

Peacemaking: Touch-and-Go?

**A Critical Analysis of Norway's Facilitation in
the Sri Lankan Peace Process (2002-2006)**

Menik Wakkumbura



Master of Philosophy in Peace and Conflict Studies

Department of Political Science

University of Oslo

May 2008

- The thesis is an independent research submitted for the fulfillment of the requirements for the M.Phil. in Peace and Conflict Studies. University of Oslo. Copyright©May2008 Menik Wakkumbura.

ACKNOWLEDGEMENT

“Writing a thesis is a devoted task, sometimes it is like ‘peacemaking’: it is long-term commitment where reaching the ultimate goal is important to make the work completed.”

First of all I convey my sincere thanks to my supervisor Arild Underdal for his timeless dedication for going through my drafts and guiding me all the way for a productive outcome.

I take this opportunity to thank all the interviewees: Jon Hanssen Bauer, Hans Brattskar, John Gooneratne, Tomas Stangeland and Geir Sjoberg for their support and the information they provided which indeed was an essential source for making my examination fruitful.

Living in Oslo would not have been so comfortable without my friends and close ones. They always stood beside me helping in numerous ways throughout my student life. The work of writing this thesis would not have been efficient without them. With this, I very truthfully pay my gratitude.

At last, I dedicate my humble thanks to my parents and my brother for giving me all that I needed to feel free and happy during my long stay in abroad.

Menik Wakkumbura

Oslo, 20-05-2008

CONTENT

Acknowledgment	3
Content	4
Abbreviations	6
Chapter One: Introduction and Background	7
1.1 Introduction	7
1.2 Defining Facilitation	10
1.3 Historical Background of the Sri Lanka's Conflict	11
1.4 Historical Background of the Peace Process	15
1.5 Research Question	17
1.6 Structure of the Thesis	21
Chapter Two: Theoretical Framework	22
2.1 Introduction	22
2.2 Contingency Model	22
2.3 Factors Effecting Mediation	24
I. Nature of the Party (Contextual Variable)	24
II. Nature of the Dispute (Contextual Variable)	25
III. Nature of the Mediator (Contextual Variable)	28
I. Initiation of Mediation (Procedural Variable)	29
II. Mediation Environment (Procedural Variable)	29
III. Strategies of Mediation (Procedural Variable)	30
Chapter Three: Research Methodology	33
3.1 Introduction	33
3.2 Case Study	33
3.3 Use of Sources	34
3.3.1 Literature Survey	34
3.3.2 Interviews	37
3.3.3 Archival Research	39

3.4 Issues and Limitations	40
Chapter Four: Norway’s Facilitation in the Peace Process	42
4.1 Introduction	42
4.2 The Parties’ Engagement	42
4.3 Norway’s Association in Sri Lanka	47
4.4 Norway’s Competency in the Peace Process	52
4.4.1 Remove and/or Reduce Power Imbalances	52
4.4.2 Strategic Choice for Tension Reduction	55
4.4.3 The Neutral Image	60
4.5 Why did Norway Fail in the Peace Process?	62
4.5.1 Lack of Ability and Willingness in Peacemaking	63
4.5.2 Criticisms in Norway’s Neutral Image	69
Chapter Five: Summary and Conclusion	73
Bibliography	79
Appendix	88
Figures	
Figure 1: A Contingency Model of Mediation	23
Figure 2: Research Design	32
Figure 3: Number of Ceasefire Violations Committed by the GoSL and the LTTE	57

ABBREVIATIONS

APRC	All Party Representative Committee
BATNA	Best Alternative to a Negotiated Agreement
CFA	Ceasefire Agreement.
ENLF	Eelam National Liberation Front
FDL	Forward Defense Line
GoSL	Government of Sri Lanka.
HoM	Head of the Mission
HSZs	High Security Zones
IDP	Internally Displaced People
IPKF	Indian Peace Keeping Force
ISGA	Interim Self-Governing Authority
JHU	<i>Jathika Hela Urumaya</i> (National Sinhala Heritage)
JVP	<i>Janatha Vimukthi Peramuna</i> (People's Liberation Front)
LTTE	Liberation Tigers of Tamil Eelam.
MoU	Memorandum of Understanding
NERF	North-East Reconstruction Fund
NGOs	Non-Governmental Organizations
PLO	Palestine Liberation Organization.
RNG	Royal Norwegian Government.
P-TOMS	Post-Tsunami Operational Management.
SCOPP	Sri Lanka Government's Secretariat for Co-ordinating the Peace Process
SDN	Sub-Committee for De-Escalation and Normalization
SIHRN	Sub-Committee for Immediate Humanitarian and Rehabilitation Needs in North and East
SLFP	Sri Lanka Freedom Party
SLMM	Sri Lanka Monitoring Mission
TRO	Tamil Rehabilitation Organization
TULF	Tamil United Liberation Front
UNF	United National Front
UNP	United National Party
UPFA	United People's Freedom Alliance

Chapter 1

INTRODUCTION AND BACKGROUND

1.1 Introduction

Since the end of the Cold War, the promulgation of various types of conflicts can be witnessed across the world. One of the most significant changes is the shift of conflict types from “interstate” towards “intrastate”. These conflicts in general are less likely to be successful over a quick political settlement due to its protracted and long-term nature. Therefore, it is evident that most militarized intrastate conflicts are experiencing some sort of conflict management, while mediation and bilateral negotiations being the most popular mechanisms (Schneider et.al. 2006: 3).

Mediation is a complex process with challenges which require prudence and in-depth knowledge to overcome the difficulties. At the end of the Cold War, one can observe the emergence of some new states as active members in conflict resolution. These countries approach conflict resolution challenges in a more systematic and dynamic manner than it was witnessed previously. They introduced new methodologies and strategies to support active political initiatives and decision making. Some countries like Norway, Sweden, Finland and Canada, once considered peripheral players, are considered the best mediators in protracted violent conflicts (Kelleher & Taulbee 2006:479).

Norway as a peaceful nation has its own political, social and economic cultural that make it quite obvious of their pursuit for international peacemaking. Norway’s social democratic structure, their popular support for the foreign policy, the well enriched economic status and economic stability of the country, acclaimed economic development and cooperation work, NGO partnership in abroad and the foreign policy that favors a disengagement of the international military presence are vital conditions for such considerations (Waage 2000, Kelleher & Taulbee 2006). Overall, the main geographical

characteristic that Norway is a small country and its limited influences in world politics, reverently, raised the country's repute as a 'positive image'.¹

Norway's attempts in peace making became well known for having provided a shuttle diplomacy in the signing of the Oslo Accord in 1993 between Israel and the Palestine Liberation Organization (PLO). Norway currently engages in various peace attempts in different parts of the world - Sudan, Guatemala, Colombia, and Sri Lanka. The economic and humanitarian assistance given to Palestine, Haiti and Indonesia are vital activities in understanding Norway's attempt in reconciliation as well (Helgesen 2003:1-7[online]).

At a Belgian/Norwegian seminar Vidar Helgesen, the former State Secretary of Foreign Affairs in Norway, held a speech titled "Peace, Mediation, and Reconciliation: The Norwegian experiences (Helgesen 2003:1-7[online]). This speech explains the importance of Norway's interests in resolving conflicts and addressing security threats in places away from their homeland.

Sri Lanka's conflict remains vital among Norwegian interests in conflict resolution. The Royal Norwegian Government (RNG) formally entered Sri Lanka's conflict as a facilitator in 2001. From then on Norway played an official role in helping the Government of Sri Lanka (GoSL) and the Liberation Tigers of Tamil Eelam (LTTE) find a political solution to the ongoing military struggle. The purpose of this thesis is to analyze Norway's role in the facilitation of Sri Lanka's peace process. The study will especially focus on the period of signing the Ceasefire Agreement (CFA) in 2002, until the end of the second round of Geneva talks in October, 2006. This thesis analyzes the strategies in facilitation as one of the foremost mediation forms. The main assumption is how third party mediation through facilitation can be successful in bringing a negotiated

¹ Hilde Henriksen Waage talks about Norway 'positive image' as an international peacemaker. She says that "Norway was keen to promote its image as an international peacemaker". For this matter, Norway as a non-colonial country and has little influence on world politics, supports for making a reputation for its image (Waage 2000 [online]).

settlement in an intrastate military conflict. It assumes that facilitation can make positive changes between conflicting parties which will result in a peaceful settlement. On this basis the thesis will explore Norway's role as a facilitator in Sri Lanka's peace process.

In Sri Lanka, Norway was able to bring the GoSL and the LTTE to the bargaining table in September 2002, in Thailand. There have been six-rounds of peace talks continuously until March 2003. Through out the six-rounds of peace talks the Norwegian government, who was led by Kjell Magne Bondevik, helped the GoSL and the LTTE to facilitate direct negotiations. A number of successful attempts and initiatives took place during these eight months. Nevertheless, the peace talks unexpectedly collapsed immediately after the LTTE withdrew their participation from the negotiation process. There was not much active involvement by the GoSL and the LTTE to restart peace talks until they met in Geneva in February 2006. Even though Post-Tsunami Operational Management (P-TOMS) in June 2005 had brought slight optimism to the peace process, neither the GoSL nor the LTTE agreed on common grounds to resume talks.

Norway's facilitation for the peace process in Sri Lanka, for almost six years, has had its ups and downs. Today, after more than five years of signing the Ceasefire Agreement, since 2002, the GoSL and the LTTE have preferred the military option, breaching the Ceasefire Agreement's main clause, "*find a negotiated solution to the ongoing ethnic conflict in Sri Lanka*" (CFA 2002 [online]). In January 2008 the government of Sri Lanka officially announced the abrogation of the CFA following a bomb explosion.

1.2 Defining Facilitation

Facilitation is a mode of mediation.² In general, it is a voluntary effort of a third party to help two or more actors to settle a conflict through agreement. The basic assumption is that disputants are incapable of finding an agreement on their own. Hence, the conflicting parties seek third party assistance in conflict management (Kleiboer 1996:365; Kemper 2007:10). The form³ of third party mediation helps to overcome hostility, while showing willingness to de-escalate violence and engage into a dialogue (Bercovitch & Houston 1995:26). The moment, disputants understand the need for a third party involvement, a mediator steps into the conflict aiming to assist conflicting parties to find a common bargaining space.

The techniques and mechanisms of mediation encompass different outlooks. Facilitation is one mode of a common strategy and it holds some distinguishing characteristics. Facilitation is dependent on the request of the conflicting parties and it leaves the ultimate decision-making power with the disputants (Bercovitch & Houston 1995:26). It is understood that the effectiveness of mediation remains within the negotiator's ability to move disputants towards an agreement, or cessation of violence (Schneider et.al. 2006:4).

The main function of facilitation is to communicate between the parties. It includes channel service between disputants. A facilitator will look for pieces of information to pursue parties for a common bargaining space.⁴ Broadly speaking a facilitator helps the

² The concept of mediation derives its semantic roots from the Latin word "mediare" and entails a non-binding and non-coercive intervention by a third party that seeks to change the behavior or attitudes of one or all parties in a conflict (Schneider et.al. 2006:3).

³ Mediation strategies are numerous. Facilitation, Formulation and Manipulation are identified as *three* main types of mediation (Beardsley et.al. 2006). Mediation basically helps parties to find a negotiated solution to the conflict.

⁴ According to Beardsley and his fellows (Beardsley et.al. 2006:62) "any bargaining situation actor's preferences orderings should overlap such that some alternatives exist that are preferable to conflict for all involved. This area of overlap termed the *zone of agreement (ZOA)* and it consists of all possible outcomes that would allow each disputant to achieve his respective reservation level" (ibid. 2006).

disputants to create a conducive environment to reach an agreement (Hopmann 1996:231; Beardsley et.al. 2006:63). In fact a facilitator ensures that the disputants have access to all necessary information, clarify information, remove misperceptions in the best manner and reach the zone of agreement⁵ to determine an optimal solution. Jacob Bercovitch (1995:30) found that communication-facilitation is the most commonly used approach amongst many.

A facilitator needs to have renowned reputation and trust among the parties. The information conveyed between the conflicting parties develops trust in the facilitator's accountability. It is argued that neutrality of a facilitator largely influences the success of the role he has to act. Folberg and Taylor characterize facilitation as a neutral process led by a neutral person or persons (Bercovitch & Houston 1995:26), which is identified as one of the foremost personal characteristics of strategic behavior.

1.3 Historical Background of the Sri Lanka's Conflict.

This study analyzes the root causes of the two decades old military conflict in Sri Lanka. The complex nature of the causes and divided ideologies⁶ found in the literature has made the task complicated and difficult. However, this study considers exploration of vivid historical elements and background events leading up to the conflict.

The conflict not merely started due to the division of ethnicity. K.M. De Silva argues (De Silva [online]), "The current ethnic conflict in Sri Lanka is a much more complex

⁵ "Zone of Agreement (ZOA) consists of all possible outcomes that would allow each disputant to achieve his or her respective reservation level. Zone of agreement, according to Fisher and Ury call the *best alternative to a negotiated agreement* (BATNA) It is possible to think each crisis actor's BANTA value as the expected net value of the conflict; consequently , the ZOA consists all the set of outcomes that provide all crisis actors with more benefit than their BATNA" (Beardsley et.al. 2006:62).

⁶ Sinhalese and the Tamils prioritize the conflict interests in different weight. Therefore it is difficult to find a single prominent ideology of root causes of the current conflict. In most cases the influence of nationalistic ideologies, misperceptions have been the basis for such dividend ideologies.

business than a simple straightforward confrontation between a once well-entrenched minority, the Sri Lanka Tamils, and a now powerful but still insecure majority, the Sinhalese”. It is said the Sinhala majoritarian democracy that took concrete shape immediately after Sri Lanka’s political independence in 1948 was to a great extent a consequence of the current existing military struggle between the GoSL and the LTTE (Uyangoda 2006:9-12). Not only the ethnic differences but also the post-independence political, economic, social and cultural changes were reasons for the *ethno-nationalistic* struggle between Sinhalese and Tamils.

Sri Lanka is a multi-ethnic and multi-religious society with 19 million people (Sinhalese 74 percent, Tamils, 17 percent and Moors 8 percent). Sinhalese Buddhists are 76.7 percent. There are 7.8 Tamil Hindus. Both Sinhalese Christians and Tamils Christians make up 6.1 percent. The remaining population is Muslims at 8.5 percent. The population in the Northern and Eastern part of the country is largely Tamils and some Muslims, while Sinhalese are the majority in the rest of the country (Department of Censes and Statistics, Sri Lanka 2001[online]).

Sri Lanka gained independence in February 1948 from United Kingdom after one hundred and thirty two years of colonial rule.⁷ The independence movement was non-violent and peacefully achieved through the gradual exchange of letters between local leaders and imperial rulers. The *Soulbury Constitution*, which was introduced by the British conferred powers to the local leaders for the election of the first Sri Lankan parliament. At the first election in 1947 D.S. Senanayake who was the leader of the United National Party (UNP) became the first Prime Minister of the country. Tamil Congress representatives in the first parliament provided a multi-ethnic outset in independent Sri Lanka.

⁷ British colonial rule followed by “divide and rule” concept. British have provided legislation participation for the locals based on ethnic composition. It is a question that this system of rule of the British increased the ethnic tension and emergence of ideological clash between ethnic majority and minority in Sri Lanka.

Nevertheless, there was a strong Tamil opinion raised against the Sinhala majoritarian parliament for passing two “Citizenship Acts”⁸ unfavorable to minorities on the island. Anton Balasingam who was the chief political advisor to LTTE (Balasingham 2004:7) said, “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 enacted against minority communities (ibid.). ” According to K.M. De Silva, a prominent historian in Sri Lanka- the Citizenship Acts passed as there was an emerging trepidation in Sinhala leaders’ mind of the possible escalation of Tamil power. With thoughts of Tamil power leading to Indian domination on the island and the consideration of plantation workers and their strength as an additional source of power to the indigenous Tamils (De Silva [online]).

Anxiety and feeling of insecurity in the every day life of Tamils has gradually developed in post-independent Sri Lanka. S.J.V Chelvanayagam who was the founder of Federal Party and considered as a prophetic leader of the Tamils, proposed a federal form of government as a solution to the Tamils, “The unchangeable title to nationhood and the right to political autonomy and federal union with Sinhalese (Chandranathan 2006:33)”. Some argue that the actions taken by the Tamil leaders were unproductive in establishing a hard-line opinion to protect Tamil rights. The “Sinhala Only Act” passed in 1956 by the government of S.W.R.D. Bandaranaike was a blow against the Tamil speaking population. The act is considered by large number of Tamils as a deliberate action to curtail the private and public sector employment opportunities (Chandranathan 2006:34). It was argued, that the Act was aimed to reduce the number of English schools

⁸ The “Citizenship Act” in 1948 and “Indo- Pakistan Citizenship Act” in 1949 made Tamil leaders in the parliament detach from the national government and promote anti-Sinhala propaganda. This act mainly focused on granting citizenship for Tamil laborers, whom largely migrated during British colonial time. After these Acts many Tamil laborers have to flee from the country as they were not granted the citizenship. Some were rejected of giving the citizenship and were continued work in the plantation. Even though some Tamil leaders claimed for Tamil – laborers rights, the government in power were failed to act according to the basis of equal rights (Wakkumbura 2007:56-57).

and encourage national schools in the education systems and to encourage the national language skills among the population.

