Preventing deadly conflict in divided societies in Asia: the role of local NGOs
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IX. Conclusions and recommendations

9.1 Summary and conclusions

After two decades in international development cooperation I was awarded a fellowship at Harvard University in 2000 to reflect on and write about my professional experience. My retreat coincided with a surge of deadly intrastate violence that swept through Asia, which forced governments, civil society and international aid agencies to adjust their strategies to better equip poor, developing societies to pre-empt deadly conflict. At the same time the world became aware that the protective quality of distance has disappeared in the globalising world and that the ever-prevalent risk of deadly civil conflict in poor nations now threatens to affect peace and security in every part of the globe. The terrorist attacks of 11 September 2001 and the subsequent ‘war on terror’ have reinforced the sense of global insecurity, which poses a serious challenge to world peace, co-existence and security, but also generates profound new opportunities.

This study analyses the role of local NGOs in preventing deadly conflict in four divided societies in Asia and identifies factors that enhance the success of NGO work. It aims to contribute to the discourse on the role of local Development NGOs in peace and development efforts. By providing empirical evidence of the mutually beneficial nature of partnerships between key actors in (inter)national conflict prevention initiatives, it hopes to encourage their development. The lack of empirical research on and documentation of the work of local NGOs in conflict prevention has hindered the formation of genuine, mutually beneficial collaborations between key actors in international peace-building initiatives. To understand why deadly intrastate conflicts are hard to prevent, why key stakeholder interaction—especially between the State and NGOs—is problematic and what needs to be done to foster constructive relations, this study explores three distinct issues: the causes of deadly intrastate conflict; the State-NGO relations in historic perspective and the role of local NGOs in preventing deadly conflict in Cambodia, Sri Lanka, Indonesia and Myanmar.

Part I of the study identifies the ethnic minorities at risk in the case countries and analysed causes and potential remedies of deadly conflict in each country since its independence (chapter III - IV). Part II reviews State-NGO relations in historic perspective, the measures applied to control NGOs and the division of roles and responsibilities among stakeholders (chapter V - VI). Part III analyses 32 local NGOs and their work in preventing deadly conflict. It assesses their conflict analysis, their projects, their social capital building capacity and organisational integrity; it ends with an inventory of success factors that may enhance the quality of NGO conflict prevention work. The NGO case studies illustrate the political opportunity structures, joint NGO campaigns and three success factors, which are broken down into seven indicators. It concludes with a summary of the lessons learned (chapter VII - VIII). The final chapter summarises the major conclusions per each of the four research proposition and formulates five sets of practical and transformational recommendations for each of the main stakeholders.

The study aims to address four core propositions:

- Deadly conflict in Asia is the result of deliberate exclusion, inequality and the lack of human dignity and can only be prevented through changes in local policy and practise that facilitate sustainable development, social justice and forms of inclusive governance;

- As privatisation of conflict is in an early stage in Asia, deadly conflicts can still be resolved through peacefully negotiated settlements provided the State commits to it “prime duty holders” role -laid down in various UN Covenants- and provides human
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security to all its citizens, while it grants the necessary political space and fundamental rights to NGOs to work in a supportive and democratic environment:

- Local NGOs are key partners to the State and the international community in building cohesive and democratic societies and the impact of their work is enhanced when three critical success factors are incorporated in their programme strategies and institutional set-up (social capital building, strategic networking and organisational integrity);
- (Re)building the mutual trust in State - NGO relations is a deliberate and sensitive local process of reconciliation that involves multiple stakeholders at different levels in the society and in which international aid agencies can only play a limited role.

The study opens with a presentation of key definitions of deadly conflict (culture, identity, religion, exclusion, social cohesion, gender-based violence and human security) to set the stage for its first assumption: that deadly conflict is commonly caused by deliberate systematic discrimination and exclusion of particular identity groups and aggravated by unsustainable and unequal national development policies and practices. The study posits that sustainable development interventions are likely more durable and effective in preventing deadly intrastate conflict and building peace both nationally and globally, because their main goals are to eradicate poverty and injustice and their programme strategies attempt to redress structural causes of inequality, injustice and indignity.

The analysis of deadly conflict and historic grievances and social and class cleavages in the four countries addresses two concerns: are peaceful conflict resolution opportunities in Asia seriously challenged by the progressive privatisation of deadly conflict and which resolution options could enhance the local conflict prevention capacity. It concludes that historic and cultural grievances are the driving force behind deadly conflicts in the four case countries, not economic (greed) motives or personal gain. Class cleavages add to the ethnic tension and can negatively affect social cohesion, but have not directly caused deadly violence. Sri Lanka, Indonesia and Myanmar have struggled since independence in the late 1940s with the self-determination aspirations of ethnic groups - mainly national peoples- within their borders, which posed a threat to the national unity. Because these complicated nation-building processes were poorly managed by the States, frustrated self-determination aspirations have become a major cause of recurring deadly conflict over the past fifty years in all three countries. Cambodia provides a unique conflict context, as the country with the ethnically most homogenous population that experienced genocide in 1975. Its post-colonial intrastate conflict intensified as it got caught between the two clashing Cold War alliances, when the Vietnam War spilled over in 1969.

Ten national peoples and two ethnic minority groups are currently at elevated risks to deadly conflict in the four countries, but other marginalised people are deeply affected by impunity and poor governance as well. Most armed rebel groups represent and defend national peoples' interests based on regional, historic and contemporary grievances which could be redressed peacefully, if the political will existed. Due to the protracted conflict, all four countries have large and powerful armed forces that play a role in the governance on remote conflict zones as well. Rebel groups are therefore still more inclined to seek a negotiated end to the conflict than to fight indefinitely for cessation, with the LTTE as possible exception.\textsuperscript{132} The grievance and cleavage analysis provided vital insights into the historic roots causes that have divided the four countries.

\textsuperscript{132}The only exception may be the LTTE in Sri Lanka, which has developed into a highly professional global network for Tamil independence particularly in the North East. The autocratic local governance system leaves no room for dissent or democratic participation by the Tamil population whose interest they are defending. The LTTE condition to control the interim government has hampered the peace negotiation's progress.
At independence in 1948, the new regimes in Indonesian and Myanmar faced the challenge of unifying their new nations covering vast, diverse geographical territories with multiple ethnic and linguistic groups that had never been single countries before. Armed resistance against former colonial powers and Japanese occupiers during WWII had enhanced the identity and self-determination aspirations of national ethnic peoples; when their expectations were discarded at independence, the first ethno-nationalist movements took up arms as early as 1949. Both countries ended their experiment with democracy and shifted to autocratic rule by the mid 1960s with the support of dominant world powers: the New Order regime in Indonesia receiving economic and military backing from the US and the Junta in Myanmar from China and India. The predominantly Javanese and Burman political and military leadership curtailed political and civil rights, abolished political parties, silenced civil society, replaced traditional leaders and gave the armed forces a prominent role in the domestic governance and natural resource exploitation of remote, restive provinces. These unpopular measures aggravated the resentment, mistrust and opposition towards the central government and further damaged the society’s social cohesion. In Indonesia, after 30 years the New Order regime, internally weakened by corruption and nepotism, imploded in the wake of the Asian economic crisis of 1997 that had caused economic depression, wide spread poverty, unrest and deadly communal violence. A complex triple (political, economic and social) transformation process began in 1999. The SPDC in Myanmar remained China’s staunch ally and is the longest uninterrupted ruling Junta in history. Historic grievances and self-determination aspirations remain unresolved.

