

Towards Positive Peace: Government of Sri Lanka's Post-Conflict Peacebuilding Efforts

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Introduction

Post-conflict peacebuilding efforts in Sri Lanka reveal a unique approach of contemporary peacebuilding enterprise in the context of the way the government conducts its post-conflict activities. Without any internationally recognized peacebuilding agreement or mandate, the Government of Sri Lanka (GoSL) carries its own activities under the heading “nationally led peacebuilding”. However, it is widely accepted that the ultimate goal of any kind of post-conflict activity is to bring positive peace for every citizen. In line with the ultimate goal of peacebuilding, it needs to say that the GoSL’s post-conflict efforts should meet its citizens “peaceful” expectations after the three decade long conflict.

The GoSL’s “triumph” of winning the conflict against the Liberation Tigers of Tamil Eelam (LTTE) has not brought a comprehensive answer to the underlying causes of the conflict, though the war has been absent for the last two and half years. Therefore, to achieve positive peace for the whole country, as the primary representative of its people or the winner of the conflict, the GoSL has to go ahead with clear and comprehensive peacebuilding activities to overcome prolonged causes of the conflict.

One cannot ignore the GoSL’s efforts in post-conflict scenario and not be concerned of the ongoing peacebuilding process. It is correct to say that the GoSL’s post-conflict efforts are being progressed in its own way. However, reiteration of ex-LTTE combatants, addressing the decades long root-causes of the conflict, particularly in the progress of giving political solutions and addressing socio-economic structural issues of the conflict affected communities are yet to be addressed. In spite of lower appreciation of the post-conflict peacebuilding efforts, the international community explicitly questions the accountability of the GoSL’s actions in the last phase of the conflict and the GoSL’s inability to establish an internationally recognized mechanism to prove its accountability to the citizens of the country in two yearlong post-conflict peacebuilding.

This preliminary article examines how GoSL proceed in its post-conflict peacebuilding efforts to achieve positive peace at the end of the conflict. The article will further attempt to provide narratives on the GoSL’s role in post-conflict peacebuilding as the responsible primary representative to the citizens of Sri Lanka. First part of the article briefly summarizes the Sri Lankan conflict and its transformation into negative peace based on prolonged root-causes of the conflict. The part two of the article describes the GoSL’s post-conflict efforts: (1) immediate humanitarian assistance; (2) reconstruction and rehabilitation and (3) mechanisms of addressing human rights violations and accountability issues to achieve the ultimate goal of positive peace during the last two years.

The third part of the article focuses on the international community’s responses over the GoSL’s post-conflict peacebuilding efforts. It further illustrates the criticisms and arguments of diverse actors of international community including (1)“western”, (2)“regional” and (3)“other” actors in the context of positive peace. The last part of the article analyses and illustrates potential difficulties to the GoSL in order to bring the positive peace into the conflict affected communities both in national and international contexts. Based on the above mentioned discussions and analysis the article draws the conclusion that the GoSL’s potential abilities and obstruct to bring positive peace at the end of the conflict. Apart from secondary sources, the paper utilizes qualitative interviews and observations carried out in particular conflict affected Northern and Eastern areas in Sri Lanka.

1. Sri Lankan Conflict Transformation Towards Negative Peace

Conflict erupts as a result of long term deprivation of basic needs of the people in a society. Johan Galutung describes that

the deprived basic needs of the people such as food, shelter, health, education, livelihood needs, social dignity and equal opportunities to participate in social and economic activities in the society lead to structural violence as well as direct violence (Galtung, 1969). Through diverse activities such as ceasefire agreements, negotiations and military interventions, the direct violence can be stopped in a society. This nature is called as negative peace (Grewal, 2003). However, the negative peace cannot stop the above mentioned structural violence of the society due to its inability to change existing social structures which deprive basic needs of the people in the society. To eliminate the structural violence in the society, it requires the establishment and restoration of relationships, the creation of social systems that serve the needs of the whole population and the constructive resolution of conflict. "Peace is not merely absence of direct violence but also absence of structural violence" (Grewal, 2003, 3). This is what Galtung (1969) called as positive peace in a society which is the ultimate goal to prevent occurrence of conflicts. Therefore, "the value of the positive paradigm is its vision of bringing about peace rather than just resolving conflicts through political mechanisms" (Grewal, 2003, 5).

Based on the goal to achieve positive peace, this part of the article briefly summarizes the root-causes of the Sri Lankan conflict, their transformation into the conflict and negative peace. In particular, it discusses the "humanitarian mission" which finally put an end to antagonism of the conflict parties in the three decades. Sri Lankan protracted conflict can be defined as absence of non-violence means of politics in a society (Orjuela, 2009) where multi-ethnic, religious and cultural communities live. The immense literature on the Sri Lankan conflict reveals that the majority accepted but not implemented democratic principles and policies led to a heavy confrontation among the multi-communities of the country (Bose, 2007).

In line with ethnicity based deviation, the northern and eastern provinces of the country were underdeveloped. Compared to other provinces such as western and central, eastern and northern provinces were economically and socially backward. Those are the areas the majority of Tamils live. The underdevelopment nature was further increased by the state policies regarding land, language and education. In particular, in 1947 and throughout 1960s, Sinhala colonization projects and settlement of Sinhala people in Tamil-owned lands in northern and eastern Sri Lanka had negative impacts on the Tamil community. Those state land policies created inequality and fear among Tamils on Sinhala expansion into Tamil's own lands.