Sri Lanka's first sovereign constitution came into force in 1972 under Prime Minister S. Bandaranaike. This constitution introduced some dramatic changes in the legal status of language and religion in the country. The new constitution reaffirmed Sinhala as the only official language and conferred a special status to Buddhism.⁹ Subsequently the second sovereign constitution in 1978 recognized both Sinhala and Tamil as official languages and Buddhism as the state's foremost religion.¹⁰ The constitutional changes, which prioritized the Sinhala language and Buddhism, were not acceptable to the Tamils. Anton Balasingham (2004:19) claims, "The constitution creating a Sinhala-Buddhist autocratic state structure failed to address the political aspirations of the Tamil people". The formation of Tamil military youth groups changed the status quo of the country resulting in armed fighting. There were several Tamil groups standing for the rights of Tamils at that period. Added to that Jeyaratnam Wilson argues the Tamil United Front, which was formed in 1976 subsequently renamed as Tamil United Liberation Front (TULF) initiated a "freedom struggle for a Tamil sovereign state" (Liyanage 2005:137). Creating a united Tamil ideology for a national level political process has been also problematic in Sri Lanka's politics.

Not merely the Tamil militia but also the Sinhala radical movements distorted and dented the peaceful nature of the country. The *Janatha Vimukthi Peramuna* (JVP-People's Liberation Front) a Sinhalese radical movement, inspired by educated Sinhala youths has been a vocal brand of *patriotism* and *Sinhala-Buddhist majoritarianism*. They fought for a radical shift of state politics opposed to the Tamil claim for a separate state (Rampton & Welikala 2005:28-33). JVP which is now engaged in national politics still holds the

⁹ The Constitution of the Socialist Republic of Sri Lanka (1972) Chapter III refers the status of language and Chapter II refers to status of Buddhism.

¹⁰ The Constitution of the Democratic Socialist Republic of Sri Lanka (1978) Chapter IV explains the status of language and Chapter II refers the status of Buddhism.

notion that the LTTE as an undemocratic, unrepresentative, illegitimate and unaccountable terrorist organization that violates human rights (ibid.47). It is argued that the strong and the rigid hostile views of the JVP party and recently established *Jathika Hela Urumaya* (JHU- National Sinhala Heritage) against the LTTE is an obstacle against finding a peaceful settlement to the growing military struggle in the country.

Since 1983¹¹ to date, both GoSL and LTTE are ruthlessly fighting for a military victory causing a large number of deaths and property damages. The contemporary military struggle does not only affect Sri Lanka but also the international system.

1.4 Historical Background of the Peace Processes

The examination of the background within the peace process provides an idea as to, how GoSL and LTTE look at solving the ethnic problem with or without third party assistance in several occasions. A careful observation of literature made the study easy to gather most important events at several phases in Sri Lanka. It is worth while to note that the following events turn into different outlooks under different governments in Sri Lanka's political setting.

The political decision making of the Sinhala-Tamil 'ethnic question' drew back to the immediate history of post-independence when Prime Minister S.W.R.D Bandaranaike (1956-1959) signed an agreement in 1957 with S.J.V. Chelvanayagam who was the leader of Federal Party.¹² Thereafter the Dudley-Chelvanayagam pact was signed in 1965. Both 1957 and 1965 pacts were heavily opposed by general politics and resulted in no progress.

¹¹ In 1983 communal riots broke out in Colombo (the capital of Sri Lanka) when 13 army soldiers of GoSL were killed in an ambush by the LTTE in the North. Large number of Tamils was killed and as a result Tamil insurgency grown into a full-blown war. LTTE began their military offense aftermath the 1983 "Black July" resulting a war situation between the LTTE and the GoSL forces.

¹² Bandaranaike-Chelvanayagam pact of 1957 considered use of Tamil language in the country.

The Thimpu talks in 1985 opened the venues to begin negotiations between the GoSL and Eelam National Liberation Front (ENLF) with the help of India. For the first time there was with direct assistance of a third party. According to the government point of view the Thimpu talks would have become progressive if Tamil military groups had surrendered by laying down their arms and dismantling their training camps (Uyangoda 2005:310). Some criticisms point to the *rigid and inflexible* attitude adopted by the Sri Lanka government delegation. They allowed the ENLF to withdraw from the peace talks and caused armed confrontation in the period after (Balasingham 2004:79).

J.R. Jayawardane who was the president (1978-1989) took a regional approach to bring about a political settlement to the ethnic problem by inviting Indian Prime Minister to cooperate into an inter-state agreement. Scholarly arguments note, Indian involvement is a *Peace Trap*, placed Sri Lanka in turmoil that Sri Lanka had to largely depend on Indian geo-political strategic interests by turning nation problem- regionalized.

President Ranasinghe Premadasa (1989-1993) did not allow any outside mediation and treated the ethnic problem as a *purely internal* matter. Thus, there were always risks of peace talks being unilaterally terminated due to lack of accountability between parties (Uyangoda 2005:321). Thereafter, Chandrika Kumaratunga Bandaranaike came into presidency (1994-2005) with a promise of finding a peaceful solution to the ethnic problem. She initiated direct peace talks with LTTE with the help of the Norway facilitation. This ended a bloody civil war which caused around 68,000 war related deaths.

Ironically, the Ceasefire Agreement in 2002 which was considered a foremost achievement of the GoSL and the LTTE is abrogated at the present. The Geneva talks held in two sessions in 2006 under Mahinda Rajapaksha's presidency (2005 to date), resulted with no prospects in the peace process. A little hope emerged when Sri Lanka's All Party Representative Committee (APRC) drafted proposals with power sharing mechanisms. They have not yet even consolidated as of November 2007.

1.5 Research Question

It is important to examine whether Norway can provide an effective and a positive role in Sri Lanka's protracted military conflict. The existing literature shows Norway's facilitation adopting different outlooks. For example, some consider Norway's facilitation as an active role, while others determine it to be passive. Yet, some analysts think mediation should be a middle-way process. However, for a balanced analysis one must look at the mediator's strategies, the conflict's nature and conflicting parties' behavioral attributes. All of this must be calculated to determine facilitator's overall actions. In negotiation literature, mediation finds its way as a two-way process (Bercovitch & Houston 1995:20-31; Pruitt 1997:245-247; Beardsley et.al. 2006:62-66; Schneider et.al. 2006:2-3). Gerald Schneider and his colleagues (Schneider et.al. 2006:2) argue that the combatants should first decide whether or not they would like to end the conflict through mediation. On the other hand, the mediator's choice over eventual attempts to end the conflict is essential in deciding mediator's role.

Norway facilitates the peace process in a multi faceted manner. The direct and personal level of political involvement is most important, which includes *Track I diplomacy*. This is a combination of mere facilitation through communication strategies. In addition, Norway helps through humanitarian and development work, which is *Track II diplomacy*.

As mentioned above, Norway's role can be viewed in different perspectives. The basic political facilitation of Norwegians includes information sharing, exchanging views and interests between parties, confidence building etc. Thus inevitably, a personal involvement is important to the process of mediation and it is important to examine the role that the mediator plays in Sri Lanka's conflict.

A facilitator, in general has a large responsibility to formulate constructive ideas to make negotiations effective at the pre-negotiation stage, which is known as a period of "talks about talks". Gathering a proper understanding of the disputants problem is always a

challenge for an external third party at this stage. A careful observation of causes within the conflict through expertise knowledge while maintaining a good relationship with the parties will let the third party overcome this challenge.

During the negotiation process the dyadic-hostile relationship between the disputants will turn into a triadic-cooperative relationship. The triangular relationship is often monitored by the facilitator. The facilitator systematically develops trust and faith between the parties using the triangular relationship. Information and views shared between the parties is the main tool for achieving trust. It is essential that facilitator remains neutral (impartial) through this process.

Like in many other international peace making efforts, Norway plays a less forceful role in the facilitation of Sri Lanka's peace process. Norway's facilitation does not exploit leverage in terms of political and military means. Instead, Norway seeks venues for financial and humanitarian assistance, which aim at development work. Norwegian foreign policy on several occasions mentioned that they have no interest in the use of force or power in internal decision making of those mediated conflicts. Norway Foreign Ministry official has recently acknowledged, "Norway can use *carrots* to encourage parties for cooperation and convince parties to stop violence so that they will be better-off in terms of aid and development assistance (MFA 2007[interview])". Therefore, in most respects, the use of force has been less significant in their foreign involvements.

Norway insists the questioning of humanitarian crisis which devastate the countries. Norway acknowledges the importance of the absence of military confrontation, which subsequently helps to establish a suitable environment for relief and development work. The question is how far an external facilitator can exist in development work in a militarized conflict. Can a facilitator convince parties to stop the arms struggle? And can parties, at the same time agree to end the arms struggle?

Another aspect of looking at this question is the facilitator's alternative choice if negotiations fail. Can the facilitator bring a compromise for the disputants through a broader coalition, which is accepted by both parties? Sometimes, a facilitator seeks different initiatives to maintain negotiations, such as formulation and manipulation. A facilitator might get into a deeper involvement through problem solving and might use forceful mechanisms in order to retain conflicting parties on the negotiation table. However, those necessary tools and strategic decisions of formulation and manipulation can surpass the traditional framework of facilitation by creating a dilemma in facilitation.

Research questions:

I) To what extent has Norway been effective in facilitating the peace process in Sri Lanka?

II) How can we explain the facilitator's successes and failures?

The initial facilitation is essential to bring the parties together into a common bargaining space. As a result, the facilitation will become the most desirable role in mediation at the diagnosis phase.¹³ It should be noted that disputants should be ready to perceive each other as partners in the peace attempt and willing to build confidence with each other. This is while the facilitator helps to share messages and exchange necessary information to support the parties through building trust. Norway's facilitation played an eminent role convincing parties for peace through "shuttle diplomacy (Stangeland 2007[interview])". Nevertheless, re-starting proper peace talks has been a difficult task for Norway since the collapse of peace talks in March 2003. Therefore, it is important to look at the following assumption:

¹³ William Zartman & Maureen Berman explain about three stages of negotiation processes. The first stage called 'Diagnosis Phase' is the turning point for negotiations, when conflicting parties recognize a solution to the conflict is possible. Hence, ready take initial steps to peace talks (Habeeb 1988:29).

A1: Facilitation in an intrastate conflict is likely to be successful upon the facilitator's ability to remove or reduce power imbalances of disputants.

It is argued that each mediation style that includes facilitation should help to contribute to reduce tension (Beardsley et.al. 2006:68). To reduce tension between parties in particular is known as 'crisis abatement'. Sri Lanka's conflict has been militarized over the two decades and as a result, unlike other secessionist groups in the world, the LTTE is now equipped with ground and limited naval and air force power. The conflict paved way for the 4,126 war related deaths in 2006.¹⁴

It is difficult to resolve hostility in a short time due to a deep imbalance of power between disputants. Thus, facilitation needs deeper and more long term commitment to succeed in tension reduction. There had been a considerable reduction of war related violence at the early stage of the Ceasefire Agreement. Nevertheless, violence has begun to increase gradually within the last three years. The following assumption is useful to analyze Norway's role in tension reduction.

A2: Facilitation in an intrastate conflict is likely to be successful upon facilitator's strategic choice for tension reduction.

Some argue that the mediator's impartiality is not important in finding a settlement to the conflict, where as the mediator's leverage and use of resources are what matters in pursuing disputants to an optimal solution (Schneider 2006:11). However, the neutral image of a facilitator is important to maintain a productive role. My third assumption which is fairly different from the first two delineates the idea that the facilitator's impartiality plays a role in image building. The following will investigate Norway's in-depth behavior.

¹⁴ According to the World Watch Institute, feature about "The Casualties of Sri Lanka Intensifying War" 2006 reported the highest number of war related deaths. According to the figures by June 2007 the number of war related deaths has become 1,658. For more details, URL: <http://www.worldwatch.org/node/5184> .

A3: *Facilitation in an intrastate conflict is likely to be successful upon the facilitator's impartiality towards conflicting parties.*

1.6 Structure of the Thesis

The thesis consists of five chapters. The *second chapter* explains the theoretical background of the topic. Since there is no major theory on “facilitation” the study examines important literatures on mediation in negotiation processes. In fact, the study deals with strategies of facilitation in particular. The theory of power and norms is used to develop an idea about structure and attributes of conflicting parties. Once the meaning of facilitation and the parties’ structures are identified, the study looks at the following three variables: (1) The parties’ power imbalance (2) The choice of tension reduction (3) The facilitator’s impartiality. These variables are examined to see how they affect the facilitator’s overall behavior. The *third chapter* will explain the methodology that was used in writing the thesis. The *fourth chapter* is the main analysis, which looks at the facts and information for the basis of the assumptions. The detail discussion provides a comprehensive knowledge about the actual role of Norway’s facilitation in the Sri Lankan peace process for the past six years. The *last chapter*, which is the summery and the conclusion, discusses the findings.

Chapter 2

THEORITICAL FRAMEWORK

2.1 Introduction

The purpose of this study is to determine whether Norway's role as a facilitator was effective in peace negotiations in Sri Lanka. It is assumed that effectiveness of facilitation remains in the mediator's ability to remove or reduce power imbalances within the conflicting parties, to reduce tension and act on a neutral basis.¹⁵ The assumptions cover a broad perception of mediation. These assumptions are interrelated to each other and have a mutual affect on one-another. The "Contingency Model" which is utilized by Jacob Bercovitch, a professor and a veteran in conflict studies, provides a broad picture of how mediation is effective in actual complex settings. Further, Jacob Bercovitch and Allison Houston discuss the factors that effect successful mediation. This chapter will attempt to explain some coherent conceptual and theoretical aspects of Jacob Bercovitch and Allison Houston, and explain how those variables matters for effective mediation.

2.2 Contingency Model

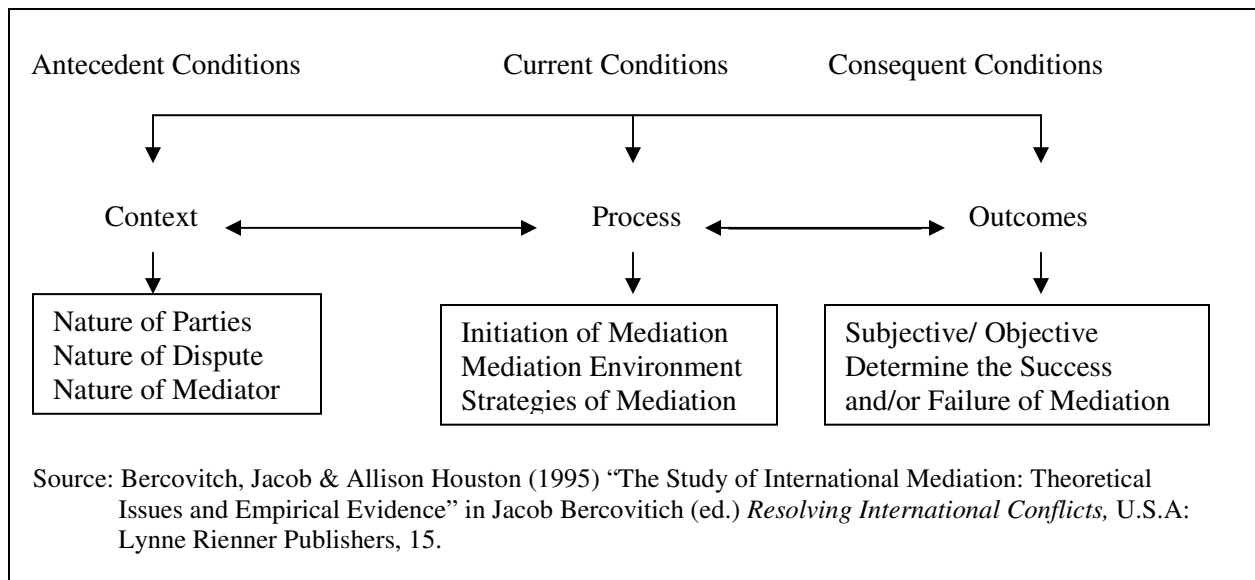
Scholarly writings that explains *mediation* in general and *facilitation* in particular are rare in existing literature of conflict studies. Thus 'facilitation' becomes a secondary area of study. As a result the phenomenon has become less popular in common understandings. The "Contingency Model" developed by Jacob Bercovitch (1995) tries to illuminate comprehensively the role of mediation by taking a number of variables into account. The core of this approach is explained and elucidated by operating *three* variables: *context*,

¹⁵ The basic assumptions are discussed in Chapter One (18-22)

process, and *outcome*. This provides a broader understanding of the nature and strategies of mediation as a whole.

The Model considers contextual and procedural variables vital in deciding the outcome of mediation in both a subjective and objective manner. We also see that, “mediation outcomes, whether successful or not, are logically seen as the result of the interaction of context and process variables (Bercovitch & Houston 1995:15)”. The *context* that deals with the nature of the mediator, the conflicting parties, and the nature of the dispute, is closely related to the *process* that deals with initiation and conduct of mediation. Therefore, in order to obtain a certain result, the context factor influencing the process of mediation is best understood in a single framework like that of the ‘Contingency Model’. The framework outlined in the following figure shows how ‘Contingency Model’ assembles strategies and processes of mediation. It enables to understand the factors depict the relationship among conditions antecedent to mediation, the actual process of mediation and the consequent result.

Figure 1 A Contingency Model of Mediation



2.3 Factors Effecting Mediation

The detailed analysis of international mediation, provided by Bercovitch and Houston, (1995) distinguishes *three* variables that examine mediation success and effectiveness broadly. It is worthwhile to explain these variables in-depth.

The contextual variables: identified as ‘antecedent conditions’ (i) nature of the party (ii) nature of the dispute and (iii) nature of the mediator vital in analyzing the effect of the mediator’s role. Even though some of these factors are not directly related to the mediator’s attributes it is very likely that these can effect mediation success and effectiveness.

I) Nature of the Party

The civil wars, in general that are fought between imbalanced powers more often cause complexities in negotiations. The expensive concession of each comes to an end and the lack of willingness of the parties for accommodating eachothers is some common examples of complexities. On that basis, there is a greater ability for symmetrical powers to pursue cooperation in an effective manner than asymmetrical powers. The GoSL and the LTTE in Sri Lanka are a significant example of an asymmetrical situation.

