

# Agreement reached over Govt. - LTTE peace talks

**By D. B. S. Jeyaraj** Sunday Leader

Even the ranks of Tuscany cheered! The Liberation Tigers too did so last Thursday by complementing their one-time arch rival Chandrika Bandaranaike Kumaratunga.

The LTTE that had been earlier accusing Kumaratunga of sabotaging peace talks sang a different song when Tiger Chief Negotiator and Political Adviser, Anton Balasingham told media persons



in Kilinochchi that the President was actively attempting to resume direct talks with the LTTE.

## ***Restart negotiations***

"President Chandrika is showing very keen interest to somehow restart negotiations with the Tigers. We discussed the fundamental issues relating to the resumption of the talks. We were satisfied with the manner in which majority of these issues were resolved.

"The preliminary efforts and arrangements to restart the negotiations are very satisfactory. However, I must say that no definite decisions were reached on all issues. And I cannot reveal the details of these. There are some practical problems to be sorted out over when and where to hold the talks.

"The Norwegian government will make an official announcement regarding the basic agreements we have reached regarding the resumptions of the talks in a day or two," Balasingham said.

As stated in these columns last week both President Kumaratunga and the LTTE displayed pragmatic flexibility in their approaches towards the question of resumption of direct talks on resolving the Tamil national question.

If Kumaratunga was exceptionally bold in revising her earlier stance on the talks and reversed her entire attitude on the issue after elections the LTTE too displayed an unexpected accommodative spirit and responded to her overtures favourably.

The Norwegian facilitators re-invited by Kumaratunga to revive their honest brokering did so with amazing speed. After some inter-continental spadework the Norwegian delegation led by Deputy Foreign Minister, Vidar Helgessen reached Colombo first.

After a meeting with Kumaratunga in Nuwara Eliya special envoy Erik Solheim and Ambassador in Colombo, Hans Brattskar went to Kilinochchi and met LTTE Political Chief, S.P. Tamilselvan. Helgessen went off to Indonesia on another assignment. The Norwegians returned and briefed Kadirgamar in Colombo.

Events moved fast and the LTTE's Chief Negotiator and Political Strategist, Anton Balasingham along with spouse Adele Anne made a trip to the Wanni with the government providing a helicopter flight to Kilinochchi to the couple.

It was only a few days before that Balasingham said in an interview from London that the LTTE was in no great hurry about talks and that they would proceed "cautiously and strategically."

The sudden trip to the Wanni indicated that something was moving fast and well on the peace front. Balasingham who played an active role in the peace process till April last year adopted a low profile after the Tigers opted out of talks after April 2003.

While there was much media speculation about Balasingham being sidelined by LTTE Chief Velupillai Pirapaharan this column stated that the Tiger theoretician was only being 'rested' by the skipper.

Using cricket as a metaphor this column said that Balasingham the bowler was being taken off as conditions were not conducive for his style of bowling as the Tigers were adopting a hard, uncompromising outlook towards the peace talks then.

A suggestion was made that the captain cool of the Tiger team will bring Balasingham back to bowl from the other end of the wicket with the new ball. The LTTE ideologue will become very necessary if and when the LTTE wished to resume or restart talks again it was felt.

That prediction is now proved true and the 66 year old "Bala Annai" is back. His return indicated that the peace process was on track again and that direct talks were around the corner. The suddenness and speed of developments resulted in many observers being unable to comprehend fully the remarkable turn of events taking place.

The next sign of forward movement was when Norwegian Foreign Minister, Jan Petersen altered his itinerary at short notice and made a trip to Sri Lanka. After meeting Kumaratunga the Minister went up to Kilinochchi and met LTTE Chief, Pirapaharan in the company of Balasingham and Tamilselvan.

Pirapaharan who was wearing military fatigues in meeting with Balasingham changed attire into civil again when meeting Petersen. After that meeting Balasingham held a press conference in Kilinochchi with Tamilselvan in attendance and explained the gap in positions.

Even as the media began focussing negatively on this perceived hiatus Vidar Helgessen returned again to Sri Lanka and went right up to Kilinochchi again after meeting Kumaratunga in Colombo. It was after this meeting that the LTTE complemented Kumaratunga and said that agreement had been reached on most counts.

The Norwegians were expected to announce the details of agreement and also the date and venue of the new phase in peace negotiations. The first round will very much be an ice breaker and fit into the category of being 'Talks about talks.'

It appears that the first round of talks will be in a European country presumably a Scandinavian one. In view of logistical difficulties it could even be in Norway if no other place can be finalised on time.