Moreover, the "Sinhala Only Act" in 1956 and Act of "Sinhala as the Official Language" were two attempts of discrimination regarding language (Wicramasinge, 2006; Gunawardana, 2006; Swamy, 2008). Furthermore, the 1972 constitution is crucial, as it not only defines the place of the Sinhalese and that of Buddhism, but it took away the language rights of the Tamils by not mentioning Tamils in the constitution (Sivathanby, 2004). In and after the 1960s, the discrimination based on ethnicity in the state administrative system was increased. In particular, the recruitment to the public services and their job opportunities were rapidly decreased. As Sivathanby (2004) mentions that the number of Tamils working in the public sector began to fall even below the population ratio. On the contrary, the state sector job opportunities for Sinhalese rapidly increased and unqualified Sinhalese were recruited in spite of the presence of highly qualified Tamils. Education was a major area in which discrimination began to assert itself in a very pronounced way. Right to learn in one's own language, became the main factor for separation of the two ethnic groups in the country (Sivathanby, 2004; Phandis, 1976; Bastiampillai and Wanasinghe, 1995). The state education policies (1956s and 1970s) such as ethnic based university admission procedure and the decrease of recruitment of Tamil teachers negatively contributed to enhance socio-economic deprivation in the Tamil community. Based on majority Sinhalese oriented state policies, minorities were treated as second-class citizens in their own land (Swamy, 2008; Wilson, 2000; Roberts, 2011). Moreover, as Orjuela states that "Tamil nationalism has provided an ideology in which the governance problems in Sri Lanka are framed as ethnic discrimination" (Orjuela, 2009: 255).

Apart from this "popular" understanding of the conflict, there could be seen "hidden core causes" of the conflict particularly in the Tamil community itself at different levels. Significant among them existed socio-economically biased structures and other religiously and culturally biased rituals. Caste system based upon religion and land distribution had strongly but naturally persuaded Tamil community especially Tamil youths to become a radical opposition. It furthered their frustration on Tamil issues as well as nationalized political issues (Swamy, 2008).

As a result, a number of militant groups were formed; "they were made by Tamil youth frustrated with the difficulties to access education and employment. For them, revolutionary politics seemed a desirable alternative to the insufficient conservative politics of Tamil upper-class, upper-caste politicians" (Orjuela, 2009, 253). It is a well known fact that the creation of the LTTE's legitimacy in the Tamil community is aimed to build a "casteless" Tamil society. Swamy (2008) mentions the LTTE's 1976 constitution "called for the establishment of a casteless Tamil society by arms struggle" (Swamy, 2008, 56). Tamil militant groups including the LTTE had ignored the caste system of the Tamil community which divided entire Tamils into inflexible socio-economic groups in their own community (Shanmugathan, 1997).

Since 1980s, there were multiple peace efforts to solve the Sri Lankan conflict by both internal and international stakeholders. Above all, the failed peace process in 2002 created a grave security situation as both conflict parties, the GoSL

and the LTTE did not genuinely commit to the positive peace during the entire process (Orjuela, 2009). This situation intensified the vulnerability of civilian life as both the GoSL and the LTTE “systematically” neglected the basic rights of the civilians (Bose and Harmell, 2010). Therefore, the peace process came to an abrupt end in December, 2007 with the GoSL unilaterally pulling out from the Cease Fire Agreement (CFA). The LTTE’s severe violations of human rights including indiscriminate suicide and bomb attacks in main cities, killing political and civil society leaders led to “prepare for future war rather than to reconstruct devastated economics and ravaged societies” (Luttwak 1999, 37).

The LTTE *de facto* government and its harsh rules and institutions, particularly taxation and customs (Aayam) made challenges to the LTTE (University Teachers for Human Rights-Jaffna, 2002; University Teachers for Human Rights-Jaffna, 2003; Orjuela, 2009; Silva, 2008). Orjuela (2009) argues on the “LTTE’s unwillingness to discuss a political solution and the rebels’ lack of consideration for the wellbeing of the Tamil civilians who suffer the government’s retaliation for Tiger violence” (Orjuela, 2009, 265). Thus, it was proved that the LTTE’s militancy and its institutions created a vulnerable situation for the Tamil community in both areas where LTTE and government controlled (University Teachers for Human Rights-Jaffna, 2002; University Teachers for Human Rights-Jaffna, 2003).

However, almost all efforts were unsuccessful due to the inability of addressing the above mentioned causes of the conflict constructively. As a result the GoSL launched a so called three and half year long “humanitarian mission” against the LTTE. To implement the humanitarian mission, the GoSL was required to establish a stable government which consisted with diverse political parties of the country. Present President, Mahinda Rajapaksa’s patriotic leadership united diverse political groups with a main goal; that was to elimination of the menace of the LTTE from the country. It is interesting to note that Rajapaksa’s election manifesto called “Mahinda Chintana 2005” steadily describes his view on the conflict in 2005. “The freedom in our country is supreme. I will not permit any separatism. I will not also let anyone to destroy democracy in our country” (Mahinda Vision, 2005, 30).

The Mahinda Chintana further discusses fragility of peace efforts during the last two decades and necessity of “fresh perspective and decisive approach” (Mahinda Vision, 2005, 31) to bring sustainable peace for the country. Moreover, the document states the unwillingness to promote “the traditional concepts of homeland and self-determination” rather than “an undivided country, a national consensus and an honorable peace” (Mahinda Vision, 2005, 31).

At the end of the failed peace process in 2005, the GoSL made further efforts to bring the LTTE to the negotiation table to conclude a solution for the conflict. This effort was unsuccessful due to the LTTE’s unilateral withdrawal from the negotiation table. As discussed by Luttwak (1999) Sri Lankan past peace efforts gave evidence that it was a time lapse for LTTE’s military preparation and rearming their soldiers for the next step of the conflict rather than an original expectation for a peaceful solution.

