreement which seeks to provide a mandatory role for the Government of India or its armed forces within Sri Lanka otherwise than the express request of the Government of Sri Lanka would constitute a serious interference in the internal affairs of a friendly sovereign country and a gross violation of the peremptory norms of International Law. I am sure such is not your intention.

I trust these clarifications will enable you to ensure that the Indian armed forces do not continue any offensive operations against the LTTE.

Letter dated 11th July 1989

Written by Mr. Rajiv Gandhi to Mr. Premadasa

Dear Mr. President,

I have your letter of 30th June and 5th July. I do not want to enter into a debate on various interpretations of mutual obligations assumed by our sovereign nations. These are quite clear. I also do not wish to go into the validity of assertions like the LTTE having resumed violence on 2nd August, 1987 whereas the arms surrender started and the amnesty letter was handed over by the Sri Lankan Government to the LTTE three days later. We should let facts speak for themselves.

There is an agreement between the two countries. The Agreement is meant to preserve the unity and integrity of Sri Lanka and to ensure the safety, security and legitimate interests of the Tamils. Nearly a thousand Indian soldiers have made the supreme sacrifice in fulfilment of India's obligations as a guarantor to this Agreement. Since the signing of the Agreement, not only have the Provincial Council elections been held, but also the Parliamentary and Presidential elections. The situation in the North-Eastern Province is far more settled and peaceful than elsewhere in Sri Lanka. Despite all this, the devolution package promised to the Tamils has not been implemented. These are incontrovertible facts.

Both of us agree that the IPKF should be withdrawn. Both of us agree that we had commenced the withdrawal even before you asked for it. A broad time-frame for IPKF withdrawal had in fact been discussed. Discussions on finalising details were proposed by your Foreign Minister at Harare only a few days prior to your unilateral announcement of 1st June. I have repeatedly said that the IPKF's withdrawal schedule should be worked out through joint consultations along with a simultaneous schedule for the implementation of the Indo-Sri Lanka Agreement. We are willing to resume discussions on this subject at any time and place of your convenience. Your colleague the Honourable Mr. Thondaman, who met me here, would have conveyed to you our desire for friendly relations and our willingness to resolve any misunderstanding through mutual consultations. If, however, discussions for this purpose are not acceptable to you, we will have to decide the details of IPKF's withdrawal unilaterally consistent with our responsibilities

and obligations under the Indo-Sri Lanka Agreement.

While I reiterate Government of India's willingness to cooperate with your government to resolve pending issues, I must emphasise to Your Excellency that India has traditionally been mindful of the sanctity of the agreements it signs with other countries and of commitments solemnly undertaken under such agreements. India will under no circumstances deviate from the policy of affecting our concerns.

It has been our practice to maintain the confidentiality of official correspondence particularly between Heads of State or Government, unless otherwise agreed upon. However, the gist of your messages to me was more often than not made available to the media before they reached me. Now I find that all our recent correspondence has been officially made public by the Sri Lankan Government. I may thus be constrained to depart from tradition by authorising this communication being made public, after you receive it.

ANNEXURE IV

Ceasefire Agreement

Agreement on a ceasefire between the Government of the Democratic Socialist Republic of Sri Lanka and the Liberation Tigers of Tamil Eelam

Preamble

The overall objective of the Government of the Democratic Socialist Republic of Sri Lanka (hereinafter referred to as the GOSL) and the Liberation Tigers of Tamil Eelam (hereinafter referred to as the LTTE) is to find a negotiated solution to the ongoing ethnic conflict in Sri Lanka.

The GOSL and the LTTE (hereinafter referred to as the Parties) recognize the importance of bringing an end to the hostilities and improving the living conditions for all inhabitants affected by the conflict. Bringing an end to the hostilities is also seen by the Parties as a means of establishing a positive atmosphere in which further steps towards negotiations on a lasting solution can be taken.

The Parties further recognize that groups that are not directly party to the conflict are also suffering the consequences of it. This is particularly the case as regards the Muslim population. Therefore, the provisions of this Agreement regarding the security of civilians and their property apply to all inhabitants.

