

Peace Facilitation by Small States

Norway in Sri Lanka

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ABSTRACT

It is now four years since Norway formally embarked on the difficult task of facilitating negotiations in the protracted ethnic conflict in Sri Lanka. With an international record in peace-making and development assistance, Norway entered the fray with unmatched legitimacy. Unlike Norway's previous efforts aimed at brokering peace, the Sri Lankan facilitation was undertaken by assigning a conspicuous role to key governmental functionaries, and was less secretive in nature. Although a ceasefire has been signed and six rounds of talks between the government and the Tamil Tigers have been held, Norway's third-party role has been criticized by nationalists for being partial towards the Tigers, and by a section of peace activists for focusing on a minimalist agenda of peace. In this article, I examine the qualifications and motivations of Norway as a facilitator and also the different perceptions that the key stakeholders have about its third-party role. Furthermore, I assess the nature of the Norwegian efforts so far and the hurdles ahead for taking the peace process forward.

Keywords facilitation; liberation Tigers of Tamil Eelam (LTTE); Sri Lanka mediation; monitoring mission; Norway

Introduction

Organized violent conflict in Sri Lanka has a history of more than two decades. A whole generation has grown up in the north of the country without much contact with the south because of the conflict over claims for secession. Nobody would have thought that, after several years of fighting and terrorist campaigns accompanied by government repression, it would be possible for the conflicting parties to engage in direct talks in 2002. It was neither the result of the emergence of a 'ripe moment' nor a 'hurting stalemate', as some theorists of conflict resolution argue (e.g. Zartman, 2003). Yet a ceasefire was signed in Sri Lanka in early 2002 and six rounds of talks have been held in the period September 2002 to March 2003. Norway has been credited with the role of facilitator in these talks. It has been found that, after regional organizations, smaller states have a greater chance of success as mediators than larger states have. In addition, the



legitimacy of the mediator is often identified as a key determinant in the success of mediation (Bercovitch, 1996).

The fact that Norway was able to find a role in mediating an intractable conflict in far-flung Sri Lanka against heavy odds suggests that the country has established for itself an altogether different niche from the power politics paradigm that continues to dominate international politics. It also points to the possibilities of smaller states with a good international record to broker peace as well as provide third party assistance in conflict regions where the role of super powers may be suspect. The entry of a third party, even as a facilitator, turns a dyadic conflict into a triadic relationship (Bercovitch, 1996). This makes Norway's role crucial. In this article, I examine the context in which Norway emerged as a third-party facilitator in Sri Lanka, and how the key stakeholders in the conflict perceive its role. I also attempt to assess the Norwegian facilitation to discern its key characteristics and identify its enabling and constraining aspects. When referring to Norway I mean the Norwegian government, which alone has been given the mandate to facilitate talks between the Sri Lankan government and the Liberation Tigers of Tamil Eelam (LTTE)

Norway's Qualifications as a Mediator

How a small state like Norway can assume demanding third-party roles in protracted conflicts in places like Sri Lanka is indeed a matter of curiosity. While smallness is a constraint, it is also, in a sense, an opportunity. Galtung says that the small size 'gives Norway a chance as an arbiter in international relations, between countries that are big, rich and Western, and those dominated by them, particularly Third World countries'. By offering third-party assistance Norway can present itself as part of the 'Western world with a human face' and thus gain 'political currency'. This 'creates a vested interest in such conflicts, and in seeing them as symmetric with Norway as impartial and disinterested in-between' (Galtung, 1980: 311). Yet the desirability of such an impartial role is questionable in asymmetric conflicts, since there is no guarantee that the interests of the weaker parties will be protected, as the outcome of the Oslo Accords for the Palestinians has suggested (Jones, 1999). It is claimed that Norway has shown considerable sympathy with the victims of personal, structural and cultural violence everywhere, making its peace-making role an integral element of its humanitarian mission. It is tied to fundamental Christian values of the Lutheran variety around which a societal consensus has been formed in the country (Galtung, 1980: 312). The relatively strong social democratic heritage of the country is an added reason for this sympathy (Ford, 2000).

Scandinavian countries in general act as what Ingebritsen (2002) calls 'norm entrepreneurs' in international politics, especially in areas relating to sustainable development practices, peaceful resolution of conflict, transferring of resources from rich to poor and participation in international institutions. Interestingly, this multifaceted internationalism has been accomplished outside the normal power-based framework of international

relations. Norway has no colonial past and was one of the champions of decolonization in Asia and Africa. It has a good domestic record, including gender mainstreaming, and was the first to set up a peace institute with government funding. Norwegian society is characterized by low levels of conflict with equality commonly upheld as a social norm. It is also characterized by a high degree of social responsibility shared among citizens and decision-makers. A low suicide rate compared that of other Scandinavian countries, avoidance of physical punishment, trust in public authority, widespread use of conciliation councils for dispute resolution, paternal involvement in childrearing, and warm and affectionate socialization are other noteworthy characteristics of society. Because the norm against aggression is strong, conflicts are generally anticipated and avoided. Decision-making and the exercise of authority are focused on, with overt conflict kept as low as possible (Ross, 1993: 56–7).