Another predicament is the composition of the population. When a diverse ethnic and cultural setting exists in a conflict, the mediator may find it complicating to deal with each and every community on an equal basis. Consequently, some groups of people that belong to certain ethnic or cultural communities do not have access to participate in negotiation processes and this may emanate as a spoiler factor in ongoing negotiations. In Sri Lanka, the Muslims and other Tamil organizations protested that they had been excluded in the negations.

Raymond and Kegley say, “The greater the cultural differences between disputants, the less likelihood of successful mediation (Bercovitch 1995:21)”. Marieke Kleiboer (1996:365) came up with a similar notion explaining that, “mediation can only be successful, if the parties in conflict are clearly identifiable in terms of group characteristics and boundaries, yet, in actual conflict, often problematic to cooperate with all the identities”. Evidently, in most civil wars, mediation results in failure due to the complex nature of parties affiliated to the conflict. Barbara Walter in her book *Committing to Peace* (2002:12) explains that, “civil wars between different ethnic groups are frequently depicted as intensive value conflicts fought over issues close to the heart”. She further says those civil wars are less likely to end in a negotiated settlement in conflicts of heterogeneous identity (Walter 2002:15).¹⁶

The proposition of Walter’s (2002) cited above, in my opinion, applies in Sri Lanka peace process. Much debated, *civil war* in its conceptual inappropriateness-later became to known as *ethnic-conflict* (Uyangoda 2006:9) *armed-conflict* (Ramasamy 2006:174). Unfortunately, Sri Lanka has failed to find a negotiated solution to the ongoing problem so far. The reasons for such shortcomings are several. One of the foremost notions is that the political level solution should be concerned with finding a shared political future for all the citizens of Sri Lanka (Uyangoda 2006:9).

II) Nature of the Dispute

The existing literature shows the intensity of the conflict encourages mediation. Sustaining the proposition, Zartman and Touval (1996) say, “Mediation is much more likely to occur during intense international events, such as crises”. Jackson and Young suggest, the greater the intensity of the dispute, the higher the likelihood that mediation

¹⁶ Barbara Walter refers ethnic divergence of former Yugoslavia in order to sum up her idea about how negotiations fail in heterogeneous communities (Walter 2002).

will be accepted and be successful (Bercovitch & Houston 1995:23). If mediation means moving parties towards an agreement and cessation of violence, then the mediator's main task should be convincing parties for a change in their previous power position(s) and compensate with alternative methods to 'win' each party's goals at a minimum cost for the other.

It is considered that mediation requires firm exertion, generally, at long-term conflicts due to the conflicting parties' unwillingness to change their rigid power positions. Those power positions, more often militarily and politically hostile can bring a tremendous destruction to conflicting parties. According to William Zartman, the moment that parties understand the painfulness of each others military stand known as "mutually hurting stalemate", results in a painful 'deadlock' that, parties should seek for an alternative way of winning the goals (Zartman & Rubin 2000:272; Hopmann 1996:76-80). It is important to note that mediation is encouraged at a time when parties are ready to reverse armed confrontation and ready for a negotiated solution.

Interestingly, the mediation becomes more effective in the absence of violence. The lower the intensity of the conflicting parties, the greater the ability of parties to agree on compatible goals which results in mutual non-violence and promotes cooperation. Even if one considers that mediation becomes effective in high-intensity conflicts, the chance for a mediator to remain in the process is less likely if the intensity remains throughout the cause of negotiations. In many ethnic conflicts and civil wars mediation fails due to its inability to reduce the violence. According to Gerald Schneider and his colleagues (2006:14), "intensity stands for the average fierceness of combat, which calculate the natural logarithm of the number of casualties divided by the number of months that conflict has lasted until the mediation attempt occurs and similarly the course of time mediation exits". So, if the number of casualties increases while mediation takes place, there will be a decrease of effectiveness of mediation. Obviously, then the intensity of the conflict fails the expected outcome of a successful mediation.

Another factor to be considered in determining the mediator's effectiveness are the 'issues' within the conflict. The issues are more basic in underlying the causes of the dispute (Bercovitch 1995:24). Edward Azar analyzed phenomenon, "Protracted Social Conflict". According to Azar, the prolonged and often violent struggles by communal groups for such basic needs as security, recognition and acceptance (Ramsbotham 2005:13-114). Such conflicts, according to Azar do not show clear starting and termination points (ibid.). Bercovitch and Houston (1995:24) identify five categories to describe types of issues that may characterize conflicts: sovereignty, ideology, security, independence, and issues including ethnicity. Christopher Moore, a veteran in conflict studies, explains how a mediator deals in conflicts within the complexity and ambiguity of their issues. According to Moore, conflicts are either 'interest-based' or 'value-based'. The value-based conflicts are less amenable to compromise and integration and so mediators should avoid describing disputes in terms of value differences when and where possible. The activity of defining the issues is called framing or reframing. Mediators help the parties to frame the issues in ways that will enable effective problem-solving. Value-based disputes can be reframed either by reinterpreting the issues as interests, avoiding the value elements, or by appealing to broader shared values. Interest-based disputes can be reframed by either broadening or focusing the issues (Glaser [online]).

However, by solving the issues the mediator seeks to remove the power discrepancies of the parties. In order to do so, the mediator's ability to redefine, add and subtract issues to find a common bargaining space is important (Carnevale 1986:55; Sebenius 2002:155-156).

III) Nature of the Mediator

According to Bercovitch and Houston (1995:25), the mediator's identity and characteristics largely influence the effectiveness of the mediation. Personal attributes including, prestige, rank and the knowledge of the mediator become relevant and important when it is combined with whole process of negotiation. However, the mediator has a choice to select strategic tools in order to find a settlement to the conflict. It is a question whether mediator's choice become acceptable to the warring parties.

What are mediator's choices? Christopher Moore talks about two types of tools. One tool is *general tactics*- different kinds of interventions that mediators use in almost all conflicts. The interventions include tactics for entering the dispute, analyzing the conflict, planning the mediation, identifying parties' interests, facilitating parties' negotiations and helping them generate proposals, drafting agreements and developing implementation plans. The other tool is *contingent tactics*- these tactics are used to handle special problems which can arise during negotiations. Contingent tactics may be used to address such problems as value clashes, power imbalances, destructive patterns of interaction, communication problems, strong emotions, misinformation, and differing analyses (Glaser [online]).

In addition, the mediator's identity as having an impartial role is crucial in negotiations. This evokes intense debate in scholarly studies. These debates are rather critical and analyze in-depth the cognitive attributes of the mediator. Mediator's impartiality becomes crucial in the task of confidence-building (Kleiboer 1996:369). Conversely, some believe mediators are accepted by the adversaries not because of their impartiality but because of their ability to influence, protect or extend the interest of each party in conflict (Bercovitch 1995:26). Given similar considerations by Bercovitch and Schneider (2006), the mediator's power and leverage is important for effective mediation.

The procedural variable is important for completing the knowledge of the overall behavior of the mediator. It includes in 'current condition' (i.e. figure 2.1) in the contingency approach. There are three such levels of processes, (i) The process of initiation of mediation (ii) Mediation environment and (iii) Strategies of mediation.

I) Initiation of Mediation

The stage of initiating mediation is important as it is the time of opening negotiations. Paul Pillar, who comprehensively studies about negotiation processes, says that the opening of peace talks is a change in the state of war (Pillar 1983:44). The opening of negotiations is a matter of how the parties depend on prospects of future military success and failure (Pillar 1983:49). Thus, the initial strategies of mediation become central in determining how long and how productive the peace talks will continue to be. In addition, the mediation becomes effective when both the parties agree a common mediator. Added to that Bercovitch and Houston (1995:28) say, "mediation is most likely to be successful when initiated by both parties in a dispute". Alternatively, a mediator can be appointed by an authoritative actor as well (Glaser [online]). In most cases, influence by a regional power or any other powerful state, which has a connection to the conflicting party (ies) and/or an international organization, can be examples in this matter. For example, In Sri Lanka Norway had to brief the peace initiatives to India.

II) Mediation Environment

This delineates the idea that a mediator needs *freedom*: a space to implement their strategies and tools without influence of the other(s) to best endeavor in accurate cooperation between parties. The idea put forward by many scholars suggests that it is an essential factor for successful mediation (Bercovitch 1995; Kleiboer 1996; Beardsley

et.al.2006). Bercovitch and Huston (1995:29) admit, “An environment allows the mediator to have procedural control over the process and the parties to concentrate on the more substantive issues”. Yet, in practice mediators get influenced by powerful regional actors or by international actors. Occasionally, mediation becomes flexible according to conflicting parties wishes or purely the mediator’s interests. This notion can be well understood by looking at the different strategies of mediation, which is discussed in the following.

III) Strategies of Mediation

Mediation strategies and tools are varied in each and every process of negotiation. It is a continuum ranging from low to high intervention (Bercovitch & Houston 1995:29; Zartman & Touval 1996; Beardsley et.al 2006; Schneider et.al 2006). Among the substantive strategies that encompass a wide spectrum of mediation behavior: *facilitation, formulation and Manipulation* stand vital.

A mediator as a facilitator is the least forceful among all the strategies, which constitutes merely a role of a communicator. This role holds the main task of communication between parties.¹⁷

A mediator as a formulator holds formal control over some of the procedural strategies and known as an identical tool in effective bargaining and coordination in most negotiations (Carnevale 1986:59-64; Beardsley et.al 2006:63). Through out the bargaining process a formulator would seek, “to modify the parties’ image, which influences them to make concessions by clarifying to each his opponent’s views and the bargaining situation that both face (Hopmann 1996:234)”. In fact, Beardsley and his

¹⁷ Refer Chapter One (10-11)

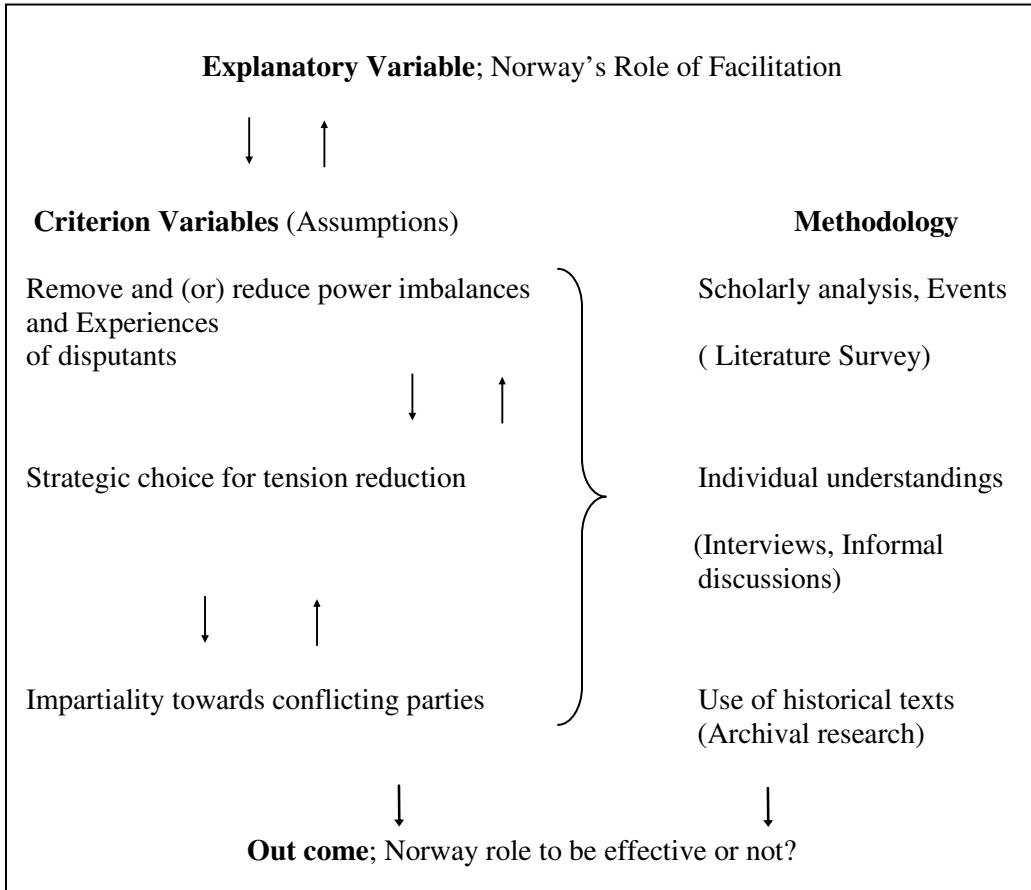
colleagues (2006:63) find out, “unlike facilitation, formulation involves a substantive contribution to negotiations”. These substantive suggestions concern preparing agendas including certain procedures¹⁸ of how structured negotiations are concern in formulation.

A *mediator as a manipulator* is the strongest type of mediation, in terms of decision-making and use of leverage at negotiations. According to Bercovitch (1995:26), mediation becomes effective to the degree of influence that will make parties’ change their rigid positions towards a mutual goal. In general, either through punishments for hostile behaviors (use of *sticks*) or rewards (use of *carrots*) for cooperative moves, increase incentives of conflicting parties’ towards a compromise. The ability to make rewards and/or punishments based on the third party’s power on available resources. Hence, it may be easier for a powerful third party to introduce concessions to compensate the party that makes concessions, with rewards and compel threats or punishments to the party that exploits concessions by wrong-doing. Interestingly enough, conflicting parties may also prefer to make concessions through a mediator, which is assumed as a tactical approach to protect their reputation and future bargaining positions (Hopmann 1996:223).

The ‘Contingency Model’ (i.e. figure 2.1) explains the antecedent and current conditions leading for successful mediation. It deals with the context and process variables in detail. These variables in the ‘Contingency Model’ are useful to determine Norway’s role of facilitation broadly. The following diagram clarifies the overall design of my study.

¹⁸ Procedural Tactics are task of structuring negotiations, attention to important issues and influence for possible agreements. It can convince each party when faces temporal constrain that necessitates immediate progress (Beardsley et.al 2006:64).

Figure 2 Research Design



Chapter 3

RESEARCH METHODOLOGY

3.1 Introduction

This chapter will explain the main research design and the methodological framework of the thesis in a broad perspective. This study in particular is designed to be a ‘single case study’. The main approach for gathering information and facts was based on qualitative methods, a combination of *three* sources: literature reviews, interviews and archival research.

3.2 Case Study

A ‘single case study’ is often used to gain comprehensive knowledge about the behavior of a single phenomenon in a complex setting. The use of this case study enables me to gather coherent and detailed information about Norway’s role from 2002 until the end of 2006. The time period of the study was decided on the basis of some landmark events within Norway’s involvement in Sri Lanka’s peace talks.

A well-defined area of study is identified as a core characteristic of the empirical studies in scientific research. In other words, by defining an exact ‘boundary’ within the case it essentially guides the researcher on what to study and how to study the research. Sharan Merriam (1998) argues that “the single most defining characteristic of case study research lies in delimiting the object of study the case, which is a thing, a single entity, a unit around which there are boundaries”. This setting creates an optimum background for empirical observations and a profitable environment for inquiries.

In scientific research the importance of the ‘specificity of focus’ is identified as a core, and vital characteristic (Merriam 1998; Yin 2004). It is considered as the basic design for practical problems: questions, situations, or puzzling occurrences arising from everyday practice (Merriam 1998). The ‘criterion variables’ (i.e. figure 2.2) try to capture a broad view of Norway’s actual role in Sri Lanka.

3.3 Use of Sources

Yin (1994) describes the case study as a comprehensive research strategy different than a particular methodology for data collection. The qualitative research methodology, considered as the main approach in my study brings various explanations, ideas and views into a single text. The numerical data presentations are also utilized in order to describe some vital explanations in the study.

3.3.1 Literature Survey

The literature survey among both primary and secondary sources is the foremost method of data collecting. My main sources were books, journal articles, newspaper articles, reviews, presentations and online journals.

The aim of the literature survey is to fulfill the knowledge about a certain phenomenon that has been studied over a time especially, when the time and capacity is limited for the researcher in the field work. In fact, the advantage of literature surveys is that they enable the researcher to maintain the line of the argument both in-depth and broadly. Herbert Hyman argues, “Survey research provides one of the rare avenues for the empirical description of long-term changes and for examining the way phenomenon vary under the

contrasted conditions operative in one or several society(ies) at several points (Nachmias & Nachmias 2005:306)”.

However, there are arguments about the replication of secondary sources which deal with their reliability and accuracy. These arguments subside the notion of secondary data as the ‘best approach’ for information. Critics show how some personal and emotional insights of writers can influence exaggerations and understatements. Thus, the reliability of secondary sources remains debated.

Interestingly, there are few reasons to choose the literature survey as the foremost source. A study about a politically sensitive and contemporary active topic like the ‘Role of Norway’s facilitation’ in my opinion requires a gradual and careful observation on empirical data. It is apparent that a large number of articles found available to the public assess the peace process in different dimensions. These articles and/or papers do not deal with the whole process of negotiations in a single document and essentially do not explain all the dimensions in a single context. However, there are only handful of papers published on ‘Norway’s role within the facilitation of the Sri Lankan peace process’ that focused both on Norway’s perspective and the stakeholders perspectives. Yet, these papers seldom covered the whole period of facilitation nearly six years from 2002 until early 2008.¹⁹ Therefore, I believe, the venues for new establishments are open for further studies and the best approach for such a study can be a combination of both primary and secondary sources.

The following articles remain momentous among the number of articles which I referred in the study. Such as N. Shanmugaratnam and K. Stokke’s, “Development as a Precursor to Conflict Resolution: A Critical Review of the Fifth Peace Process in Sri Lanka (2004), John Stephen Moolakkattu’s, “Peace Facilitation by Small States; Norway in Sri Lanka

¹⁹ Norway involved in dealing with the GoSL and the LTTE in year 2000, when President Kumaratunga and the LTTE leader invited them as a third-party negotiator. Norway became active as the official level facilitator after signing the CFA in February, 2002.