### **Talks in Europe**

Earlier the government wanted talks to be in Sri Lanka but the LTTE flatly refused. So now it will be Europe. The preliminary phase will see the formal setting up and approval of timetables, venue and agenda etc. for future meetings.

The first round of talks will be after June and not later than September. Most probably the talks will commence in the last week of July or first week of August. The announcement however will be made before May 18th when parliament meets again to elect the deputy speaker and chairman of committees.

As far as agenda is concerned, the earlier situation was one where the LTTE wanted discussions on the Interim Self-Governing Authority (ISGA) alone while the government wanted parallel talks on a number of other matters too including constitutional reform aimed at evolving adoption of core principles governing the ethnic crisis.

The LTTE has not budged on that stance. So now first priority will be given discussions on the ISGA proposal. But it will be only the first item on the agenda. Thereafter other subjects too will be discussed. The ISGA proposal will be the primary basis of discussions.

Thus the agenda while giving foremost place to the ISGA will not necessarily be confined to that alone. At the same time discussions on the ISGA cannot be specifically narrow. It requires a great deal of indepth discussions on a number of subjects. This will include even core principles of state policy and serious topics of constitutional reform.

### **Sole representative status**

The other sticking point was about sole representative status. The government as Lakshman Kadirgamar has made it clear has no problem about awarding such status by implication at the talks about peace. The LTTE can be sole representative at the negotiating table. No other party will represent the Tamils there.

The government however will also initiate a second forum for talks on peace negotiations. This will be of inferior status compared to the official govt-LTTE talks. There will be wide participation in these talks with even parties like the Eelam People's Democratic Party (EPDP) and People's Liberation Organisation of Tamil Eelam (PLOTE) attending. Even the Tamil National Alliance (TNA) may attend if the LTTE commands it so.

Thus this forum could discuss all issues concerning the peace process including the govt-LTTE talks. Matters discussed at the major forum would be conveyed to the lesser one for obtaining feedback. Input gained at the

secondary forum will also be conveyed to the primary one for discussion. By this method the govt hopes to keep the LTTE happy on the one hand while ensuring broad participation in the peace process on the other.

The government will also give urgent priority to matters of rehabilitation and reconstruction in the north-east. President Kumaratunga will have these spheres under her in a separate ministry. A national peace council will also be created. A press release issued by the Presidential Secretariat stated as follows:

"In a move to streamline the various activities of the government and non-government agencies engaged in rehabilitation and reconstruction work in the north-east, President Chandrika Kumaratunga has decided to bring various institutions dealing with this subject under one umbrella organisation, namely the Ministry of Relief, Rehabilitation and Reconciliations.

"It is envisaged that this restructuring would make the implementation of rehabilitation work in the north-east more effective and beneficial to the affected people.

The existence of a plethora of government institutions engaged in rehabilitation work hampered the effective implementation of rehabilitation work and resulted in wastage and misuse of funds earmarked for the north-east.

"A Senior Officer of the Sri Lanka Administrative Service, M.S. Jayasinghe has been appointed as the secretary of the Ministry and he will be assisted by a team of experienced and competent officers and advisors.

A National Council for Peace and Reconciliation will be created. It will be the apex body in the new institutional arrangement that have the responsibility of coordinating the government programmes for peace and reconciliation. This National Council will be chaired by the President. This body will be responsible for policy and coordination of peace related activities with the participation of all the stake holders.

"The Ministry of Relief, Rehabilitation and Reconciliation is one of the two main arms of the National Council for Peace and Reconciliation. The other is the Peace Secretariat.

"The Peace Secretariat will coordinate all matters relating to the cease fire agreement and deal with issues concerning the LTTE, other Tamil and Muslim organisations in the north-east, the armed forces and the police.

It will oversee the maintenance of peace, law and order in the North-East Province, as well as coordinate relations between the GOSL and the facilitators on one hand and the GOSL, SLMM and the LTTE on the other."

### **'No changes made'**

No change will be made to the current cease-fire. It will remain as it is. Both parties will adhere to all conditions stipulated earlier. There will be no renewal of the pact with Kumaratunga signing the CFA now. So though Ranil Wickremesinghe is no more the PM the agreement he signed will be upheld by Kumaratunga despite her barrage of criticism against it earlier.

Another sore point was the question of representation at the talks. The LTTE has made it clear that it would not like Lakshman Kadirgamar at the talks representing the government. The Tigers also want the government to send ministerial heavyweights and not Kumaratunga's "secretary, accountant or architect" as done earlier in 1994- 1995.