Norway has sought to demonstrate its relevance in the world by practising what one commentator has called 'niche diplomacy'. This enables Norway to have 'a voice and a presence on the international stage out of proportion to its modest position and assets' achieved through a 'ruthless prioritisation of its target audiences and its concentration on a single message: Norway as a force for peace'. Norway's large foreign-aid budget (second among industrialized countries) and its conflict resolution efforts in the Middle East (the Oslo Accords), Sri Lanka and Colombia, the rapid-reaction force (the Norwegian Resource Bank for Democracy and Human Rights) to assist in election monitoring and conflict prevention in about 20 countries annually, and the Nobel Peace Prize raise its profile as a peacemaker (Leonard, 2002: 53).

The unprecedented success that it registered through the Oslo Channel in making the Palestinians and the Israelis agree to an accord, which laid the foundations for a future peace settlement, added considerably to the prestige of the country as a peace broker. While Norway could not influence the subsequent course of events in equal measure, its secret and unofficial facilitation was widely acknowledged as useful, raising demands for Norwegian facilitation in other parts of the world. Apart from being seen as an impartial third party, the country has a small bureaucracy, a consistent foreign policy and the geography to keep the talks secret without much publicity. Besides, Norway responds quickly to calls for facilitation and mediation, and is less concerned about the economic costs such third-party roles entail (Ford, 2000).

Norway's previous experience as a peace broker is considerable. In Colombia, a Norwegian United Nations official helped to cement peace between the army and Marxist guerrillas. The Norwegian church mediated between religious leaders on both sides of the war in Ethiopia. Characteristic of these efforts was the unprecedented blending of official overtures with initiatives by ambitious private citizens. 'It is a particularity of Norway's civil society that no one has a monopoly over bureaucracy and diplomacy', stated Gunnar Staalsett, the Bishop of Oslo. 'Rather, the government cooperates closely with organizations like churches and trade unions' (quoted in Ford, 2000). In many cases the foreign ministry worked

in harmony with one or more academic or non-governmental humanitarian organization, visible most clearly in the Oslo back channel. Here, a Norwegian academic accompanying his diplomat wife to her posting in Cairo successfully used his earlier contacts with the Palestinians and Israelis, which he had established while conducting a livelihood study in Gaza, to initiate a series of secret talks over a year. The talks later led to the involvement of senior officials of both parties and, subsequently, to the Oslo Accords. One advantage of unofficial efforts is that there is very little risk involved, since these talks can always be given cover under the guise of academic seminars.

The same pattern emerged in Guatemala, where Norwegian Church Aid (NCA) had developed good contacts with both the government and the guerrillas fighting Latin America's longest civil war. In 1989, the guerrillas requested that the head of the Lutheran World Federation, Bishop Staalsett, set up contacts with the Guatemalan authorities. He used his friendship with Knut Vollebaek, then Norway's Deputy Foreign Minister, to get funds for organizing the talks, which culminated in a ceasefire signed in Oslo, although after seven years. Norway has a small foreign service. It is able to play the role of peace-maker primarily by setting in motion non-governmental expertise, with the government bearing the costs. It has also shown a willingness to stick with problems however long they take to resolve, such as in Guatemala. Oslo has the reputation for being a discreet location for sensitive negotiations. A robust consensus has developed among all political parties that peace-making should be an increasingly important aspect of Norway's foreign policy. Peace-making provides the country with a means by which it can remain in touch with other leading powers, as the initiatives are always matters of concern for them too. Coincidentally, peace-making provides Norway with the opportunity to raise questions of direct national concern with these leading powers. At the same time, Norway is conscious of its lack of strategic might and of its inability to use carrots and sticks decisively in the peace facilitation process (Ford, 2000).

What is special about this type of diplomacy is the need to befriend every international actor, which is at odds with the realist understanding of international politics. Deiniol Jones writes:

Norway wants to play an international role. However, it is too small and powerless a state to project its sovereignty safely in the international world in which it moves. Owing to its weakness, the facilitator can act 'internationally' only by radically domesticating international politics. Owing to the weakness of the small state facilitator, international politics must be radically tamed. International politics is safe, for the facilitator, only if every one is a 'friend'. The line between the international and domestic politics is thus blurred by the small-state facilitation. (Jones, 1999: 144)

Background to the Peace Process

The roots of the Sri Lankan conflict lay in the failure of the over-centralized Sinhala majoritarian state to respond to the aspirations of the