The LTTE’s withdrawal from the negotiation table was an opportunity for the GoSL to carry out its military operations against the LTTE. Ministry of Defense (MoD) states that “[t]he human catastrophe created by the LTTE by the end of October 2006, obligated the country to take stern action against terrorism” (Ministry of Defence 2010). The LTTE’s violent nature further reveals through the closing down of the most needed irrigation facility called Mavil-Aru sluice gates in eastern part of the country and there by restricting water supply for more than 15,000 civilians and their agricultural lands in 2006 (Office of the Coordination of Counterterrorism, 2009).

The above discussed incident was the immediate reason for the government to launch its military operations against the LTTE in 2006. The military operations were initiated in the eastern part of the country and extended to the northern part due to the massive successes. In May 2009, at the end of heavy battles against the LTTE, the GoSL military defeated its three decades rival by ending direct violence in the country. Thus, the GoSL’s humanitarian mission was aimed to restore “peace” at the end of three decade prolonged violence in the county. Even though conflict resolution theorists widely believe that a successful end to a conflict could be brought through negotiated peace process, the case of Sri Lanka did not prove it fruitful (Orjuela, 2003). However, as Luttwak argues that “though war is great evil, it does have a great virtue: it can resolve political conflicts and lead to peace” (Luttwak, 1999, 36).

In the context of Sri Lanka, the existing and existed nature is clearly applicable for what Luttwak discusses; “[u]ninterrupted war would certainly have caused suffering and led to an unjust outcome from one perspective or another, but it would also have led to a more stable situation that would have let the postwar era truly begin” (Luttwak, 1999, 37-38). At the end of the war, there had been a massive need for an immediate humanitarian response for the thousands of war affected peoples’ basic needs in negative peace.

2. The Government of Sri Lanka's Post-conflict Peacebuilding

This part of the article discusses the government's post-conflict peacebuilding activities under the following three main headings: immediate humanitarian assistance; reconstruction and rehabilitation; accountability and reconciliation. The GoSL military defeated the LTTE by claiming that all local leaders of the LTTE were killed and they had rescued more than 300,000 civilians who were used by the LTTE as a human shield during the war. Furthermore, the GoSL pointed out, that the operation was "the world's largest human rescue mission" (Sri Lanka Rupavahini Cooperation; May 16, 2010) from a manmade disaster. At the end of the humanitarian mission, the GoSL, as the primary representative of the civilians, was required to address all immediate needs of the conflict affected civilians in the northern and the eastern parts of the country in the context of restricted access to international humanitarian agencies.

Hence, the GoSL, as a primary authority over the citizens of the country has the prime responsibility to deal with postconflict issues faced by the victims of the conflict. From May 2009 to date, the government has been responding to its postconflict peacebuilding efforts in different ways.

2.1. Immediate Humanitarian Assistance

Instantaneous aftermath of the conflict, the GoSL had to carry out diverse tasks as an immediate humanitarian assistance. The GoSL was prompt in post-conflict peacebuilding to deliver the immediate humanitarian assistance. The government was able to establish interim camps for all IDPs, including ex-LTTE carders. All interim camps were provided with basic needs of the IDPs including food, shelter, medical facilities and other sanitation requirements. Furthermore, the government sources and UNHCR reports stated that the government was able to provide education facilities to the children who had been camped. On the other hand, the government provided livelihood activities and professional skill training to unemployed youth in the camps (Ministry of Defense; October 21, 2009; Ministry of Defense; December 30, 2010).

It is needed to highlight here that during the first phase of immediate humanitarian assistance, the government had strictly restricted international humanitarian organizations' efforts to deliver pressing needs for the conflict affected civilians due to mistrust of the GoSL on humanitarian organizations' efforts during the failed peace process in 2002. Every effort was carried out by the government stakeholders led by the security forces. On the other hand, the civil society organizations in the southern part of the country voluntarily collected water, food rations, infant needs, medicines, hygienic kits and cloths to deliver to conflict victims of the north. The civil society's efforts were monitored and screened by the security forces. United Nations High Commissioner for Refugees (UNHCR) was allowed to provide temporary shelters for victims.

Despite restrictions on international humanitarian organizations, China (Ministry of Defense; December 20, 2010), India, Iran, Japan and USA provided medical facilities, rations, temporary shelters and sanitary equipment through the government channel. These countries' immediate humanitarian assistance were based on the premise to protect basic rights of the conflict affected people immediately after the conflict. The government sources disclosed that within a period of six months, government was able to address the immediate needs of the IDPs without any significant challenge and made profiles of all IDPs who are camped under security forces (Ministry of Defense; October 21, 2009). In particular, the documentation of the basic information (personal information, involvement with the LTTE, education background and the skills s/he wants to pursue in future) (Ministry Of Defense; December 20, 2010) of all IDPs including ex-LTTE combatants was completed. It is said that these information collected has been used for implementation of activities of reconstruction and rehabilitation.

On the contrary, in spite of the government's sources and UNHCR reports, the international human rights groups stated that the civilians who were directly affected by the conflict suffered from huge immediate humanitarian needs. The main allegation against the GoSL was the inability to keep international standards of delivering immediate humanitarian needs and of humiliating and abusing the detainees in the camps, particularly the ex-LTTE combatants.

2.2. Reconstruction and Rehabilitation at the End of the Conflict

As Galtung (1967) says, the termination of the conflict does not bring total peace and harmony for the affected civilians in the society until it deals with root-causes or structural issues of the conflict. The absence of war brought a "non violent peace" while creating a bulk of psycho-social, economic, political and human rights issues especially in conflict affected areas in Sri Lanka. In parallel to immediate humanitarian assistance the GoSL launched a number of reconstruction and rehabilitation activities to restore the lives of conflict affected civilians with the support of limited actors of the international community. Among the activities, resettling IDPs in their original habitats, providing livelihood for the IDPs who were camped and resettled, providing education facilities to children including ex-child soldiers, establishing health facilities, roads, and other infrastructures and related development activities takes priority in the post-conflict reconstruction agenda. Reintegrating ex-

LTTE combatants into mainstream society is one of the main tasks under the agenda of rehabilitation and reintegration.

