Examining an Alternative Conclusion of Armed Conflict after Breakdown of Peace Agreement: The Case of Sri Lanka

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1. Introduction

In May 2009, the armed conflict in Sri Lanka which caused deaths more than 70,000[1] finished by coercive disarmament by the Government of Sri Lanka (the GoSL) against the Liberation Tigers of Tamil Eelam (the LTTE).   Subsequent to a declaration of total victory by the President of Sri Lanka, Mahinda Rajapaksa, against the LTTE, statebuilding all over the territory of Sri Lanka by the GoSL has plausibly been consolidated.   While the LTTE leaders were killed in the consequence of armed conflict and the group was dismantled, the President Rajapaksa was re-elected in the presidential election of 2010.   However, the consequence of the armed conflict would have never expected by the both sides when a peace agreement in 2002 agreed between the GoSL and the LTTE, at least.

Why did the Sri Lankan armed conflict come to an end in 2009 by a declaration of victory of the GoSL despite the breakdown of the peace agreement in 2002? Responding to this question, firstly, the second section of this article attempts to examine it through three perspectives: (1) a characteristic of "new war" [2] showing global violence along with contemporary armed conflicts; (2) a characteristic of "state failure" during the armed conflict; (3) a characteristic of the peace agreement in 2002 and its performance.

Firstly, the author of this article examines the case of Sri Lanka along with a

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characteristic of problems arose from the new war, which was firstly argued by Mary Kaldor. This question is considerably linked to the existence of anti-governmental non-state actor such as the LTTE which had the worldwide networks. It supposed that these networks made by coercive domination by the LTTE leaders. The LTTE facilitated the violence under the constructed system of the global war economy as Kaldor designated.

Secondly, in the light of researches of "state failure," this paper also attempts to analyze the multiple factors which brought the conflict resolution under the legitimated granted for normal sovereign state, but with the stronger military power. Though the way of suppression by the GoSL was opened after the breakdown of the peace agreement in 2002, the forcible actions not only weakened the military power of the LTTE itself but also was decreased the extent of external interventions by international community gradually.

Thirdly, considering most cases in contemporary armed conflicts, which prone to terminate by power-sharing type peace agreement among parties to conflicts, this paper draws a special attention to the Sri Lankan case with the decisive victory after the collapse of the agreement.

Following the second section, the third section of this article attempts to contrast the Sri Lankan case after the collapse of the peace agreement in 2002 in light of the three perspectives designated in the second section. Through this argument, this paper finally tries to extract a remaining riskiness of the societies in Sri Lanka to be overcome in the process of ongoing statebuilding.

2. Three Characteristics on Contemporary Armed Conflicts

This section aims to analyze the situation of contemporary armed conflict and show characteristics through the three perspectives on the new war, the state failure, and peace agreement in contemporary armed conflicts. This is a preliminary work for the following section of this article which will be contrasted with a situation after the end

of the armed conflict of Sri Lanka in 2009.

2-1 "New War"

Contemporary armed conflicts have increased complication to understand. There tend to be argued with a characteristic of interconnectedness among multiple stakeholders which act globally and transnationally. Especially, after the end of the Cold War, large number of armed conflicts has the characteristics of internal violent conflict which leads structures worldwide as well.

In her book entitled *"New and Old War,"* Mary Kaldor argued the characteristics of contemporary armed conflicts as new phenomenon in contrast with "old war" in the era of the Cold War.[3] The situation of the new war gives us an importance engaged with characteristics of contemporary armed conflicts. Kaldor explained the central argument as following.