Sri Lanka’s troubled nation building process had a different origin. Here the rule of law was bent to justify exclusion and discrimination. Despite great British precaution to grant Tamil minorities territorial rights under the 1947 Soulbury Constitution, one of the first Acts passed by the new Singhalese majority parliament was the Ceylon Citizenship Act of 1948, which denied citizenship to the Indian Tamil minority, largely workers in the tea- and rubber estates. As ethno-nationalist minority politics flourished, the governance was increasingly centralised and indigenous Tamil minorities got systematically disenfranchised. The Sinhala Only Act of 1959 and Constitutional reform of 1972 were turning points for Tamil politicians: the TULF adopted a separatist agenda in the 1970s. While Sri Lanka remained a functioning democracy, escalation of the ethnic conflict was unavoidable with the emergence of Tamil militant groups in Jaffna and led to civil war in 1983 that lasted 20 years. Peace talks since have made little progress as the contemporary grievances of the Tamil people remain unaddressed and the authoritarian rule of the LTTE in the North and East challenges peaceful and democratic solutions through federal governance structures.

Cambodia stands out as a unique conflict. During the Vietnam War, armed rebel groups formed to overthrow General Lon Nol, who came to power in an US supported coup in 1969. The militant groups received financial and military support from Vietnam, China and the USSR. A combination of post colonial grievances and geopolitical factors led to the Khmer Rouge victory in 1975 and a genocide in which two million lives were lost and that remains without closure today. The Vietnamese army invaded Cambodia in 1979 to end these atrocities and helped form a new government. At the height of the Cold War and traumatised by the defeat of the Vietnam War, the international community decided to isolate Cambodia economically and politically under the “Trading with the Enemy Act”. Devastated by years of war, Cambodia deepened its ties with Vietnam and the USSR over the next 15 years. The impact of its long standing autocratic, isolated, Marxist rule continues to affect the democratic process in Cambodia.

Geopolitical influences have thus played a major role in the history of deadly conflict in Asia. The impact of the Cold War dynamics is most visible in Cambodia, Indonesia and Myanmar. As a result, all countries went through a militarization process that deeply impacted society. The armed
forces became actively involved in the internal governance of remote areas, as the main national security threat was perceived to come from local groupings with Marxist (or non-Marxist) orientation. Safeguarding national unity was the armed forces’ main goal and NGOs working in territories controlled by the army experienced repression. The lack of civilian and political control over the armed forces has been enhanced by significant self financing of the armed forces, through returns from mining concessions, exploitation of natural resources (timber, gems) and partnerships with transnational corporations. As a result, the armies in the four countries remain large, demobilisation programmes have failed, the National Budget is affected (average defence expenditure is close to 30% per annum) and the security forces’ involvement in impunity and corruption cases is a cause of grave concern.

To explore possible conflict resolution options and provide a baseline to test the local NGO contributions and success factors in Part III, the conclusions of three leading conflict studies were applied to the case countries. These studies assess different aspects of the local capacity of the State to manage and resolve deadly conflict in divided societies peacefully, as well as root causes of conflict, including grievances, economic marginalisation, globalisation and weak social capital and cohesion. The ‘Peace and Conflict Ledger’, the ‘Conflict Trap’ and the ‘Next Wave’ studies provided valuable criteria for the conflict analysis but they failed to paint a complete picture of the capacity of States to deal with grievance redress seeking movements. The studies appear to underestimate the State’s intent and willingness to create a conducive, democratic environment in which sustainable, participatory and just development can thrive. Taking good governance and human rights indicators into consideration, only the Sri Lankan State seems technically equipped to resolve deadly conflict peacefully. Yet, this is the country engaged in the longest civil war and it has failed to overcome the deadlock in the ongoing peace negotiations. The powerful ethn-nationalist political and religious elites have used the democratic system to exclude minority groups and the rule of law has failed to provide human security to all citizens.

This conclusion prompted a deeper analysis into the capability and effectiveness of the State in interacting with civilians. NGOs and other actors as a key factor in preventing deadly conflict. Colletta’s horizontal and vertical social capital and cohesion constructs from a fourth study provided a good model to assess the vertical linkages between the State and citizens or good governance, and the horizontal social capital or bridging relations among communities in these ethnically divided societies. Societies with a good mix of both are more resilient to deadly conflict. Hence peace-building efforts will be more sustainable when they work simultaneously on inclusive governance and participatory decentralization, and on empowering bridging capital among identity groups. The troubled ‘organisational integrity of the State’ in all four countries has indeed been the key impediment to prevent deadly conflict from recurring. Cambodia and Myanmar rank as rogue states with high levels of corruption, exclusion and lack of civilian protection. Their exclusionary political regimes have repressed their own constituents under the pretext of strengthening state hegemony and in the process they deliberately damaged bridging social relations between communities. Sri Lanka and Indonesia have inefficient and ineffective governments with growing corruption, political polarisation and low people’s participation in governance (weak states). In all cases the trust between State and civilians is low.

The first and second proposition thus verified (deadly conflict prevention is still possible if State-citizen relations are transformed structurally and grievances are addressed), Part II of the study proceeds to address the third proposition which poses that local NGOs are key partners to the State and the international community in building cohesive and democratic societies. Because the organisational integrity of States is low. State-NGO relations were reviewed in historic perspective, including the instruments and tactics applied by each side to influence the power equation (respectively through the use of the three freedoms, soft power and international
advocacy). The study combined the actor analysis of the UN Declaration on the Right to Development with the human security paradigm and track-two diplomacy principles to conclude that the responsibilities of stakeholders in development and deadly conflict prevention are indeed clearly defined and agreed upon.

However, the local NGO sector overviews reveal that collaboration between the State and NGOs is limited and that most local NGOs have experienced State restrictions at some point. Many NGOs were founded during or as a result of deadly conflict in an effort to protect and support beneficiaries that were victims of impunity, violence or exclusion. The NGO’s sectoral and geographic specialisation often indicates the kind of conflict causes it attempts to address. The absence of the rule of law, militarization, impunity and corruption hinder effective NGO conflict prevention and development work and aggravate existing grievances and cleavages. Periods of extreme State repression occurred in Cambodia, Indonesia and Myanmar between 1965-1977, when many leaders were arrested or killed, offices closed and civil society organisations outlawed. Conservative calculations estimate that well over a million civil society leaders were killed, though none of these extra-judiciary killings have ever been investigated. Over the past two decades State repression of critical NGO work has become more politically savvy. For example, it now uses the denial of the right of assembly and expression by confiscating materials, breaking up meetings, blocking access to media and physically intimidating staff. The local NGO void in Myanmar has dramatically reduced the societies’ ability to advocate for change towards more equitable, democratic and inclusive governance.