According to the GoSL's information sources, more than 95% of IDPs were resettled in their homelands (Ministry of Defense May 31, 2011; Humanitarian News and Analysis May 18, 2011). Furthermore, in addressing the 17th session of the United Nations Human Rights Council, the GoSL exposes that "the Government's priority has been the resettlement of the approximately 290,000 IDPs, while ensuring that they are provided adequate shelter, food, security and livelihood support" (Ministry of Defense May 31, 2011). The government led demining activities, reducing High Security Zones (HSZ) and implementing new livelihood activities for newly resettled civilians are significant (Ministry of Defense May 10, 2011).

With the limited access of the international humanitarian agencies, the resettlement of IDPs and establishing livelihood needs have been initiated and some were implemented with the assistance of supportive states: China, India and international development agencies: Japanese International Cooperation Agency (JICA) and United States of America International Development (USAID). These development assistances have significantly contributed to rebuild the devastated infrastructure of conflict affected eastern and northern parts of country (American Centre News Letter, June 2009, 4-5; American Centre News Letter, August 2009). Among diverse rebuilding activities, it is important to note here the demining of thousands of planted land mines, constructing permanent shelters, providing education, health and water and sanitation facilities.

On the other hand, the government's efforts indicate heavy presence of the security forces in reconstruction, rebuilding and resettlement activities. Military forces have steadily been employed in demining and related cleaning activities. Last two years the government rehabilitation efforts have reached a highly progressive level due to involvement of the security forces. Moreover, this progressive situation has contributed to keep timely resettlement of IDPs in their homelands and improve the national security in areas where insurgents had planted thousands of land mines and other military equipment.

The GoSL reveals that the government was able to rehabilitate and reintegrates more than 50% of ex-LTTE combatants into the mainstream society. It is said that "former child combatants have been rehabilitated and have been beneficiaries of educational programmes including vocational training" (Ministry of Defence; May 31, 2011) and other professional trainings (information technology, dressmaking, building construction, making handicrafts, counselling and etc) during their periods of detention. "Of the 11,644 ex-combatants who surrendered or were arrested at the end of the conflict, 6,530 have already been rehabilitated and reintegrated into society" (Ministry of Defence; May 31, 2011). The progress of the rehabilitation of the ex-combatants was shown through recently held GoSL's national examinations results. Considerable number of former ex-LTTE combatants has been selected for higher education in the universities.

Moreover, the GoSL has indicated its progressive reintegration of ex-LTTE carders by providing opportunities to enter matrimony in their appropriate ages. There was a grand wedding ceremony in line with specific social and cultural practices of the existing society for 52 couples who had served for many years in the battle front. In addition to that, the government has launched social sensitization activities for ex-combatants to re-create social recognition as young generation in the society. Some of the activities are giving community leadership in organizing rehabilitation activities, collecting human rights related issues from their own community along with human rights organizations and Human Rights Commission (HRC) in Sri Lanka (this was revealed by one of officers in HRC, Sri Lanka). Furthermore, the selected young IDPs were given leadership and advocacy skills through a range of trainings.

It is argued that post-conflict peacebuilding in Sri Lanka is more economic oriented. This is further proved by the Department of National Planning Policy Document of the government on northern and eastern development. "Economic development can promote peace...Therefore, promotion of regionally balanced economic growth becomes necessary to secure peace and prosperity" (quoted in Minority Rights Groups International, May 20 2011, 7). During the government's humanitarian mission and aftermath, massive development activities implemented by the government is evident. Mahinda Chintana policy document also states that "in addition to common development programmes at national level, specific development programmes have been formulated targeting specific regions" (Mahinda Chintana 2005, 2005,79). The Chintana document further states that it could overturn the narrow boundaries of ethnic and religious differences. In order to develop both north and east of the country, two specific development programmes called "Vadakkinn Vasantham" (Northern Spring) and "Nagenahira Udanaya" (Eastern Awakening) were introduced. Under those programmes, development activities such as reconstruction of war and conflict affected houses, education institutions, railway constructions and other livelihood activities of the regions were carried on. Giving equal opportunities to children to access education with new technology is another target. Additionally, to prepare for future challenges, the government introduced information technology and English education projects for school children. This programme was highly appreciated by the World Bank due to its visible successes in the context of peacebuilding.

Reducing the government High Security Zones (HSZs), demining farmlands, lifting restrictions on fisheries, establishing market facilities, constructing infrastructure (railway and public roads, public transportation, financial institutions, permanent

shelters, water and sanitation and irrigation) are most prominent activities come under the post- conflict peacebuilding (Ministry of Defense, May 31 2011). Based on these activities, some of resettled IDPs were employed to meet their livelihood needs in the newly established life. Moreover, some of IDPs have been given foreign employment opportunities after their professional and vocational skill training.

2.3. Accountability and Reconciliation

The GoSL displays a snail pace in restoring the accountability and reconciliation among diverse communities at different levels. Despite progressive efforts in rehabilitation, rebuilding and development sectors, bringing social justice and being accountable for victims of the conflict have to be strengthened. However, in addressing the long lasted root-causes of the conflict, the GoSL has been initiating several activities in parallel to the above mentioned main activities in the past two years. At the UN Human Rights Council, the progress of those activities were revealed by stating “the comprehensive programme of socio economic development in the former theatre of conflict, the GoSL has commenced discussions with Tamil political parties examining constitutional, legal, and democratic reform” (Ministry of Defense, May 31 2011). The GoSL is currently being in the process of examining and assessing the long lasted root-causes of the conflict by establishing a Lesson Learned and Reconciliation Commission (LLRC).