> My central argument is that, during last decades of the twentieth century, a new type of organized violence developed, especially in Africa and Eastern Europe, which is one aspect of the current globalized war. I describe this type of violence as "new war." I use the term "new" to distinguish such wars from prevailing perceptions of war drawn from in earlier […] I use term "war" to emphasize the political nature of the new type of violence […], the new war involve a blurring of the distinctions between war (usually defined violence between state or organized political groups for political motives), violence (violence undertaken by privately organized groups for private purposes, usually financial gain) and large scale violations of human rights (violence undertaken by states or politically organized groups against individuals).[4]

This approach does not recognize armed conflict simply as internal war which is completed inside geographical territory. According to the new war proponents such as Kaldor, organized violations over state borders by criminal or warring factions are emphasized in the characteristics of the new war. Therefore, multiple networks in the globalized era are strongly impressed in armed conflicts as the new war.

Kaldor pointed out that "the new war can be contrasted with earlier wars in

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[3] *Ibid.*
[4] *Ibid.*, pp.1-2.

terms of their goals, the methods of warfare and how they are financed."[5] The first of all, the goals of the new war are engaged with identity politics in contrast to the geo-political or ideological goals of earlier wars. By its identity politics, Kaldor sought to designate the nature of power struggle to on the basis of a particular identity among national, ethnicity, religious, linguistic and so on.

The second characteristic of the new war is the method, which was mainly conducted by greedy armed groups. Kaldor notes that armed groups as non-state actor which plan to exercise their military operations for receive their own profits are main character in the new war. Kaldor puts it as following.

> The strategies of the new warfare draw on the experience of both guerrilla warfare and counter-insurgency, yet they are quite distinctive, […] in guerrilla warfare, territory is captured through political control of the population rather than through military advance, and battles are avoided as far as possible. The new warfare also tends to avoid battle and to control territory through political control of the population, but whereas guerrilla warfare, at least in theory as articulated by the new warfare borrows from counter-insurgency techniques of destabilization aimed at sowing fear and hatred […].[6]

There is no room for a compromise among identity politics under "destabilization aimed at sowing fear and hatred" prolonged by the method of guerrilla warfare. This gravity under the new war causes the difficulty of realization for peace agreements among stakeholders.

The third characteristic of the new war is engagement with a new globalized war in contemporary armed conflicts.[7] Kaldor argued on the global war economy and showed "cosmopolitan approach" (as one of approaches which she mentioned, but main one) in terms of legitimacy of global governance under humanism for overcoming rivalry among the identity politics (movements which mobilize around ethnic, racial or religious identity for the purpose of claiming state power)[8] over state

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[5] *Ibid.*, p.7.
[6] *Ibid.*
[7] *Ibid.*, p.10.
[8] *Ibid.*, p.80.

border.[9]

As Kaldor paid attention to phenomenon of war economy, others also argued on the same situation.[10] For instance, Karen Ballentine and Jake Sherman designated "civil conflicts linked to resource wealth."[11] According to their researches, natural resources most frequently instigated armed conflicts are diamonds and other gemstones (for instance, in Afghanistan, Angola, Cambodia, Democratic Republic of Congo, Liberia and Sierra Leone), oil and gas (Angola, Colombia, Congo Republic, Indonesia [Aceh]) and Sudan), illicit drugs (Afghanistan and Colombia), copper or gold (Democratic Republic of Congo, Indonesia [West Papua], Liberia and Papua New Guinea), and timber (Burma, Cambodia and Liberia).[12] In the same way, it is pointed out that illicit arms trades and transfers also promote state failure.[13] Small arms and light weapons are cheap, conveniently used and easily available. Therefore, this draws problems of child and women combatants as well. Especially, many child combatants were forcibly abducted and involved by armed groups in Liberia, Sierra Leone and others.

2-2 "State Failure"

Since 1990s, the challenges of state failure have been noted by many scholars and practitioners. A situation of state failure is called various phrases like "failed states," "collapsed states," "weak states" and so on. The most important thing which they mentioned is the situation that government cannot excise the sufficient and appropriate power internally or externally because of low level or absence of the legitimacy. These characteristics are totally contradictory to the ideal image of the state sovereignty under the Westphalia System.

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[9] *Ibid.,* pp.80-94, 178-194.