(2005)”, Kristine Hoglund’s, “Violence and the Peace Process in Sri Lanka (2005)”, Ann Kelleher & James Larry Toulbee’s, “Bridging the Gap; Building Peace Norwegian Style (2006)” stand vital. There are also some interesting reports: Hilde Henriksen Waage’s, “Norwegians? Who needs Norwegians? (2000)” and Vidar Helgesen’s, presentation on “Peace, Mediation and Reconciliation; the Norwegian Experience (2003)”.

In addition, there are two books which I used often in gaining first-person’s opinion on the GoSL and the LTTE sides. One book was “Negotiating with the Tigers (LTTE) (2002-2005) A View from the Second Row” by John Gooneratne.²⁰ Jayantha Dhanapala who served as the Secretary- General at SCOPP regarded Gooneratne’s book as, “An objective analysis and a guide to future negotiations (Dhanapala 2007[online])”. The other book was “War and Peace- Armed Struggle and Peace Efforts of Liberation Tigers” by the late Anton Balasingham who was the theoretician and the political advisor of the LTTE. He worked as the chief negotiator of the LTTE, through out the Norway-facilitated peace process in Sri Lanka, from 2002 until 2006. His point of view about the peace process in general and about Norway’s role in particular, provides some interesting thoughts about the LTTE point of view. In my opinion, Balasingham’s book is useful at three levels. First, the facts he analyzed are eye-witnessed and self-experienced. Second, the book explicated the LTTE point of view about the peace process. Finally, the information found in the book compensated for information that I could have gained from a face-to-face interview with a LTTE respondent²¹ that did not happen in the interviews. Apart from secondary sources, there is some raw data and statistics used for explaining war related deaths, cease-fire violations, internally-displaced people (IDPs) and the Donor contributions.

²⁰ John Gooneratne was a key informant and an interviewee in my research. He is a renowned career diplomat and the former Deputy Secretary-General in Sri Lanka’s Peace Secretariat (known as Sri Lanka’s Government Secretariat for co-ordinating the Peace Process-SCOPP)

²¹ I was unable to communicate directly to *any* LTTE political personals. The time I stayed in Sri Lanka for the field research from June- August 2007 was not a safe time to travel to North due to open military confrontations.

3.3.2 Interviews

The next key approach for collecting data was interviews. These were mainly face-to face interviews. The informants were identified prior to the formal meeting on the basis of the respondents' affiliation to the area of study. It is important to note the accessibility, time, and scope of the research has been considered as important factors in selecting these respondents.

The so-called 'Elite Survey' approach benefited me in several ways. It helped to gather personal experiences and information that I may not find in the written documents. The respondents close affiliation to the subject and their experiences helped tremendously to affirm enough information. These surveys were organized in advance before the formal meetings with the acknowledgment of the set of questions²² regarding the study. The early preparations and inclinations benefited as it was effective to gain vital information that was coherent to my research.

There were two aspects that made the interviewing very important. One was the respondents close association to the problem. This enabled me to access important facts about their individual behavior and role of decision-making at the actual process of negotiations. In fact, the respondents, who were familiar with the area, often came up with direct and recent information. The other aspect was being able to understand their personal level of knowledge within the role of 'facilitation', both at an academic and practical level. These information gathered from interviews helped to develop my arguments more logically and realistically.

²² The *three* sets of questionnaires are attached in the appendix.

The key interviewees²³: Jon Hannsen Bauer, the Norwegian Special Envoy for the Peace Process in Sri Lanka (2006-2008), Hans Brattskar, the former Ambassador to Sri Lanka (2003-2007), Geir Sjoberg, the Political Advisor to Sri Lanka Monitoring Mission (SLMM), Tomas Stangeland, the Advisor to Section for Peace and Reconciliation; Ministry of Foreign Affairs in Norway and John Gooneratne the Former Deputy Secretary- General in SCOPP in Sri Lanka (2002-2006), were the key respondents. Their remarkable support and cordial conversations made my task easy and productive. The respondents were interviewed through questionnaires except from John Gooneratne who interviewed in an informal setting.

In addition, some other informal discussions that were held several occasions in Norway's capital and in Colombo, Sri Lanka's capital, stand as most essential. They allowed me to acquire valuable thoughts and facts.²⁴ The discussions mostly carried in an informal atmosphere. I talked with some staff members and journalists work for Sri Lankan newspapers. This helped to update my knowledge about latest war and peace events. In addition, the conversations with some staff members of University of Oslo, who are familiar with the peace process helped me to broaden my knowledge about the Norwegian aspects about the Sri Lankan peace process. Sinhala-Tamil Diaspora in Oslo, which I considered as another important element, and even a relatively small number of Sri Lankan Muslims who are currently living in Oslo, were among some people that I exchanged views about the study. These conversations brought different personal perspectives that were useful in broadening my understanding of some the thoughts.

²³ I uphold the information about the respondents: their names, professions, time and place of interviews and details of the conversation.

²⁴ I withhold the names of the respondents.

3.3.3 Archival Research

The historical texts used brought together the historical background of the conflict and the peace process. I mostly looked at the post-colonial history of Sri Lanka.²⁵ These texts were useful in scrutinizing facts in different dimensions.

However, the task of selecting a profound historical text was a challenge. A careful observation of historical facts of the Sri Lankan conflict showed that there was no single perspective of the cause(s) of the current conflict. Some texts were motivated by author's personal interests. In my opinion romanticization of historical episodes and misinterpretation of events were more often the reason for losing the actual value of the texts. This coincidental experience can sometimes be a common problem to any researcher which choosy on historical texts. Shantha Hennayake's review of two historical books about Sri Lanka's politics²⁶ explains that, "recent Sri Lankan political historiography has been dominated by nationalist writings... (Hennayake 1991:440 [online])".

It is argued that the past that a historian studies is not a dead past, but a past which in some sense is still living in the present (Carr 1961). Hence, the likelihood that historical texts can become influenced by people's interests and values is inevitable. To overcome this challenge, I have been looking at several books concerning the ethnic-cultural background of authors. This allowed me to look at materials produced with different mind-settings in different cultural affiliations that helped me to avoid me from unwanted and biased writings.

²⁵ Sri Lanka became independent from Britain in 1948. It is argued that the constitutional and social, economic and political changes thereafter were short-term and direct causes of the current ethnic problem.

²⁶ Shantha Hennayake (1991:440-442[online]) has reviewed "Ethnic Conflict and Reconciliation in Sri Lanka" by Chelvadurai Manogaran and "The Expedient Utopian: Bandaranaike and Ceylon" by James Manor.

3.4 Issues and Limitations

There were two types of issues that came along during the study. First, the issue of instrumental-operationalism that leads to generalizations. This is more a technical difficulty, rather than a constrain in the field work. In general, instrumental-operationalism deals with thoughtful verification and creditability. The question is: Can I make generalizations from a single case study? The other constraint, deals with personal interests and feelings. It is an ethical issue rather driven by my conscience for a 'balanced' examination.

First, I will mention how I managed to overcome the issue of instrumental-operationalism. According to scientific research, "Case studies provide little for scientific generalization (Yin 1994:10)". In such instance, the question is how far a single case study is acceptable for generalized conclusions, when a single case study is more specific and limited than a comparative case study. It is argued that a single case study does provide adequate operationalism: the variables are logically sound, inclusion of relevant components, sufficient data, and transparent procedural measures. All of this allows allowing others to use and repeat the same conclusion which guarantees reliability and validity.

Notably, the main question of my study explains a single phenomenon in a single context. This phenomenon is, 'The role of Norway's facilitation' within the context of the Sri Lankan peace process. The same process and context does not apply in another context. Therefore, these generalizations apply for the Case in Sri only. This study provides a deep insight into the overall process of Norway's facilitation and how effective they were in negotiations.

Second, the ethical issue is the constraint of being a Sri Lankan. The fact that I was born and have grown-up as a Sinhala, Buddhist in Sri Lanka perhaps could have an impact on

my explanations. Strictly speaking, there has been several times that I re-wrote some parts of my texts to avoid unnecessary biased explanations.

Since I did not experience or suffer from any direct military conflict from either the GoSL or the LTTE, kept me from explaining about the extreme wild side of war. If I had this experience which could have been an important aspect of the conflict according to some other's point of view. The ground reality of war and its negative consequences, political chaos, economic breakdowns and especially psychological impact are some factors that overwhelmingly touch my thoughts and emotions. In my study, I tried to be objective as much as possible to avoid emotional explanations. My goal was to have an analytical and factually balanced study.

Chapter 4

NORWAY'S FACILITATION IN THE PEACE PROCESS

4.1 Introduction

This chapter critically looks at the deep problem of unachieved peace in Sri Lanka. In this connection I examined the role of Norway as the facilitator during several phases of peace negotiations. In the first part of the chapter I traced the recent events and the situations of the GoSL and the LTTE which stimulated parties to cooperate. The second part of the discussion broadly constructs the idea of Norway's political and economic involvement in Sri Lanka. The third part assesses Norway's accomplishments in peacemaking. This provides a lengthy discussion about the main assumptions²⁷ of the study. The last part of the chapter discusses the drawbacks of Norway's role for almost six years of peace facilitation in Sri Lanka.

4.2 The Parties' Engagement

The changing nature of the main stakeholders' interests in peace to end the militaristic endeavors is a crucial factor in the difficult passage of peace-making processes in Sri Lanka. The dynamics of state politics, economic stability, public opinion and international influence have been influential factors in deciding what sort of state approach is suitable for peace endeavors.

The initial period of the new millennium began with heavy clashes between the GoSL forces and the LTTE. The LTTE captured the Elephant Pass, one of the main entrances to

²⁷ The basic assumptions are (i) effectiveness of facilitation remains mediator's ability to remove or reduce power imbalances of the conflicting parties (ii) ability to reduce tension and (iii) to act on neutral basis. The detail description of the *three* assumptions is mentioned in the Chapter One.

the Jaffna peninsula.²⁸ This brought tremendous losses for both sides resulting in hundreds of deaths and much property damage. The year 2000 triggered a number of LTTE suicide attacks in Colombo, the capital of Sri Lanka, together with the close assassination attempt targeted on Chandrika Bandaranaike Kumaratunge, the president of the country. Moreover, the time had been to a greater extent a difficult period for both parties militarily and economically. When looking at the reports the government expenditure for defense increased significantly and hence, the defense allocation in year 1999 was 54,233 million rupees and had risen up to 77,154 million rupees in year 2000.²⁹ Disappointingly, the sudden drop in economic growth has had a number of negative impacts to people's livelihoods.³⁰

Despite some military victories, the continuous fighting caused a large number of casualties on the LTTE cadres and civilians. The heavy economic embargo on Jaffna peninsula was due to the blockade of the A-9 road³¹ and influenced the LTTE's cessation of hostility. Subsequently, they announced a unilateral ceasefire agreement in December 2000 and extended it further until April 2001. This was signified as a measurement to halt hostilities and as a gesture of goodwill which indicated their willingness for negotiations with the GoSL (TamilNet 2000 [online]). Soon after, the second unilateral ceasefire was

²⁸ Jaffna peninsula consists of two districts- *Jaffna* and *Kilinochchi*. Sri Lankan Tamils are the majority in these districts while there are Moors and a few Sinhalese. Jaffna functions as the economic and cultural capital of Sri Lankan Tamils (Wikipedia 2008). Kilinochchi is currently held under the control of the LTTE. Jaffna is a militarily strategic location for both parties and is currently under the control of GoSL. On several occasions the city was exposed to military hazards. It is important to note that the *Palaly* military complex of the GoSL in Jaffna is the main supply base for the military, as well as provides the *only* civilian access to air transport to North and the South.

²⁹ Annual Report 2001, Central Bank of Sri Lanka [online].

³⁰ According to figures presented in early 2001, the actual performance of the country's economy proved to be far worse than predicted (Shastri 2002: 179[online]). The GDP growth in 2001 was negative 1.4%. This was the first contraction since the independence of the country. The economy and the daily livelihood of the people in Sri Lanka hit by the heavy military expenditure during the second half of the year 2000.

³¹ A-9 road is the main passage runs from Southern part of the island to North and the main gateway to the government controlling Jaffna. This passage allows the main transportation and supply of goods, and daily basis traveling connecting from the GoSL controlling areas to the LTTE controlling areas. A-9 was opened for daily work after signing the CFA in February 2002. This was after the long term blocked from entry/exit point in *Muhamalai* and *Omanthai* in Jaffna district from 1995- 2002 period. The road remained close from February, 2008.

enforced in December 2001 until January 2002. This decision was which was optimistically reciprocated by the GoSL with their own unilateral ceasefire declaration. It is important to remember that Norway commenced facilitation amidst these unilaterally declared ceasefires.

Moreover, India became a close observer of the peace process. Indian opinion on the peace process is considered an important element for two reasons: India is the dominant power in the region and she has close ties with both parties.³² Interestingly for India to accept the Scandinavian partner shows India's strong enthusiasm in the Sri Lankan negotiation processes. Added to this Hans Brattskar, the former Norwegian Ambassador to Sri Lanka said:

“Patience is a requirement when a country assumes the role of a facilitator or a mediator. Indian officials stressed that Norway should not get engaged in the Sri Lankan peace process unless we were patient. This was underlined when Norwegian officials discussed our engagement in Sri Lanka with the Indian Government in the early stages of the process (Brattskar 2007 [Interview]).”

Nevertheless there was no immediate cessation of violence and the lack of optimism was due to continued military attacks between the GoSL and the LTTE. The so-called the LTTE's, 'Meticulously planned operation' (Balasingham 2004:350) targeted at the international airport in Sri Lanka caused 450 million USD in damage, killed eight security personnel and injured twelve others (Shastri 2002: 178 [online]). This caused a clear dropout at the early phase of negotiations.

There have been several reasons for the GoSL to continue the negotiations. The GoSL knew that the growing military threat of the LTTE was a challenge for the well-being of the country. The ongoing economic depression was magnifying the problem which was

³² Indian involved in Sri Lanka at the early stage of the conflict. India has militarily involved from 1987-1990 by deploying Indian Peace Keeping Force (IPKF). It is mentioned by Goodhand and his colleagues that India was opposed to any international third party involvement in Sri Lanka, but they reluctantly agreed for Norway peace facilitation by being convinced for their least strategic interest in the region (Goodhand & et al. 2005).

going from bad to worse. Further, the newly elected UNF government which would not sustain itself militarily and was economically in such beaten conditions needed a shift in the peace strategy.

The LTTE approach was rather global than purely state-centric. The increased international pressure on terrorism and the fear of the LTTE being subjected in the ‘war on terror’ was one of the foremost reasons LTTE returned for talks. The extreme economic sufferings and the economic instability in the Jaffna peninsula weakened the LTTE. Therefore, it was important for the LTTE to rebuild their image and regain their lost strength. Balasingham who was the theoretician and the chief negotiator of the LTTE claimed that dismissing the allegations of the LTTE was important before stepping into peace talks (Balasingham 2004:366). This was a clear ‘conditional term’ for the LTTE. By seeking a negotiated solution the LTTE hoped to gain international legitimacy and subsequent recognition as representing genuine Tamil grievances (Bose 2007).

However, according to the LTTE point of view the GoSL efforts to de-proscribe the LTTE was not effective in considering LTTE as ‘equal’ partners in the peace process. This did not bring any significant impact for a ‘symmetrical’ status (Rudrakumaran 2005). The LTTE pointed this out when they withdrew from the peace talks by ending the almost nine month long face-to-face talks. The LTTE withdrawal took place before the Tokyo Conference (the largest delegation in international economic support for peacemaking in Sri Lanka). The LTTE did not hesitate to accuse the Sri Lankan government for marginalizing them when they approached the international community in a U.S. led environment (Goodhand et.al 2005:21).³³ Balasingam stated that Prabhakaran felt humiliation and the decision taken by the GoSL was totally unacceptable (Balasingham 2004:430).

³³ In 2001, after the ‘9/11’ incident the United States banned the LTTE. The LTTE considered the US led meeting was a genuine effort of the GoSL to make them exclude from international participation.

The insufficient commitment to gather parties into the next step forward took almost three years. The negotiations restarted when the parties met in Geneva in February 2006. At the P-TOMS they were unable to consolidate on a mutual stand in distributing economic resources and aid for reconstruction work. The initial stipulation for humanitarian relief and reconstruction called for the 'joint mechanism' to be established which was highly anticipated by the Donors including the Co-Chairs.³⁴ The 'joint mechanism' was aimed to put the peace process back on track with the unity of the parties. However, upon the judgment of the Sri Lankan Supreme Court P-TOMS was abolished and the 'joint mechanism' never happened. This was a time that leftist political elements and some nationalistic movements in the country led mainly by JVP and JHU campaigned against the GoSL for opening talks with the LTTE. They alleged the P-TOMS was unacceptable due to the LTTE receiving an inseparable responsibility in administering funds in reconstruction work. In fact, during this time an extremely unpopular view was raised against the Norwegian role for assisting the P-TOMS and the Co-Chairs.

The newly elected government in November 2005 won with a marginal victory at the election and gave power to Mahinda Rajapakse as the President of the country. The coalition government led by the head of the party UPFA (United People's Freedom Alliance) bringing forth the new agenda called '*Mahinda Chinthanaya*' which looks at peace negotiations through 'honorable peace'(a notion developed in *Mahinda Chinthanaya*).

The talks within the Geneva phase began with the association of the UPFA government in February and October 2006. The issues taken into consideration at the Geneva talks

³⁴ The International donor contribution to Peace in Sri Lanka considered as an important aspect in peacemaking process. The Oslo Conference in November 2002 and Tokyo Conference in June 2003 gathered large number of bilateral and multi-lateral Donors (The Sri Lanka's largest Donors are considered to be Japan, Asian Development Bank (ADB) and World Bank). The Co-Chairs which established at the Tokyo Conference included US, EU, Japan and Norway. They agreed to continue regular meetings at *ad-hoc* level. The Co-Chairs acted as an observer committee.

were humanitarian, political processes, the de-escalation of violence, democracy and political pluralism. According to the government point of view, the talks were basically “an attempt to rein the LTTE commitment for peace and the bona fides of the assurance to the CFA (SCOPP 2006 [online])”. Interestingly, the LTTE argument was similarly the concessions of the GoSL for the urgent humanitarian crisis in Jaffna (TamilNet 28 October 2006 [online]). The GoSL and the LTTE’s stands were mutual assessments on each other to assure further talks. There have been constant allegations over each other’s violations and nothing seemed to be possible to accommodate the parties in friendly terms.