The foundational NGO history has thus fostered tense State-NGO relations. This makes the shift towards a partnering role with the State at times of political transition difficult. Attempts of the State and NGOs to join forces in Sri Lanka and Indonesia during major political shifts in 1994 and 1999, respectively, backfired and the new, unstable political alliances faced insurmountable differences within two years. The collusion of business, military and political interests has survived the political transitions in Cambodia and Indonesia and continues to weaken the power of government institutions. While Cambodian NGO sector, that re-emerged only a decade ago, is going strong and form a serious alternative to lacking State services in rural areas, the ban on local NGOs in Myanmar continues and only a handful of Burmese NGOs work in exile. The mature local NGO sector in Sri Lanka and Indonesia seem to be in a state of decline after decades of State repression and opposition. They lost senior staff to the international agency’s operational programmes, face difficulties in attracting new leadership, are losing long term donor relations and become more isolated.

All 32 interviewed NGOs depend on financial donations from foreign aid agencies. Because the governments of the four case countries also benefit from foreign aid and the selected NGOs meet internal accountability criteria, this resource dependency is not perceived to be intrinsically problematic. However, local NGOs do struggle perpetually with structural under-funding, which translates into understaffing, lack of professional expertise and constant adjustment of programme plans. The wide spread corruption in the four societies has affected the NGO sector as well. The interviewed NGOs have undertaken to strengthen the NGO sector and their own institutional accountability through initiatives like drafting and signing codes of ethics, setting up general assemblies of grassroots constituencies, publishing public annual reports and financial statements etc. Transparency Indonesia ranked the Indonesian NGOs at 2.4 on its December 2004 corruption index, which translates into one of the least corrupt sectors: this compares to political parties (4.4), tax revenue (4.3) and the TNI (3.8). (Jakarta Post. 10 December 2004)

The NGO sector reviews further reveal a shift in the post-conflict conflict prevention programme strategies of international aid agencies. Bilateral and multilateral aid agencies tend to award their
donations largely to international NGOs, instead of local NGOs, because they are presumably more impartial, less corrupt and have stronger delivery and management capacities. Moreover, the UNDP, World Bank and some bilateral agencies are increasingly engaged in operational field programmes to rebuild grass roots civil society directly in an apparent attempt to ‘quick-fix’ post-conflict situations. Alternatively, international agencies attempt to by-pass politicised and corrupt State and NGO agencies by channelling their funding through international NGOs. However at the time of the interviews in 2002, these conflict reconstruction and prevention programmes, for example in North East Sri Lanka and in the Moluccas, lacked a clear civil society building vision and strategy and were financially highly inefficient and unsustainable. They had a detrimental effect on the local NGO sector, as they caused a brain drain and weakened the political leverage of local NGOs vis-à-vis the State and armed groups, damaging their protection and funding base.

The study therefore concludes that while local NGOs are proclaimed key stakeholders in deadly conflict resolution and prevention work in the UN Covenants and multilateral policy documents on rights, development, security and peace, in practise there are few operational partnerships. International aid agencies share four concerns when considering to partner with local NGOs: the lack of official legitimacy and accountability; unclear control over the ‘end message’; the potential damage to the image of governments if one partners with the ‘wrong’ NGO; and doubts about the impartiality of NGOs in representing fairly the interests of those other than their constituencies. While these are all realistic concerns, they remain equally valid when international aid agencies collaborate with State agencies and/or international NGOs in conflict zones, as peace building and conflict prevention initiatives are politically charged activities regardless of the partner organisation’s geographic origin. International NGOs and multilateral agencies recruit local NGO staff to implement their field programmes, which are equally prone to bribing and political pressures from officials and armed rebels. Even if international agencies manage (at a price) to build genuinely new, uncorrupted village associations as seeds of a new civil society, there is no guarantee that these new groupings are to fare differently in dealing with a repressive State system. Rebuilding State-civilian relations and a strong, professional NGO sector requires the involvement, political will and transformation of both actor sets.

Part III of the study embarks on a comparative analysis of local NGOs and their deadly conflict response in three countries to distil local specificities, regional commonalities and best practises. Though six Burmese NGOs were interviewed in Rangoon and on the Thai border, these results were not included because the political context was too different as to render relevant conclusions impossible. The NGO conflict analysis mirrors many grievance and cleavage conclusions in chapter III. Programmatic responses were remarkably similar across countries in terms of issue setting and institutional responses, but implementation differed distinctly because of the diverse political, geopolitical and stakeholder contexts of these conflicts. NGOs built horizontal networks in communities to overcome identity divides and promote economic cooperation and peaceful co-existence. Vertical networks were built to strengthen good governance, exercise human rights, increase the participation of poor constituencies and improve collaboration between different stakeholders. The vertical networking is easier to sustain than horizontal bridging social capital initiatives, which involve larger numbers of people and are more prone to external interference beyond NGO control. The NGO efforts to build cultural capital—by reframing sustainable peace messages to generate public acceptance, proposing alternative conflict solutions, reiterating respected values and norms, etc.—proved to be another vital contribution to defuse identity tensions and build new peace constituencies.

Low human security proved the prime threat to the success of social and economic grassroots work of NGOs. The political space allowed to NGOs shapes their conflict prevention strategies and effectiveness to a large extent. The political opportunities structures have four dimensions:
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the openness and inclusiveness of the political system: the State or armed groups’ propensity for repressive behaviour towards private initiative; the stability of elite alignments; and the presence of elite-NGO alliances that influence the political process. The process of balancing asymmetric political power relations in a newly democratising society can be influenced by the international aid community if the State is concerned about its international credibility. NGOs in Sri Lanka and Indonesia gained certain protection and national political leverage due to international support, but in rogue states like Cambodia and Myanmar international pressure has had less impact.

In the interviews seven indicators were identified that reflect different local NGO strategies and approaches to increase their leverage with the State, civil society, other local stakeholders and the international community. These approaches can serve as success indicators because they enhance the chances of success of NGO development and social justice work, even if the political space is hostile. The seven indicators were grouped in three success factors:

1. Social and cultural capital: NGO’s ability to build sustainable horizontal bridging and vertical linking social capital and to frame alternative peace and justice messages;
2. Strategic actor networking: engagement in joint national NGO campaigns and exercising soft power through international advocacy;
3. Organisational integrity: NGO’s leadership and organisational integrity.