The LLRC “founded upon the principle of restorative justice, and focusing on identification of those responsible for past events related to the conflict” (Ministry of Defense, May 31 2011). In addition, the government has recognized the healing and reconciling of `deeply divided` communities as a major challenge to the stakeholders in the context of post-conflict peacebuilding. Nevertheless, the political negotiation with leading political parties and leaders of the Tamil community is progressive. Implementing of the 13th Amendment of the Constitution which recognizes the decentralization of power among the states particularly in the north and east province has to be expedited. The main barrier to the implementation of 13th Amendment is handing over police, monetary and land powers to the regions. The government failed in reaching a conclusion so far due to lack of genuine supports from both Tamil as well as Sinhala political parties.

Somehow the ex-LTTE combatants were granted an opportunity to participate in democratic politics in both national and regional levels. Recruitment of Tamil youths as members of the national police has given an opportunity for Tamil community to deal in their own language during their issues rather than Sinhala or English. Introducing Sinhala and Tamil language and cultural exchange programmes made room to both communities to re/establish the links. However, majority ex-combatants are not granted such democratic opportunities rather than being kept at rehabilitation centres.

Conducting diverse socio-cultural activities in the north and the east is significant. Number of social events has been organized and conducted for reconciliation of diverse communities with the participation of mass civilians in the conflict-affected areas. Nevertheless, it is said that the government military forces forced civilians to participate in these government organized symbolic events. Organizing of such “mega” social and cultural events is unilaterally decided by the government rather than taking any opinion from the conflict affected civilians. In short, those activities are more or less influenced by the government’s political agendas in different contexts.

Reestablishing and implementing of the Human Rights Commission (HRC) has given an opportunity to the conflict affected civilians to make complaints of their human rights violations during the conflict and aftermath. However, credibility of those commissions is not clear due to the hindrances of implementation. Moreover, it seems that the government’s investigation of human rights violations is in slower pace compared to its development activities.

3. International Community’s Response on the GoSL’s Post-conflict Peacebuilding

The GoSL’s unilateral post-conflict peacebuilding is highly criticized by a number of members of international community due to potential pitfalls. To have a moderate assessment of the government led peacebuilding activities, it is very important to overview the international community’s responses in different perspectives. In order to discuss the international community’s responses, this part of the article pays attention to three main sources, namely, “global”, “regional” and “other” actors of the international community. These three main sources are comprised with the United Nations (UN) and its organs, States, International Humanitarian Organizations (IHOs), Human Rights Groups, Think Tanks, International Media and individuals.

It is significant that the international community responses its deep concerns over protecting the conflict affected civilians in Sri Lanka from all forms of human rights violations and ensure accountability and amnesty for victims and the perpetrators of the conflict. It further concerns over the alleged war crimes and inhumanity by the GoSL. In line with 2005 UN World Summit Report on Responsibility to Protect (R2P), if the state is lack of potential capacity to protect its own citizens, the

international community is ultimately compelled to assist the state to enhance their capacity with timely and decisive response in order to protect civilians at any vulnerability (UN General Assembly 2005, para. 138-139; UN Secretary General, 2009, 2).

3.1 Global Actors' Response

Global Actors reviewing to the GoSL's humanitarian mission and post-conflict peacebuilding, accuse the GoSL of alleged grave violations of human rights, war crimes and crimes against humanity. Western based international human rights groups, well known media (BBC, Al Jazeera and Channel 4), academics, think tanks and major countries constantly criticize(d) and called on the United Nations (UN) to control the "unhealthy and autocratic" behavior of the GoSL during its "humanitarian mission" as well as in post-conflict scenario of the country. Based on the critical risk to majority civilians, human rights groups have given their keen attention on post-conflict peacebuilding to see whether the GoSL follows the international community's advocacy to keep international standards in delivering humanitarian assistance in the post-conflict arena. This situation rose due to zero response to the alleged accusations of violations of human rights and war crimes by the GoSL's humanitarian mission.

The two and half year long post-conflict peacebuilding of the GoSL does not enhance human rights of the victims of the conflict, bring justice for the injustice conducted during the conflict by perpetrators, establish effective mechanisms for addressing underlining conflict causes such as political grievances, social dignity and equal opportunities to participate in social and economic activities. Therefore, the international community criticized the GoSL for not having clear and comprehensive peacebuilding activities and implementing strategies to overcome prolonged causes of the conflict rather than "monopolise Sinhalese military strategies". Those strategies have shown its limited capacity to deal with underlying causes both in national and local level to achieve social justice to reach the goal of positive peace rather than its "nationally popularised political interests".

Conducting of final phase of the humanitarian mission and triumph of GoSL in the conflict created fear and doubt among the local and international rights groups of the fate of thousands of conflict affected people in Sri Lanka. As a result of diverse human rights violations, it is estimated that range of 10,000 to 40,000 civilians were killed in the final phase of the conflict (US Department of State, March 15 2011).

Furthermore, a growing fear and doubt prevailed among the western actors of the likelihood or possibility of that other countries will also follow the Sri Lankan case leading to mass violation of human rights and international laws. Human rights activists have highlighted that the existing political regime's aggressive decision making stance and its direct influence over the security forces are increasing in post-conflict scenario in Sri Lanka (Human Rights Watch, March 10 2010).

The harsh change of Global Actors' stand point is clearly displayed when compared to Peace Process in 2002. During the 2002 Peace Process the international community had strongly assisted to reach a peaceful conclusion to the conflict despite the human rights violations of the conflict parties. Particularly, moderate Tamil civil organizations, University Teachers for Human Rights-Jaffna (UTHR-J), blamed the western actors led international community and its various actors over breaching of civilians' human rights in the name of peace. "While agencies were watching the military balance, there has been a steady decline of democratic and human rights, especially as regards political opponents, women and children" (University Teachers for Human Rights-Jaffna, July 2003).