Tamil minority in the north who felt marginalized and discriminated against in the post-independence situation. It began with the official language policy of the government. Attempts made by the Sri Lankan politicians to bring about a settlement to the conflict through constitutional means did not materialize due to the resistance of successive Sri Lankan governments to any form of devolution of power to the north (Saravanamuthu, 2000). Terrorism was the result of failed attempts to address the Tamil question by peaceful means. Early attempts at political accommodation included the Bandaranaike–Chelvanayakam Pact (1957) and the Senanayake–Chelvanayakam Pact (1965) aimed at resettlement of Tamils, devolution of power to Tamil-speaking regional councils, and recognition of Tamil as a national minority language. However, the agreements were not implemented, causing anger and increased frustration among the Tamils, who responded with non-violent campaigns of civil disobedience initially. The 1983 attempt to introduce District Councils also failed because the government banned all political parties advocating secession, i.e. a clear attempt to circumscribe the Tamil parties. In the same year, organized violence against the government was initiated by a number of Tamil extremist organizations. The Thimpu talks promoted by India in 1985 did not produce the expected results except for the granting of citizenship to about 96,000 Indian Tamils in 1986. However, the Thimpu talks did enable the crystallization of a set of principles by the Tamil leaders representing political parties and extremist groups, with the right to self-determination emerging as a cardinal one. Meanwhile, the LTTE emerged as the main representative of the Tamils after systematically eliminating rival organizations, Tamil politicians and individuals identified as threats or irritants to its goals. India stepped into the conflict in 1987 and the Indo-Sri Lanka Pact was signed between the two governments in the same year. An Indian Peace-keeping Force (IPKF) was deployed in Sri Lanka: to supervise the ceasefire and surrender of the Tamil insurgents, to disarm them by force if they refused, and to maintain law and order in the North East pending the creation of an interim administration to supervise the holding of elections in the North East for a devolved Provincial Council. The attempt was disastrous for the Indian army, which lost over one thousand soldiers to the LTTE. This was compounded by the resentment of the Sinhala nationalists on the continued presence of Indian troops, the latter being forced to leave the island in 1989. The attempt to initiate talks during the tenure of President Premadasa also failed and was followed by a full-scale war between the LTTE and government forces (De Silva, 2002; Witharana, 2002; Ganguly, 2004)

When Chandrika Kumaratunga came to power in 1994, three rounds of talks were held between the two sides in Jaffna. Since she was contemplating only a devolved strategy and was unwilling to give any special status to the LTTE, the organization withdrew from the talks. Following this, for nearly five years the government pursued a strategy of constitutional devolution accompanied by a proactive offensive against the LTTE in order to bring the organization to the negotiating table after winning the war, widely

known as the 'war for peace' policy (Samuel, 1998; Saravanamuthu, 2000). This policy only helped to alienate the LTTE further. Although the government achieved spectacular results initially, it was not in a position to sustain these victories. Meanwhile the LTTE, which functioned until the mid-1990s mainly as a terrorist organization employing guerrilla warfare, transformed itself into a regular army capable of facing the Sri Lankan forces head on. Although the LTTE was willing to engage in talks with the government, the President laid down a number of conditions, among them a definite time-frame, the laying down of arms, renouncement of the demand for a separate state, secret talks, and the non-declaration of ceasefire — conditions which the organization did not find palatable. It chose to wait until the Presidential election was over, because peace was the key campaign issue. The elections gave the President a fresh mandate to work for peace, and it was in this context that a third-party role for Norway was envisaged and sought by the President (Jeyaraj, 2000; Sambandan, 2003).

Norway did not just emerge as a mediator from nowhere. The Scandinavian countries in general have been monitoring the conflict, as well as promoting low-key peace-making initiatives, from the very beginning, including establishing contacts with the LTTE. Norway had offered its services to bring the two parties together much earlier. Although the early contacts that Norway had established with the LTTE had later led to the Sinhala nationalists accusing it of being on the side of the Tamils, these contacts certainly contributed to the country being identified as an acceptable mediator. Along with The Netherlands and Canada, Norway had despatched representatives to serve on the proposed monitoring committees that were to be set up following the aborted Cessation of Hostilities Agreement reached between President Kumaratunga and LTTE in 1995. Norway's formal role as a mediator emerged after several years of grass-roots level peace-building efforts by non-governmental organizations (NGOs) and civil society groups with limited success. Development work undertaken by NGOs such as Norwegian Church Aid had enabled them to establish good contacts with both the government and guerrillas (Padmanabhan, 2001). The International Committee of the Red Cross, which was admitted to Sri Lanka in 1989 after considerable campaigning by countries like Norway, had played a useful role in acting as a channel of communication between the LTTE and the government during 1994–5, and between the war zone and the outer world in general. Opposition by the Sinhala nationalists in the South marred prospects for the involvement of the UN (Perera and MacSwiney, 2002; Orjuela, 2003).

Once the mandate to facilitate the peace talks was given, Erik Solheim, the special envoy of the Norwegian government, engaged in exploratory visits comparable to pre-negotiations. These early efforts gathered momentum towards the end of 2001, when Ranil Wickremesinghe, who belonged to the opposition United National Party, became Prime Minister. He had won the election on the platform of peace. He wrote to the Prime Minister of Norway to continue its stalled facilitation of the peace process, which was soon followed by a similar request from the LTTE chief. This led to talks between the two sides and the signing of a ceasefire document on 22

February 2002, which came into effect the following day. The ceasefire document was deposited with Norway, with the request to make it public. As per the agreement, an international monitoring mission of the ceasefire led by Norway would be created to conduct on-site monitoring and thereby to ensure that both parties fulfilled the commitments made in the memorandum of understanding.