The study next assesses the organisational integrity of the interviewed NGOs, based on degrees to which bridging and linking social capital were reflected in the NGO programmes, beneficiaries, actor networks, staff composition and internal governance. The model needs further study and refinement, but the initial results are promising. Cambodian NGOs appear more proficient in horizontal social capital than their sister NGOs, as they rely largely on national NGO networking to balance poor State-NGO relations and also face fewer obstacles in an ethnically and linguistically homogeneous country. Indonesian and Sri Lankan NGOs have stronger vertical than bridging capital capacities, which mirrors respectively the weakness of the NGO grassroots movement and the power of the military, and the deep ethnic divide after twenty years of civil war. Applying the model to the thematic specialisation shows the expected outcome: training, single issue and advocacy NGOs tend to have stronger vertical capital, while community development and women’s NGOs have stronger horizontal social capital. Only seven NGOs (or 22%) have equally high bridging and linking social capital building capacities, both in their work and institutionally, and included good governance networks, community development and grass roots human rights NGOs.

Twelve cases studies illustrate successful joint NGO programmes and campaigns to promote good governance, build conflict resolution mechanisms, mobilise broad peace movements and solicit international support for policy change. Eight lessons can be learned from these cases. First, NGOs with strong cross-cutting and vertical social capital building skills have a higher chance of being successful than those that focus on technical approaches or professional service delivery expertise. Second, joint national NGO campaigns can overcome human resource and financial restrictions and complement omissions in stakeholder networks of individual NGOs. Furthermore, a united NGO message adds legitimacy, is harder to discard or violently repress and thus adds protection to sensitive and risky conflict prevention and social justice initiatives. Third, its historic relationship with the State strongly affects the capacity of NGOs to build effective stakeholder relations today. Fourth, international advocacy to mobilise external pressure on the State to end harmful practices and change policies is effective in the absence of democratic venues in-country. Fifth, single “end the killing” peace messages or conflict resolution capacity training cannot sustain broad people’s movements, because of the political polarisation of the peace process. Sixth, cohesive societies with effective conflict prevention capacity can only be built through the promotion of sustainable development, social justice and inclusive governance.
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Seventh, even the best NGO development and conflict prevention work will only have marginal results if the State, parliament and armed forces do not fulfil their prime duty holder’s role of providing human security to all citizens. Eighth. Asian women are most prone to inequality, exclusion and indignity and deadly conflict has aggravated their plight, as violence is gender biased. However, political parties provide very limited access, participation opportunities and actual support to women who were seeking retribution. Hence here too a more fundamental shift in approach is required to end gender biased violence and exclusion.

To conclude, as the study verified its third proposition, preventing deadly conflict in the four divided societies is still deemed possible, but the immediate outlook is not optimistic. While peaceful settlement of historic and contemporary grievances of mostly national peoples seems attainable, the capacity and intent of the State to create participatory, equal and inclusive societies remains unconvincing. Local NGOs showed moral capacity, creativity and resilience, but they are also seriously weakened by the protracted violent conflicts and low human security. An undermined civil society combined with growing official corruption, absence of rule of law, militarization and ethno-nationalist polarisation does not bode well for minority national people who wish to see their historic and contemporary grievances redressed. Without a fundamental shift in governance orientation and key stakeholder collaboration, incentives for ethnic rebellion will likely increase again, as collective grievances aggravate, salience of ethnic identities is enhanced, and the capacity for joint action increases, among others stimulated by external, cross border opportunities. The high number of contesting national peoples in Asia and their long standing conflict with the State has resulted over decades in more mature armed insurgent movements that are more experienced in large scale rebellion (in 1995, 20% of the world’s 22 large scale rebellions took place in the four case countries). The fourth and last proposition, posing that the building of mutual trust in State-NGO relations is a deliberate and sensitive local process of reconciliation that involves multiple stakeholders at different levels of society, and in which international aid agencies can only play a limited role, requires high priority and more research and experimentation. The study therefore concludes with five sets of recommendations to different key stakeholders to suggest how such a process could be initiated.
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9.2 Recommendations

Recommendation 1: Exercising the right to development and promote peaceful co-existence: roles of local NGOs

"Human rights in the sense of human solidarity has created a new universal and equal language going beyond racial, gender, ethnic or religious boundaries. That is why we consider it a doorway to dialogue for people of all socio-cultural groups and all ideologies." (Mumr, 2000)

This study researched the distinct roles of local NGOs in preventing deadly conflict. NGOs foster unique horizontal networks in communities to overcome identity divides promote peaceful co-existence and create an economically fairer and socially just society. They also build vertical networks to strengthen good governance and rule of law, improve collaboration between different stakeholders and increase human security of their poor constituencies. NGOs often encounter difficulties in sustaining the bridging community networks crossing ethnic divides over time, due to persistent external threats to the life and security of marginalised people. Political violence, impunity and corruption harm the effectiveness of social and economic grassroots work. Furthermore, cultural capital building (e.g. re-framing sustainable peace messages to generate public acceptance, proposing alternative conflict solutions, reiterating respected values and norms) is a vital NGO contribution to defusing tensions and building new constituencies... Lastly, NGOs play a key role in preventing deadly conflict, as mediating agents between communal groups, governments and the international community. They are, therefore, central to a country’s capacity to cope with conflict and transformation in a peaceful way; five recommendations can strengthen this role:

First, NGOs have to consciously incorporate conflict analysis and prevention strategies in their programmes, to strengthen the quality of their bridging social capital building work in the communities. The rights-based approach provides a good framework for increasing the human security and dignity of the marginalised and deprived in the society. Second, NGOs need to put more concerted efforts into collaborating with one another to reach larger audiences, overcome resource deficiencies and actor omissions and make their work more effective. Third, NGOs need to strengthen their organisational integrity to reflect bridging capital in their staff and beneficiary composition and to reflect good governance in their internal management, accountability and transparency towards their constituencies and the State. The grooming of young charismatic leadership also requires more attention. Fourth, as effective mediating agents between State and civilians, NGOs have to include government officials in their programmes and their efforts to dialogue with the State should be geared towards strengthening the democratic institutions under the rule of law. NGOs need also engage with rebel movements, especially in a human rights dialogue. The Burmese Lawyers Council in exile, for example, is drafting a new constitution in close consultation with the NDL and leaders of the national ethnic communities and insurgent groups on the Thai border. Fifth, NGOs need to document their best practices more diligently to build case files of constructive peace and development work; to this end they need to forge partnerships with universities and international research institutions to share the burden and strengthen their skills.

Recommendation 2: Providing human security and dignity for all: the role of the State

"We cannot glorify death, but must celebrate life and are fiercely committed to protecting and securing the sanctity of life, which is the most fundamental value without which all other rights and freedoms become meaningless." (Tiruchelvam, 1999)
Providing human security and dignity to all is the prime role and responsibility of the State. This study defined three human security dimensions: 1) the development dimension: reducing risk, vulnerability and insecurity resulting from poverty, gender disparities and other forms of inequality; 2) the governance dimension: reducing the risk of violent conflict as result of weakened institutions, failed governance or a lack of respect for political and individual rights; 3) the socio-psychological dimension: providing a sense of dignity, identity, efficacy and hope, which is re-enforced by an institutional and social network of support based on interpersonal trust and social cohesion.