[10] For instance, Paul Collier (ed.), *Breaking the Conflict Trap: Civil War and Development Policy,* (The World Bank, 2003).

[11] Karen Ballentine and Jake Sherman (eds.), *The Political Economy of Armed Conflict: Beyond Greed & Grievance* (Lynne Rienner Publishers, 2003).

[12] *Ibid.*, p.49.

[13] For instance, A Project of the Graduate Institute of International Studies, Geneva, *Small Arms Survey 2002* (Oxford University Press, 2002).

Contemporary state failure is perceived in the areas where armed conflicts with massive violence occur under disorder in most part or a part of the territory of state concerned. In this regards, this article defines state failure as following: a situation in that the low level or absence of the governance never permits not only adequate supply of public service responding to the nation living in the geographical territory but also maintenance of security for alleviation of threat by crime, rebellion or insurgency.[14]

It is intelligible that original arguments on state failure emerged to respond a considerable number of armed conflicts which had broken out since 1990s. William Zartman put it in the Introduction of his book that "in the world after the Cold War, not only has the bipolar, interstate system of world order dissolved, but in many places the state itself has collapsed."[15] Like Mozambique and Angola, the political regimes which was reflected by the influence of the Soviet Union under communism, were going to armed conflict by exposing weakness of the political legitimacy by the collapse of the structure of the Cold War.

Most cases on state failure, which many scholars addressed from the academic views, are in Africa like Somalia, Liberia, Sierra Leone, Sudan, Angola, Mozambique, Central Republic of Africa, Rwanda and so on after 1990s.[16] These states had experienced intensive armed conflicts during 1990s and some of them still have remained the struggles. The United Nations Security Council (the UNSC) recognized the threat against international peace and security and adopted the resolutions for sending the peacekeeping operations (the UNPKOs) to the area of armed conflicts in these areas for alleviating it.

Military interventions by the United Nations were required new works for building state after the end of armed conflicts as well. The UNSC has been authorize the additional mandates for the new UNPKOs on peacebuildng as well as on traditional

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[14] Regarding the major volumes on state failure, see, William Zartman, (ed.), *Collapsed States* (Lynne Rienner Publishers, 1995); Kalevi J. Holsti, *The State, War, and the State of War* (Cambridge University Press, 1996); Robert I. Rotberg (ed.), *When States Fail* (Princeton University Press, 2004).
[15] Zartman, *op. cit.*, p.1.
[16] *Ibid.,* Zartman as well took up the cases in respective chapters on African countries in the book.

peacekeeping from 1990s. Peacebuildng activities were required for reconstructing the low level of governance in terms of security reform, economic reform, democratization, protection of human rights and strengthening the rule of law under the state failure right after the end of armed conflicts.[17] The importance of peacebuildng initiated by the United Nations had been proliferating to other international actors. In the latter part of 1990s, problems of state failure in terms of peacebuildng became one of the most important agenda in international society.

2-3 Peace Agreement

Facing with situation of the new war or the state failure, the solution is difficult more and more for stakeholders of contemporary armed conflicts. Low level or absence of state legitimacy in state failure means also absence of eligible closer for conflict resolution in armed conflict in the midst of disorder. In case of the absence of the decisive ruler as state authority, peace agreement among stakeholders which are mainly engaged by armed groups would be a possible method for conflict resolution. Practically, almost all the armed conflicts in contemporary era, especially after the end of the Cold War, made peace agreement during fragile situation but in peace process, though the compromised agreement tends to breach by the stakeholders.