The effect of the 11 September attacks on LTTE's policy shift also needs to be reckoned in this context. The organization was forced to transform from a terrorist organization to a political organization and thus escape from being targeted in the global war against terrorism.

Norway's Motivations

Norway already had a strong NGO presence in Sri Lanka through agencies such as Cey-Nor, Worldview, Red Barna and the Norwegian Agency for Development Cooperation and knew the conflicting situation quite well. The development aid given to Sri Lanka further assisted in the aggravation of the conflict, which in turn intensified the outflow of refugees. This obviously was one of the reasons dictating the need for establishing peace on the island (Jeyaraj, 2000). There have been several theories about Norway's motivations. The first is that Norway is interested in the fisheries and oil resources of Sri Lanka, but this is at odds with Norway's international profile and past record in peace-making. The influence of the Tamil expatriate community in Norway is cited as another factor. A third reason is that Norway wants to compensate for the failed Oslo Accords and establish itself internationally as a peace-maker (Perera, 2002).

Norwegians are known for their technical expertise in the field of fishing. Shortly after Sri Lankan independence, many Norwegian NGOs launched projects in the Jaffna area for the development of the Tamil fishing community. Norway has a small Tamil population deriving from this connection and a few thousand Tamil political refugees who came to the country after 1983. Since there are no laws restricting support for terrorist activities in Norway and any person granted asylum has all the rights of the citizens, the Tamil community based in Norway has been actively supporting the LTTE both politically and materially. They also have good contacts with Norwegian political parties and administration. In 1999, the UK, Norway and the International Committee of the Red Cross made separate requests to the Sri Lankan government to provide safe passage to Anton Balasingham to travel to Europe for treatment for renal failure. It was during his contacts with the Norwegians in connection with a kidney transplant for renal failure that the possibility of a Norwegian role in peace facilitation actually emerged, and not as a climbdown in the position of the Tamil Tigers, as was initially thought by the Sri Lankan government (Raman, 2000).

The Norwegian government clarified that its involvement with the peace process began in the spring of 1997, but was unsuccessful because of the massive offensives undertaken by the Sri Lankan government to defeat the

LTTE. In February 2000, Norway formally agreed to a request from President Chandrika Kumaratunga and Velupillai Prabhakaran, the LTTE chief, to assist as a third party in the proposed peace negotiations. The Norwegian government appointed Erik Solheim to prepare the necessary groundwork for peace negotiations between the parties. Although engaging in several rounds of shuttle diplomacy, Solheim could not bring the two parties to the negotiating table. The efforts also lost their momentum when the President expressed reservations about the singular and high publicity role played by Solheim. The Norwegian government was expected 'to help to facilitate communication between the parties, minimise misunderstandings, and seek common ground between their positions as the foundation for a peace process'. In addition, Norway was expected to supplement the regular communication activities of the parties, at their request, by briefing various actors in Sri Lanka and outside about the peace negotiations. The Norwegian government justified its involvement by citing reasons such as its lack of political or economic interest in the region, neutrality, acceptability to the global and regional powers, record of development cooperation including work in the field of peace and reconciliation, contacts with the leaders of both conflict parties, confidentiality of process, record of facilitating peace in other regions and support for UN peace-keeping operations (Royal Norwegian Government, 2002).

Vidar Helgesen, the Deputy Foreign Minister of Norway, who chaired six rounds of talks between the LTTE and the Sri Lankan government, clarified at the seminar on Indonesia–Norwegian Human Rights Dialogue on Transitional Justice and Human Rights held in Jakarta on 29 April 2002 that he was not 'entirely sure of the reason' for Norway being asked to assist in the peace process. He clarified that the Norwegian role would be confined to the 'tasks that the parties ask us to assume'. Helping the parties to communicate with each other, clarifying the implications of media reports for the parties and helping to bridge the gap between the positions of the parties were tasks entrusted to the Norwegians. These implied: (1) long-term involvement of Norwegian NGOs and academic institutions, (2) facilitation without actually being party to negotiations, (3) humanitarian assistance for confidence-building and reconciliation, (4) support from neutral outsiders, and (5) secrecy and discretion. In addition, Norway benefited from peace in the rest of the world by reducing the pressure caused by refugees and by engendering smoother international economic exchanges. Helgesen likened the role of Norway to that of a 'social worker', which the country saw as a privileged task and the results as constituting a rewarding experience (2002).