To enhance its capacity to provide human security to all, the State needs to first strengthen its organisational integrity and interaction with the citizens. Rogue and weak states will not be able to end official corruption, regulate the military, provide equal political opportunities to women and create an inclusive and democratic environment in which civil society and local NGOs can bloom. Second, the State needs to provide political space to NGOs to do their work properly and find new ways to engage in a constructive dialogue with local NGOs as part of the larger process of strengthening its integrity and providing protection to the poor. The freedom of association, assembly and expression are basic rights, laid down in the constitutions of most Asian countries. The use of soft power, modern communication techniques, globalising institutional relations and professional joint national NGO campaigns make it increasingly difficult for States to silence critical NGOs that demand equal rights and equal participation in the society; hence the time to explore new venues has come. Third, corruption and impunity have become major threats to the stability and sustainability of many nations in Asia. Without an immediate intervention by both the State and the international donor community to seek an end to these practises and reinstate the rule of law, all conflict prevention and development efforts are doomed to fail in the long run.

Recommendation 3:
Overcoming the “harnessing zebras” syndrome: the role of the international community

"NGOs are independent, organic organisations with many different structures and objectives. Increasingly, they are becoming international in scope and ambition, successfully engaging and/or antagonising governments across the world. And those who seek to coerce them for specific ends may find the experience as rewarding as harnessing zebras for use on a children’s pony trail. But the global reality is that diplomacy today must recognise NGOs as effective players who can mobilise public opinion rapidly." (Green, 2003)

This quote of the Director General of the British Council best summarises the dilemmas the international community faces when partnering with NGO in practice. Three changes are required to overcome the “harnessing zebras syndrome” and to embrace NGOs as real partners in development. First, the international community has to live up to its commitments to reduce global poverty. In its “Paying the Price” report, Oxfam International (2004) calculated that in real terms the aid budgets of rich countries are half of what they were in 1960. The average aid budget of wealthy countries was just 0.25% of the national income in 2003 (just 0.14% for the US or one-tenth of what it spent on the Iraq operations). Unless the international aid donations are increased by at least $50 billion, debts of the poorest nations are cancelled and fair trade agreements are agreed upon, the Millennium Development Goals that were recently agreed on by

133 None of the G8 countries such as the US, Germany and Japan have realised the pledge made in 1970 to provide 0.7% of their gross national incomes in aid. In addition, only 40 percent of the funds that are officially counted as development aid actually reach the poorest countries. Poor countries meanwhile have to pay $100 million a day in debt repayments.
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all members of the United Nations (alleviating poverty, providing education for all and halting the spread of major diseases by 2015) are not going to be met.

Second, if maintaining peace, promoting the rule of law, protecting the environment, reducing poverty and fighting terrorism are indeed global priorities to promote peace and end terrorism, then the international community needs to transform structurally the dynamics of development aid into a reciprocal donor-recipient relationship based on mutual respect. A possible model is the so-called “development compact” that is currently being developed by the UN Economic and Social Commission under the leadership of Dr. Sengupta. He proposes that country-specific development co-operation conducted through such “compacts” need to focus on the basic rights to food, health care and education first. Partnerships with NGOs to meet the national development plan objectives are an integral part of the “compact”. When the States not only ensure a reasonable rate of economic growth, but also make growth sustainable and end human rights violations, donor countries and international aid agencies must ensure that all discriminatory policies and obstacles to access trade and finance are removed and that the additional costs of implementing those rights is properly shared.  

Third, multilateral, bilateral and non-governmental agencies need to operationalise good governance and civil society building policies in national strategies and include local NGOs and their capacity strengthening. In the post-conflict reconstruction programmes, rebuilding the indigenous civil society and reconciling State-NGO relations should have high priority in the process of rebuilding cohesive societies. To this end international research institutes and think tanks would do well to undertake empiric research into the role of NGOs in preventing deadly conflict and advise international aid agencies to design a more sustainable global peace building vision. Lastly, the international community needs to rethink its strategies and ongoing programmes on demobilisation and disarmament that have failed to foster a more accountable and human security oriented military force in Asia. Especially in the light of the war on terror that re-emphasizes the national security paradigm; strategic collaboration with the armies in South East Asia could play a role in the transformation of their mandate as well.

Recommendation 4:  
Reversing the “gender inequality causes war” logic: the role of women and girls

"War is a pervasive potential on the human experience that casts a shadow on everyday life -especially on gender roles- in profound ways. To think into the future beyond the war systems requires breaking out of psychological denial regarding the traumatic effects of war on human society. War is not the product of capitalism, imperialism, gender, innate aggression or any single cause. Rather, war has in part fuelled and sustained these and other injustices." (Goldstein, 2001)

To increase the physical, economic and social protection of women in divided Asian societies requires three changes. All gender roles in deadly conflict should be acknowledged. As much as violence in war is gender biased, women play an equally important role in maintaining the war system. Flipping the “if you want peace, work for gender justice” maxim is insightful, as it changes the perception of the impact of war on societies. Pervasive deadly conflict has shaped

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Sengupta argues: “Developing countries must accept the primary responsibility of implementing programmes for realising the right to development, covered by the compact, with all necessary policies and public actions. [I]t is particularly important to ensure equality of treatment. In a development compact, the developing countries will have to take up obligations regarding fulfilling and protecting human rights,... through establishment of national human rights commissions, which will investigate and adjudicate on violations of human rights. What is necessary is political will, the determination on the part of all countries, to implement the RTD in a time bound manner through obligations of national action and international co-operation.” (2001, p.13-15)
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developing societies for centuries, defined gender roles and will likely perpetuate gender injustice. Gender inequality will persist until the society’s orientation and attitude towards armed conflict and security changes. Prolonged deprivation of hope and exposure to gender biased violence erode basic human values to the point that it threatens the core value that unites us all: human dignity. Human dignity is the inner driving force that enables humans to strive to survive and accomplish (van Ginkel, 2000, p.79). It is the last value that any human wants to lose. Therefore, the first recommendation is to work on the transform the culture of violence by developing alternative approaches to promote peaceful co-existence and shared human values to pave the way for a process of genuine justice and reconciliation in divided societies.

Second, as long as women only marginally participate in village, national and global politics, it is unlikely that peace and justice minded women’s NGOs can bring about structural transformation to create peaceful societies that provide secure environments for women and girls. Women NGOs have made commendable headway in getting violence against women in war situations and gender injustice on the national and international agendas and yet little change has come about in laws, policies and practices. To increase the political participation of women, special quota need to be set in national elections, national commissions etc to secure at least 30% participation of women. However, gender balanced participation in conflict mediation and peace negotiations requires more than setting quota and fulfilling the moral obligation to include victimised women in post-conflict settlement mediations to seek retribution and protection must be continued. But to begin to change gender roles structurally youth --young girls in particular-- should be systematically involved in peace negotiations to grant them a say in the rebuilding of their own society. Marchal and the ‘Peace is Every Child’s Right’ Action Plan (2000) argued this can best be done through promoting youth participation in the negotiation of practical provisions in peace agreements, through the provision of training and through funding other forms of economic livelihood for young people to replace the incentives to participate in conflict and through inclusion of NGO advocates for children in the peace process.