Peace agreements engaged with armed conflicts tend to be reflected the peace processes with participation both of domestic and regional/international stakeholders. Concerning the domestic stakeholders which succeeded in holding a position of negotiation table in the peace process, the main stakeholders normally include illegally –established armed groups in the situation of state failure. Strictly speaking, these armed groups in various seize mutually fought, and sometime integrated each other, and only mainstreamed ones can seized the power for manipulating the peace process. As William Reno pointed out, there are tendencies especially on African cases in

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[17] For instance, Ramesh Thakur and Albrecht Schnabel (eds.), *United Nations Peacekeeping Operations: Ad Hoc Missions, Permanent Engagement* (United Nations University Press, 2001); and Ho-Won Jeong, *Peacebuilding in Postconflict Societies* (Lynne Rienner Publishers, 2005).

contemporary armed conflicts in that powerful warlords who insist to grasping their own profits can lead the war situation including peace process.[18]

After the end of armed conflicts, precarious peace agreements under the state failure influence international stakeholders with recurrence of armed conflict. Intrinsically, state retains state sovereignty under the principle of non-interference from outside on matters of the domestic jurisdiction. However, failed state cannot govern it sufficiently due to low level or absence of the legitimacy itself.

In case of the state failure, engagement by international stakeholders tends to be excessive intervention against the sovereignty due to the absence of the legitimacy of state authority. Therefore, Since 1990, the UNPKOs became comprehensive type with the multiple mandates, in most cases, with coercive measures under the chapter seven of the Charter of the United Nations. In the meantime, the UNPKOs after or during the work of conflict resolution also shoulder the work of state creation by peacebuilding under the direction of peace agreement. In case of the Bosnian War from 1992 to 1995, the peace agreement (the Dayton Peace Accord) included even the contents of institutional constitutions for the Republic of Bosnia and Herzegovina after separating the realm of the former Yugoslavia.[19]

Under fragility of political arrangement in state failure after end of armed conflict, multiple functions are apt to put into peace agreements with involvement of international stakeholders. All necessary factors for statebuilding based on rule of law, like security, political arrangement, economic governance social affairs, are required in peace agreement for state failure. The security arrangement includes security sector reform for national army, police and related administration, disarmament, demobilization and reintegration of ex-combatants, collection and destruction of small arms and light weapons and so on. Along with prioritizing security right after the transitional governance, longer-term reconstructions of political arrangements are also required. On the other hand, establishment of governing system of political economy

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[18] William Reno, *Warlord Politics and African States* (Lynne Rienner Publishers, 1998).
[19] The Dayton Peace Accord (Annex 4: Constitution) on the website of the State of Government, The United States of America, http://www.state.gov/www/regions/eur/bosnia/dayann4.html accessed on 3 August 2010.

covers controls of natural resources which protracted armed conflict for pursuing own profits of armed groups.

There are some problems, indeed, toward this solution. According to the empirical analysis by Paul Collier, more than forty percent of cases of peace agreement for contemporary armed conflicts relapsed into conflict within five years after peace agreement.[20] This means that what seems prevailing solution by peace agreement against state failure is not panacea. Certainly, when having recognition or peace agreement as a core part of process for power sharing among stakeholders, many problems engaged with the political rivalry stand in the way of statebuilding. Compromised solution by peace agreement is prone to lead flawed democratization if fair election is conducted according to the description of peace agreement with international support. On the other hand, in case of separation for state authority through armed conflict the peace agreement has problems over concrete demarcation for own profit according to each stakeholders which desire to disintegrate or integrate state authority.

However, in spite of these difficulties, engagement of international stakeholders against armed conflicts support the creation of peace agreement, and it makes major domestic stakeholders like strong armed groups easy to participate in an appropriate peace agreement. In the situation of state failure, peace agreement which gives a legitimacy of international intervention and eligibility of participation of armed groups as domestic stakeholders should be to origin for rule of law into process of statebulding.

This section refers to three perspectives, the new war, the state failure and the peace agreement which characterize contemporary armed conflicts. This is a preliminary work for seeking a feature of the Sri Lankan armed conflict in the next section.

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[20] Paul Collier, V. L. Elliott, Havard Hegre, Anke Hoeffler, Marta Reynal-Querol and Nicholas Sambanis (eds.), *Breaking the Conflict Trap: Civil War and Development Policy* (The World Bank, 2003).