4.3 Norway’s Association in Sri Lanka

It is argued that international third-party involvement in solving an ethnic conflict is a difficult task especially for a third-party from far away rather than a regional power. Accordingly, a third-party alienated to a society that provides minimum experiences of the root causes rather a third-party from the same affiliations. Norway coming from a far away place acknowledged that facilitating the Sri Lankan negotiations was a remarkable achievement. The signing of the CFA was the foremost achievement of the negotiations at the initial period.

During this time the constant Norwegian support led by Erik Solheim,³⁵ who was the Special Peace Envoy to the negotiations, brought the parties into talks.³⁶

Norway's involvement in Sri Lanka can be examined in several dimensions. The historical relationship between Norway and Sri Lanka began through development cooperation. Norway's NGO (Non-Governmental Organizations) presence in Sri Lanka stands most historical (Moolakkattu 2005:291). This presence began when Norway officially commenced the development cooperation work in Sri Lanka in 1967. Norway economic and development endeavors became officially recognized after signing a bi-lateral agreement in 1977 which is still largely in effect. Norway is not even the largest bi-lateral donor of Sri Lanka. Their contributions of aid and development assistance became significantly central to peace reconciliation and human rights. Norway has been channeling large amounts of money through their NGOs as well.³⁷ When looking at 2004 figures the total bi-lateral aid given to Sri Lanka was 176,450,000 Norwegian Kroner. This was a clear increase after the CFA (Royal Norwegian Embassy in Sri Lanka [online]).

³⁵ Erik Solheim was the Special Adviser to the Norwegian Minister of Foreign Affairs and Currently the Minister of the Environment and International Development. He was the main personal figure in the Norwegian peace efforts in Sri Lanka.

³⁶ The first round of the formal face-to face negotiations ended setting 'ground conditions' (continuation of CFA, negotiations through Norway facilitation, attending for reconstruction work) in future negotiations. There were regulations regarding Internally Displaced People (IDPs) and their safe return to High Security Zones (HSZs). The second round of talks concerned about the security situation in the North-Eastern part of the island, to improve under a mutually agreed plan, consequently, established *three* sub committees that coherent to essential recovery and normalcy work. These sub committees were identified as (i) Immediate Humanitarian and Rehabilitation Needs in the North and East (SIHRN) (ii) De-Escalation and Normalization which concerns HSZs and IDPs (SDN). (iii) Sub Committee on Political Matters and later came the fourth committee (iv) Sub Committee on Gender Issues. The third round of talks in Oslo- perceived as a stage led for a progressive political engagement -the LTTE came up with the proposal on "substantial regional autonomy"- identified as ' Interim Self – Governing Authority (ISGA). According to critiques this was one of the best and optimal options that the LTTE proposed for an agreed federal solution. The forth round was concerned about the re-settlements and human rights issues. The fifth round acknowledged the need of the LTTE to stop recruitment of child soldiers and concerned more work of the sub-committees. The sixth round hold in Japan March 2003, showed the need of a political solution, substantial and tangible international support for development and reconstruction work.

³⁷ Norway's NGO presence in Sri Lanka established the development and humanitarian work at the grass root level in island wide. Apart from the direct state assistance these NGO work related to peace- capability building projects started lobbying with different societies in Sri Lanka.

Norway's interest in reconstruction work never was an undermined factor. Added to that during the first round of talks in Thailand 2002 Vidar Helgesen who was the State Secretary of Norway raised the importance of the development work. He says that, "It is our common interest to provide immediate funding for practical peace building on the ground (Helgesen 2002; Royal Norwegian Embassy in Sri Lanka [online])." Thus the economic cooperation and the development became vital for the direct and non-direct political participation of Sri Lanka. The role remained a multi-faceted combination of coordination and supervision.

It is important that the relationship between Norway and Sri Lanka aggregated with the direct facilitation process at the peace talks. After the CFA, Norway commenced the Sri Lanka Monitoring Mission (SLMM) with cooperating with the rest of the Scandinavian countries. The SLMM exercised as a formal monitoring mechanism on the ground that conducts international verification through onsite monitoring (CFA 2002 [online]). Their main task was "not to let minor incidents escalate into a something that would be politically triggered (Sjoberg 2008 [interview])". In addition, Norway's well wished initiations on development and the reconstruction work gathered large international support when they hosted the Oslo Conference in November 2002 and Tokyo Conference in June 2003 with the fifty states and twenty-two international organizations. This brought the idea of Norway's aspiration for international collaboration in peacemaking.

The Norwegian political level of participation which is the role as the facilitator was evident as a crucial task when dealing with the parties. The parties are the GoSL, as the main representative along with the LTTE, 'as the sole representative of the Tamils' and some other parties like in India and the Donor Community which came in near the late part of the negotiations. According to the GoSL Norway's main role was, "to be the third-party facilitator...mainly, to bring the two parties together, and let them to decide what needs to be done, offering help and suggestions (Gooneratne 2007:112)". Moreover, Norway identifies their role as:

“...as the facilitator, Norway’s role is to assist the parties in *their* efforts to reach a political solution. The nature of our efforts change according to the stage the process has reached. A significant part of our effort focuses on promoting understanding between the parties: we spend much of time acting as a channel of communication and helping them find common ground between their respective positions. An important part of our role a facilitator is also to ensure broad support for the process in the international community (Helgesen 2003:3)”.

Norway was active in promoting an international independent monitoring mission to safeguard the measures of the CFA. The SLMM was initiated as a mechanism for cooperation between the parties. In general, Norway perceived the monitoring as a main tool for ‘trust building’. They believed that:

“The most challenging part in ‘Peace Diplomacy’ is *not* really to negotiate the treaty that has happened many times in different countries but what is important in a treaty is to get the parties to collaborate and build trust among each other. So, the monitoring mechanism becomes essential. The work of SLMM led Norway to engage in both ‘facilitation’ and in a small international peace making mission with the support of their Scandinavian allies (Geir 2008 [Interview])”.³⁸

The mandate of the SLMM was authorized in the CFA Art.3 and says that, “The parties have agreed to set up an international monitoring mission to inquire into any instance of violation of the terms and conditions of the agreement (CFA 2002: Art.3 [online])”. The SLMM approximately contains a staff of fifty to sixty people (Geir 2008 [Interview]) and their headquarters was located in Colombo. The other head office was based in Kilinochchi at the LTTE controlling area and some other offices in the North-East province of the country.³⁹

³⁸ The SLMM established with the support of Sweden, Denmark, Finland, Iceland and Norway with the effect of the CFA. The SLMM reduced the representation to Norway and Iceland when the LTTE rejected the other Scandinavian presence after the EU banned on the LTTE in May 2006.

³⁹ There were several SLMM District officers (DO) operated in Jaffna, Mannar, Vavuniya, Trincomalee, Batticaloa and Ampara covering North-East part of the country. The DO’s consisted of Local Monitoring Committee. The mission operated six Point of Contact (PoC) in areas called: Delft, Point Pedro, Silavatturai, Muthur, Killinochchi, Valaichchenai and Akkaraipattu. The SLMM Naval Monitoring Mission in Jaffna and Trincomalee were suspended temporary short period reporting and monitoring work.

It is noteworthy that the great prospects of the six-rounds brought awareness for the Relief, Rehabilitation and Reconstruction (RRR) work in the North- Eastern part of the county. It seemed both stakeholders considered reconstruction work a necessity. The drafted document which came as the ‘Appeal for Support’ constructed by the sub-committee on the Immediate Humanitarian and Rehabilitation Need in the North and East (SIHRN) which was presented at the Oslo Conference viewed parties’ interest in cooperated reconstruction. This proposal could capture international attention for the peace process. The main question was how the international world would approach the idea of assisting Sri Lanka in their peace process. The Donors had their own agenda in peacemaking efforts in Sri Lanka. The Tokyo conference summed up that the ‘donor conditionality’ as if peace then increased prospects and opportunities for aid (Bruke & Mulakala 2005:18). The ‘Tokyo Declaration’⁴⁰ composed the *peace conditionality* saying, “assistance by the donor community must be closely linked to substantial and parallel progress in the peace process (Press Release SCOPP: 12 September 2003 [online])”. In my opinion the international Donor support was a step ahead in the internationalization of the peace process. It required a liberal standard approach to both economic development and political reformation work and further favored a federal level solution of the conflict. However, the attempt at the Tokyo Donor Conference did not totally accomplish a sustaining approach when the main parties gradually moved towards a confrontation after the collapse of the six-rounds.

⁴⁰ The Japanese representative Yasushi Akashi concluded the meeting stating the international community’s twofold objectives at the peace process. Such as (a) demonstrate the international community strong and unified commitment to the reconstruction and development and (b) encourage the GoSL and the LTTE to redouble their efforts to make further progress in the peace process (Ministry of Foreign Affairs in Japan [online])

4.4 Norway's Competency in the Peace Process

The following discussion analyzes the three main assumptions of the study (i.e. figure 2.2) by looking at the changing nature of the conflict and the core events of the peace process. This discussion looks in-depth at the question of how Norway has been effective at the peace process until the collapse of the Geneva talks which ended in 2006.

4.4.1 Remove and / or Reduce Power Imbalances

Norwegian facilitation commenced quite enthusiastically and promptly to end the on going war. It was obvious that the initial period of the peace talks seemed quite difficult due to the parties' strong hostile relations. What was evident during this period was a mix-motive approach for both peace and war. Therefore, it is a question whether both parties equally wanted any peace negotiations as a genuine start for a solution.

At this starting point, Norway's interest was to compose a mutually agreed ceasefire instead of parties maintaining unilateral ceasefire agreements. In general a ceasefire agreement enables non-aggression and imposes a formal identification to the opposing parties. Therefore, the recognition of the opposing party turns into a partnership that tends to favors a continuation. Similarly, the 2002 CFA in Sri Lanka manifested in terms of humanitarian measure and was the essential tool for confidence-building. The CFA was the guidance for the GoSL and the LTTE to, "find a negotiated solution to the ongoing ethnic-conflict (CFA 2002 Preamble[online])". In fact, it was the only framework to initiate the rest of the peace process plans and programs and the preamble of the CFA provided a symmetrical responsibility for both parties to end the hostilities and develop confidence to pursue talks.

For Norwegians the establishment of the CFA was an important and an essential factor that brought trust between the parties. Having some notable experiences at the Oslo channeling Norway believed, “a commitment to direct bargaining forms an essential threshold for commitment... and only through direct bargaining the parties will build trust and confidence essential to a lasting settlement (Kelleher & Toulbee 2006:483)”. Likewise with Norway’s past experiences the approach with Sri Lanka was also kept fully open for the parties engagement. Added to that, Hans Brattskar, Norwegian former Ambassador to Sri Lanka said:

“The primary responsibility for the peace process will always remain with the parties to the conflict. It is important to remember that the parties did not ask Norway to assume the role as a mediator but as a facilitator. Norway has received its mandate as a facilitator from the parties to the conflict and has not been acting on behalf of - or with a mandate - from the wider international community. It is crucial to understand this basic premise for our work when our work as facilitator is analyzed and evaluated (Brattskar 2007 [Interview]).”

Norwegian facilitation that had the task of opening the talks was largely engaged with the messenger role between the parties at the initial period of forming the CFA. They believed the CFA would gradually contribute to enhance the parties’ friendship and trust in each other. The fact that Norwegians looked for venues of winning the parties’ support in development was an opportunity for them to implement the CFA successfully. So how did the CFA contribute to the peace process? According to the GoSL point of view, “the government had to place enormous amount of trust on the Norwegian facilitator as an honest broker (Gooneratne 2007:11). The LTTE late chief negotiator conveyed compliments to “the Norwegian facilitators for being patient, untiring and skilful effort in formalizing and finalizing a ceasefire framework acceptable to the warring parties (Balasingham 2004:360)”. With the formation of the CFA the parties seemed to step into further collaborations that lead to the face-to-face talks. It is important to note how the initial stage of negotiations was vital in terms of flexibility within the parties in normalizing the armed struggle with cessation of direct violence as the priority.

Moreover, the CFA has enabled the parties to work together at three levels. *Firstly*, the CFA created an atmosphere for parties to keep faith in each other in dealing with the modalities of the truce. Parties were bound to cease offensive military operations. These operations were the cessation of land, air and naval strikes, separation of armed forces and the initiation of the Forward Defense Line (FDL) which separates the GoSL and the LTTE controlling areas. It gave recognition of each parties controlling land. The freedom of movement was respected by opening the A-9 road and permitting free movement from the North to the South (CFA 2002: Art.1 [online]). *Secondly*, the CFA restored normalcy on the ground that considers the civilians livelihoods (CFA 2002: Art.2 [online]). This enabled the parties to look at joint reconstruction and rehabilitation work. *Thirdly*, the implementation of the SLMM an independent international monitoring mission was vital as enforcement to the CFA.

Norway's accomplishment with the fresh commitments to the CFA that altered the power discrepancies of the parties have been cooperative and accommodative. Apart from Norway's continuity the parties were also willing to accept a profitable institutional package. The parties had their own prioritized interest in accepting it. The LTTE seemed to be pleased with the changing political role which they had not experienced in any other earlier negotiation processes. Thus, political pluralism became subjected at their political level activities. The LTTE acquired fairly good concessions from the GoSL and vice versa at the sub committee work which was something that the parties never tried before. With the gradual acceptance of each other's plans, confessions of wrong doing and the realization of faults and obstinacies the six-rounds became meaningful.

The sub-committees composed of the GoSL and the LTTE representatives have had the opportunity for mutual social-economic and political participation. There were two important proposals drafted. The first one was the attempt for a joint reconstruction work called North-East Reconstruction Fund (NERF) which was drafted by the SIHRN. The second proposal was the LTTE political proposal for the interim self- determination

known as ‘Interim- Self Governing Authority (ISGA proposal)⁴¹ which came from the Oslo meeting in November 2002. This proposal was viewed as a hope for a future federal solution the LTTE major output for an internal governing plan with a federal system of governance.

4.4.2 Strategic Choice for Tension Reduction

Norway’s power to manipulate the parties to stop military strikes or provoke a cessation of violence was very limited. The Norwegians in particular did not claim to use power as ‘punishment’ during the negotiation rounds. In my recent interview with Hanssen Bauer he stated:

“Norway will not have any kind of leverage at present in Sri Lanka. We do not have military presence on the ground. We do not threat on going by militarily. We do not put sanctions to either party. Whereas, our main contribution is rather to help the parties through facilitating communication to find ways in negotiations (Bauer 2007 [Interview])”.

However, Norwegians did use alternative tools to encourage the parties and make them engage in less violence. These alternatives were found in two ways: the establishment of an independent international monitoring body for ceasefire monitoring and strategic choice for use of ‘carrots’ as compensations for development and reconstruction work. Norwegians were often convinced the readiness of the parties to uphold the CFA regulations and their dedication to protect human rights and continue reconstruction work. Therefore, their strategies for the reduction of tension were sort of ‘inducements’ to encourage parties for cooperation and confidence-building rather than pure ‘punishments’ to manipulate parties in negotiations. In practice, these inducements

⁴¹ According to the LTTE point of view, the ISGA came as a draft of the LTTE’s idea about the ‘self-determination in internal and external aspects. The ISGA claimed substantial regional autonomy and self-government of the Tamils. The LTTE viewed the proposal as a feasible detachment of rebuilding the Tamil homeland with internal and external rights (Balasingham 2004: 403-407). Nevertheless, the ISGA was denied by the GoSL as they identified the proposal as unconstitutional and violating the sovereign status of the country.

impact a gradual willingness for the parties' commitment to end the direct military confrontation. This brought optimism for a future political settlement hence, Norway's inducements seemed effective. The most productive years were the period from February 2002 until the first quarter of the year 2003. During this time the SLMM reported a clear drop in war-related deaths and political killings (i.e figure 4.3).

The Norwegian facilitators saw that their presence in an internationally cooperated mission would lead to an effective monitoring *but* as a less forceful mechanism so the parties could pay more respect and trust in Norway's facilitation. The SLMM district offices reported on a day to day basis with military and non-military violations.⁴² This reporting and monitoring influenced the parties to maintain their discipline. The fact that the SLMM monitoring always opened to international observation was a virtual 'stick' to both sides to maintain a good-image at the international level. Added to that the former political advisor to the SLMM explains how the monitoring managed to minimize violations:

“The SLMM responsibility was witnessed on the ground and record violations. The work of SLMM recording the violations made the hurdle for violations to escalate. It was much easier for parties to violate the CFA if there had not been an international independent third party to verify it. In fact, without a monitoring mechanism there would be no way for the international community to know what was actually happened (Sjoberg 2008 [Interview])”.

The statistics for the period 2002-2006 in the following figures show the increase of the CFA violations. It showed a continued increase of violations by both parties. The percentage increase by the GoSL in the year 2006 report almost doubled. The LTTE violations were continuous and the highest in terms of the number of violations. The GoSL's highest number of violations was categorized by harassments, abduction of

⁴²The CFA considered military actions were as firing of direct and indirect weapons, armed raids, ambushes, assassinations, abduction, destruction of civilian and military property, sabotage, suicide mission and deep penetration units; aerial bombardment, offensive naval operations (The CFA 2002 Art.1.2[online]). In addition, the CFA defined hostile acts against civilians as torture, intimidation, abduction, extortion and harassments. There was no exact definition provided for 'non-military' actions.

adults and hostile actions against civilians. The LTTE was engaging in child recruiting, abduction of adults and harassments.