Moreover, the international community claims that the GoSL's efforts were inadequate to protect thousands of civilians in the conflict as well as in post-conflict. "International pressure for an independent and impartial investigation into war crimes has led to ... the UNSG appointed expert committee to look into human rights abuses..." Minority Groups International, January 2011).

The UNSG's Panel of Experts on Accountability of Sri Lanka Report, the UN Commissioner for Human Rights (CHR) and other UN officials' reports (BBC; May 31, 2011) constant in stating that the GoSL has violated human rights and humanitarian laws in the conflict. The International Community's criticism against the GoSL could be summarized as follows. According to the UNSG's expert panel

The panel found credible allegations that comprise five core categories of potential serious violations committed by the Government of Sri Lanka: (i) killing of civilian through widespread shelling; (ii) Shelling of hospitals and humanitarian objects; (iii) denial of humanitarian assistance; (iv) human rights violations suffered by victims and saviours of the conflict, including both IDPs and suspected LTTE cadre; (v) human rights violations outside the conflict zone, including media and other critics of the government. (UNSG Experts Panel Report, March 2011: iii)

Apart from the significant expert report, the USA's annual human rights reports, particularly in 2009 and 2010 directly

alleged and recommended the GoSL to take necessary and timely measures on committed human rights violations. The recent visit of US Assistant Secretary of State for South and Central Asia reveals that if the GoSL does not fulfil its own accountability obligations to the community, there would be room for an international mechanism for action against the GoSL (Humanitarian News and Analysis, May 05 2011).

Furthermore, the USA's latest human rights report has highlighted that "[t]he government and its agents continued to be responsible for serious human rights problems. Security forces committed arbitrary and unlawful killings..." (Bureau of Democracy, Human Rights and Labour, April 8, 2011). The USA Human Rights Report further mentions that the GoSL's lack of transparency in accountability on impunity and "there were no public indications or reports that civilian or military courts convicted any military or police members for human rights abuses" (Bureau of Democracy, Human Rights and Labour April 8, 2011).

Apart from the UN, and the USA criticisms, the International Rights Groups (International Crisis Group, May 17 2007; Human Rights Watch, February 2010; Human Rights Watch, May 2010) have been criticizing the GoSL on alleged human rights since 2006. In particular, Minority Rights Group International (MRGI) makes public that the "members of the country's two minority groups-Tamils and Muslims- living in the north and east of the country, harsh material conditions, economic marginalization and militarism remain prevalent" (Minority Rights Group International, January 2011, 3).

Those reports constantly raise the doubt on the government's accountability mechanism and implementation of the Lessons Learned and Reconciliation Commission (LLRC) which was appointed by the President in May 2010 (Minority Rights Group International, January 2011, 16). This scenario creates distrust among general public on international community and its implementations to protect civilians in the country (Sri Lanka Broadcasting Corporation, June 3 2011).

The global policy of war on terror gave an international golden key to the GoSL to counter the globally dominated LTTE. Global conflict analysts argue that "the language of the war on terror, which allows states to do as they wish in the name of defeating supreme evil" (Traub, April 22 2009). This timely important policy of war on terror created permissible framework to claim the responsibility by ignoring the allegations of human rights violations.

3.2 "Regional" Actors' Response

Regional Actors' response in the Sri Lankan conflict and post-conflict peacebuilding is significant. The approach of Regional Actors to the GoSL was accommodating, contributing and defending the GoSL's existing peacebuilding activities. China has been engaging in Sri Lankan peacebuilding activities since 2006. The Chinese involvement in Sri Lanka can be described through three main activities. One is military assistance to the GoSL to carry out its humanitarian mission against the LTTE. At the end of the conflict the Chinese government started to provide massive humanitarian assistance by means of temporary shelters, hygiene utilities and so on. The immediate humanitarian assistance is extended towards long term development and resettlement of the conflict affected victims by providing infrastructure development of the conflict shattered areas as well as other parts of the country. The third important activity is defending Sri Lanka in the UNSC, Human Rights Council and other "western dominated" forums against the allegations of grave human rights violations and war crimes by the GoSL.

Having had enormous support amounting to millions of dollars worth of military as well as humanitarian assistances is influential. Furthermore, Sri Lanka is often defended by China in the UN Security Council (UNSC) and human rights sessions against other permanent members' proposals and criticisms. Even though historically Japan is the biggest single donor of Sri Lanka, it followed other global powers and voted against Sri Lanka at the UN human rights council during the last phase and aftermath of the conflict. This allowed China to dominate its involvement in post-conflict scenario (Tamilnet, November 18 2009; Hemanthagama, November 27 2010).

Even though, India helped the LTTE to strengthen their military stabilization in 1980s India started counter terrorism operations initiated against "South Asian terrorism" (Bose 2007). It directly affected the LTTE and its activities on Indian soil against the GoSL. India's policy against LTTE created close and cordial relationship between India and Sri Lanka. India positively pushes the GoSL to take stable political actions to establish sustainable peace for all ethnic groups in the country and challenge the western sources of human right allegations.

In addition, India initiated to build 50,000 permanent shelters for displaced families and continues to restructure agricultural economy in the north by implementing various activities since 2009 for long-term sustainability of the conflict affected civilians (Hemanthagama, November 27 2010). Since humanitarian mission, India's proactive approach in both advocacy and development assistance pushes the GoSL to take stable political actions to establish sustainable peace for all ethnic groups in the country in post-conflict peacebuilding. India defends Sri Lanka particularly in the UN human rights forums and other international events against Sri Lanka. Indian higher level diplomats including Minister of External Affairs, Secretary

to the Minister of External Affairs, advisors of external affairs to the Prime Minister of India and other officials visited Sri Lanka and closely monitored the GoSL activities in the northern and eastern parts of the country.