With reference to the above, the Parties have agreed to enter into a ceasefire, refrain from conduct that could undermine the good intentions or violate the spirit of this Agreement and implement confidence-building measures as indicated in the articles below.

Article 1: Modalities of a ceasefire :

The Parties have agreed to implement a ceasefire between their armed forces as follows:

1.1 A jointly agreed ceasefire between the GOSL and the LTTE shall enter into force on such date as is notified by the Norwegian Minister of Foreign Affairs in accordance with Article 4.2 hereinafter referred to as D-day.

Military operations :

1.2 Neither Party shall engage in any offensive military operation. This requires the total cessation of all military action and includes, but is not limited to, such acts as:

- a) The firing of direct and indirect weapons, armed raids, ambushes, assassinations, abductions, destruction of civilian or military property, sabotage, suicide missions and activities by deep penetration units;
- b) Aerial bombardment;
- c) Offensive naval operations

1.3 The Sri Lankan armed forces shall continue to perform their legitimate task of safeguarding the sovereignty and territorial integrity of Sri Lanka without engaging in offensive operations against the LTTE.

Separation of forces :

1.4 Where forward defence localities have been established, the GOSL's armed forces and the LTTE's fighting formations shall hold their ground positions, maintaining a zone of separation of a minimum of six hundred (600) metres. However, each Party reserves the right of movement within one hundred (100) metres of its own defence localities, keeping an absolute minimum distance of four hundred (400) metres between them. Where existing positions are closer than four hundred (400) metres, no such right

of movement applies and the Parties agree to ensure the maximum possible distance between their personnel.

1.5 In areas where localities have not been clearly established, the status quo as regards the areas controlled by the GOSL and the LTTE, respectively, on 24 December 2001 shall continue to apply pending such demarcation as is provided in article 1.6.

1.6 The Parties shall provide information to the Sri Lanka Monitoring Mission (SLMM) regarding defence localities in all areas of contention, of Article 3. The monitoring mission shall assist the Parties in drawing up demarcation lines at the latest by D-day +30.

1.7 The Parties shall not move munitions, explosives or military equipment into the area controlled by the other Party.

1.8 Tamil paramilitary groups shall be disarmed by the GOSL by D-day +30 at the latest. The GOSL shall offer to integrate individuals in these units under the command and disciplinary structure of the GOSL armed forces for service away from the Northern and Eastern Province.

Freedom of Movement

1.9 The Parties' forces shall initially stay in the areas under their respective control, as provided in Article 1.4 and Article 1.5.

1.10 Unarmed GOSL troops, shall as of D-day + 60, be permitted unlimited passage between Jaffna and Vavuniya using the Jaffna-Kandy road (A9). The modalities are to be worked out by the parties with the assistance of the SLMM.

1.11 The Parties agree that as of D-day individual combatants shall, on the recommendation of their area commander, be permitted, unarmed and in plain clothes, to visit family and friends residing in areas

under the control of the other Party. Such visits shall be limited to six days every second month, not including the time of travel by the shortest applicable route. The LTTE shall facilitate the use of the Jaffna-Kandy road for this purpose. The Parties reserve the right to deny entry to specified military areas.

1.12 The Parties agree that as of D-day individual combatants shall, notwithstanding the two-month restriction, be permitted, unarmed and in plain clothes, to visit immediate family (i.e. spouses, children, grandparents, parents and siblings) in connection with weddings or funerals. The right to deny entry to specified military areas applies.

1.13 Fifty (50) unarmed LTTE members shall as of D-day + 30, for the purpose of political work, be permitted freedom of movement in the areas of the North and the East dominated by the GOSL. Additional 100 unarmed LTTE members shall be permitted freedom of movement as of D-day + 60. As of D-day + 90, all unarmed LTTE members shall be permitted freedom of movement in the North and the East. The LTTE members shall carry identity papers. The right of the GOSL to deny entry to specified military areas applies.

Article 2: Measures to restore normalcy

The Parties shall undertake the following confidence-building measures with the aim of restoring normalcy for all inhabitants of Sri Lanka:

2.1 The Parties shall in accordance with international law abstain from hostile acts against the civilian population, including such as acts as torture, intimidation, abduction, extortion and harassment.