This figure shows the statistics about the CFA violations by the parties from 2002-2006.

Figure 3 Number of Ceasefire Violations Committed by the GoSL and the LTTE

Year	The GoSL*	% Percentage Change	The LTTE*	% Percentage Change
Feb,2002-Aug 2004	111	-	2439	-
Feb,2002-Aug,2005	141	27.03%	3113	27.63%
Feb,2002-Aug,2006	276	95.74%	4176	34.15%

Cumulative Statistics of Number of Ceasefire Violations Committed

Source: Ceasefire Violations 2002-2007, The Official website of Sri Lanka’s Government Secretariat for the Co-Ordinating the Peace Process.
The reports prepared according to the date provided by the SLMM

How did Norway use inducements? In actual negotiation processes the third party assistance for compensation is a favorable element that encourages the conflicting parties bargaining process. In this context, Norway as a wealthy partner was an encouragement for the parties to associate with. According to Norwegian strategies (White Paper No.19 *A Changing World* ⁴³), “peace-building can contribute to prevent armed conflict from breaking out and also create a basis for the peaceful conflict resolution while the armed

⁴³ White Paper No19, *En verden i endring* (A Changing World) reported how Norwegian development assistance use for peace and democratization processes. The paper explained Norwegian policies of contributions towards South in economic, social and political changes (Hauge 2004:7 [online]).

conflict is still going on... (Hauge 2004:8 [online])”. In practice, Norway was ready to increase the share of aid and development assistance for reconstruction projects. The LTTE was very delighted to continue the talks with the Norwegian presence so Norwegians could provide financial support for the LTTE’s civil capacity-building work. This was indeed an encouragement at the conflict de-escalation process. Acquiring financial assistance had deviated the LTTE’s attention from military into more humanitarian and political dialogue. The economic growth which resulted during that year in the North-East part was noteworthy.⁴⁴

The Oslo Donor Conference began a few days before the third round of peace talks December 2002. Norway declared that, “for the peace process to succeed, popular support for peace must be sustained and that people must see tangible benefits of peace in their daily lives and without significant international assistance this opportunity will be lost (Jan Petersen, Minister of Foreign Affairs, Balasingham 2004:391)”. The Norwegian consideration in peacemaking to engage in ‘demonstrating real *peace dividends* that benefit the people on the ground’ resulted in a promise of 30 million USD in financial support in that session. Consequently, the Co-Chairs broadened the aspect Norway’s peacemaking efforts. According to Norwegian perception the international collaboration in development work seemed to be vital in comprehensive peacemaking process:

“The Donor community contribution to the peace process is very important... It helps to reduce the suffering of the people. It will gradually increase the safety of the daily lives (Bauer 2007 [Interview])”.

In practice, the Donors had their own agenda in peacemaking. They appealed to the parties in a political solution based on power sharing and a federal system of government. It was clear when look at the ‘Donor conditionality’ in Tokyo Declararion. This was

⁴⁴ When looking at the regional economic growth the Northern Province grew by an average of 12.6% during the post-CFA (2002-2003) period compared to 3.4% during the pre-CFA (1997-2001) period and the GDP of the Eastern Province increased by 10.1% per annum during the post-CFA period compared to 4.6% during the pre-CFA period (SCOPP [online])

strongly insisted on by the Donors at the tsunami reconstruction work. Interestingly the Donor's appeal was important in their association in Sri Lanka's 'ground-level' development-reconstruction work. When it came to the Tsunami, the Co-Chairs and the Donors' requisition become effective enough to drive the parties to signing the P-TOMS. And in this context, the Donors' *ad-hoc status* was not an undermining factor for the parties to reject what the international community wanted.

When it comes to Geneva talks in February 2006 the Donor's insistence to re-start peace talks was quite effective with the association of the international world. There have been some recommendations from the Donors on substantial issues to the forth coming peace talks. At the foremost, the US was very concerned about the increased violence in Sri Lanka. Nicholas Burns who was the US State Secretary for Political Affairs claimed how this international focus was important to, "reinforce the ceasefire to convince the parties to agree to resume negotiations. And they can see negotiations succeed so that peace can be restored (America.gov; Telling America's Story 2006 [online])". Similarly, the Co-Chairs insisted on the need for re-invigorating the peace process. What was considered as vital was the increase of military offensiveness and continuation of human rights violations at both parties.

Norway became very active in facilitating the Geneva phase in several ways. They engaged in Donor community appeal through initiating direct procedural strategies for the cessation of violence. This became a different type of approach for Norway's facilitation whether or not these endeavors were totally successful. There have been a number of visits by the Norwegian Special Envoy, Jon Hanssen Bauer, to communicate between the two parties and insist on the importance of re-engaging in negotiations. According to Bauer:

"The LTTE felt that coming to talks for the second time in Geneva is a major concession showing that they are willing to talk (Bauer 2007 [interview])".

At this juncture, Norway's pressure on the LTTE was relatively high. They tried to show the negative consequences of hostility the EU posture had towards the LTTE, the stand of Canada and the US on the LTTE terror acts, the international pressure on recruitment of child soldiers, and continued armed confrontation were significant. Norwegians deeply insisted the need of the safety measures for the perilous security situation. They were not only concerned with the future stand of the SLMM. Strictly speaking, at the Geneva phase Norway was outspoken about the need for a very quick settlement of the conflict.

During the two sessions of Geneva talks Norway was eager to encourage conditions of normalcy such as the parties disengaging in direct hostilities. Norway seemed to be looking for effective bargaining tools to persuade the parties to the change their positions. According to the Norwegian point of view the period between the Geneva meetings in February and October 2006 approximately nine months of that time became crucial for active facilitation. Norwegian Special Envoy Bauer said:

“During April, May and June 2006 I was using the ‘stick’ on the level of argumentation. I explained the LTTE about all the political reasons why they should returned to the peace process. I tried to find a way of convening a central command. That did not happen (Bauer 2007 [Interview])”.

4.4.3 The Neutral Image

Norway considers ‘neutrality’ an effective source in peacemaking. Having had some international experiences, Norway encounters that its neutral role is typically made possible by the fact that it is not a major power and has few vested interests (Helgesen 2003:6). The fact the GoSL and the LTTE accepted the Norwegian facilitation and placed great interest in returning to the peace process in 2002 signified Norway's willingness over the parties' mutual acceptance of their role. There were some important reasons for the parties' acceptance. The basic reason was that Norway seemed to be disinterested in

geo-political strategies in Sri Lanka. The fact that Norway did not hold any military threat to the parties was taken into consideration as well. Sri Lanka having had bitter experiences of the Indian military presence in 1987-1990 was in fact influenced to accept a less forceful party like Norway. The former Norwegian Ambassador in Sri Lanka, at my recent interview admitted:

“Norway’s lack of history as a colonial power and our extensive experience in other peace processes were other reasons for choosing our country as the facilitator for the peace process. Norway is also a country without security interests in South Asia and with very limited economic interests in Sri Lanka. All these factors made it possible for the Government of Sri Lanka (GoSL) and the LTTE to ask Norway to facilitate the peace process (Brattskar 2007 [Interview]).

However, Norway’s role in Sri Lanka has been always subjected to determining how long and how productive the peace talks would continue. Norway was the *bridge-builder* between the two parties thus they became an obvious important party in the peace process. The crucial task of being the *only* communicator between the two parties became important for Norway when protecting the image of impartiality which should prevail in the peace process. In fact, the parties desired Norway to remain in the peace process as the *only* potential (external) third-party during peace talks.⁴⁵

During several occasions Norway accomplished winning the parties acceptance. For example at the early stage of negotiations their role in drafting the CFA and the continuation of six-rounds of peace talks. The establishment of the SLMM and the Co-Chairs brought some optimism for Norway to act substantially. According to the Norwegian point of view, the SLMM and the Co-Chairs could have worked progressively with the respect of the parties (2007 [Interview]). In other words Norway’s contributions progressed with the parties respect.

⁴⁵ The history of the peace process (refer Chapter One) shows the third-party involvement in the Sri Lanka’s conflict. The only third-party was India. Due to the parties strong hostile views, there has been no potential foreign third party entered to negotiations other than India. Even though United Kingdom, Australia and France were considered as potential parties, the warring parties were unable to agree on mutual stand.

Norway remained in the peace talks during *three* governments in Sri Lanka.⁴⁶ The last two governments (under presidency of Chandrika Bandaranaike Kumaratunge and Mahinda Rajapakshe) and the association of the key coalition party JVP had political disagreements on continuing the peace process with Norway's facilitation. JVP repeatedly opposed Norwegian facilitation considering their role as an *unnecessary foreign intervention*. In this context, the last two governments' decision to withhold the Norwegian facilitation became crucial. In the midst of such political disagreements for Norway to resume the facilitation process was a challenge to hold with popular support.

4.5 Why did Norway Fail in the Peace Process?

The previous discussion examined the extent to which Norway has been effective in the negotiations for the past few years through direct facilitation and development work. Despite some productive achievements Norway has *not* fully accomplished peacemaking and peace-building processes in Sri Lanka. There have been several reasons for such drawbacks. The following discussion attempts to examine the reasons for such failures.

According to the 'Contingency Model' (i.e figure 2.1) the mediation outcome can be expected by examining both context and process variables. The main assumptions⁴⁷ describe a broad perspective for the role of the facilitation. Evidently, contextual elements in Sri Lanka's conflict and facilitator's procedural variables altogether were less effective for the total productiveness of Norway's role in practice. The following discussion examines the questions why and how Norway became insufficient in their approach for sustainable peacemaking in the Sri Lankan peace process.

⁴⁶ Norway was facilitating the peace process under the United National Front (UNF) government, the United People's Freedom Alliance (UPFA) government from April, 2004-2005 and finally the current government.

⁴⁷ Refer Chapter One for more details about the basic assumptions

4.5.1 Lack of Ability and Willingness in Peacemaking

The civil war situation and protracted militarism in the Sri Lankan conflict obviously made peacemaking a difficult task. In fact, the changing aptitudes of the parties, asymmetrical military and political capabilities increased hostility which became a continuous challenge for a rigid political settlement. Norway entered in the peacemaking process where the achievement of peacemaking and peace dividends were doubtful. Hence, a strong and an ambitious effort were required from the Norwegian side.

An assessment of the CFA's actual practice with the parties' involvement is important in order to know how far Norway was able to build confidence between parties. Simply, the CFA was often entrenched as a tool for trust and cooperation but has been often used as a tool for argumentation during peace talks. The CFA regulation for truce modalities was the main disagreement between the parties. They were distant to restore normalcy because the parties made their own military decisions to withhold necessary ground activities such as maintaining HSZs and procurement of military items. Interestingly, the CFA in 2002 was the first comprehensive truce that the parties experienced during more than two decade old military conflict. The parties had few experiences of upholding a ceasefire agreement at a mutual stand which had never happened under an international monitoring body.

Not only the malpractice of the CFA but also the inherited mistrust decreased the confidence between the parties. For example, the GoSL attempts to de-proscribe the LTTE by giving them political recognition was not perceived as a genuine goodwill gesture. They had been continuously appealing for a symmetrical approach basically at a military and administrative level. Were these LTTE requisitions acceptable to the GoSL? The CFA had already provided semi-governance to the LTTE in their controlling areas, such as in *Kilinochchi* and *Mulathiuv*. Moreover the LTTE's, ISGA proposal was the administrative level proclamation for 'regional-autonomy and self-determination' of the

LTTE controlling areas. This was according to late Balasingham (Balasingham 2004:405-407) who claimed for *de-jure* status for their 'Tamil homeland'. This proposal was not acceptable to the GoSL for several reasons. One was the fact that ISGA crossed the constitution in Sri Lanka and the other was an attempt to implement an overwhelming 'Eelam' statehood which was unacceptable to the GoSL. Besides, the GoSL often proclaimed the need to protect the national integrity and the sovereignty of the country. On the other hand a separate 'Eelam State' became more rigid and verbally constructed in the LTTE's political debate. With the increase of such strong resistance of the parties stand for exclusive ideas of political separation Norwegian efforts became more difficult.

However, Norway perceived the positions of the parties as not easily removable just through mere facilitation. The principle of inherited powers of the facilitation that do not employ force or leverage to manipulate the parties apply in Sri Lankan conflict. Likewise in many other facilitation processes, the only option for the Norwegian side was to channel between the parties until they signaled cooperation. However, it is a question whether Norway's facilitation sufficient enough to build the necessary trust between the parties.

The Norwegian facilitation was not sufficient enough to lead the task of effective communication. At this crucial point- the LTTE's withdrawal from the sixth round of talks symbolized Norway's ineffectiveness in confidence-building. The short term cause for the LTTE's decision was due to misperception rather than a military controversy. The LTTE viewed the Washington Conference prior to the Tokyo Conference as a clear isolation of their party in front of the 'US-led' donor community which conflicted against the GoSL and Norway's measurements. It is noted by the LTTE that the GoSL and Norwegians, being fully aware that US had legal constraints, which prevented the invitation of the LTTE's representation in Washington (Shanmugaratnam & Stokke 2004:19).

Moreover Norway appeared at the Geneva phase after being aloof of three years. Their re-appearance in the midst of heavy clashes and growing antagonism created doubts of their continuation. There have been some other crucial security concerns in the Eastern part of the country with the emergence of the paramilitary groups of the *Karuna faction* after March 2004.⁴⁸ The continuous violations of the CFA and the standing position of the SLMM were also main issues at this phase. Norwegians efforts to use the ‘stick’ at the level of argumentation and ‘carrots’ in terms of international inducements were mere reasons that parties do not seemed to pay enough respect to. (Here I will use the word ‘inducements’ because Norway themselves did not used ‘pressure’-a real forceful approach to push parties over negotiations except the task of lobbying with the US and EU for their attainments in growing humanitarian concerns in Sri Lanka). During this phase, Norway was unable to cooperate with the parties to remove mistrust between them or reduce growing tension.⁴⁹

Norway’s effective engagement even at the most active period of six-rounds is questionable. If the immediate cessation of violence was impractical in a protected militarized conflict a small reduction of military offence is noteworthy. Contrarily, in Sri Lanka the parties continued directly accusing each others for breaking the truce. The GoSL was concerned that the LTTE’s main violations were: arms shipments/proliferation under the shield of fisheries, recruitment of child soldiers and infringing the GoSL’s FDL and HSZs. The former GoSL Secretary of Defense noted that the government forces were unable to remove the LTTE enemy status instantly and they continued to suspect the LTTE peace motives (Fernando 2006:48). Contrarily, the LTTE had their own allegations against the GoSL’s violations. The LTTE often claimed that

⁴⁸ *Karuna* who was the chief commander of the LTTE in East has moved out from the LTTE by creating another Tamil military group in Eastern part of Sri Lanka. It is argued that this faction created a division within ‘LTTE supporters’.

⁴⁹ The year 2006 resulted heavy clashes in sea and land. The incident that the LTTE ‘Sea Tigers’ failed attack to *Pear Cruiser II* carrying 710 passengers, and continued naval attacks between the both parties became significant in the sea. The military offensive in the land in *Sampur* and *Muttur* were fatal. The parties opened cross firing at *Maavilaru waterway* incident when the LTTE blocked the waterway to Eastern farming lands.

they were disappointed of the general practice of how the CFA provoked a power of asymmetry between the main parties (Balasingham 2004:426-427). This was perceived as an infringement of the 'Tamil-self determination'. The process of judicial and administrative practices within the LTTE was located in *Killinochchi* and *Mulathivu*. They claimed more power and freedom in separation of the forces and free movement in the land (in these controlling areas) and in the sea. Further, Tamil civilians questions of re-settlement in GoSL military occupation zones and the Tamil humanitarian question became main concerns during the talks.⁵⁰

Interestingly, the LTTE military stand identified to be an essential factor for their state-making process. Therefore, for them the disarmament and disengagement in military activities seemed further enlarging asymmetry between the parties, so it is doubted whether the LTTE wanted to de-militarize during the peace process. The GoSL viewed the existence of their armed forces and HSZs in the North-East provinces important to maintain power in the North-East. The opposing military stand has always been a challenge for Norway's facilitation to consolidate between both parties interest at a mutual stand. In practice, both parties' military enhancements were a tool for bargaining during the talks.

These overwhelming military concerns on the one hand left humanitarian and development concerns marginal. On the other hand there has been less concern of the other parties' representation in the peace process (in Sri Lanka the peace process always subjected to orientate between two main parties- the GoSL and the LTTE, and there has been significant involvement of Sri Lanka's Muslim Congress-SLMC).

⁵⁰ According to the Official Website of Internal Displacement Monitoring Center-by the end of 2006 the total number of IDPs were 520,000. It is a combination of victims of ongoing conflict and Tsunami. These victims are primarily from Tamil and Muslim communities in North-East province. The CFA signed in 2002 allowed some 418,500 IDPs from the original conflict induced caseload of 735,000 to return to their homes during between 2002 - 2006. However, the violence and terrorist attacks caused thousands to again leave their homes and escape for safety (UN Office for the Coordination of the Humanitarian Affairs [online]). And the re-settlements at the HSZs are not effective due to unclear security status.

When questioning Norway's task in the reduction of violence, the ceasefire agreement and the SLMM were the main enforcements. Even though the CFA came as an intangible source that provided the parties a role to maintain discipline to protect and safeguard cooperation, there has been minimal willingness to uphold it during this time. The initial period of the CFA was quite significantly reduced number of war killings.⁵¹ However, after the six-rounds violence increased (i.e figure 4.3). The foremost of such violations were breaches of the modalities of the ceasefire (CFA 2002 Art.1 [online]).