Kadirgamar has said that he will not be involved at the talks if the Tigers do not wish it. This opens up speculation about who will lead the government delegation. In order to restore confidence to the Sinhala people that this government will not sell them out someone with impeccable 'Sinhala' credentials yet retaining a positive image with the minority communities is essential.

Prime Minister Mahinda Rajapakse will be ideal but for one fact. He is way too high in rank to lead a delegation for talks at this juncture. One possibility is for him to lead the government delegation in a ceremonial capacity at the first round of talks. Thereafter he could withdraw leaving others to do the needful.

Among others in the running for representative status at the talks are Dr. Sarath Amunugama, Mangala Samaraweera, Anura Bandaranaike, Jeyaraj Fernandopulle, Maithiripala Sirisena, Susil Premjayanth, D.E.W. Gunasekera and Tissa Vitharana. It is likely that Amunugama will lead the delegation. A panel of constitutional experts led by Jayampathy Wickremaratne too is likely to be in attendance. Discussions on this however are premature right now.

### **Replacement for Karuna**

The LTTE too will have to find another replacement for Col. Karuna. There is also talk about former EROS Leader, Velupillai Balakumaran being included in the delegation this time. Karikalan presently in Switzerland may be included to provide regional balance. Another possibility is that two senior Tigers of an earlier period Yogaratnam Narendran alias Yogi and Lawrence Chrystotom alias Thilagar may be in the talks this time.

It appears now that Balasingham who had intended to stay for three weeks in the Wanni earlier will now cut his visit short and leave for London on Saturday. The reasons for this are unclear at the moment. One reason could be to avoid meeting Japanese special envoy Yasushi Akashi expected in Sri Lanka from May 15 to May 19.

It may be recalled that many problems cropped up last year with the LTTE because of Akashi's undiplomatic yen to browbeat the Tigers on a number of issues. There is concern that Akashi's overwhelming zeal in trying to pressurise the LTTE with "moneybags" could have a counterproductive effect.

Meanwhile, Vidar Helgessen met with President Kumaratunga to tie up the loose ends before making an official proclamation about the status of peace talks from Oslo.

### **UNF thinks govt. insincere**

The chief opposition United National Front too was miffed at the new developments and felt the government was insincere in intention. As such the UNF was not going to support the peace process. Former Constitutional Affairs Minister and head of UNF delegation at the talks Prof. Gamini Lakshman Peiris made this clear at a press briefing in Colombo.

"It was the UNF government of Ranil Wickremesinghe that launched the peace process accepting the Liberation Tigers of Tamil Eelam (LTTE) as the sole representative of Tamils and the UPFA opposed it then," observed Peiris.

"We could note serious contradictions in the statements issued by leaders of the UPFA then and now. Now some UPFA leaders say that they recognise the LTTE as the sole representative of Tamils. UPFA is not sincere in their statements regarding the peace process," said Peiris.

"The UPFA has been forced to accept LTTE as the sole representative of Tamils. It is very difficult for the UPFA government to take forward the peace process in a constructive way with such contradictions. Therefore the UNP has decided not to support UPFA government's sham peace efforts," he said.

The UNF's position is understandable. After criticising the UNF vehemently for talking to the Tigers and questioning their patriotism, Kumaratunga went to the extent of taking over ministries, dissolving parliament and holding fresh elections on the grounds that national security was compromised due to the UNF government's peace process with the LTTE.

### **Stunning change**

Within a month of the new election Kumaratunga has accepted the status quo as it was during the UNF period. The cease-fire will be honoured. There will be talks with the Tigers. The LTTE will be the sole representative. Norway will be the facilitator. The Muslims won't be given separate representative status. The ISGA will be the basis of discussions. There is no change from the UNF position at all despite all the shouting earlier.

This therefore places a tremendous burden on Kumaratunga. The hardline Sinhala constituency that elected her government to office is bewildered and chagrined at this state of affairs. It is up to her to demonstrate through actions that her peace process, though on the same lines as Wickremesinghe, will be qualitatively different. She has to show that her government will be flexible on the political issues but quite firm on security matters. Kumaratunga has to convince the country at large that compromise does not mean surrender to the LTTE.

Whatever her ultimate goal she is now constrained to appease the LTTE to get the talks going. She has to revive peace talks and get the Tigers to participate to win international approval, get foreign aid and assistance to keep the economy going and cobble together a parliamentary majority. The last factor is important for her proposed constitutional reform too.

For all of these, talks with the Tigers are essential. The 22 strong TNA will support her or at least not oppose her. The CWC and UCPF will join her in the future. Even the SLMC will provide support. May 19 will show whether her strategy is becoming successful or not.