3. Multiple Factors Drawing a Conflict Resolution after Breakdown of the Peace Agreement of 2002

This section attempts to examine the characteristics of the Sri Lankan conflicts in light of the three perspectives, the new war, state failure and peace agreement, mentioned in the second section of this article. In case of the Sri Lankan conflict, we can partly perceive some traces of the new war and characteristics of state failure on the one hand. On the other hand, regarding peace agreement, the conclusion of the conflict in 2009 was remarkably discerned from other cases in that the conflict was terminated by one-side victory of the GOSL after the breakdown of the peace agreement of 2002.

3-1 The Sri Lankan Conflict Embroiled in the New War

Notwithstanding the full independence in 1948, Sri Lanka (the then the Ceylon) had to endure the internal struggles which were caused from frictions among various social groups along with each identity. However, the level of these rivalries increased in the political behaviors as others do it. The main frictions among identities were raised from excessive violence between the ethnic Tamils (the major minority group) and the ethnic Sinhalese (the majority group). The movement the armed conflict by the LTTE since 1983 intensified the violence over each right of social groups engaged with own identities. When we reaffirm these aspects in which we can realize the existence of the new war's phenomenon, it is reasonable to examine the three pillars, *i.e.*, engagement with identity politics, method of war which exhaustively pursues the own profit of armed group by fear and hatred, and new globalized war economy, as following.

        The accomplishment of political right along with each identity is the goal of the new war as mentioned above. Therefore, the uncompromising postures over identities easily generate fuel tension among contested actors which never intend to stop armed conflict by themselves. Certainly, the Sri Lankan conflict had arisen in the wake of identity politics. The Tamils in Sri Lanka, who had firstly arrived from the

south India in the *B.C.*, had historical story along with creation of the nationalism through not only ethnic but also culture or religion. The Tamil province in the northern area of the Ceylon had been established during the colonial era of the occupation by the British in the nineteenth century. It is no doubtful that correlations among people in the community had developed the integration of the Tamil society and stimulated nationalistic ways and creation of the related institutions, along with modernization[21].

Along the way, the Sinhalese-oriented government with Sinhala nationalism from the initial era of the independence as sovereignty was kindled the violence by a part of the Tamil riot. Right after the peace agreement in 2002, engagement policy by the GoSL against the LTTE under the then Prime Minister Ranil Wickremasinghe had proceeded toward the conflict resolution with international funding supports. However, the scheme was gradually collapsed and become to rekindle the mounting violence when Wickremasinghe was replaced Rajapaksa as the tough element against the LTTE in the position and Karuna, a powerful commander in the LTTE tried to sprit the LTTE organization for pursuing the fighting activities.

A series of the recurrence of violence by both the GoSL and the LTTE show how the reconciliation over the identity politics is difficult straightforward. The peace agreement in 2002 successfully avoided the crucial and concrete descriptions on the separation of the political right of the provinces in the northern part of the Sri Lanka leaded by the LTTE, but it gave a room for the rivalry through the armed violence. In this situation, posture of violence at sowing fear and hatred was growing between the GoSL and the LTTE. Ominous violence such as suicide attacks by the LTTE and suppression against the LTTE by the GoSL intensified the rivalry over identity politics with fear and hatred more and more.

The violence over the political identities was undermined by formal or informal system of war economy. Both the GoSL and the LTTE enjoyed the situation of war economy and positively proceeded arms acquisition during the conflict. John Sislin and Frederic Pearson put it in their article that the GoSL imported arms from various

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[21] A. Jeyaratnam Wilson, *Sri Lankan Tamil Nationalism: Its Origins and Development in the Nineteenth and Twentieth Centuries*, Penguin Books, 2000.

states during the conflict at various time from the United Kingdom, China, Israel, Russia and the Ukraine.[22] On the other hand, the LTTE also bought the miscellaneous weapons from various actors in the Hong Kong, Lebanon, Thailand, Burma, the Ukraine, Bulgaria and elsewhere.[23]

Hence, the Sri Lankan armed conflict had the new war' characteristics engaged with the identity politics by the method of fear and sacred under the war economy.