In this context, Norway was ineffective in the use of contingent tactics in confidence-building process. This has been a negative impact to the well being of the peace process. It is important to note that Norway's role of just being a facilitator caused them to avoid suggesting security concerns. The act on 'internal matters' were considered by Norwegians as an act beyond the scope of facilitation. Therefore it was not preferable to them. Norway was very much limited in terms of being more than a communicator or a commentator. Even the communicator role became ineffective when looking at how the pieces of messages were not sufficient for parties to remove mistrust. Most of the time this exchanges of information was subjected for misperceptions and hard-line criticisms.

Interestingly, the SLMM which was established for monitoring violence was the only *stick* the Norwegians had to direct the parties for cooperation and refinement. However, was the SLMM overall performance a confidence-building role? The fact that the SLMM was just kept for 'monitoring/reporting' and restricted for military enforcement was less forceful in eliminating the ceasefire violations Norway avoided using contingent tactics in terms of punishing the parties for destructive interaction. Simply, there has been no 'pressure' from the SLMM over the parties. In spite of the SLMM daily reporting of

⁵¹ The SLMM recorded a total of 380 complaints of cease fire violations since the agreement was signed over five months ago. There were 270 complaints have been made against the LTTE and 110 against the GoSL, BBC News, URL: http://news.bbc.co.uk/2/hi/south_asia/2116534.stm.

violations the mission was obtained less popular due to their inability to support the sources of verifications. This has been a challenge for Norwegians to verify reliability of their reporting work. Norway admits that, “sometimes it has been difficult to make a judgment on what actually happened, just by looking at reports (Geir 2008 [interview])”. In addition, the SLMM had their technical and logistical difficulties for full coverage of monitoring areas. The missions limited number of staff and with less support from the parties made the task more difficult. The SLMM functioned with the support of Norway and Iceland in 2006 it consequently reduced the credible commitment of the mission. In the midst of internal political controversy and the parties increased hostility, the ability of the SLMM became weak.

However, Norway’s power to reward the parties for economic well-being was vital. The strong willingness of Norway for real peace dividends had been for a greater extent used in this context. They used aid and development assistance. Did these endeavors advanced the parties for favorable moves in cooperation? Norway’s development aid is *not* the main bulk that Sri Lanka receives internationally. When looking at the Central Bank reports in Sri Lanka, Japan is the largest bi-lateral donor and there are some important multi-lateral donors such as Asian Development Bank (ADB) and World Bank (WB) in international aid support. Norway’s direct bi-lateral aid to Sri Lanka is not as mentioned before but Norway has been a continuous partner for humanitarian and development funding through various government and non-governmental level channels to Sri Lanka. Therefore Norway’s inclusion or exclusion of aid and development assistance in Sri Lanka was not considered as a crucial factor to decide which way the peace process to be headed in the parties’ preference.

Did Norway’s humanitarian and development support enhance peace in Sri Lanka? Interestingly, more often during the peace process the parties had their opposing views against each other in joint development work. It is clear when looking at SIHRN the *only* institutional body for joint reconstruction work built in 2002, “SIHRN lacked the legal

status to receive and disburse funds...no clear procedures regarding its relationships to government ministries and other institutional dealings; the SIHRN was virtually crippled as a result (Shanmugaratnam & Stokke 2004:16)”. The lack of a mutually agreed political stand for fund raising negatively influenced the parties cooperation. This was significant in two main occasions, the first was at the Tokyo Conference in May, 2003 and the second at the signing of the P-TOMS in 2005. Regardless of the massive amount of international pledges there was at least respect from the parties to persist in peace talks.

The community level of dialogue for humanitarian relief is also a crucial factor in the process of peacemaking in Sri Lanka. In this context, a large number of displaced Muslim communities in the eastern part of the conflicting areas were isolated from humanitarian relief. Nevertheless, they were the worst affected in the eastern confrontation and tsunami. This signified the failure of community level participation in the decision-making for the peace process. Even though little optimism was brought for Muslim representation through Norwegian funded Muslim Peace Secretariat in 2005. It remained inconsistent with the funding to others. If the peace dividends aim is for humanitarian reconstruction and improvement of the well-being of the people who suffer at the war, then the goal in Sri Lanka is yet to be achieved.

4.5.2 Criticism on Norway Neutral Image

The role of Norway as a *neutral body* was a fact argued very much in the Sri Lankan political panorama during the peace process. The arguments raised were twofold. Firstly, from those who refused that the theory of *neutrality* exists in real world politics and those who were against the so-called neutral image of Norway. Secondly, from those who mistrusted the Norwegian brokering as a reliable contribution in negotiations were skeptical about Norway’s impartiality. The reasonings are as follows:

The connection of Norway's foreign policy and their strategic interest in Sri Lanka, viewed as that because of Norway's interest in fisheries and oil resources. In fact, Norway was viewed working on their international reputation in peacemaking missions and also to solicitating political support for refugee population 12,757 which are Sri Lankan Tamil refugees currently live in Norway.⁵² It was discussed that Norway maintains a hidden agenda behind their peace motives. These arguments were raised on several occasions. Norway hosted Donor meetings which were perceived as an *unnecessary involvement* that exceeded the given role as a mere facilitator. Norway's foreign policy for anti-terrorism in general and their support for the LTTE fund raising in particular were viewed as a double standard incentive, which is politically incorrect. This became more significant when the United States and several other countries including Canada, United Kingdom and the European Union took measures for freezing Tamil Rehabilitation Organization (TRO) assets, which was the main source of financial support for the LTTE. The Tamils who live in Norway who continued to raise funds exposed an idea about Norway's partiality.

However, it is doubted these strong public criticisms over Norway's role negatively impacted the good-relations between the parties. The outspoken view in southern politics in Sri Lanka, known to be the fundamental nationalists led by JVP and JHU, drew an extreme challenge to Norway's role as "pro-Tigers" and as "New- Imperialists". The foremost Norwegian political figure Erik Solheim, was also criticized for being 'pro-LTTE'.

It is important to note that I do not conclude Norway's actual role of 'neutrality' as partial or impartial in spite of lack of tangible and concrete evidence. Thus, I am unable to examine this particular debate in a comprehensive manner through this study.

⁵² According to the Norwegian demographic statistics the total number of Sri Lankan immigrants lives in Norway- 12,757 in January 2007, URL: <http://www.ssb.no/emner/02/01/10/innvbef/tab-2007-05-24-05.html>.

Norway's point of view for such criticisms is unavoidable when *just* a single party provides facilitation between strong hostile groups. Especially in the middle of a task that employs much communication and exchanged information. Added to that my recent interview with a Norwegian Foreign Ministry official who said:

“Norway being not impartial has been a constant challenge, but the strength of the criticism has varied. When the peace process was going well people stopped blaming Norway. When there were set backs people started to complain about our role. That is to be expected (Stangeland 2007 [interview])”.

Added to that Hans Brattskar who was a key figure at the peace process during 2003-2007 says;

“There is not ONE unified peace movement in Sri Lanka even though many NGO's have been active supporters of the peace process. There are, however, many groups that have worked very hard from day one to kill the peace process. They have significant political influence in Sri Lanka and have presented a very biased opinion of the peace process and the facilitator. These groups have rejected every invitation to meet with Norway for a discussion about the peace process and have preferred to concentrate on their efforts to halt the process. All Norwegian contact with the LTTE and every visit to Kilinochchi has been denounced by these groups (Brattskar 2007 [Interview]).

These arguments and counter arguments show how difficult and sensitive the issue of facilitation is in actual practice in Sri Lanka. This is a very interesting dimension of international peacemaking in internal conflict where the third-party is subjected to criticism. These arguments in Sri Lanka, in my opinion were political platform for those who struggle in the political panorama over a time. They have been rather less constructive for establishing a comprehensive peace initiative in Sri Lanka. As a matter of fact even the few logical criticisms that existed have had little opportunity to be constructive in society.

In conclusion, Norway's peace endeavors have halted after January 2008. This is after six years of facilitation in the Sri Lankan peace process, as *only* third-party and the *only* long-standing peace facilitator. The role of Norway's effectiveness in Sri Lanka resulted

both useful and/or not useful in the real practice. This type of a practice is often a challenge to the so-called theoretical aspect of international mediation. When examining Norway's role what was evident was that the active period of Norway was limited for almost one year during the six-rounds from 2002-2003 and Norway became insufficient during the rest of the four years. The CFA which was the primary achievement of Norway's facilitation is abrogated at this time. The only external enforcement that Norway used was the international Donor inducements rather pressure, parties to return for negotiations which was also not used as a pacifying approach in the long run. It is noteworthy that frequently existing 'political vacuum' in Sri Lanka avoided a constructive dialogue for sustainable peace. The last chapter provides an overview about the main outcomes of Norway's facilitation for the past six-years in Sri Lanka.

Chapter 5

SUMMARY AND CONCLUSION

The Sri Lanka's current situation remains an open military struggle between the GoSL armies and the LTTE. There is no CFA and no SLMM with continuation of Norway's facilitation. Therefore, my conclusion brings no suggestions for Norway's future initiations in Sri Lanka. Despite the long run negotiations what is evident is the increase in antagonism which resulted in land, air and sea military clashes causing the failure of Norway's facilitation as a whole.

Unlike many other internal disputes the Sri Lankan conflict is a profound example of an internal conflict with deep structural asymmetry, powerful protagonism and prolonged militarism. The Sinhala-Tamil question has been militarized with the involvement of each other forces in direct military attacks which increased in gross violence after the 'Black July' incident in 1983. The military struggle changed its outlook from a 'civil war' to 'ethnic-conflict' when it was prolonged for more than two decades on the island. The main stakeholders in several times looked whether they could agree on a mutual basis agreement and the ability to uphold a common settlement far to be experienced.

The third-party became a coherent element in mediation with the Indian involvement from 1985. This was when India hosted the Thimpu talks. India's closed affiliation to the Tamil question made Sri Lanka's conflict regionalized. As a matter of fact this caused tremendous influences through political, military and ethnic means. On the other hand the question of regionalization and/or internationalization of the Tamil discourse⁵³ rather

⁵³ Large number of Tamils who became victims of 'Black July' and were 'refugees' due to military confrontation in North-East and some other parts of the country have fled abroad. Most of them now live in India, UK, Canada, Australia, some parts of Scandinavia and Europe. Although all the Tamils do not favor the LTTE stand for an 'Eelam State' their ethnic affiliation and destroyed social-cultural inheritance are inclusive to maintain a strong popular discourse about the 'Tamil question/ Tamil rights' in Sri Lanka.

brought a potential impact to the conflict. In other words international world became more aware of the situation in Sri Lanka.

However all the governments were in power 1980s with power shifts between two main political parties (UNP- *United National Party* and SLFP-*Sri Lanka Freedom Party*) with or without coalition governments have not disregarded the ethnic-problem and a solution to the problem. Yet, what is evident is the lack of a single framework with the acceptance and cooperation from all societal level for a national level solution. Such unwillingness caused massive destruction by killing large number of people and displacing others.

The examination of Norway's role provides an idea of how a third-party role becomes important in the task of peaceful conflict management, especially, in a situation where the parties are unable to find a way out on their own. The fact that Norway as a less forceful third-party which had no geo-political interest in Sri Lanka was deeply concerned when Norway was initiated as the facilitator. The act being less forceful was a benefit for enhancing what necessities the warring parties wanted at negotiations. The GoSL was careful about not letting the negotiations become a 'peace-trap' as experienced with the Indian third-party involvement in 1987-1990.

This study showed how parties from the early negotiations upheld different or rather exclusive requisitions on Norway's facilitation. The LTTE on many occasions favored more Norwegian participation that in my point of view was an opportunity created to secure the LTTE's recognition during negotiations. This is an obvious case in any other internal conflict that less-powerful party (ies) tends to capture a recognized status in formal negotiation processes (with/without help of the third-party). Besides the powerful party rejects more influences in favor to the weak party. The question of how this power equalization should maintained in actual context is both tangible and perceptual. The prevailing monopoly of decision-making by the two main stakeholders let Norway within 'mere facilitation' during peace process. This has limited the third-party freedom: their

freedom being a space to implement their strategies to best encourage the parties' cooperation. Simply what was evident was the parties maintaining their as a controlling factor in determining to what extent Norway should act in the peace process.

The 'Contingency Model' which is the basic guiding structure of the study examines the facilitation in a broad spectrum by considering the context and process variables. For the convenience of the study I infatuated *three* assumptions: (A:1) Remove or reduce power imbalances of the parties (A:2) Strategic choice for tension reduction and (A:3) Impartiality towards the conflicting parties. These are considered as the criterion variables which explain to what extent Norway has been effective in the Sri Lankan peace process. The examination shows how the variables were influential in promulgating Norway's strategic behavior. What is interesting in Bercovitch and Huston's studies is that they look at a number of variables that have been effect on mediation outcomes which are practical in actual mediation processes. When using the 'Contingency Model' one can divide these variables into categories such as positive, negative and mix-motive variables that turn the degree of the mediation effectiveness. Of course, then one can easily observe the main features and characteristics in each context.

The 'Contingency Model' has been logical in the discussion of the main assumptions of the study. It provided a simple framework for a complex setting. In this sense, the study concludes Norway's facilitation neither failed nor totally accomplished their role in almost six years of its association in Sri Lanka's peace process. The findings are as follows:

- Norway's prime attempt was to be a facilitator that would not lead a forceful outside intervention, but to act as *a messenger* between the GoSL and the LTTE was achieved at first. They provided the good-officers and channel service between the parties. Norway has remained in the Sri Lanka peace process 'voluntarily' for almost a six year period from 2002 until January 2008. This is also a significantly lengthy period

when compared to the involvement of other third-parties in Sri Lanka's peace process history. India was directly involved in both 1985 and 1987-1990.

- The strategies of Norway's role were a combination of facilitation and formulation. As a facilitator (refer the task of facilitation in Chapter One p.10) Norway was able to find a conducive environment for the parties to engage in the bargaining process. This was promising in the six-rounds of talks where the parties experienced a long period of military confrontation and had no face-to-face negotiations. The six-rounds were quite progressive in terms of the parties' willingness to act on a single institutional setting towards a holistic political approach. The talks continued and resulted in different initiatives: military, political, humanitarian and developmental. These initiatives were used as efficient bargaining tools which was a combination of 'general tactics' and 'contingency tactics' at the negotiation process. Norway had some important contributions to the negotiations on several occasions. They helped in constructing the ceasefire agreement and ceasefire monitoring. They also facilitated the six-rounds, Geneva talks, gave support for 'real peace dividends' at development/reconstruction work and various other financial supports was part of Norway's active role. This enabled the parties creative processes to move from one stage to another stage of negotiations.

- Norway's task of confidence-building (the main task of the facilitator) became less effective and insufficient in removing power discrepancies from the parties in Sri Lanka. This was an obvious drawback for guiding talks in the correct direction while perusing parties for a common bargaining space. The foremost reasons for such drawbacks were Norway's insufficient knowledge of the conflict and the parties' outlook. Moreover the frequently changing perceptions of the GoSL towards the LTTE and vis versa eliminated any possible cooperation for a optimal settlement. Despite the fact that Norway continuously communicated between the parties and exchanged information which was less fruitful in removing parties' distrust and

suspicion. The main tool of confidence-building between the parties according to the Norwegian perspective is the implementation of a mutually agreed truce (2007 [Interview]). However, the CFA in 2002 was in practice frequently subjected to criticism and argumentations. The CFA rather was a tool for adverse bargaining in the negotiations and was less effective in terms of leading cooperative moves. As a result the parties hardly came up with a comprehensive strategy for peaceful cooperation towards a full settlement and they remained discussing preliminary questions related to modalities of the CFA and conditions for normalcy (Sri Lanka is an obvious case that challenges to mediation theories and models).

- The SLMM did not encompass an active enforcement or commitment for ‘security guarantees’ which would influence parties to disengage in truce violations. The existence of para-militarism which is run by *Karuna* fraction in the Eastern part of the country added more weight to the SLMM work. It was more difficult to verify sources in the Eastern part of the country without proper access to areas. The SLMM had logistic and technical difficulties in covering such operations. The stakeholders at least had mutual respect over the CFA with the gradual incensement of hostility after the sixth-round. As a matter of fact, the SLMM did not receive an enough support by the parties. The SLMM was limited when three Scandinavian countries such as Sweden, Denmark and Finland had to withdraw from the mission in 2006 upon the LTTE’s demand. My examination highlights how the greater intensity of the dispute causes failure of the effectiveness of facilitation.

- Norway using procedural strategies in development aid and assistance has been the constant guide on ground activities even when the political level of facilitation and the SLMM became counterproductive. The stakeholders in the Sri Lankan conflict seemed to personalize the Norwegian concessions for a certain extent to be better-off and more secure in the consistency during the talks. For example LTTE getting concessions made them stay in negotiations and the Sri Lankan government

considered the Donors' contributions as a blessing for their speedy maneuver of 'liberal peace'. There has been a number of Donor pledges to the peace process. In negotiation theories this identifies 'inducement strategies' which make warring parties encourage for negotiations. The problematic use of 'carrots' was that they were not addressing the questions related to security guarantees such as demilitarization and demobilization. This perhaps would have led for a stable and secure approach for negotiations.

- Norway's image as an international peacemaker has two dimensional effects to the peace process. *Firstly*, Norway has been accomplished in negotiating a historical peace truce in Sri Lanka and Norway was capable of grasping international attention to the peace process. They assembled a large number of Donors and established Co-Chairs for continuous development and reconstruction work. It was a fact that Sri Lanka was at the low profile of international consideration for peacemaking (2007 [Interview]) because of being overturned with Norway's active involvement as a peacemaker. *Secondly*, the Norwegians being criticized as 'partial' alongside their reputed peacemaking endeavors. The debates of Norway's partiality were quite unfavorable for the task of confidence-building between the parties and the parties' attitudes towards Norway. It is important to note that my study did not discuss how far the debates of Norway's partiality influenced Norway's actual behavior due to lack of reliable sources. Yet, not surprisingly this is a common pragmatic dilemma for any third-party who is from a different geographical and cultural setting involved especially in an internal conflict that has its own ethno-politico and military elements. Therefore, what would be important and noteworthy for Norwegians to consider is the mass discursive ideological perceptions from their external peacemaking initiatives perhaps will win mass support for sustainable peacemaking.