Third, the international community should pay extra attention to strengthen the local capacity in conflict prevention awareness and mediation skills of women organisations and at grassroots level especially in post-conflict situations. Working with women in deadly conflict situations is a stressful, traumatising and lonely job. It is therefore very important to facilitate South-South networks that enable female NGO staff, who work under extremely difficult circumstances with victims of sexual violence, to share their experience, learn from each other’s successful approaches, get re-energized and hence reduce the risk of burn-out.

Recommendation 5:
Addressing the socio-psychological and spiritual dimensions of peace: the role of the military and spiritual leaders

"Sri Lanka is an island of victims, where all are victims of the war. The perpetrators of violence are victims too, of poverty or of violent and repressive living environments that turned them into combatants and suicide bombers. Some victims are victimizing others, creating a cycle of victim-villain-violence. Sri Lanka needs a peace that addresses both the internal and external "war": the totality of despair in this society."
(Ariyaratne, 2004)

Lederach (1998) argued that post-conflict societies need to address four levels of transformation, each reflecting a dimension of human life: political, economic, psychological and spiritual. In this transformation, new roles, relationships and goals need to be defined. The political dimension addresses tasks like demobilisation and the future role of armed forces. The economic dimension
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deals with providing a fresh start for former combatants by resolving unemployment problems and the future distribution of resources. The socio-psychological dimension exists primarily at the transformative level, as individuals seek to deal with grief, loss, anger, trauma and identity questions, while finding new social roles in peace time. Lastly, the spiritual dimension, often overlooked, deals with the process of remembering the past while changing for the future, and seeks restoration and healing for both individuals and society. Bringing peace to the “internal war” of a society, relates to the human behaviour of coping with conflict and the need for (re)socialisation of non-violent citizens.\(^{115}\) The need for spiritual and psychological healing to build cohesive and resilient societies needs to be recognised, and both victims and perpetrators should be included in such healing process. The Masa Depan scenario planning dialogue case is an example of a possible model. Second, education that promotes non-violent conflict resolution, trust building and peaceful co-existence should be promoted. Religious institutions in Asia play an important role in the teaching of moral values and therefore are important stakeholder in peace building efforts.

Third, this study showed that the use of violence still pays off in Asia. The impact of humiliation on the perpetuation of violent conflict deserves more consideration. Rogue States, self financed armed forces, frustrated insurgent groups and ethno-nationalist religious leaders are unlikely to participate unconditionally in transformational peace processes, if they fear their dignity is not safeguarded. Acts to humiliate contesting groups in order to humble and silence them, usually resulted in viscous cycles of humiliation and counter-humiliation. Dynamics of humiliation have been shifting currently from honour-humiliation (implying asymmetric power relations) to dignity-humiliation (based on the notion of equal dignity), with the latter bound to being more salient, as globalisation, universal human rights and the information revolution intensify feelings of dignity-humiliation, regardless whether they are based on actual or imaged indignity.\(^{116}\) Including dignity-humiliation sensitive and remedial strategies in conflict prevention efforts will increase the understanding of entrenched position of main actors in intrastate conflict and could be also instrumental in building relationships, based on mutual trust and respect, between State and civil society. Humiliated hearts and minds. Lindner (2004) concludes, might be the “real weapons of mass destruction” in a globalized and interdependent world.

Future research

This PhD research was a self-funded and solo undertaking, which has clearly limited the depth and the breath of the research. Many components require further study to gain better insight into effective local conflict prevention strategies. Six areas are proposed here:

1. Expand and develop the NGO organisational integrity model as a useful tool in the partnering process for other stakeholders and for the “development compact”.
2. Research best practices of sustainable horizontal social capital building programmes; for example in a comparative study of the impact of micro credit programmes on communal conflict prevention in Bangladesh and Cambodia (do micro credit programmes de facto

\(^{115}\) Aggressive behaviour is an intentional act, not an inner state, carried out with the explicit purpose of causing physical or mental pain to another individual. It has three dimensions: hostile intent, injurious behaviour and emotional state (instrumental aggression). The protracted and unpredictable nature of political violence is psychologically most damaging as it affects the human capacity to trust and plan ahead (See Cairns 1996 and ADHOC 1999). Prolonged conflict in divided societies deeply erodes the moral values and ethics system of society.

\(^{116}\) Lindner (2004) poses that the phenomenon of humiliation gained significance as a result of two recent trends. First the advancing globalisation process has promoted a new, more relational global reality and second, the widening global acceptance of the universality of human rights implies a shift in focus from national security interests to individual rights to protection and well-being.
build bridging social capital or are special conflict prevention components required?); or in a comparative analysis of joint national good governance campaigns with a special focus on promoting people's participation in decentralisation processes.

3. Develop a pilot programme for State-NGO dialogues to (re)build mutually beneficial and respected relations.

4. Study the way the "war system maintains gender inequality" and "dignity humiliation dynamic" with Indonesia as a case: for example to study the history of the TNI and its approach vis-à-vis Komnas Perempuan.

5. Evaluate the collaboration between international and local NGOs in post-conflict reconstruction programmes in historic perspective; for example the evolution of the NGO consortium for the North East and the Moluccas.

6. Undertake a similar comparative NGO in conflict prevention study in the Middle East (Israel, Palestine, Egypt, Jordan, Lebanon, and Syria) to support the role of civil society in the peace process that is currently at a crucial stage.
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9.3 Epilogue

At the completion of the study in the fall of 2004, several major political events occurred in all four countries, which may make the readers wonder whether the analysis and conclusion need adjustment. Therefore, this epilogue reviews the latest events chronological order, even though none of these political opportunities have led to new conflict resolution initiatives yet.

Sri Lanka: No war and no peace

In the course of 2004 the iron unity of the LTTE began to show cracks. On 24 October 2004, Mr. Tamilchelvam, the Head of the political wing of the LTTE denied reports of a second split in their organisation. It was the first time that a senior LTTE leader has reacted to reports of a rift in the rebel movement. Last March, the former Eastern Commander of the LTTE, Mr. Muralitharan aka Colonel Karuna, broke away alleging favouritism by the rebel leadership. Karunathara lost his territorial base near Batticaloa after heavy fighting with the LTTE last May and went underground, but intra-group clashes are continuing in the eastern region between the LTTE and fighters loyal to Mr Karuna. Meanwhile the peace talks, which broke down in April 2003, have not resumed. The LTTE voiced concerns over a possible new Indo-Sri Lanka defence pact, while the Sri Lankan government is divided over the LTTE demand for interim rule of the North East. In late November addressing an audience on LTTE Martyrs‘ day, Prabhakaran threatened to return to war if the government does not resume peace talks based on the rebels’ demand for self-rule. A week earlier President Chandrika Kumaratunga had urged the Tamil Tigers to be prepared for talks, saying she was “not prepared to go back to war”. MP Rauf Hakeem leader of the Muslim Congress demanded a Muslim seat at the negotiation table on Human Rights Day to defend their interests. The financial stakes are also high. The international donor community pledged a $ 4.5 billion dollar post-conflict reconstruction package in Tokyo in 2003, but the release of the funds is directly related to progress made in the peace negotiations. Part of the budget is to be disbursed under directed LTTE control.