A recent development in India's relationship indicated a close development tie by opening two new regional Indian consular offices in Jaffna in the north and Hambanthota in the south in order to meet local people's needs and expand Indian "active involvements". On the contrary to Global Actors of the International Community, India fully agrees and blesses the GoSL's resettlement efforts during the past two years.

Pakistan as a regional super power helps Sri Lanka at the UN forums with solidarity of the GoSL (Daily Mirror, May 31 2011). During the conflict, Pakistan increased and continued its military supplies to Sri Lanka without any resistance from India. Pakistan openly states that the expert's panel report is merely political rather than actual attempt to realize the violations of human rights (Ministry of Defence, June 2 2011). This friendly relationship helps Sri Lanka to enhance its military capacities against terrorism. According to these developments, South Asian regional political analysts concluded that Sri Lanka was able to greatly benefit from South Asian super powers after 30 years of the conflict.

3.3 "Other" Actors' Response

Other Actors of the international community follow the Regional Actors' position on the GoSL's humanitarian mission and post-conflict peacebuilding by supporting at the UN human rights forums and development activities. Russia is one of other actors who defend Sri Lanka as a permanent member of the Security Council (SC). Since the initiation of the GoSL's military efforts Russia has been playing a defending role against the international community's human rights allegations (Daily News, June 18 2011). When the SC pays attention to Sri Lanka, Russia directly opposes by stating that there is no need to take any SC actions against the stable state of Sri Lanka and its internal issues. This nature directly challenged the western dominated international community's intentions on human rights violations of the GoSL and its agents. The Russians' stand point further stabilized in recent comments on the expert's panel report. Russia simply states that the "panel report is not a "UN report" and healing its wounds after long armed conflict, the UN may render its assistance, if needed, and not to complicate the process of reconciliation" (Ministry of Defence, April 21 2011).

Apart from Russia, there are some other countries which backed Sri Lanka during the military operations against the LTTE. Above all, Iran has been continuing her development assistance to the GoSL for years. The Iranian development assistance makes a significant contribution to the GoSL to face economic sanctions of western countries particularly the EU's GST plus tax concerting over human rights violations. The Iranian government further funds to build a hydropower plant to enhance infrastructure for the conflict affected eastern part of Sri Lanka.

In addition Cuba, Israel, Libya, Myanmar, the Philippines, Ukraine, Venezuela and Vietnam have extended their support to Sri Lanka in UN human rights forums and other occasions where the Sri Lankan human rights violation issue is discussed (Daily Mirror, May 31 2011). However, many of the above mentioned countries are criticised by the western countries and human rights groups on their weak records of human rights protections and "aggressive" behaviour which threatened the world peace and security. Therefore, it is reported and international political analysts foresee that GoSL might join this group and will take radical behaviour in international relations.

4. Why Does the GoSL Not Close to Achieve the Goal of Positive Peace?

Bringing social justice and truth to the victims of the conflict and establishing a structural violence free social structure are key requirements to the GoSL to achieve positive peace after the prolong conflict. Particularly, building confidence among diverse communities and addressing their political rights and diverse socio-economic rights are in the top of the agenda in Sri Lankan post-conflict peacebuilding. "The government's intransigence and triumphalism a full two years after declaring victory over the LTTE has meant the country is yet to see any semblance of compromise or inclusiveness" (International Crisis Group, July 18 2011, 40). To establish positive peace for the country, the following challenges are to be addressed by the government. The GoSL is required to re/establish institutions of justice, reintegrate ex-combatants, revitalize the economy and restore basic needs of the conflict affected civilians (United Nations, February 22 2011). In spite of the relative success of those "limited activities" there could be seen a bulk of core activities which have to be focused on years long root causes of the conflict.

Nevertheless, establishing positive peace (Galtung, 1967) which addresses all structural issues of the victims and perpetrators of the conflict is not straightforward. The article has already mentioned that to achieve the goal of positive peace the GoSL and its agents have to take indispensable responsibility and efforts to solve the caste based socio-economic practices particularly in the Tamil community. The recent UN humanitarian reports (Humanitarian News and Analysis, May 13 2011) and other rights groups' reports reveal that limited employment opportunities have not met the demands of graduates who are

in the conflict affected areas. Majority of unemployed graduates who are from depressed castes were studied under the pressure of the conflict. As long as the government could not deal with the above mentioned issues of the conflict, there is a possibility of returning to conflict within a decade or so (Blundell 2007).

Winning the hearts and minds of conflict affected civilians in the north and east is one of the main challenges to the government. The GoSL has to win the hearts of all ethnic groups of the country to establish a durable peace (Minority Rights Group International, January 2011). Principally, the government needs to address all surface and profound issues of the directly conflict affected Tamil, Sinhala and Muslim civilians in the northern and eastern parts of the country. Even though the GoSL says that they are in the process of making “indigenous” or “Sri Lankan own model” of peacebuilding, the article argues that it is the main challenge to the GoSL to implement or build transparent and accountable peace with the lesser support of International Community. This creates “a high risk of abuse by the executive branch, the military and the security forces because it restricts accountability and transparency to the public, the news media, the legislature and the judiciary” (Oberschall, 2007, 46). In this context, the GoSL has to endure international human rights norms and principles as cross-cutting elements of its peacebuilding activities.

If the GoSL is unwilling to take international human rights as cross-cutting elements, the conflict affected civilians’ grievances such as land issues, political representation, language barriers, proper reintegration of ex-combatants, effective restoration of civilian life without military disturbance, accountability and compensation for thousands of war-affected civilians would not be addressed. Furthermore, there is a possibility to react against the military backed Sinhala dominated development projects due to conflict affected civilians’ unsolved problems (Minority Rights Group International, January 2011).