BIBLIOGRAPHY

Books and Reports

Balasingham, Anton (2004). *War and Peace; Armed Struggle and Peace Efforts of Liberation Tigers*, England: Fairmax Publishing Ltd.

Bastian, Sunil (2005). "The Economic Agenda and the Peace Process" in *Part of the Sri Lanka Strategic Conflict Assessments 2005 (2000-2005)* Vol.5, prepared for the Netherlands, Sweden and the UK in collaboration with The Asia Foundation & World Bank, Sri Lanka: The Asia Foundation.

Beardsley, Kyle C., David M.Quinn, Bidisha Biswas & Jonathan Wilkenfeld (February 2006). "Mediation Style and Crisis Outcomes" in *Journal of Conflict Resolution*, Vol.50 (1), 58-86.

Bercovitch, Jacob & Allison Huston (1995). "The Study of International Mediation: Theoretical Issues and Empirical Evidence" in Jacob Bercovitch (ed.) *Resolving International Conflicts*, U.S.A: Lynne Rienner Publishers.

Bose, Sumantra (2007). *Contested Land War and Peace in Israel-Palestine, Kashmir, Bosnia, Cyprus and Sri Lanka*, London: Harvard University Press.

Carr, E.C. (1961). *What is History?*, London: Penguin, 7-30.

Carnevale, Peter J.D. (1986). "Strategic Choice in Mediation" in *Negotiation Journal* Vol.2, New York: Plenum Publishing Corp, 41-56.

- Chandrakathan, A.J.V. (2006). “The Dynamics of Inter-Ethnic Political Integration and Disintegration: A Century of Sinhala-Tamil Conflict and Peace-making in Retrospect” in *Envisioning New Trajectories for Peace in Sri Lanka*, Sri Lanka: Centre for Just Peace and Democracy, 31-37.
- Fernando, Austin (2006). “The Peace Process and Security Issues” in Kumar Rupesinghe (ed.) *Negotiating Peace in Sri Lanka: Efforts, Failures & Lessons* Vol. 2, Sri Lanka: The Foundation for Co-Existence, 41-92.
- Goodhand, Jonathan & Bart Klem with Dilrukshi Fonseka, S.I. Keethaponcalan & Shonali Sardesai (2005). “Aid, Conflict and Peacebuilding in Sri Lanka 2000-2005”, *Part of the Sri Lanka Strategic Conflict Assessments 2005 (2000-2005)* Vol.1, prepared for the Netherlands, Sweden and the UK in collaboration with The Asia Foundation & World Bank, Sri Lanka: The Asia Foundation.
- Gooneratne, John (2007). *Negotiating with the Tigers (LTTE) (2002-2005) A View from the Second Row*, Sri Lanka: Stamford Lake (Pvt) Ltd.
- Hauge, Wenche (February 2004). *Norwegian Peace-building Policies: Lessons Learnt and Challenges Ahead*, Norway: The Royal Norwegian Ministry of Foreign Affairs.
- Habeeb, William, Mark (1988). “Power and Negotiation” in *Power and Tactics in International Negotiation: How Weak Nations Bargain with Strong Nations*, U.S.A: John Hopkins University Press, 10-26.
- Hopmann, P. Terrence (1996). “The Negotiation Process and the Resolution of International Conflicts”, U.S.A: University of South Carolina Press, 24-274.

- Hoyle, Rick H., Monica Harris and Charles M. Judd (2002). *Research Methods in Social Relations*, (seventh edition) Boston: Thomson Learning Inc, 3-44 & 75-95.
- Kleibore, Marieke (June 1996). “Understanding Success and Failure of International Mediation” in *Journal of Conflict Resolution*, Vol.40(2), 360-389.
- Liyanage, Sumanasiri (2005). “Right of Self-Determination in Diverse Societies: The Case of Sri Lanka” in Jayadeva Uyangoda (ed.) *Conflict, Conflict Resolution and Peace Building*, Sri Lanka: University of Colombo, 120-148.
- Merriam, Sharan (1998). *Qualitative research and case study applications in education*, San Francisco: Jossey-Bass Publishers.
- Moolakkattu, John Stepan (2005). “Peace Facilitation by Small States: Norway in Sri Lanka” in *Cooperation and Conflict*, Vol. 40 (4), 385-402.
- Nachmias, Chava F. & David Nachmias (2005). *Research Methods in the Social Sciences*, (fifth edition), U.K: St. Martin’s Press.
- Pillar, Paul R. (1983). “The Dynamics of Concession” in *Negotiating Peace: War Termination as a Bargaining Process*, U.S.A: Princeton University Press, 90-143.
- Pruitt, Dean G. (1997). “Ripeness Theory and the Oslo Talks” in *International Negotiation*, Netherlands: Kluwer Law International, 237-250.
- Ramasamy, Palanisamy (2006). “Strategies for Peace: Comparing Ache with Sri Lanka in *Envisioning New Trajectories for Peace in Sri Lanka*, Sri Lanka: Centre for Just Peace and Democracy, 171-180.

- Rampton, David & Asanga Welikala (2005). "The Politics of the South" in *Part of the Sri Lanka Strategic Conflict Assessments 2005 (2000-2005)*, Vol.3, prepared for the Netherlands, Sweden and the UK in collaboration with The Asia Foundation & World Bank: Sri Lanka: The Asia Foundation.
- Schneider, Gerald, Jacob Bercovitch & Torsten J. Selck (March 2006). "The Dispute or the Mediator? Structural and Personal Factors in Mediation" in *Annual Meeting of the International Studies Association*, San Diego.
- Sebenius, James K. (2002). "International Negotiation Analysis" in V.A. Kremenyuk & V. Kremenyuk (eds.) *International Negotiation Analysis, Approaches and Issues*, U.S.A: Jossey Bass Inc.
- Shanmugaratnam, N. & K. Stokke (2008). "Development as a Precursor to Conflict Resolution: A Critical Review of the Fifth Peace Process in Sri Lanka" in N. Shanmugaratnam (ed.) *Between War & Peace in Sudan & Sri Lanka - Deprivation & Livelihood Revival*, Oxford: James Currey, 93-115.
- Uyangoda, Jayadeva (2005). "Negotiation for Conflict Resolution: Lessons from Sri Lanka's Past Experiences" in Jayadeva Uyangoda (ed.) *Conflict, Conflict Resolution and Peace Building*, Sri Lanka: University of Colombo, 308-352.
- Uyangoda, Jayadeva (2006). "Sri Lanka's Ethnic Conflict: Root Causes" in *Envisioning New Trajectories for Peace in Sri Lanka*, Sri Lanka: Centre for Just Peace and Democracy, 9-12.
- Wakkumbura, Menik (2007). "Development of Modern Buddhist Nationalism in Contemporary Politics, and its Involvement in Conflict Reconciliation in Sri Lanka" *IRINI*, Norway: University of Oslo, 55-60.

Walter, Barbara, F. (2002). *Committing to Peace: The Successful Settlement of Civil War*, U.S.A: Princeton University Press.

Yin, Robert, K. (1994). "Introduction and Designing Case Studies" in *Case Study Research Design and Methods*, (second edition) London: Sage Publication Ltd.

Zartman, I. William & Jeffrey Z. Rubin (2000). *Power and Negotiation*, U.S.A: University of Michigan Press, 3-28 & 271-293.

Oral Sources

Bauer, Jon, Hannsen (2007). *Interview*, 23. November.

The interviewee is Norwegian Special Envoy for the Peace Process in Sri Lanka (2006-2008).

Brattskar, Hans (2007). *Interview*, 24. July.

The interviewee is the former Ambassador to Sri Lanka (2003 –2007).

Gooneratne, John (2007). *Interview*, 23. July.

The interviewee is the former Deputy Secretary- General in SCOPP, Sri Lanka (2002 -2006) and the author of *Negotiating with the Tigers (LTTE) (2002- 2005): A View from the Second Row*.

Sjoberg, Geir (2008). *Interview*, 27. February.

The interviewee is a former Political Advisor to Sri Lanka Monitoring Mission (SLMM).

Stangeland, Tomas (2007). *Interview*, 1. November.

The interviewee is an Advisor to Section for Peace and Reconciliation: Ministry of Foreign Affairs in Norway.

Web Sources

All the sources have re-accessed on 4th of May 2008

BBC News (2008). “Sri Lanka Truce Violations Recorded”, 2. April, [online]:

URL: http://news.bbc.co.uk/2/hi/south_asia/2116534.stm

Central Bank of Sri Lanka (2004). “Annual Report”, [online] :

URL: www.cbsl.gov.lk

Daily Mirror (2008). “Govt. Withdraws from the CFA”, 2. January, [online]:

URL: http://www.dailymirror.lk/DM_BLOG/Sections/frmNewsDetailView.aspx?ARTID=2820

Department of Census and Statistics, Sri Lanka, [online]:

URL: <http://www.statistics.gov.lk/>

De Silva, K.M., *To Restore Peace to Sri Lanka’s Fractured Polity*, [online]:

URL: <http://www.peaceinsrilanka.org/insidepages/background/background.asp>

Development Cooperation between Norway and Sri Lanka, (August 2005), [online]:

URL: <http://www.norway.lk/Development/Bistand+oversikt.htm>

Helgesen, Vidar (September 2002). “Norwegian Ministry of Foreign Affairs address at the Inaugural Session of Sri Lanka Peace Talks”, in *First Session of Peace Talk* [online]:

URL: <http://www.norway.lk/peace/peace/peace/peace.htm>

Helgesen, Vidar (May 2003). *Peace, Mediation and Reconciliation: The Norwegian Experience* [online]:

URL: <http://www.irri-kiib.be/speechnotes/02-03/030521-Vidar%20Helgesens.pdf>

Hennayake, Shantha K. (May 1991). in *The Journal of Asian Studies*, 440-442, [online]:

URL: [http://www.jstor.org/sici?sici=0021-9118\(199105\)50%3A2%3C440%3AECARIS%3E2.0.CO%3B2-O](http://www.jstor.org/sici?sici=0021-9118(199105)50%3A2%3C440%3AECARIS%3E2.0.CO%3B2-O)

Jayantha Dhanapala speaks at the book launch of “Negotiating with the Tigers (LTTE) (2002-2005) A View from the Second Row” [online]:

URL: http://www.jayanthadhanapala.com/content/frwritingstatements/A_shove_from_the_second_row.pdf

Kelleher, Ann & James Larry Taulee (2006). *Bridging the Gap; Building Peace Norwegian Style*, Peace History Society and Peace and Justice Studies Association, [online]:

URL: <http://www.blackwellsynergy.com/action/showPdf?submitPDF=Full+Text+PDF+%28107+KB%29&doi=10.1111%2Fj.1468-0130.2006.00388.x&cookieSet=1>

Kemper, Barbara (2007). *Mediation in Intrastate Conflicts* [online]:

URL: <http://inef.uni-due.de/page/documents/Report88.pdf>

Moore, Christopher (book summary), *The Mediation Process: Practical Strategies for Resolving Conflict* [online]:

URL: <http://www.beyondintractability.org/booksummary/10403/>

Ramsbotham, Oliver (2005). *The Analysis of Protracted Social Conflict: A Tribute to Edward Azar*, British International Studies Association [online]:

URL:http://journals.cambridge.org/download.php?file=%2FRIS%2FRIS31_01%2FS0260210505006327a.pdf&code=3fa447c1aa21cb96454f2789ffa4ab4d

“Report on CERF in Sri Lanka 2006”, *United Nations* [online]:

URL:<http://ochaonline.un.org/Default.aspx?tabid=1757>

Rudrakumaran, Visuvanathan (July 2005). *Asymmetries in the Peace Process: the Liberation Tigers of Tamil Eelam* [online]:

URL: <http://www.ltteps.org/?folder=3&view=821>

Shastri, Amita (Jan-Feb 2002). “Sri Lanka in 2001: Year of Reversals” in *Asian Survey*, Vol. 42(1), 177-182, [online]:

URL:[http://www.jstor.org/sici?sici=0004-4687\(200201%2F02\)42%3A1%3C177%3ASLI2YO%3E2.0.CO%3B2-U](http://www.jstor.org/sici?sici=0004-4687(200201%2F02)42%3A1%3C177%3ASLI2YO%3E2.0.CO%3B2-U)

Sri Lankan Government’s Secretariat for Co-ordinating the Peace Process (SCOPP), “CFA Violations at a Glance”, [online]:

URL: <http://www.peaceinsrilanka.org/peace2005/Insidepage/AtaGlance/Ceasefire.asp>

Sri Lankan Government’s Secretariat for Co-ordinating the Peace Process (SCOPP), “The Agreement on a Ceasefire Between the Government of the Democratic Socialist Republic of Sri Lanka and the Liberation Tigers of Tamil Eelam”, [online]:

URL:<http://www.peaceinsrilanka.org/insidepages/Agreement/agceasefire.asp>

“Statement by the Head of Delegation at the opening session of talks with the LTTE in Geneva” (22 February. 2006), [online]:

URL:<http://www.peaceinsrilanka.org/peace2005/Insidepage/PressRelease/GOSLreleases/GOSLmediaRel220206.asp>

Statistics Norway (Statistisk Sentralbyrå) “Immigration and Immigrants”, [online]:

URL: <http://www.ssb.no/emner/02/01/10/innvbef/tab-2007-05-24-05.html>

TamilNet (2000). “Tigers declare ‘good-will’ month-long ceasefire”, (21. December), [online]:

URL: <http://www.tamilnet.com/art.html?catid=13&artid=5673>

TamilNet (2006). “Geneva Talks II Begins” (28 October), [online]:

URL: <http://www.tamilnet.com/art.html?catid=13&artid=20053>

“Tamil Tigers Must Stop Violent Attacks, State's Burns Says-Under Secretary Calls on Sri Lankan Government to Respect Tamil Rights” (2006) in *America.gov: Telling America's Story* (23 January), [online]:

URL: <http://www.america.gov/st/washfile-english/2006/January/20060123165358ndyblehs0.9939997.html>

“Tokyo Declaration on Reconstruction and Development of Sri Lanka” (2003) in *The Ministry of Foreign Affairs of Japan (MOFA)* (10 June), [online]:

URL: <http://www.mofa.go.jp/region/asia-paci/srilanka/conf0306/declaration.html>

World Watch Institute, *The Casualties of Sri Lanka Intensifying War* [online]:

URL: <http://www.worldwatch.org/node/5184>

APPENDIX

Questionnaire(s) presented at the interviews:

There are three sets of questioners. Each interviewee received a one set of questionnaire within their specialization.

Set 1: Questions 1 to 8.

- 1) Norway is reputed as an international peace broker. It is the first foreign country outside South Asia to be accepted by both conflicting parties as a facilitator for peace negotiations in Sri Lanka. According to your opinion, what significant characteristics Norway had for being accepted?
- 2) There have been various contributions from the Norwegian government as the official facilitator. How do you explain the Norwegian role in the process of facilitation for a political level solution?
- 3) It is argued that third-party mediation for a settlement will likely to be successful upon its timing. Do you think the parties entered in to negotiation when they were in a *deadlock/ stalemate*? Do you think this was the ‘right time’ to seek a settlement?
- 4) Facilitation for peace negotiations requires long-term commitment, patience and sense of prudence. How do you explain these qualities in Norway’s role?
- 5) Impartiality and neutrality is considered as one of the core characteristics of any third-party involved in peace negotiations. There has been an increase debate considering Norway’s facilitation as ‘partial’. How do you respond to these debates related to Norway’s partiality?
- 6) Do you think development of such kind of a negative image derails Norway’s facilitation in the peace process?

- 7) Can one interpret there is a significant reduction of Norway's attempts in their involvement to pursue the peace process in the current context.. Under such circumstances, what kind of an approach, do you think is suitable for Norway in convincing conflicting parties to re-start peace talks?
- 8) Can Norway in the current situation provide the 'right' kind of third party service? (clarification: reward for cooperative behaviors and punish for hostile acts)

Set 2: Questions 1to 12.

- 1) How Norway helped to make the CFA?
- 2) What were the practical difficulties faced when consulting the GoSL and the LTTE at the work of drafting the CFA?
- 3) Does Norway's facilitation follow any theoretical model?
- 4) What kind of tools and methods are generally used by Norway to keep the GoSL and the LTTE on the negotiation track?
- 5) Norway acts as the coordinator of the donor community after November 2002. How do you explain this role?
- 6) How important the relationship between Norway and the Donor Community in peacemaking in Sri Lanka?
- 7) How do you assess your work at Co- Chairs?

- 8) What approach Norway used to create an atmosphere to re-start negotiations in Geneva 2006?
- 9) Has there been *any* change(s) of Norway's role and/or activities in Geneva talks?
- 10) What were the constraints faced in Geneva talks?
- 11) What were the important initiatives took after Geneva talks?
- 12) Do you perceive the following characteristics in Norway's role? How do you explain them?

“Formulation often involves with procedural tactics by establishing how negotiations will be structured. Formulators can focus attention on the important issues at hand and influence which of a number of possible agreements with ultimately reach for equilibrium. Formulator will also try to convince each party that there are temporal constrains that necessitate immediate progress or that unilateral action is less beneficial than negotiation (Beardsley, Kyle & et.al.2006 “Mediation Style and Crisis Outcomes” in Journal of Conflict Resolution, 50 (1), 64.

Set 3: Questions 1 to 5.

1. In your opinion, how the SLMM benefited to the CFA?
2. What were the main achievements of the SLMM?
3. What were the challenges to the SLMM?
4. How do you explain the instrumental strength of the SLMM? Did it sufficiently help to monitor and report ceasefire violations?
5. How did the reduction of the SLMM staff (leaving Sweden, Denmark and Finland out at the SLMM) in 2006 affected to overall work of the SLMM?