3-2 Sri Lanka under State Failure during the Armed Conflict

As mentioned in the second section of this article, the author of this article explained that the phenomenon of state failure is prone to be appeared in the contemporary international relations, and instigate and rekindle the situation of the new war. The low level or absence of state legitimacy under the state failure ushers in armed conflict as the new war. According to the broad sense of the state failure, the formations of state failure are multiple. It includes not only the absence of legitimacy of government such as Somalia but also comparatively lower-middle level of legitimacy of government which is not invaded in most of the territory including the capital (but governed a part of the state territory by some armed groups).[24] Hence, Sri Lanka during the armed conflict had been in the state failure in that the well-organized LTTE excised to govern a part of the territory of the sovereign state.

During the two decades before the peace agreement of 2002, The LTTE had expanded and maintained the controlled areas in the northern part of Sri Lanka at least, and even after the agreement, the LTTE retained the territory. Within the territory including the several provinces of Sri Lanka such as Kilinochchi and Mullativu, the LTTE put a system of the original administrations including the police which were run by the LTTE as well as the military as non-state actor. Hence, the GoSL as well

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[22] John Sislin and Frederic Pearson, ''Arms and Escalation in Ethnic Conflics: The Case of Sri Lanka,'' *International Studies Perspectives*, No.7, 2006, p.139.
[23] *Ibid.*
[24] Tatsuo Yamane, ''state Failure and Armed Group: An Implication for Peacebuilding,'' *Hiroshima Peace Science,* Vol.31, 2009, pp.109-133. http://home.hiroshima-u.ac.jp/heiwa/JNL/31/Yamane31.pdf

stationed the administrative offices in the controlled area by the LTTE simultaneously. The inhabitants in the areas were doubly governed and imposed levy taxes by the LTTE and the GoSL respectively.

Regarding the LTTE as a non-state actor, activities of the LTTE including the acquisitions were mainly supported by the diaspora support, especially on a part of ethnic Tamils (a minority group in Sri Lanka). The diaspora people are dispersed in world wide, but the main diaspora community lives in Canada, the United Kingdom and India. The LTTE cleverly grasped the community and forced them to forward economic support. [25] The LTTE itself had established public offices abroad for coordinating the diaspora support under four organizations: The Tamil coordination Committee (TCC), the World Tamil coordinating Committee (WTCC), the United Tamil Organization (UTO), and the Tamil coordinating Group (TCG) at least. [26] At the same time, the Tamil Rehabilitation Organization (TRO) which was founded in 1985 in south India for rehabilitation and welfare of the Tamil diaspora grown up in the north-east area of Sri Lanka.[27] This was directly operated by the LTTE for its affiliated organization.[28]

Therefore, it was inevitable that the international supports strengthen the LTTE and its supporting systems along with peace agreement preserving the both powers. While most cases of conflict resolutions for state failure tend to have military intervention under the authorized resolutions by the UNSC right after setting peace agreement, Sri Lanka did not come under the category. The GoSL with the army standing on the solid and legitimized foundation did not seek a solution by international intervention unlike the military intervention by the Indian peacekeeping operations under the peace agreement of 1987.[29] However, the peace agreement of

[25] Rohan Gunaratna, "Sri Lanka: Feeding the Tamil Tigers," Karen Ballentine and Jake Sherman (eds.), *The Political Economy of Armed Conflict: Beyond Greed & Grievance*, pp.202-210.
[26] *Ibid.*, p.204.
[27] Kristian Stokke, "building the tamil Elam State: Emerging State Institutions and forms of Governance in LTTE-controlled Areas in Sri Lanka," *Third World Quarterly*, Vol.27, No.6, pp.1029.
[28] *Op.cit.,* Gunaratna, p.204.
[29] Sumantra Bose, "Flawed Mediation, Chaotic Implemenmtation: The 1987 Indo-Sri Lanka Peace Agreement," Stephen John Stedman, Donald Rothchild and Elizabeth M. Cousens (eds.), *Ending Civil Wars: The Implementation of Peace Agreements,* Lynne Rienner Publishers: Boulder London, 2002,

2002 remained the possibility of execution of suppression by the GoSL against the LTTE which recognized as terrorist group.

