

Abrogation of Ceasefire Agreement Will Escalate Spiral of Violence

The government's decision to abrogate the Norwegian-facilitated Ceasefire Agreement (CFA) signed with the LTTE in 2002 is a matter of the gravest concern to the undersigned civil society organisations. Truces historically tend not to last long unless they culminate in a negotiated peace agreement. Unfortunately, the conflicting parties were not willing to negotiate a political solution using the point of entry to the peace process provided by the CFA that the government, the LTTE, and the people of Sri Lanka could build on. Instead of such negotiations, for the past two years the government and LTTE vocally supported a ceasefire but actually engaged in a high level of hostilities tantamount to war, including mounting human rights violations, the overrunning of forward defence lines, capture of territory, artillery, sea and air bombing, and the large scale displacement of people.

The signing of the CFA brought numerous benefits to the citizens of Sri Lanka. It ushered in a period of relative peace, allowing civilians directly affected by the conflict the opportunity to re-build their lives, homes and livelihoods. With the CFA, civilians from either side of the no man's land could freely travel and feel relatively safe from the threat of war. The 'no war, no peace' scenario that was a direct result of the CFA created not only the conditions for negotiations between the Government and the LTTE, but also an environment conducive for increased economic growth and external assistance to Sri Lanka as a whole.

As civil society organisations deeply concerned about peace and human rights we all supported the CFA. We were, however deeply concerned by the violations of the CFA, the violations of human rights and incidents of violence committed during this period; hence we saw the need for significant improvements on the CFA and its implementation. With the increasing violence and distrust that followed the collapse of peace talks, the parties came to recognize the need for the CFA to be strengthened and even amended, but were unable to come to agreement or to cease the bloodshed, resulting in a crisis of violence.

The government's decision to abrogate the CFA follows repeated demands by the JVP and other nationalist parties for its abrogation. Government members have said that the peace process and political talks will continue with non-LTTE Tamil parties. While there is a clear need to make political negotiations to find a settlement to the ethnic conflict more inclusive by including non-LTTE Tamil parties in political talks, it cannot be done at the cost of eliminating the LTTE from the dialogue. The danger inherent in the government's position, especially in the event of a total rejection of the past peace process with the LTTE, is that it is paving the way for a fight to the finish where the costs can be very high, success is not guaranteed, and no fall back position will be available.

We regret that the role played by the Sri Lanka Monitoring Mission (SLMM) established under the CFA has also come to an end with the abrogation of the Ceasefire Agreement. Although the international monitors of the SLMM were unable to prevent all acts of war and human rights violations from taking place, we recognize that the SLMM was a crucial third party that was able to be physically present in the conflict zones, record incidents, and report them to the conflicting parties and the international community. The presence of the SLMM deterred further violence and violations and the SLMM's removal now puts the populations in both the North and the South more at risk. The Government

rejection of a UN Human Rights field presence, the inability of the Commission of Inquiry (COI) and the International Independent Group of Eminent Persons (IIGEP) to make meaningful progress in discharging their mandates, and the inability of the National Human Rights Commission to fulfill its mandate and duties, combine to place respect for human rights in Sri Lanka in further jeopardy.

The abrogation of the CFA in the present circumstances will deprive the hapless civilians within the conflict zones of a credible authority to lodge complaints. This will also mean that it will be more difficult for individual incidents to be neutrally reported and verified, thus making it easier for armed actors to deny grievous violations and acts of violence. This gap will constrain the work of human rights and peace groups who have been pressing the conflicting parties to address the issues of impunity and end the violations of human rights. It may also lead to the exaggeration of incidents as each of the warring parties seeks to blame the other, making identifying the truth that much more elusive.

We are dismayed and deeply concerned at the situation in the country at the beginning of the New Year which has included the assassinations of parliamentarians, fierce fighting in the north and the displacement of civilians, and now the abrogation of the CFA and the negation of the institutions it set up. We hope that this period of war and terror will soon come to an end, and reason and concern for human rights takes the conflicting parties back to the negotiating table and to end all armed hostilities, political assassinations and other criminal acts. We urge all members of the international community who have been engaged in the advancement of peace through a negotiated settlement in Sri Lanka to stand by us at this difficult moment in our history and to use whatever modes of intervention they feel are appropriate to impress upon the government, the LTTE and all political actors in Sri Lanka the need to abandon the path of war and to return to a peace process immediately.

Association of War Affected Women
Centre for Society and Religion
Centre for Human Rights and Development, Colombo
Centre for Policy Alternatives
Christian Alliance for Social Action
Consortium for Humanitarian Agencies
Equal Ground, Sri Lanka
INFORM
Home for Human Rights, Colombo
Human Development Organization, Kandy
Human Rights Resource Center, Kandy
International Centre for Ethnic Studies- Colombo
International Movement Against Discrimination and Racism
Law & Society Trust
Mothers and Daughters of Lanka
Mannar Women for Human Rights and Democracy
Muslim Information Centre, Sri Lanka
Muslim Women's Research and Action Forum
National Peace Council of Sri Lanka
Rights Now Collective for Democracy
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