2.2 The Parties shall refrain from engaging in activities or propagating ideas that could offend cultural or religious sensitivities. Places of worship (temples, churches, mosques and other holy sites, etc.)

currently held by either of the parties shall be vacated by D-day + 30 and made accessible to the public. Places of worship which are situated in "high security zones" shall be vacated by all armed personnel and maintained in good order by civilian workers, even when they are not made accessible to the public.

2.3 Beginning on the date on which this Agreements enters into force, school buildings occupied by either party shall be vacated and returned to their intended use. This activity shall be completed by D-day +160 at the latest.

2.4 A schedule indicating the return of all other public buildings to their intended use shall be drawn up by the Parties and published at the latest by D-day + 30.

2.5 The Parties shall review the security measures and the set-up of checkpoints, particularly in densely populated cities and towns, in order to introduce systems that will prevent harassment of the civilian population. Such systems shall be in place from D-day + 60.

2.6 The Parties agree to ensure the unimpeded flow of non-military goods to and from the LTTE-dominated areas with the exception of certain items as shown in Annex A. Quantities shall be determined by market demand. The GOSL shall regularly review the matter with the aim of gradually removing any remaining restrictions on non-military goods.

2.7 In order to facilitate the flow of goods and the movement of civilians, the Parties agree to establish checkpoints on their line of control at such locations as are specified in Annex B.

2.8 The Parties shall take steps to ensure that the Trincomalee-Habarana road remains open on a 24-hour basis for passenger traffic with effect from D-day + 10.

2.9 The Parties shall facilitate the extension of the rail

service on the Batticaloa-line to Welikanda. Repairs and maintenance shall be carried out by the GOSL in order to extend the service up to Batticaloa.

2.10 The Parties shall open the Kandy-Jaffna road (A9) to non-military traffic of goods and passengers. Specific modalities shall be worked out by the Parties with the assistance of the Royal Norwegian Government by D-day + 30 at the latest.

2.11 A gradual easing of the fishing restrictions shall take place starting from D-day. As of D-day + 90, all restrictions on day and night fishing shall be removed, subject to the following exceptions:

- (i) fishing will not be permitted, within an area of 1 nautical mile on either side along the coast and 2 nautical miles seawards from all security forces camps on the coast;
- (ii) fishing will not be permitted in harbours or approaches to harbours, bays and estuaries along the coast.

2.12 The Parties agree that search operations and arrests under the Prevention of Terrorism Act shall not take place. Arrests shall be conducted under due process of law in accordance with the Criminal Procedure Code.

2.13 The Parties agree to provide family members of detainees access to the detainees within D-day +30.

Article 3: The Sri Lanka Monitoring Mission :

The Parties have agreed to set up an international monitoring mission to enquire into any instance of violation of the terms and conditions of this Agreement. Both Parties shall fully cooperate to rectify any matter of conflict caused by their respective sides. The mission shall conduct international verification through on-site monitoring of the fulfilment of the commitments entered into in this Agreement as follows:

3.1 The name of the monitoring mission shall be the Sri Lanka Monitoring Mission (hereinafter referred to

as the SLMM).

3.2 Subject to acceptance by the Parties, the Royal Norwegian Government (hereinafter referred to as the RNG) shall appoint the Head of the SLMM (hereinafter referred to as the HoM), who shall be the final authority regarding interpretation of this Agreement.

3.3 The SLMM shall liaise with the Parties and report to the RNG.

3.4 The HoM shall decide the date for the commencement of the SLMM's operations.

3.5 The SLMM shall be composed of representatives from Nordic countries.

3.6 The SLMM shall establish a headquarters in such place as the HoM finds appropriate. An office shall be established in Colombo and in Vanni in order to liaise with the GOSL and the LTTE, respectively. The SLMM will maintain a presence in the districts of Jaffna, Mannar, Vavuniya, Trincomalee, Batticaloa and Amparai.

3.7 A local monitoring committee shall be established in Jaffna, Mannar, Vavuniya, Trincomalee, Batticaloa and Amparai. Each committee shall consist of five members, two appointed by the GOSL, two by the LTTE and one international monitor appointed by the HoM. The international monitor shall chair the committee. The GOSL and the LTTE appointees may be selected from among retired judges, public servants, religious leaders or similar leading citizens.