Differing Perceptions/ Expectations about Norway's Role

The key actors perceived Norwegian facilitation differently. The LTTE wanted Norway eventually to transform into an active mediator in the conflict, although mere facilitation was sufficient in the preliminary stages (Jeyaraj, 2000). The LTTE entered the peace process only after being

assured that Norway would be the facilitator. The LTTE chief Prabhakaran had commended Norway for its 'impartiality and objective neutrality' (*The Hindu*, 3 January 2002). However, on a number of occasions the LTTE did not fail to criticize the Norwegian government. The first occasion was when Norway decided to make Erik Solheim just one of a team of negotiators in deference to the wishes of the Sri Lankan President without consulting the LTTE. The second occasion was in June 2003 when Norway decided to participate in the Tokyo donors' conference (Jeyaraj, 2003). However, these statements were more strategic than aimed at scuttling the Norwegian role, the continuation of which was seen by the LTTE as crucial to their interests. The LTTE penchant for Norway was clear from the dispute resolution role that the organization assigned to Norway in its proposed Interim Self-Governing Authority, around which it had sought to organize its future negotiations with the government (*The Hindu*, 2 November 2003).

President Kumaratunga has been very critical of Norway's intermediary effort even though she was the first to requisition it. It may be noted that the first visit to Colombo by Knut Vollebaek, the Foreign Minister of Norway, took place on 16 February 2000 at the request of the government controlled by her own party. The willingness of Norway to assist was officially communicated to the government and announced in public only after that visit. The President had envisaged only a facilitative role for the Norwegians and did not want their involvement in the negotiations as such. As facilitators, the Norwegians could not see the parties in unequal terms, while the President did not want the LTTE to be accorded a status equal to that of the Sri Lankan government. When the actual talks started, Norway assumed the role of moderator, without interfering in the substance of the talks.

The President was particularly unhappy with the role assigned to Norway in monitoring the truce agreement that came into force consequent upon the ceasefire with the LTTE, which she wanted amended on the plea that it compromised Sri Lanka's sovereignty and went beyond its assigned role of facilitator. She wrote to the Sri Lankan Prime Minister:

I observe that the powers and functions which by the agreement are vested in the Norwegian Government travel far beyond the role of a facilitator for the expected negotiations towards a political agreement... This is for the first time in the history of post-independent Sri Lanka that a foreign Government is being authorised to draw demarcation lines on the soil of Sri Lanka.

For her,

... the submission of such matters to the binding authority of an individual nominated by a foreign Government appears to be wholly inconsistent with the sovereignty of the people of Sri Lanka. (*The Hindu*, 2 March 2002)

One of her party leaders even attacked the Norwegian facilitators in personal terms in calling them 'salmon-eating busybodies' (Liyanaarachi, 2003).

When the Norwegians started the process, the Indian response was very cold. The External Affairs Minister Jaswant Singh did not believe that

Norway's role of facilitation had much chance of success (Sturgess, 2000). On several occasions India had made it clear that it did not like any external power mediating in the conflicts in the region. One reason why Sri Lanka selected Norway for facilitation was in recognition of the Indian dislike of an external third-party role in the region, particularly by the big powers. The President was aware of the Indian displeasure about an earlier aborted attempt at mediation undertaken by Liam Fox, the Deputy Foreign Secretary of Britain in 1997. Norway's efforts to keep India informed at every stage of the peace negotiations has largely removed Indian reservations about its third-party role, although in public India insists that a solution to the problem in Sri Lanka has to come from the conflicting parties themselves and that the solution should be acceptable to all sections in consonance with the principles of unity and integrity of the country. India vehemently opposed the offer of Japanese mediation as a supplement to the Norwegian role. Norway, despite the support that it has from the Western powers, is not seen in India as a possible threat to its interests. Furthermore, India does not envisage the possibility of an intermediary role for itself at this stage of the conflict and therefore the Norwegian initiative is perhaps the only possible means of keeping the peace process alive. However, Norway attaches great importance to some kind of Indian participation other than mere facilitation capable of influencing the course of the peace process (*The Hindu*, 8 July 2004).

Sinhalese nationalists led by the Marxist Janata Vimukthi Peramuna (JVP) and Buddhist monks were opposed to the Norwegian role, seeing it as partisan and a 'continuation of imperialist designs' (*Norwaypost*, 13 March 2000). They saw the LTTE as purely a terrorist organization that had to be dealt with in law and order terms, and not invested with the kind of legitimacy that the peace negotiations offered. On Christmas eve in 2002, protesters led by Buddhist monks burnt the Norwegian flag in front of the Norwegian embassy in Colombo, demanding that the Ambassador step down for allowing the LTTE to procure communication equipment from abroad. Norway had helped in the procurement of the equipment for establishing continuous contact with the LTTE and this had the concurrence of the Sri Lankan government. But the nationalists saw it as an unwarranted pro-LTTE act (*Norwaypost*, 25 December 2002). A similar protest against the ceasefire was organized in the same place in April 2003. In October 2003, the President called for the replacement of Major General Trygve Tellefsen, the chief of the Sri Lanka Monitoring Mission. She alleged that the head of the mission had acted against the national security of the country by leaking information to a LTTE vessel engaged in arms smuggling and thereby prevented the Sri Lankan navy from tracking it down.