The government’s restrictions on travelling, religious events, freedom of association and expression have displayed the limitations of the military led government post-conflict efforts. The other interesting and important challenge to the GoSL is how to overcome issues of the centralized government reconstruction approach in post-conflict peacebuilding. It is said that the government approach keeps victims as victims in their own vicinity. These conflict affected victims should be taken part in decision making process, in any reconstruction activity in order to ensure their human rights. So far it is commonly seen that highly structured military institutions and their officials just follow their superiors’ order of reconstruction and resettlement rather than paying attention on actual needs of beneficiaries of the conflict victims. It is true that that military procedure is suitable for military institutions but not for the public community. Based on these facts the article further argues that the GoSL and its stakeholders could work more to materialize the meaning of human rights in line with international standards (Minority Rights Groups International, January 2011, 30).

The article further argues that the GoSL faces socio-economic causes of the conflict as one of major challenges to achieve the goal of positive peace. The issue of caste based social discrimination has not been taken into serious consideration yet due to generalized political rights of the majority-minority context. However, it is a well evident fact that the caste is one of highly required qualifications even to enter the mainstream Tamil politics. Moreover, “lopsided development” does not concern about Tamil community’s caste based land ownership and its effects on the low caste civilians who have been discriminated for years. Therefore, the GoSL has to establish new social structures which do not discriminate citizens in the society. Human rights analysts rightly point out that the military led government resettlement efforts show only surface solutions to the decades’ long conflict causes such as land issues under the existing Tamil customary laws based on the caste.

Based on this fundamental argument this article further claims that the GoSL and its entities have to pay close and constant attention to analyze these issues and come up with a clear-cut package of activities in “the brand of human rights” to avoid future segment of conflict. The victims of the conflict demand their basic human rights and ‘social justice’ against the perpetrators in different levels and roles. They are not only the LTTE and the GoSL but also unofficial, traditional socio-economic practices and institutions which led people to be frustrated (Gunaratna, June 1 2011).

Enhancing national security parallel to the reconciliation and rebuilding of the conflict affected communities is another challenge to the GoSL. However, it is accepted that the GOSL has concerns on how to strengthen the national security in order to prevent another form of terrorism or insurgent threats to emerge. With growing global terrorism threat, particularly in the South Asian region, GoSL is expected to enhance national security to protect its citizens. To do so, the government needs to tackle remnant LTTE actors in the context of international terrorism. As Gunarathna (June 1, 2011) states “the LTTE threat overseas prevails and Sri Lanka should enact international law and jurisdiction, through which any terrorist operating overseas can be brought back home for justice” (Gunarathna, June 1 2011) .

To achieve these goals of positive peacebuilding, the GoSL has another challenge of how to cooperate with diverse actors of international community rather than making them as opponents to the project of positive peacebuilding. In particular, the future consequences of China led gigantic developments projects have to be properly analyzed. In spite of the surface economic growth immediate aftermath of the conflict, the cost of massive development projects, high interest rates and foreign debts

would affect the positive peace in many ways. It is a visible domestic challenge for the GoSL to follow conditions of these development projects while having a significant unemployment rate in the country. Most of the Chinese projects have employed Chinese labour rather than providing employment opportunities for the domestic labour force. This existing situation creates livelihood challenges for recently resettled conflict affected civilians of the country.

Moreover, the government has to seek a mechanism to get support from diaspora which lives in western countries in order to assist thousands of conflict affected civilians' needs. The close cooperation with international community including UN agencies, INGOs and other individual experts on humanitarian issues and be in line with international human rights and humanitarian laws are considered as rightful measures to establish social justice mechanism and achieve positive peace.

Furthermore, so far the GoSL has not shown its capacity over some significant peacebuilding activities such as post-conflict policy instruments changes, implementing comprehensive political process and reconciliation and national healing to fulfil its accountability to international community. Another important challenge faced by the GoSL is how to deal with alleged human rights violations and war crimes. It is true that, despite the LLRC, so far there are no established mechanisms to investigate, prosecute and penalize those victims and perpetrators of the alleged war crimes.

The international community's allegations mainly focus on the GoSL and its constituencies rather than the LTTE. Though the GoSL and civil society claim that the international community's allegations are biased and the credibility of the information is further questioned as "second-hand sources", the GoSL has to prove its accountability to all citizens of the country. "Building the structural apparatus of the state in a post-conflict situation, therefore, must also be balanced by efforts directed towards the building of trust and accountability between governments and their constituents" (Lotze and Coning, 2010, 111). To achieve positive peace, the GoSL has to overcome the above mentioned existing challenges in the entire post-conflict peacebuilding in Sri Lanka otherwise it would be an "interval" before another conflict (Colombo Page, July 27 2011) and a vague example in contemporary peacebuilding after the military end of a conflict.

Conclusion

To achieve the goal of positive peace, post-conflict peacebuilding in Sri Lanka explores new dimensions of contemporary peacebuilding though the success is yet to be evaluated. In this context this article concludes that as the "the winner" of the conflict, the GoSL's post-conflict efforts are able to bring negative peace to the victims of the conflict when compared to the era of the LTTE. Since May 2009, the negative peace exists in the country without any mass violence. As a result the majority of civil society's support has established a great confidence on the GoSL. Therefore, the most of Sri Lankan post-conflict activities are nationalized to reconcile all citizens in Sri Lanka.

In the context of positive peacebuilding, it is true that some of the GoSL's "monopolised Sinhalese strategies" and implementations have shown its limited capacity to deal with underlying causes both in national and local levels rather than its "nationally popularised political interests". Many activities in post-conflict peacebuilding aim to address the surface of the existing issues. These activities do not aim to achieve the ultimate goal of positive peace. At present absence of any credible mechanism to bring social justice, accountability and post-conflict reconciliation for conflict affected civilians prevail while military dominated partial mechanisms are in place. Therefore, GoSL has to overcome multiple challenges on post-conflict peacebuilding particularly both in internally and internationally.

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