3.8 The committees shall serve the SLMM in an advisory capacity and discuss issues relating to the implementation of this Agreement in their respective districts, with a view to establishing a common understanding of such issues. In particular, they will seek to resolve any dispute concerning the implementation of this Agreement at the lowest possible level.

3.9 The Parties shall be responsible for the

appropriate protection of and security arrangements for all SLMM members.

3.10 The Parties agree to ensure the freedom of movement of the SLMM members in performing their tasks. The members of the SLMM shall be given immediate access to areas where violations of the Agreement are alleged to have taken place. The Parties also agree to facilitate the widest possible access to such areas for the local members of the six above-mentioned committees, of Article 3.7.

3.11 It shall be the responsibility of the SLMM to take immediate action on any complaints made by either Party to the Agreement, and to enquire into and assist the Parties in the settlement of any dispute that might arise in connection with such complaints.

3.12 With the aim of resolving disputes at the lowest possible level, communication shall be established between commanders of the GOSL armed forces and the LTTE area leaders to enable them to resolve problems in the conflict zones.

3.13 Guidelines for the operations of the SLMM shall be established in a separate document.

Article 4: Entry into force, amendments and termination of the Agreement :

4.1 Each Party shall notify its consent to be bound by this Agreement through a letter to the Norwegian Minister of Foreign Affairs signed by Prime Minister Ranil Wickremesinghe on behalf of the GOSL and by leader Velupillai Pirabakaran on behalf of the LTTE, respectively. The Agreement shall be initialled by each Party and enclosed in the above-mentioned letter.

4.2 The Agreement shall enter into force on such date as is notified by the Norwegian Minister of Foreign Affairs.

4.3 This Agreement may be amended and modified

by mutual agreement of both Parties. Such amendments shall be notified in writing to the RNG.

4.4 This Agreement shall remain in force until notice of termination is given by either Party to the RNG. Such notice shall be given fourteen (14) days in advance of the effective date of termination.

Annexes :

Annex A: List of goods

Annex B: Checkpoints

Annex A :

The Parties agree to ensure the flow of non-military goods, to and from LTTE dominated areas of the Northern and Eastern Province as well as unimpeded flow of such goods to the civilian population in these areas. Non military goods not covered by article 2.6 in the Agreement are listed below:

Non military arms/ammunition

Explosives

Remote control devices

Barbed wire

Binoculars/Telescopes

Compasses

Penlight batteries

Diesel, petrol, cement and iron rods will be restricted in accordance with the following procedures and quantities.

Diesel and petrol :

The Government Agents (GA) will register available vehicles; tractors and motorcycles in the LTTE controlled areas. The GA will calculate the required weekly amount of diesel and petrol based on the following estimate:

Trucks/Buses 250 litre/week

4 wheel tractor 310 litre/week

2 wheel tractor 40 litre/week

Petrol vehicle 30 litre/week

Motorcycles 7 litre/week

Fishing vessels 400 litre/week

Cement :

Cement required for rehabilitation and reconstruction of Government property; registered co-operatives; or approved housing projects implemented by the GOSL and international NGOs and more affluent members of the society; will be brought in directly by relevant institutions under licences issued by Government Agents. The GA shall stipulate the monthly quantities permitted for such project based upon planned and reported progress.

Cement required for individual shops/constructions/house owners/rehabilitation - initiatives will be made available through the co-operations on a commercial basis. The monthly import for this purpose will be limited to 5000 bags during the first month and thereafter 10,000 bags/month. Individual sales by the co-operatives will be registered and limited to 25 bags per household.

Iron rods:

Iron rods for building constructions will be brought in to the LTTE controlled areas under licences issued by the GA.

A monthly reassessment will be made to assess the possibilities of removal of the above restrictions.

Annex B :

Checkpoints agreed in section 2.7 are as follows:

- Mandur,
- Paddirupur,
- Kaludaveli Ferry Point,
- Anbalantivu Ferry Point,
- Mamunai Ferry Point,
- Vanvunateevu,
- Santhiveli Boat Point,
- Black Bridge,
- Sitandy Boat Point,
- Kiran bridge,
- Kinniyadi Boat Point,

- Valachenai,
- Makerni,
- Mahindapura,
- Muttur,
- Ugilankulam,
- Omanthai.