Yet, despite these rich carrots and sticks, it seems that the present situation of no war and no peace is comfortable for the government and the LTTE, as both stand to meet with fierce opposition of their constituencies if they “give in” at the negotiation table. A main obstacle to the resumption of peace talks is the position of the government’s key coalition partner, the JVP, which threatens to leave the coalition if peace talks resume on the basis of the LTTE demand for an interim self-governing authority in the North East. However, sources of instability make analysts wary of complacency. The government accuses the LTTE of killing Tamil opponents and recruiting child soldier, especially around Batticaloa since the Karuna fraction split. The LTTE in turn blames the government for assisting renegade former Colonel Karuna and for supporting counter attacks on LTTE supporters. On 19 November Senior Judge Mr. Sarath Ambeppiya, who in 2002 had sentenced Mr. Prabhakaran to 200 years in jail in absentia over the 1996 bomb attack on Colombo’s Financial District, was killed by unidentified gunmen. The next day, after an emergency meeting the President announced the death penalty is reinstated with immediate effect for rape, murder and narcotics dealings. Capital punishment had not been enforced in Sri Lanka since 1976.

Indonesia: Golkar’s come back, political corruption and military revival

Indonesia held two national elections in 2004: in April it chose members of the House of Parliament and the newly formed Senate, and in July and September it elected a President in two
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rounds of direct elections, for the first time in history. Contrary to expectations, the elections were peaceful with high voter turn out. The Golkar party made a major come back became the largest party and won speaker seats for both the House and the Senate, much to the dismay of the other political parties. The opening sessions of the House were delayed for weeks; the opposition parties protested against Golkar’s majority vote, which had its party members chairing all twelve special House committees. Golkar failed however to regain the Presidency. General Wiranto, their candidate, who was still under legal investigation for alleged East Timor atrocities, did poorly in the July elections and the progressive General Yudhoyono beat the contesting President Megawati convincingly in the second round.

On 7 September 2004, the long time LBH lawyer Munir, founder of KONTRAS and IMPARSIAL, and member of the Commission to Investigate Human Rights Violations in East Timor, suddenly died on a Garuda flight to the Netherlands to further his studies at the University of Utrecht. Only two months later, on 9 November, the Dutch authorities released the autopsy report, which found 46 æg of arsenic in his urine, blood and stomach, far above safe levels of 3.5 æg/day. The Indonesian police launched a criminal investigation, but despite the autopsy findings, the National Police chief of detectives General Suyitno said “it was still too early to conclude the rights activist had been intentionally poisoned.” Police questioned dozens of people, but did not name any suspects. President Yudhoyono, who initially agreed to set up an independent team to investigate Munir’s death, later reneged.

Meanwhile, political pressure successfully led to continuation of the Indonesian Military (TNI)’s territorial role and the physical presence of soldiers under a territorial command in the regions. The TNI’s territorial command needed to be maintained “to boost the country’s defences and protect its territorial integrity”. Priority will be given to regions that are prone to conflict and at danger of incursions by foreign powers. “Priority will be given to regions that need the presence of troops down to the lowest level”, the interim coordinating minister political and security affairs Hari Sabarno told the Jakarta Post (30/11/04). The military bill stipulates that the TNI’s main duty is to fight wars and engage in military operations other than war, including fighting separatist rebels and terrorists, guarding border areas and vital objects, as well as engaging in humanitarian operations. Military analysts and NGOs expressed concern over the decision to maintain the military’s “territorial role”, as it could lead to a repeat of the intimidation that occurred in the past. On 17 November President Yudhoyono extended the civil emergency in Aceh by six months, “...to maintain the momentum and sustainability of steps that are getting closer to their aims, we will extend the currently prevailing status.” (The Jakarta Post, 17/11/04) Aceh has been under martial law or civil emergency since May 2003, when talks between the government and the rebel Free Aceh Movement broke down. The civil emergency allows authorities to enforce curfews and restrictions, and order house searches. Recent official figures state that almost 7,000 suspected rebels have been killed or captured since the operation began.

On 10 December 2004, Transparency International Indonesia (TII) presented its corruption index that ranked the House and political parties first, scoring 4.4 out of a maximum 5 points, at which point an institution can be categorized as “very corrupt”. Institutions with low levels of corruption were NGOs (2.4) and the media (2.6). The military placed in the middle ranks with an index of 3.3, just above educational institutions (3.2). In 2003, the judiciary was found to be the

137 In cases of murder by way of arsenic poisoning, victims are exposed to a large amount of arsenic, with the symptoms apparent within 30 minutes of exposure. The symptoms of arsenic poisoning are vomiting and diarrhoea coupled with garlic-like breath, stomach cramps and excessive sweating. As the poison’s effects progress, the victim experiences a seizure and then shock, dying within a few hours. (The Jakarta Post, 9/11/2004)

138 The corruption index is a global system that reflects public perception of public institutions. Indexes for the customs and excise office, the judiciary, police and tax office were 4.3, 4.2, 4.2 and 4.0 respectively.

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most corrupt institution with political parties in second position. TII recommends demands for greater accountability from both political parties and the House to prevent them from becoming the new hallmarks of corruption. “The law on general elections and political parties must be amended so as to require more rigid accountability of electoral candidates.”

Myanmar: Internal divide in the Junta

On 19 October 2004, Myanmar’s Prime Minister Khin Nyunt was ousted (“permitted to retire for health reasons”) by a more conservative member of the ruling military Junta, Soe Win. But there was little doubt that his departure is the result of a power struggle that had been going on for months. In this closed society it is hard to know what happens internally. Khin Nyunt, the former third man in the Junta hierarchy and chief of the intelligence service, seemed to have clashed with Myanmar’s most senior leader, General Than Shwe, who—while well over retirement age (71) — still controls the entire army. The military intelligence service often acted as a broker between the ruling Junta and supporters of the opposition National League for Democracy (NLD), whose leader Aung San Suu Kyi remains under house arrest. Other experts hint at a conflict over the Junta’s business interests. Khin Nyunt was placed under house arrest and the intelligence service was dissolved a week later.

Burma Watchers fear this shift in political leadership is a further set-back to the efforts by both opposition and international groups to free Aung San Suu Kyi and put Burma on the road to democracy. General Than Shwe is seen as more hard-line than Khin Nyunt, who was prepared to discuss her release from house arrest, held regular meetings with ASEAN leaders and had outlined a seven-point “roadmap” for change last August. (As he had been prime minister for only a year, there were not many tangible results yet). In the past, Than Shwe has shown little interest in international relations in the past, other than the relationship with his immediate neighbours. Burma’s opposition leader Aung San Suu Kyi’s house arrest was extended with another year late November. Meanwhile, by 12 December 15,000 prisoners had been freed, including several prominent NLD members. However, the NLD Weekly News Report dated 12 December 2004 reported 19 NLD arrests in the past week, against 10 released NLD members. On the occasion of Myanmar’s National Day (6 December) the NLD urged the SPDC to start a national process of reconciliation, as there is “no way out of the problems of Burma without political dialogues.”