The GoSL under the president Rajapaksa strengthen the military capacity and the suppression against the LTTE. The military expenditure of Sri Lanka was going to increased up to 3 percents of the gross domestic product (GDP) in 2008 from 2.5 percents of the one in 2005.[30] Through this growth rate is not greater number of percentage through the Sri Lankan armed conflict, the increasing average of the GDP around five to six percents during 1990-2005 (except the year of 2001 [-1.4]) allowed the increased amount substancially.[31] Once the level of military capacity steadily increased during that period, the LTTE affiliated organizations became weaken. In November 2007, charity for the TRO was banned by the GoSL because the GoSL recognized it as funding organization to the LTTE.[32]

Thus, Sri Lanka strongly governed except the LTTE area was under the state failure during the armed conflict. The LTTE area was well-organized administratively by under the LTTE since the GoSL located the governmental offices in the area. However, after the collapse of the peace agreement of 2002, the GoSL with strengthened army aimed to repulse the enemy and really completed it in 2009 by the one-sided victory.

3-3 An Exceptional Case of "Contemporary Peace Agreement"?

The peace agreement of 2002 signed between the then GoSL and the LTTE seemed to welcome a peaceful moment at first, but the agreement did not include detailed articles for coming political arrangements which contemporary conflict resolutions of other

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pp.631-659.
[30] The United Nations Data, on Sri Lanka, Military Expenditure of GDP (%), http://data.un.org/Data.aspx?q=GDP&d=WDI&f=Indicator_Code%3AMS.MIL.XPND.GD.ZS accessed on 11 April 2010. During the period between 1992 and 2002, the figure of the proportion showed among the range between 3.0 to 5.3 percents.
[31] World Bank, On Sri Lanka, At a Glance, http://siteresources.worldbank.org/SRILANKAEXTN/Resources/annex_a2.pdf accessed on 11 April 2010.
[32] "Tamil Charity Banned in Sri Lanka," BBC News on 22 November 2007, http://news.bbc.co.uk/2/hi/south_asia/7107846.stm accessed on 4 August 2010.

cases tend to adopt.

In the negotiation process toward the agreement, there was a drastic change in the parliament of Sri Lanka. As soon as the United National Front, a political party as moderate faction on the armed conflict, obtained a greater part of the parliament at the election on 5 December 2001, the then prime minister led by the UNF moved to formulate the agreement with the LTTE.[33] Along with the domestic peace process, the GoSL and the LTTE formally signed the agreement in February 2002 under the mediation of Norway. In March 2003, Japan also joined the peace process by holding the Hakone Talk (in Japan) and authorized by the GoSL and the LTTE to cause the security for international assistance.[34]

The agreement mainly aimed at settling modalities of cease fire (the article 1), measures to restore normalcy (the article 2) and establishment of the Sri Lanka monitoring mission (SLMM) (the article 3). It is no doubt that the agreement brought peaceful moment to the country temporarily with reopening the main road ("the A9 road") linking the north and south of Sri Lanka which was closed for the previous twelve years. Aid workers and aid materials themselves easily had been transferred in the poverty areas in the north and east of Sri Lanka.

However, we can see some different characters in this agreement from others in that it did not put a process in motion to reintegrate or reconcile the stakeholders, especially between the GoSL and the LTTE. The problem was remained in that the agreement was made just for ceasefire not for deciding distribution of profits from the peace. Though the LTTE wished to establish the political entity led by the Tamils in the northern and western part of Sri Lanka with the autonomy, the details for the political arrangement did not incorporated in the agreement of 2002. Over the way of strengthening the autonomy to secure the political position of the LTTE, the both parties to the agreement did not reach their common understanding.