ANNEXURE V

ISGA

THE PROPOSAL BY THE LIBERATION TIGERS OF
TAMIL EELAM ON BEHALF OF THE TAMIL
PEOPLE FOR AN AGREEMENT TO ESTABLISH
AN INTERIM SELF-GOVERNING AUTHORITY FOR
THE NORTHEAST OF THE ISLAND OF SRI LANKA

Consistent with the principles of the rule of law, the human rights and equality of all persons, and the right to self-determination of Peoples,

Determined to bring lasting peace to all persons of the island of Sri Lanka,

Acknowledging with appreciation the services of the Royal Norwegian Government, the Norwegian People, and the international community in attempting to bring peace to the island,

Recognizing that a peaceful resolution is a real possibility, despite the challenging history of the peace process between the Tamil people and the Sinhala people.

Determined to establish an interim self-governing authority for the NorthEast region and to provide for the urgent needs of the people of the NorthEast by formulating laws and policies and, effectively and expeditiously executing all resettlement, rehabilitation, reconstruction, and development in the NorthEast, while the process for reaching a final settlement remains ongoing.

Being aware that the history of the relations between the Tamil People and the Sinhala People has been a process of broken

promises and unilateral abrogation, by successive governments of Sri Lanka, of pacts and agreements solemnly entered into between the government of Sri Lanka (GOSL) and the elected representatives of the Tamil People,

Bearing in mind that successive Governments of Sri Lanka have perpetrated persecution, discrimination, State violence and State-orchestrated violence against the Tamil People,

Noting that the Tamil people mandated their elected representatives to establish an independent sovereign, secular State for the Tamil people in the elections subsequent to the Vaddukoddai Resolution of 1976,

Bearing in mind that the Tamil armed struggle as a measure of self-defense and as a means for the realisation of the Tamil right to self-determination arose only after more than four decades of non-violent and peaceful constitutional struggle proved to be futile and due to the absence of means to resolve the conflict peacefully,

Recalling that the Liberation Tigers of Tamil Eelam (LTTE) first took measures towards peace by unilaterally declaring the cease-fire in December, 2000 and again in December, 2001, opening highways, facilitating trade and the free movement of people, and entering into peace negotiations in good faith in the hope of creating an environment conducive to the return of normalcy and a just resolution of the conflict,

Taking Note of the political courage of the present GOSL in reciprocating to the 2001 cease-fire,

Realizing that the war in the island of Sri Lanka was principally confined to the NorthEast, resulting in the destruction of the social, economic, administrative, and physical infrastructure of that area, and that the NorthEast still remains the region in the island of Sri Lanka affected by war;

Recognising that the majority of the Tamil People in the NorthEast, by their actions in the general elections held in the year 2000, gave their mandate acknowledging the LTTE as their authentic representative,

Knowing that the LTTE exercises effective control and jurisdiction over the majority of the NorthEast area of the island of Sri Lanka,

Realising that reaching a final negotiated settlement and the implementation thereof is expected to be a long process,

Affirming the necessity for the safe and free return of all refugees and displaced persons and their urgent need for unimpeded access to their homes and secure livelihoods at land and sea in the NorthEast,

Mindful that institutions and services provided by the GOSL have proved to be inadequate to meet the urgent needs of the people of the NorthEast,

Recognising the failure of the Sub-committee on Immediate Humanitarian and Rehabilitation Needs (SIHRN) and other Sub-Committees formed during the peace negotiations, which failure was due to the composition of such Sub-Committees, which repeatedly led to inaction,

Acknowledging the recognition by the GOSL of the necessity for an Interim Authority, as mentioned in its 2000 election manifesto,

Realising that maintenance of law and order is an essential prerequisite for a just and free society,

Recognising the need for raising revenue to meet the urgent needs for the Resettlement, Rehabilitation, Reconstruction and Development of the NorthEast region, which has been devastated by war, and for the carrying out of any function of Government,