A major criticism of the Norwegian role came from the human rights community in Sri Lanka, particularly the Tamil-dominated University Teacher's Association for Human Rights (Jaffna) or UTHR. It lambasted Norway for being unmindful of the violations of human rights that the LTTE was practising in spite of the February ceasefire and Memorandum of Understanding (MoU). A bulletin released on 3 December 2002 by the UTHR said:

For a country like Norway, which portrays itself as a front-runner in human rights and child rights, legitimising repression in the interests of making peace, could cause enormous problems in the future. There are grave implications for the entire region. One hopes that before it is too late, Norway will see that the road to real peace lies in demanding accountability from all the actors, especially the Sri Lankan state and the LTTE, and not in strategic appeasement. (UTHR, 2002)

They alleged that Norway was ‘ignoring the LTTE’s misdeeds’, including the recruitment of child soldiers. The organization was also critical of the LTTE’s continuing attacks on Tamil opposition groups as well as provision in the MoU giving LTTE access to government-controlled areas for political work with no similar freedom given to other political groups (UTHR, 2002).

In bulletin no. 32, released on 2 May 2003, the UTHR charged Norway and Japan, the main external actors dealing directly with the LTTE, for not making the terrorist group’s assassinations and other attacks on its political opponents a critical concern in the peace process. It said:

Their bottom-line has appeared to be that human rights must be pushed, but not beyond a point where the LTTE might break off talks. This may partially explain why the LTTE’s continuing attacks on Tamil opposition groups has not featured as a critical concern in the peace process, even though any entity promoting resolution of this conflict would unhesitatingly acknowledge how critical democratic participation is to lasting peace. (UTHR, 2003a)

They described the Norwegian peace-making as superficial and minimalist and that ‘accountability for the past and present should be instilled in some way as a norm of any process to achieve lasting peace’ (UTHR, 2003b).

Following the political crisis in the south of the country caused by the row between the President and the Prime Minister, Norway went public and said that the talks could not be held in a political vacuum, and that until ‘political clarity’ was established regarding who was in control in Colombo the facilitation would be suspended, without of course pulling out of the monitoring mission. *The Hindu*, published from Chennai, criticized Norway for posturing and stated that some of its actions were not befitting of an impartial party. The country had anticipated the murky road to peace early on in the process and was alleged to have backtracked. The newspaper added that Norway had a responsibility to engage the President closely with the peace talks, as it was she who invited Norway to act as the intermediary. Others criticized Norway for being soft on LTTE when it broke off from the talks in the middle of 2003 and boycotted the Tokyo donors’ conference, and accused Norway of interference in the conflict, which is an internal matter for the two parties (*The Hindu*, 15 November 2003).

A survey conducted by the Colombo-based civil society group Centre for Policy Alternatives found that there was a decline in the percentage of the public favourably disposed to Norwegian mediation from 46.3% in November 2002 to 42.3% in January 2003 and further to 38% by the middle of 2003. Only 27% of the respondents were confident of the

impartiality of the Norwegian-led monitoring of the ceasefire (Liyanaarachi, 2003). The European Conflict Assessment Mission Sri Lanka prepared a report in 2002 which concluded, 'the peace process is too fragile and volatile for the Norwegians alone to have the sole monopoly and be left in their hands' (Perera and MacSwiney, 2002: 29). The report called for the involvement of other influential powers to supplement Norwegian efforts.

Norway's Track Record: An Assessment

The signing of the ceasefire agreement on 22 February 2002 was a significant achievement and a triumph for the Norwegian facilitators after several months of shuttle diplomacy. The mutually agreed ceasefire was preceded by unilateral ceasefires on both sides. Erik Solheim had persuaded the LTTE to extend the month-long unilateral ceasefire announced in December 2001 twice in the hope of making it a bilateral one involving the government troops, too. Norway also consciously tried to be impartial by achieving some kind of balance in its relations with the key conflicting parties. When the Sri Lankan nationalists criticized Solheim for walking too close to the LTTE, the Norwegian Ambassador in Colombo was criticized by the LTTE for being close to the President's adviser Lakshman Kadirgamar (*The Hindu*, 14 June 2001).

The extent of investment that Norway has made in the peace process is considerable, with key governmental functionaries involved in the peace process since late 2001. Norway acts as the common communication channel between the government and the LTTE. Besides acting as the channel of communication with India, it reports on the progress of the peace talks to New Delhi on its own regularly and periodically the United States and other European nations and stakeholders. In addition, the facilitators arrange venues for negotiations. Besides acting as the custodian of the ceasefire agreement, and the leader of the Sri Lanka Monitoring Mission (SLMM), Norway steers clear of controversies that will put the ceasefire agreement in jeopardy. Its role as the head of the SLMM is not to undertake peace-keeping, but to act as an impartial moral watchdog of the ceasefire agreement without being invasive. Norway also mobilized political and financial resources for peace and reconciliation internationally in organizing a donors' conference in Oslo in late 2002 in which NOK 500 million was pledged by the participating nations. Norway also promised to double its own assistance to Sri Lanka in the conference and participated actively in the Tokyo donors' conference.