Lastly, some analysts fear that Khin Nyunt’s fall could signal a period of renewed fighting between Myanmar’s ethnic groups and the government. The SPDC signed ceasefire agreements with several rebel groups in the 1990s that were all brokered by Khin Nyunt and it was still in negotiations with the largest remaining insurgent group, the Karen National Union. It is unclear whether these ethnic groups will trust the Junta’s new leadership, as General Than Shwe has been leading the armed forces in ethnic combat over the past 50 years.

Cambodia: Aid, corruption and the UN Khmer Rouge Tribunal

International donors pledged $1.8bn for Cambodia over three years at the end of the Consultative Group meeting on 7 December 2004. However, the CG would only commit to the first year, for

139 According to TII Secretary General Emmy Hafild, corruption in the House and political parties included bribery from companies to be scrutinized by House members on dubious activities, brokers’ fees to help private companies get government contracts and financial inducements from conducting “fit and proper tests” for public officers. (The Jakarta Post, 10 December 2004)
which they allotted $504m and demand urgent reforms in return. In a year’s time the CG will assess whether Cambodia has made progress in tackling corruption. International aid accounts for nearly 50% of Cambodia’s national budget. A US government study estimated that up to $500m of public funds is lost to corruption in Cambodia each year. Ian Porter of the World Bank said Cambodia had agreed to pass an anti-corruption law, bring key cases to trial, and establish a legal framework effective across the country. “We have a lot of confidence... that these kinds of actions can indeed be accomplished in the coming year,” he said. (BBC News, 7/12/04)

Local and international NGOs however, beg to differ. In a public letter to Mr. Wolfensohn, the World Bank President dated 4/12/04, Global Witness (GW) argues that while good governance is at the core of the new “Rectangular Strategy”, the government has only been talking tough on corruption and doing nothing for years, as has the donor community. A week earlier, 200 local NGOs and civil society organisations united in the Civil Society Forum, submitted a petition to the Government and Consultative Group, entitled ‘Government and Donors Must Turn Promises into Action; NGOs demand concrete outcomes from Consultative Group meeting’. In the day-long event, NGOs from across the country highlighted the need for greater government and donor action to fight corruption, improve governance and the rule of law, and alleviate rural poverty. Speaking at the event, Mr. Thun Saray, President of ADHOC, stated, “Government, donors, and NGOs should unite together to end corruption, develop an independent non-partisan judiciary and ensure that all Cambodians have the ability to lift themselves from poverty.” Four key recommendations of the NGOs are to: 1) increase people’s direct participation (including lifting the ban on freedom of peaceful assembly and direct elections for village chiefs to increase accountability); 2) end corruption; 3) support the Rule of Law; and 4) decrease rural poverty (including enforcing the decentralisation Act and 2001 Land Law).

A United Nations delegation arrived in Cambodia the next day (8 December) to discuss funding for the long-awaited genocide tribunal to bring to justice the senior Khmer Rouge leaders. This year is the 25th anniversary of the end of Pol Pot’s regime, and seven years since the process to organise the tribunal began. The domestic obstacles to holding the tribunal were removed, prior to the coronation of King Sihamoni late October—who was selected by a combined Royal-CPP search party in less than five days. Legislation was ratified to allow foreign judges to preside in Cambodia over a team of five judges (three Cambodian) and sit in trial court. The tribunal is expected to take around three years at an estimated total cost of $60 million, but financing is complicated. The US made clear from the outset that it will not provide any funding. The UN will not provide funding directly, but will lobby individual countries to contribute. So far, however, only Australia has come up with a firm pledge, worth $3 million only.

**Christmas 2004 Tsunami disaster**

On 26 December 2004, an earthquake of 9.3 force on the Richter scale off the west coast of Banda Aceh struck and triggered a tsunami or huge ‘killer’ waves, which killed hundreds of thousands in Indonesia, Thailand, Sri Lanka, India and elsewhere as far as in East Africa. As this

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140 “At the 1996 CG meeting, then First Prime Minister H.R.H Norodom Ranariddh stated that the Royal Government of Cambodia was committed to “effectively combat corruption.” More recently at the 2001 CG the ADB’s Urooj Malik “respectfully urged” the Royal Government “to move forward with the finalization of legislation on Anti-corruption.” The donors then pledged US$ 615 million, US$ 115 million more than the Cambodian government had actually requested. In 2002 “the adoption of a new Anti-Corruption Law” was, according to the World Bank, by now “of particular and most urgent importance.” The donors pledged US$ 635 million. The Cambodian government must find the whole CG process absolutely hilarious. Each year they fail to meet their benchmarks and each year the donors give them more money.” (GW, Press statement, 4 December 2004)
study was completed early December, the impact of this human tragedy on the conflicts, especially in the hardest hit countries of Indonesia and Sri Lanka, is as yet hard to forecast.

It seems that the LTTE is hard hit as 40% of Sri Lanka’s casualties fell in the Tiger controlled areas in the North East, where the lack of qualified human resources has been a major problem for decades. Moreover, the LTTE lost its entire naval fleet and much of their military equipment. Plastic landmines that were planted to protect the LTTE bases were swept away and have become a public hazard. The Sri Lankan government has offered humanitarian assistance to the LTTE held areas as well. Tensions over the distribution of the aid are rising. In Aceh the human tragedy is beyond comprehension. Entire cities disappeared in the waves and over a 150,000 people lost their lives in West Aceh alone. Aid to the area is slowly getting under way and the assistance by the TNI is very limited, due to their lack of resources and own casualties it is claimed. The GAM rebel bases are located in the mountains and thus remained untouched by the tsunami. GAM announced a unilateral ceasefire to allow for humanitarian aid to the refugees who fled to the mountains.

While most recent developments fit seamlessly in the conflict analysis of this study, the impact of the tsunami on the governance and development policies of Sri Lanka and Indonesia’s conflict zones could have a transformative impact. Mega relief efforts are under way, unprecedented multi year donations are pledged towards the reconstruction in which multilateral aid agencies will play a lead coordinating role. The prevailing tensions between the government and the LTTE and GAM will likely strain the planning and implementation of the tsunami reconstruction efforts at first. However, ultimately State – civil society relations could flourish in the wake of this disaster; take for example the immediate humanitarian response in Sri Lanka where spontaneous inter-religious people-to-people initiatives emerged within hours after the tsunami struck, which are still ongoing today. The presence of foreign aid agencies could defuse some of the tension and bring a new development impetus to the battered conflict zones. Moreover, as the local NGOs in both conflict zones are comparatively weak, the tsunami reconstruction programmes could use this unique opportunity to strengthen their capacity and grant to them an key role in the rebuilding of civil society.