Recognising the importance of control over land in resettlement, rehabilitation, reconstruction and development,

Mindful that the Tamils did not participate in the making of the 1972 and 1978 constitutions, which institutionalized discrimination and denied them an effective role in the decision-making process,

Noting the practice in international relations over the last decade of solving conflicts between Peoples through agreement between the parties to the conflict on terms of equality and through innovative and imaginative measures,

Relying on international precedents for establishing interim governing arrangements in war-torn countries having the force of law based solely on pacts or agreements between the warring parties recognized by the international community,

Noting that measures such as the Ceasefire Agreement, including

the role of the Sri Lanka Monitoring Mission (SLMM), and, the establishment of the SIHRN and the NorthEast Reconstruction Fund (NERF) constitute valid precedents for making such arrangements,

Wherefore, the Parties, namely the Liberation Tigers of Tamil Eelam and the Government of Sri Lanka, hereby agree to the following provisions:

1. Interim Self-Governing Authority

An Interim Self-Governing Authority (ISGA) shall be established comprised of the eight districts namely: Amparai, Batticaloa, Jaffna, Kilinochchi, Mannar, Mullaitivu, Trincomalee and Vavuniya in the NorthEast, until a final negotiated settlement is reached and implemented.

Representatives of the Muslim community have the right to participate in formulation of their role in the ISGA.

2. Composition of the ISGA

2.1. The ISGA shall consist of such number of members as may be determined by the Parties to this Agreement.

2.2. The composition of the ISGA shall be:

2.2.a. Members appointed by the LTTE,

2.2.b. Members appointed by the GOSL, and

2.2.c. Members appointed by the Muslim community in the NorthEast.

2.3. The number of members will be determined to ensure:

2.3.a. An absolute majority of the LTTE appointees in the ISGA.

2.3.b. Subject to (a) above, the Muslim and Sinhala Communities in the NorthEast shall have representation in the ISGA.

2.4. The Chairperson shall be elected by a majority vote of the ISGA and shall serve as the Chief

Executive of the ISGA.

2.5. The Chairperson shall appoint the Chief Administrator for the NorthEast and such other officers as may be required to assist in the performance of his/her duties. The Chairperson shall have the powers to suspend or terminate any such appointment.

3. Elections

The provisions of Clauses 2.2 and 2.3 shall continue until elections for the ISGA are held. Such elections shall be held at the expiry of five years of the coming into force of this Agreement, if no final settlement has been reached and implemented by the end of the said period of five years. An independent Election Commission, appointed by the ISGA, shall conduct free and fair elections in accordance with international democratic principles and standards under international observation.

4. Human Rights

The people of the NorthEast shall be accorded all rights as are provided under international human rights law. Every law, regulation, rule, order or decision of the ISGA shall conform to internationally accepted standards of human rights protection. There shall be an independent Human Rights Commission, appointed by the ISGA, which shall ensure the compliance with all such human rights obligations. The Commission will seek the assistance of international human rights bodies to facilitate the rapid establishment of an effective regime for protecting human rights. The Commission shall be entitled to receive petitions from any individual person, award compensation to any such affected person, and ensure that such person's rights are restored.

5. Secularism

No religion shall be given the foremost place in the NorthEast.

6. Prohibition against Discrimination

The ISGA shall ensure that there is no discrimination on grounds of religion, race, caste, national or regional origin, age or gender in the NorthEast.

7. Prevention of Bribery and Corruption.

The ISGA shall ensure that no bribery or corruption is permitted in or under its administration.

8. Protection of All Communities

No law, regulation, rule, order or decision that confers a privilege or imposes a disability on any community, which is not conferred or imposed on any other community, shall be made concerning culture or religion.

9. Jurisdiction of the ISGA.

9.1. The ISGA shall have plenary power for the governance of the NorthEast including powers in relation to resettlement, rehabilitation, reconstruction, and development, including improvement and upgrading of existing services and facilities (hereinafter referred to as RRRD), raising revenue including imposition of taxes, revenue, levies and duties, law and order, and over land.

These powers shall include all powers and functions in relation to regional administration exercised by the GOSL in and for the NorthEast.