Explaining the nature of the Norwegian involvement Solheim said:

Norway is not impressing any views upon the parties. We are advising the parties to the extent they ask for our opinion. When we give a piece of advice we prefer to do it directly to the parties, not through the press.

Norway did not want to take upon itself the role of arbiter. Solheim elaborated:

As long as we are entrusted with the task to try to bring the parties to the negotiating table, we will not take upon ourselves the role of the judge. But, naturally, if one day we become convinced that one side or both sides are not serious and only use our efforts as a cover for fooling the world, we will discontinue our efforts and tell the parties why.

The Norwegians never made public the substance of the talks, leaving this to the parties themselves to do. It was also made clear to the parties that what they told the facilitators would in turn be kept confidential (Sri Lanka Academic, 2001). In a recent interview, the Norwegian Foreign Minister Jan Petersen said: 'Our basic premise is that the two parties are serious and interested in solving this conflict' despite the complications arising from the change of government, the rift within the LTTE caused by the revolt of its eastern commander V. Muralitharan, and the suicide bomber attacks in Colombo in early July 2004 (*The Hindu*, 8 July 2004).

Although the other Scandinavian states also participate in the SLMM, blame for ceasefire violations is always directed at Norway, which has not responded publicly so far. Norway has to ensure that the various activities undertaken are coordinated to have the maximum effect on the peace process. This has created a challenging, and perhaps unprecedented, foreign policy role for the country that goes beyond mere facilitation.

If Norway's involvement were indirect, as in the Oslo back channel, it would not have been the subject of such criticism. One reason why the country has to bear the brunt of attacks of critics of the peace process is confusion regarding the role of facilitator. The idea of a neutral facilitator in negotiations is alien to the collectivist culture of Asia, where mediation is the standard form of third-party role.

The Norwegian effort has some inherent limitations. Although Norway is not widely seen as an imperialist country, many see it as a close ally of the major Western powers, particularly the US. The extent to which it can steer clear of this stigma will considerably enhance its legitimacy as a facilitator in Third World conflicts. Since expectations about the role of the Norwegians differ between the two parties, their ability to take initiatives is heavily circumscribed lest one or the other of the parties should misinterpret them. As Bercovitch says:

When the parties have different assumptions about conflict and different ideals, goals, and values about social reality, mediation and conflict management in general are unlikely to be effective. (1996: 6)

The government apparently has fears about a more active role on the part of the mediators working against its interests. The new Sri Lankan ruling coalition that came to power in April 2004 is likely to adopt a more cautious approach. Changes in the composition of the negotiating team as well as in the terms of reference present new challenges. Norway can only wait and watch for the emergence of a right environment for the commencement of peace negotiations and is not in a position to help create it. Norwegian facilitation is thus captive to the shifting coalitions and fleeting developments surrounding the ethnic conflict in that country. It has defined its role as

being 'at the disposal of the two parties'. The Norwegian Foreign Minister Jan Petersen said: 'We just have to take whatever environment there is and make the best out of it' (*The Hindu*, 8 July 2004). This is a major constraint faced by a small state facilitator placed in a situation of protracted conflict. The fragility of the new government that came to power in April 2004, as well as the differing perceptions within the government on what terms to carry forward the peace process, is likely to slow down the momentum of the peace process considerably. Peace processes often run the risk of freezing conflicts into a form of negative peace, a 'situation of permanent impermanence', one in which new grievances are produced (Darby and MacGinty, 2003: 5), and, in this case, Norway itself has become an issue in the conflict.

Although transformational conflict resolution involving multi-sectoral and multi-level approaches with a focus on citizen-level peace-building and linking of these efforts to the initiatives of the conflicting parties has been suggested (e.g. Rupesinghe 1996), appropriate conditions for such initiatives are absent in Sri Lanka. Since the mandate for facilitation is given to the Norwegian government alone, the possibility of involving civil society groups intimately in the peace negotiations is bleak. The absence of associational life cutting across the ethnic divide, a key factor for inter-communal peace (Varshney, 2002), makes civil society in Sri Lanka an impoverished actor in the peace-making process at grassroots level. Civil society groups have played largely low-key support roles in Sri Lanka. NGOs are top down in their approach and are state-dependent. They are caught up in the political and ethnic divisions that characterize Sri Lankan society and have very little record of grassroots level mobilization of any kind, not to speak of peace-making. Years of ethnic war in fact have only weakened civil society making it an uncivil one (Orjuela, 2003). The close identification of the Buddhist Sangha with Sinhalese nationalism has prevented it from acting as a peace constituency. Fear in the context of an environment of militarization has prevented the NGOs from working for change in an activist manner. They have not been able to do anything more than build coping mechanisms in the conflict situation.

