

Norway in Sri Lanka: in defence of negotiations

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*LTTE's leader Prabhakaran with Norway's envoy Erik Solheim.
Photo/Tamilnet*

Here's the latest installment of my contribution to a debate that's been raging in the columns of Sri Lanka's [The Island](#) over the last week. The immediate subject is Norwegian conduct in the aftermath of the assassination of Sri Lankan Foreign Minister Lakshman Kadirgamar in August 2005 – an event whose 11th anniversary fell earlier this month. More broadly, it's about the role of facilitators and mediators in peace processes and what they should – and should not – try to do in that context.

To be continued, I suspect . . .

***The Island*, 24 August 2016**

A voice from the Sinhala Diaspora, Bodhi Dhanapala ([The Island](#), 22 August 2016), takes issue with my endorsement of Norway's conduct following Lakshman Kadirgamar's assassination in August 2005. In particular, Dhanapala criticizes Oslo's focus on – and my endorsement of – efforts to get talks going again between the two sides, as opposed to his preferred course of action viz. fierce, vocal denunciation of the Tigers as terrorists combined with redoubled efforts to wipe them out. In sum, Dhanapala appears to regard my view as tantamount to defending what he describes as 'moral bankruptcy and duplicity'. Moreover, he suggests, people like myself would never argue for such a course of action were a similar event to occur at home.

Dhanapala's comparative scenario setting to illustrate his point is forced – Western foreign minister assassinated? What would a US Envoy do? – and in some respects too skewed to deal with here. (A history of ethnic discrimination mutating into a 30 year civil war and followed by an attempted peace process.) But one aspect of his imagined scenario is worth examining more closely: the presence of a hypothetical envoy in the form of the US Secretary of State.

First, it is important to stress (yet again) that the Norwegians were peace facilitators—not mediators, and most certainly not envoys. In formal terms their role, as defined by and agreed with both parties (Government of Sri Lanka (GoSL), LTTE) was to facilitate talks between the parties, and specifically not to pressurize or otherwise strong-arm either of them i.e. play the strong mediator.

Strong mediator mandates exist – the US in the Middle East, for example. In Sri Lanka, however, as the GoSL – Kadirgamar himself included – made abundantly clear from the start, this was precisely what it did not want. The consequences of

overstepping the mark were made very clear to Erik Solheim, who at an earlier stage was criticized strongly for both playing what was regarded as too prominent a role in the media and, for adopting a position viewed by some as overly sympathetic to the Tigers.

Finally here, it should be noted that a US (Deputy) Secretary of State, Richard Armitage was from the start highly supportive of Oslo's engagement in Sri Lanka, their approach to dealing with the parties included. Generally speaking, a quid pro quo of taking on an external facilitator or a mediator role in a conflict is the need to be careful to avoid public statements directly condemning any of the parties – even if such a move would be thoroughly justified on its own merits, which it almost certainly would have been in this instance. In the international division of labour, with respect to a peace process, in other words, condemnation has to be left to others apart from the facilitators.

There is also plentiful evidence to suggest that at this point, as at every other up to this stage in the peace process, the Norwegian position and approach was closely co-ordinated with Colombo. For example, the call for redoubled efforts to restart talks that Dhanapala finds so repugnant, was closely mirrored in an 18 August GoSL letter to Prabakharan. (The details are laid out in my earlier article). And in this context, the fact that Oslo did not issue a loud denunciation of the murder would doubtless also have met with understanding in Colombo.

Dhanapala goes on to provide a gory list of LTTE atrocities, all appalling and most doubtless accurate – although claims that the LTTE ran orphanages to train Black Tigers as suicide cadres and indulged in wholesale killing of their wounded cadres in the war's final stages are certainly questionable. With respect to a conflict known for its serial brutalities and atrocities, however, the point of providing this list is not entirely clear: particularly as reference to the litany of

abuses committed by the Sri Lankan Armed Forces, not least in the final stages of the conflict is absent, though Dhanapala is doubtless as aware of these as anyone.

The author's eye-catching ISIS-LTTE comparison also raises as many questions as it answers. First of all, because the differences between the two outfits are at least as compelling as the similarities. To note a few obvious examples: a national/ethnic support base; a fundamentalist religious ideology; a charismatic leader figure; and external financial and military backing (the latter admittedly true of the Tigers during the 1980s). In fact, about the only thing ISIS and the LTTE can truly be said to have in common is an avowed taste for brutality, a ruthless propensity for using extreme violence against their opponents.

Beyond the problematic nature of the ISIS-LTTE comparison, however, one further thing in common is the eventual necessity of dealing with both through attempted negotiation – however challenging that is, as is clearly the case with ISIS. As Tony Blair's ex Chief of Staff and author of *Talking To Terrorists* Jonathan Powell, argues.

'The probability [is] that we will in the end have to talk to Isis. Every time we have met a terrorist group, we have said we will never talk to them; but from the original IRA in 1919 to Eoka in Cyprus, the FMLN in El Salvador, the Gam in Indonesia, the Milf in the Philippines, the PLO in Palestine and the Farc in Colombia, we have [always] ended up doing so' (he might also have added the Taliban in Afghanistan)

Dhanapala again chastises me for defending what he calls the 'indefensibly immoral position of the Norwegians'. I fail, however, to see the immorality of attempting to facilitate a peaceful resolution to a conflict that had already resulted in tens of thousands of deaths, while also saving many more innocent lives in the process – as the period during which the Ceasefire Agreement (CFA) was respected by both sides

certainly did.

As Powell argues political realism no less than morality dictates that once resolving a destructive, bloody conflict comes into focus, the pursuit of dialogue and negotiation becomes both imperative and ultimately inescapable. This was definitely the case in Sri Lanka throughout the Norwegian engagement, and far from being immoral, in this sense it was a thoroughly praiseworthy effort, even if the peace process ultimately failed to achieve a lasting settlement.

Finally, Dhanapala turns his fire on David Milliband, British Foreign Minister at the time of the conflict's final stages, upbraiding him for acting at the bidding of the domestic UK Tamil constituency, and allegedly with a view to 'saving' Prabakaran.

First, Dhanapala misunderstands the nature of Milliband's 'admission' in the Wikipedia cable he mentions. Politicians should surely be attentive to the concerns of large domestic constituencies – which the Tamil Diaspora undoubtedly is in London, in particular. Acting in response to popular concerns—here meaning mounting public outrage over the appalling casualties being inflicted on a hapless Tamil civilian population corralled into a shrinking coastal pocket of the Northeast – is certainly no sin in a democracy. Indeed, politicians who fail to act in response to such pressures do so at their peril. And to suggest in this context that Milliband was acting primarily to try and save the LTTE leader is make-believe.

Rather, it seems reasonable to suggest that, like many in the West who by early 2009 were waking up to the scale of the tragedy engulfing northeast Sri Lanka, Kouchner and Milliband's engagement with the Sri Lankan conflict was motivated primarily (but not exclusively) by humanitarian concern for the Tamil civilian population.

All in all, Dhanapala's broadside suggests a deeply polarized, black and white view of the Sri Lankan conflict that is at odds with ground realities in the country, both then and today. As long as Mahinda Rajapaksa remained in power, similar views continued to dominate the country's political outlook. With 2015's decisive shift in governance, however, other more tolerant, peacefully orientated perspectives have begun to come to the fore. Crucially, these have found practical expression in the four-part set of transitional justice measures outlined in Geneva in October 2015 by Foreign Minister Mangala Samaraweera, and now gradually being rolled out, initially in the form of the recently established Office of Missing Persons (OMP). I think I can confidently assert, moreover, that this development has Norway's full blessing and support.

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