9.2. The detailed modalities for the exercise of such powers and the performance of such functions shall be subject to further discussion by the parties to this agreement.

10. Separation of Powers

Separate institutions for the administration of justice shall be established for the NorthEast, and judicial powers shall be vested in such institutions. The ISGA shall take appropriate measures to ensure the independence of the judges.

Subject to Clauses 4 (Human Rights) and 22 (Settlement of Disputes), of this Agreement, the institutions created under this clause shall have sole and exclusive jurisdiction to resolve all disputes concerning the interpretation and implementation of this agreement and any other disputes arising in or under this agreement or any provision thereof.

11. Finance

The ISGA shall prepare an annual budget.

There shall be a Financial Commission consisting of members appointed by the ISGA. The members should have distinguished themselves or held high office in the fields of finance, administration or business. This Commission shall make recommendations as to the amount out of the Consolidated Fund to be allocated to the NorthEast. The GOSL shall make its good faith efforts to implement the recommendation.

The ISGA will, giving due consideration to an equitable distribution, determine the use of funds placed at its disposal. These funds shall include the NorthEast General Fund, the NorthEast Reconstruction Fund (NERF) and the Special Fund.

The GOSL agrees that any and all of its expenditures in or for the NorthEast shall be subject to the control of the ISGA.

11.1. NorthEast General Fund

The NorthEast General Fund shall be under the control of ISGA and shall consist of:

11.1.a. The proceeds of all grants and loans made by the GOSL to the ISGA and the proceeds of all other loans made to the ISGA.

11.1.b. All allocations by the GOSL from agreements with states, institutions and/or other organizations earmarked in any such agreements for the NorthEast.

11.1.c. All other receipts of the ISGA, other than the funds specified below.

11.2. NorthEast Reconstruction Fund

The NERF shall continue to exist in its present form except that control over it will be transferred to the ISGA.

All grants given for the reconstruction of the NorthEast, will be received through the NERF. Utilization of resources from NERF will be directly determined and supervised by the ISGA.

11.3. Special Fund

All loans and any grants which cannot be channeled through the NERF for the specific purpose of RRRD will be received into the Special Fund. As in the case of other Funds, the ISGA shall control the Special Fund.

12. Powers to Borrow, Receive Aid and Trade.

The ISGA shall have powers to borrow internally and externally, provide guarantees and indemnities, receive aid directly, and engage in or regulate internal and external trade.

13. Accounting and Auditing of Funds.

13.1. The ISGA shall appoint an Auditor General.

13.2. All Funds referred to in this Agreement shall be operated, maintained and audited in accordance with internationally accepted accounting and auditing standards. The accounts will be audited by the Auditor General. The auditing of all moneys received from international sources shall be subjected to approval by an internationally-reputed firm appointed by the ISGA.

14. District Committees.

14.1. In the effective exercise of its legislative and executive powers, the ISGA may create District Committees to carry out administration in the districts and delegate to such Committees, such powers as the ISGA may determine. The Chairpersons of such committees shall be appointed by the ISGA from amongst its members in order to serve as a liaison between the

ISGA and the Committees.

14.2. The other members of the Committees shall also be appointed by the ISGA, which shall have the powers to suspend or terminate any such appointment. In appointing such members, due consideration shall be given to ensure representation of all communities.

14.3. The Committees will function directly under the ISGA.

14.4. The Chief Administrator of the ISGA shall appoint Principal Executive Officers in the districts, who shall also function as the Secretaries to the Committees. The Chief Administrator shall have the powers to suspend or terminate any such appointment.

14.5. All activities and functions of the Committees shall be coordinated through the respective Secretaries to the Committees.

14.6. Sub-committees may also be appointed to facilitate administration.

15. Administration

As part of the exercise of its executive powers the ISGA shall have direction and control over any and all administrative structures and personnel in the NorthEast pertaining to the powers set out in Clause 9 of this Agreement.

The ISGA may, at its discretion, create expert advisory committees in necessary areas. These areas will include but are not limited to Economic Affairs, Financial Affairs, Judicial Affairs, Resettlement and Rehabilitation Affairs, Development of Infrastructure, and Essential Services.