Notwithstanding these constraints, Norway has demonstrated a high degree of patience and long-term commitment in the efforts made so far, efforts which are crucial in peace-making. Yet they have not percolated down to the level of the people. It is only when peace-making efforts assume a multi-track character and are having a generational vision that opportunities for the emergence of sustainable peace arise. As Lederach (2003: 33) says:

The Challenge is how to visualise the possibility of sustaining an overall forward movement over time visible in the lens of decades not months. This requires a capacity to envision a longer-term process and recognise opportunities for constructive change in the midst of crisis.

Peace has always been a contested theme in the conflict resolution discourse of Sri Lanka. For the Tamil militants, justice is a more central concern than peace. For Sinhala nationalists, peace is the absence of the type of violence that they attribute to organizations like the LTTE. This

divergent perception of peace has made the search for common ground an arduous one. However, thanks partly to the ceasefire and to the role of the Norwegians, terms such as 'facilitation', 'ceasefire', 'peace monitoring', and so on, have entered the vocabulary of the people, which is a welcome development. For an entire generation in the north of the country, the ceasefire was a new experience, and if it holds it will generate enough pressure at the societal level to prevent a relapse into violence.

The presence of nationalist JVP in the government constricts the degree of manoeuvrability that Norwegians will have in the peace process. Since facilitation is essential, and the LTTE and India are unlikely to accept facilitation by other third parties, any political configuration committed to peace negotiations that comes to power in Colombo will be left with not much choice.

Conclusion

Norway's record in Sri Lanka reflects a rare degree of resilience and persistence in the midst of criticisms of its role. The conflicting parties themselves have been responsible for entrusting Norway with roles that have gone beyond its original mandate of facilitation. Face-saving has been less of a problem for the Norwegians, who often undertook messenger roles in the cause of peace that an average South Asian diplomat would have considered pejorative. Because Norway is party to the talks, and is a guarantor of the process through its monitoring role, which is unique to the conflict, it is forced to play a more active role than would a mere messenger. Every opportunity to befriend the conflicting parties, including the chance to treat Anton Balasingham, was used by the Norwegians to enhance their legitimacy as a third party in the conflict. There was also involvement of higher-level Norwegian political leaders when the Sri Lankan government was wary of the singular role of Solheim. However, criticism of Norway by the Sinhalese nationalists for not being a neutral actor and by Tamils afraid of the implications of the singular representative role assigned to the LTTE is a serious one, and it is necessary that the Norwegian facilitators engage in interactions aimed at dispelling these suspicions.

While Norway cannot offer carrots, it has been instrumental in organizing multilateral efforts aimed at bridging the gap. The fact that the ceasefire it has brokered still holds even after three years, giving the people a taste of peace, however minimalist it may be, stands to the credit of Norway, and places it more securely as a potential mediator in similar conflicts in other parts of the world. The people on both sides of the camp feeling the benefits of peace is a sure source of pressure on the parties to push on with the negotiations. Norway has engaged in this process with studied naivety and silence despite accusations relating to the bona fides of the country. This has helped in putting the onus of taking the process forward squarely on the shoulders of the two parties.

Norway's role in Sri Lanka is akin to that of a social worker and the power that it can marshal in the cause of peace depends on its own self-less actions and the relations it establishes with all concerned actors rather than

the conventional tools that nations employ to influence the course of events in international politics. Norway supplements its peace-making role by organizing donors' conferences and harnessing support for efforts internationally. It is this attitude of looking at peace-making as a form of social work that makes the Norwegian effort unique. In the words of Johan Galtung (1996), it is 'peace work'. The resources that Norway seeks to put to use are essentially moral rather than material in nature; for example, by exerting pressure on the conflicting parties through the other major powers — US, India and the European Union. Another source of pressure is through offers for assistance from international donors to rebuild the war economy and rehabilitate the victims. The prospects for developing the war-ravaged economy with international assistance offered was seemingly one of the factors that weighed in the calculations of the Ranil government.

The Tsunami that ravaged both north and south of Sri Lanka offers Norway new challenges and opportunities for taking the peace process forward. While tackling discrimination in aid and relief for the victims presents a challenge, Norway will be able to focus on peace-making efforts from the perspective of development and rehabilitation more than at any point in time, a task in which the country has considerable experience. Although the commencement of peace negotiations may take more time to materialize, if development and rehabilitation work is undertaken in a peace perspective, future negotiations could be based on a more secure footing. The prospect of the rehabilitation work itself generating additional areas of tension is also real.

For Norway, peace facilitation is extending the domestic peace that it has achieved internally to the international realm, by domesticating the latter. It is a strategy by which to establish for itself an international role as peace-maker, a theme that has universal appeal in the comity of nations. The strategy that has been adopted is to take a low-profile approach and avoid conflict with any of the parties even when accused of being partial. Norway's facilitation is partly responsible for the LTTE thinking in terms of federal models of internal self-determination. The ceasefire has created an atmosphere in which a more comprehensive and sustainable peace can be negotiated. It has provided a relatively stable situation in which rehabilitation can be undertaken for the victims of the Tsunami.

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