Moreover, absence of disarmament and demobilization for restructuring the

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[33] Jayadeva Uyangoda and Morina Perera (eds.), *Sri Lanka Peace Process 2002: Critical Perspectives*, Social Scientists' Association: Colombo, 2003, p.1.
[34] Tamil Net Website, on 21 March 2003, http://www.tamilnet.com/art.html?catid=13&artid=8581

security governance of the state remained serious consequences to the recurrence of the war in Sri Lanka. Most of contemporary agreements normally contained the "disarmament, demobilization and reintegration of ex-combatants (DDR)."[35] It makes use of recovery of security and reconstruction of newly constructed society. The collection and destruction of small arms and light weapons prevents to get back to the war and demobilization of armed groups and reintegration of ex-combatants to the society is inevitable for promoting the capacity development. The remaining weapons and intensified armed institutions after the agreement of 2002 pave the way for revival of communication though the violence.

Since 2004, the level of tension has been volatile between the GoSL and the LTTE. Eventually, the GoSL formally retracted the peace agreement of 2002 on 16 January 2008.[36]

This section examined the characteristics of the Sri Lankan conflicts in light of the three perspectives, the new war, state failure and peace agreement, mentioned in the second section of this article. Even after the agreement of 2002, the peace process itself could not solve the rivalry over the new war and overcome restructuring the situation of the state failure in Sri Lanka. Hence, the GoSL with stronger forces tried to overcome the state failure by defeating the LTTE completely in spite of remaining problems of the characteristics of the new war such as confrontation among the political identities.

4. Conclusion

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[35] Tatsuo Yamane, "Examining Reintegrated Societies with Ex-combatants: An Approach for Transformation of State Governance through DDR," *International Politics (Japan),* No.149, 2007, pp.141-155. (in Japanese), Tatsuo Yamane, "Examining Reintegration through Peacebuilding: How Peace Support Operations Reintegrate Ex-combatants into Local Societies?" Hiroshima University Partnership for Peacebuilding and Social Capacity (HiPeC) (ed.), *Indigenous Initiatives for Peace Building: Importance of Local Viewpoints and Expected Roles of Development Assistance*, Hiroshima University, 2007, pp.23-31. http://home.hiroshima-u.ac.jp/hipec/conference/006.pdf

[36] Jon Lunn, Claire Taylor and Ian Townsend, "War and Peace in Sri Lanka," *House of Commons Library (Research Paper Series),* No.51, 2009, p.3. http://www.parliament.uk/documents/commons/lib/research/rp2009/rp09-051.pdf

This article attempted to response the reason why the Sri Lankan armed conflict concluded in 2009 by a declaration of victory of the GoSL despite the breakdown of the peace agreement of 2002. Responding to this question, this paper examined it through three perspectives, *i.e.,* the new war, the state failure, and the peace agreement.

According to the analysis, the author of this article perceived the new war phenomenon and characteristics of the state failure even after the peace agreement of 2002 on the one hand. On the other hand, regarding the peace agreement, the conclusion of the conflict in 2009 was remarkably discerned from other cases in that the conflict was terminated by one-side victory of the GOSL after the breakdown of the peace agreement of 2002.

Consequently, this paper concluded that, even after the agreement of 2002, the peace process itself could not solve the rivalry over the new war and overcome restructuring the situation of the state failure in Sri Lanka. Through the powered GoSL tried to overcome the state failure by repressing the LTTE under the rule of law during the emergency, rest of problems on the characteristics of the new war such as confrontation among the political identities were still remained. Therefore, when peacebuilders engaged in the process of ongoing statebuilding, we note all the more an indication of rivalry stemmed with the new war or the state failure.