

# India and Sri Lanka after the LTTE

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## EXECUTIVE SUMMARY

India has long been the country with the greatest influence over Sri Lanka but its policies to encourage the government there towards a sustainable peace are not working. Despite India's active engagement and unprecedented financial assistance, the Sri Lankan government has failed to make progress on pressing post-war challenges. Government actions and the growing political power of the military are instead generating new grievances that increase the risk of an eventual return to violence. To support a sustainable and equitable post-war settlement in Sri Lanka and limit the chances of another authoritarian and military-dominated government on its borders, India needs to work more closely with the United States, the European Union and Japan, encouraging them to send the message that Sri Lanka's current direction is not acceptable. It should press for the demilitarisation of the north, a return to civil administration there and in the east and the end of emergency rule throughout the country.

New Delhi's relations with Sri Lanka in the two years since the defeat of the Liberation Tigers of Tamil Eelam (LTTE) have had four main priorities:

- providing humanitarian assistance to displaced Tamils in the north and east;
- supporting major development projects, primarily in the north, with concessionary loans;
- pressing the Sri Lankan government and the main Sri Lankan Tamil political alliance, the Tamil National Alliance (TNA), to work towards a negotiated settlement of ethnic conflict through the devolution of power to Tamil-majority areas in the north and east; and
- encouraging greater economic integration between the two economies.

India's approach has so far paid only limited dividends. Deepening militarisation and Sinhalisation in the northern province have increased the insecurity and political marginalisation of Tamils and are undermining prospects for inter-ethnic reconciliation. The government continues to resist any investigation or accounting for mass atrocities in the final months of the war. Democratic governance is under sustained assault throughout the country, as power is concentrated in the president's family and the military; attacks on independent media and political opponents continue with impunity. Even on Indian-sponsored development projects and economic integration, the Sri Lankan government has dragged its feet; for example, construction has begun on only a handful of the 50,000 houses India has offered to build in the northern province.

While officials in New Delhi admit they are frustrated, India remains hesitant to press President Rajapaksa's regime very hard. This is due in part to its history of counter-productive interventions in Sri Lanka. India's misguided policy of arming Tamil militants in 1980s significantly expanded the conflict, and its decision to send peacekeepers to enforce the 1987 Indo-Lanka accord ended in disaster as the LTTE fought them to a standstill and

later took revenge by assassinating former Indian Prime Minister Rajiv Gandhi in 1991. India's interventions have made Sri Lankans of all communities suspicious, limiting India's room for manoeuvre. Many Sinhalese see India as favouring Tamils and as wanting to weaken or divide the country, despite its crucial role in destroying the Tamil Tigers. For many Tamils, on the other hand, India is seen as having repeatedly broken its pledges to defend their rights and protect their lives, especially during the final phase of the war in 2009.

India's reluctance to put serious pressure on the Sri Lankan government is also due to strategic considerations, in particular its desire to counter the growing influence of China, whose financial and political support the Rajapaksa government has been cultivating. India's own growing economic interests in Sri Lanka have also tempered its political activism. New Delhi's traditional reluctance to work through multilateral bodies or in close coordination with other governments – due in part to its fear of international scrutiny of its own conflicts, particularly in Kashmir – has also significantly weakened its ability to influence Sri Lanka.

India, nonetheless, has strong reasons to work for fundamental changes in Sri Lanka's post-war policies. It has a clear interest in preventing either a return to violent militancy or the consolidation on its borders of another authoritarian government with an overly powerful military. India's own democratic values and successes in accommodating ethnic diversity should also encourage an activist approach, especially as it seeks recognition as a rising global power with hopes of a permanent seat on the UN Security Council. India's own restive domestic Tamil constituency, to which the central government needs to respond for electoral considerations, is pressing for stronger action. After decades of actively supporting minority rights and devolution of power in Sri Lanka, India has its reputation on the line. With the much-hated LTTE defeated with Indian assistance, New Delhi should, in principle, have more leeway to push for reforms.

If it is serious about promoting a stable and democratic Sri Lanka, India will have to rebalance its priorities and press more consistently and in concert with other powers for major political reforms in Sri Lanka. Parties in Tamil Nadu, in turn, will need to use their leverage with New Delhi in consistent and principled ways, even at the risk of sacrificing potentially profitable political deals.

India's support for negotiations between the Sri Lankan government and the Tamil National Alliance, which belatedly began in January 2011, has been useful and should be maintained. But the immediate focus of the talks and of Indian influence should shift from pressing for effective devolution of power to demilitarising the north and east and rebuilding meaningful democratic institutions and freedoms. This would require:

- re-establishing the authority of the local civil administration in the north and east to oversee development and humanitarian assistance without interference by the military or central government;
- holding the long-delayed election for the Northern Provincial Council;
- publicising the names and locations of all those detained on suspected involvement with the LTTE (including those in "rehabilitation" centres);
- expediting the release of land currently designated as (or operating as de facto) high-security zones; and

- removing arbitrary restrictions on political activities and on the humanitarian activities of local and international NGOs.

India should monitor its projects in the north more closely and insist, along with other donors, that they effectively empower local people. India should insist on working through the newly elected local governments and, eventually, with the Northern Provincial Council. To make this possible, India will need to coordinate more closely with Japan, Western donors and international development banks. Together they have the political and financial leverage to influence the Rajapaksa administration should they choose to use it. India should revive its idea of a donors conference to review post-war progress and to push the government to demilitarise the north, lift the state of emergency and relax anti-terrorism laws.

In New York, Geneva and Colombo, India should publicly acknowledge the importance and credibility of the report by the UN Secretary-General's panel of experts on accountability and should support an independent international investigation into allegations of war crimes at the close of the civil war in 2009. At the same time, it should send strong, public messages to the Sri Lankan government on the need for domestic action on accountability. It should also work towards the establishment of a truth commission that would examine the injustices and crimes suffered by all communities, including those committed by all parties during the Indian army's presence in northern Sri Lanka in the late 1980s. Acknowledging the suffering of all communities will be necessary for lasting peace.

India should broaden its political agenda from focusing solely on devolution and ensuring the rights of Tamils. Without a reversal of the Sri Lankan government's growing authoritarianism, centralisation of power and continued repression of dissent, any devolution will be meaningless and the risks of renewed conflict will increase. India's longstanding interest in a peaceful and politically stable Sri Lanka is best served by strong messages to Colombo to end impunity and reverse the democratic decay that undermines the rights of all Sri Lankans. By raising political concerns that affect all of Sri Lanka's communities, India can also counter suspicions among Sinhalese and eventually strengthen its hand with the government. This will take some time, but the work should start now.

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