16. Administration of Land

Since land is vital to the exercise of the powers set out in Clause 9 (jurisdiction of the ISGA), the ISGA shall have the power to alienate and determine the appropriate use of all land in the NorthEast that is not

privately owned.

The ISGA shall appoint a Special Commission on Administration of Land to inquire into and report on the rights of dispossessed people over land and land subject to encroachment, notwithstanding the lapse of any time relating to prescription.

The ISGA shall determine the term of competencies of the Special Commission.

17. Resettlement of Occupied Lands

The occupation of land by the armed forces of the GOSL, and the denial to the rightful civilian owners of unfettered access to such land, is a violation of the norms of international law. Such land must be immediately vacated and restored to the possession of the previous owners. The GOSL must also compensate the owners for the past dispossession of their land.

The ISGA shall be responsible for the resettlement and rehabilitation of displaced civilians and refugees in such lands.

18. Marine and off-shore resources

The ISGA shall have control over the marine and offshore resources of the adjacent seas and the power to regulate access thereto.

19. Natural Resources

The ISGA will have control over the natural resources in the NorthEast region. Existing agreements relating to any such natural resources will continue in force. The GOSL shall ensure that all monies due under such agreements are paid to the ISGA. Any future changes to such existing agreements should be made with the concurrence of the ISGA. Future agreements shall be entered into with the ISGA.

20. Water Use

Upper riparian users of river systems have a duty to ensure that there is a fair, equitable and reasonable use of water resources by lower riparian users. The

GOSL and the ISGA shall ensure that this internationally recognized principle is followed in the use of water resources.

21. Agreements and contracts

All future agreements concerning matters under the jurisdiction of the ISGA shall be made with the ISGA. Existing agreements will continue, but the GOSL shall ensure that all proceeds under such agreements are paid to the ISGA. Any changes to such existing agreements should be made with the concurrence of the ISGA.

22. Settlement of Disputes

Where a dispute arises between the Parties to this Agreement as to its interpretation or implementation, and it cannot be resolved by any other means acceptable to the Parties including conciliation by the Royal Norwegian Government, there shall be an arbitration before a tribunal consisting of three members, two of whom shall be appointed by each Party. The third member, who shall be the Chairperson of the tribunal, shall be appointed jointly by the Parties concerned. In the event of any disagreement over the appointment of the Chairperson, the Parties shall ask the President of the International Court of Justice to appoint the Chairperson.

In the determination of any dispute the arbitrators shall ensure the parity of status of the LTTE and the GOSL and shall resolve disputes by reference only to the provisions of this Agreement.

The decision of the arbitrators shall be final and conclusive and it shall be binding on the Parties to the dispute.

23. Operational Period

This Agreement shall continue until a new Government for the NorthEast, pursuant to a permanent negotiated settlement, is established. The Parties

will negotiate in good faith to reach such a settlement as early as possible.

Provided, however, that at the end of four years if no final agreement has been reached between the Parties to this agreement, both Parties shall engage in negotiations in good faith for the purpose of adding, clarifying, and strengthening the terms of this Agreement.

The author of this book, Anton Balasingham, is the political advisor, theoretician and the chief negotiator of the Liberation Tigers of Tamil Eelam (LTTE), the national liberation organisation spearheading the struggle for self-determination of the Tamil nation in the island of Sri Lanka. Mr Balasingham has been actively involved in the politics of the LTTE for twenty-six years and is widely regarded as the authoritative commentator on the politico-military struggle of the organisation.



In this work, *WAR AND PEACE: Armed Struggle and Peace Efforts of Liberation Tigers*, Mr Balasingham provides a penetrating study of the complex evolutionary history of the organisation. Analysing the objective conditions that gave rise to the armed struggle, the author offers fascinating insights into the crucial role the LTTE played during the turbulent period of Indian intervention in Sri Lanka from 1983-90. Based on his personal experience, Mr Balasingham graphically surveys all peace efforts the LTTE participated in, from Thimpu talks to the recent Norwegian facilitated negotiations, providing a critical examination of their shortcomings. This study offers an illuminating account of the Tamils struggle, on the war front and the peace arena, for their political rights. The book will be of interest to students of history and those who are concerned about the Tamil struggle for self-determination.

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