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India- Sri Lanka Relations: In Post Civil War Era in Sri Lanka

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Abstract-

In the first three decades of the post independent period India – Sri Lanka relations were cordial and understanding. In 1980's the relations between both countries were deteriorated with the escalating of civil war in Sri Lanka. The Sri Lankan government defeated the LTTE and ended 26 years of civil war in May 2009. India highly concerned about the situation arises in post conflict era.

The aim of this paper is to review the bilateral relations between India and Sri Lanka during first three years from civil war ending. The study, based on secondary data and the chronological analysis method has been used to analyse the bilateral relations.

India involved to assist to rebuild the war torn areas in Sri Lanka. Two debated issues were highlighted on relations during that period between the two countries. The issues of war crimes and human rights violations in Sri Lanka highly concerned and India allied with the international community against Sri Lanka. Second, fishing of Tamil Nadu fishermen in Sri Lanka water, which has reached to diplomatic level.

The Tamil Nadu politics have influenced thoroughly to determine the Indian central government policy. The geopolitical context influences for the bilateral relations of the countries in their foreign policies.

Key words: post war era in Sri Lanka, post war reconstructions, bi-lateral relations, Tamil Nadu politics, central government of India,

I. INTRODUCTION

Sri Lanka has been transformed into a new era at the end of 26 years of civil war in May 2009. The post war era has been influenced for several areas such as social, economic, political and even international relations of Sri Lanka. As an immediate neighbour country, India was involved with the issues of the civil war in Sri Lanka during last three decades. At the end of 26 years of civil war, India gives her serious attention to Sri Lanka's growing political and security trends in the context of post civil war period. The objective of this paper is to examine the India's responding to the issues of post civil war and the nature of bi- lateral relations between the both countries in the post civil war period in Sri Lanka.

II. BACKGROUND

The bi-lateral relations of India and Sri Lanka deteriorated in 1980's with a rising of the Tamil militant separatism in Sri Lanka. The two track policy of India in connection with Tamil separatism was more controversial in the relations of two countries. First, Indira Gandhi's New Delhi government involved deeply in the Sri Lanka's conflict by strengthening the Tamil militant groups with arming and military training in India's territory. Second, simultaneously the Indira Gandhi government provided her good office to find a political solution for the conflict. The relations were further deteriorated when India send her air force fighter air crafts to the Sri Lanka's air space to drop the food shipments by air to Jaffna peninsula violating the international law. This controversial Indian intervention was compelled to the GOSL to break the massive military blockade against the LTTE by Sri Lankan government forces. Then, Indo-Sri Lanka Peace agreement was concluded with President Jayawardena and Prime Minister Rajiv Gandhi which was mediated by India in 1987. The Indo-Sri Lanka agreement proposed a political solution to the Sri Lanka's conflict followed by establishing a provincial council system base on devolution of power for nine provinces in Sri Lanka. Further, India immediately sent her "Indian Peacekeeping troops" (IPKF) to Sri Lanka to disarm the Tamil militant groups in Jaffna according to the agreement. Not only IPKF failed to disarm the LTTE but also fell into a war with them and lost 1500 IPKF soldiers. President Premadasa who came to power subsequently Sri Lanka's President Jayawardena demanded the immediate withdrawal of the IPKF.

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¹ See Abraham. T (2006) The emergence of the LTTE and the Indo-Sri Lanka Agreement of 1987, In Rupesinghe, K. *Negotiating Peace in Sri Lanka*. 2 ed. Vol. 1, (Colombo: The Foundation for Co-Existence, 2006)

² Dixit J.N. (2006) Indian involvement in Sri Lanka and the Indo- Sri Lanka agreement of 1987: A retrospective evaluation, In Rupesinghe, K. (2006) *ibid.*, pp 25-42

³ Kodikara, S.U. *Indu - Sri Lanka Agreement of July 1987*.(Colombo: Dept. of History and Political Science, University of Colombo, 1987)

⁴ Thilakarathna, B. (2006) The Sri Lanka Government and peace efforts up the Indo-Sri Lanka accord: Lessons and experiences, In Rupesinghe, K.(2006) *Op.cit.*, pp 43-68

In 1991 Prime Minister Rajiv Gandhi was assassinated by the LTTE during the general election campaign of Tamil Nadu. That incident made the way for the Indian Government to ban the LTTE as a terrorist organization. However, in 1990's the LTTE organization became the most powerful terrorist organization in the country as well as in the world. ⁵

III. RELATIONS IN POST CIVIL WAR ERA

The end of 26 years of civil war India was one of the country who felicitated to the GOSL about war victory. Further, India made arrangement to send her top level delegation team to Sri Lanka. The Indian delegation team visited Sri Lanka on 23 May 2009. This team was headed by consultant for Indian national security Mr. M.K. Narayan and Indian foreign secretary Mr. Shiva Shankar Menon. The delegations of Indian government informed to the Sri Lankan government about India's concern to apply a political solution to the national crisis in Sri Lanka as soon as possible. Further, they persuaded to seek a long lasting solution for the root causes of the Tamil separatism in Sri Lanka. ⁶

After the war victory, the President of Sri Lanka, Mahinda Rajapaksha visited India in June 2009. During bilateral talks between two premiers, Indian Prime Minister Manmohan Singh made an announcement that India would support to reconstruct the war affected areas and rehabilitate programmes.

India concerned to assist the GOSL in her post war reconstruction rehabilitation process in several ways. India involved to assist the internally displaced persons in North and East providing financial assistance for several projects in the war affected areas. At the beginning, India government provided emergency supplies of medicine, temporary housing and cement and undertaken demining programmes in war zones with an investment of \$ 110 million. ⁷ Later, India further extended her cooperation to assist for the post war reconstruction process in Sri Lanka involving with several projects. For example, in 2010 India has granted US\$ 27.5 million for reconstruction projects in Northern Province.⁸ India has been involving for reconstruction of Duraiyappa Stadium, cultural centre in Jaffna, assistance for developing health care facilities in Kilinochchi and Mulaitivu, reestablishment of the research institute of Palmyra development board in Jaffna. development of industrial zone, supplying fishing equipment, agriculture tools, buses, tractors and cement for IDPs and related development projects. ⁹ Further, Government of India has extended the lines of credit amounting to US\$ 416.4 million to Sri Lanka for construction of the Northern railway line from Omanthai to Pallai and from Madawachchiya to Talaimannar. A housing scheme project consists of 50,000 house set is implemented by the Indian government for resettlement families in North and East. This project is under the full grant assistance of the Indian government with a total outlay of US\$ 270 million, making one of the largest grant assistance projects implemented by the Indian government in a foreign country. Setting up a coal plant project in Sampur in the Eastern province of Sri Lanka is another important development project implemented by the Indian government during the post war period. 10 In 2010, India has contributed 15% of foreign finance commitment by major donors of Sri Lanka. 11

Instead of India has assured to assist the post war economy in Sri Lanka, the relations of both countries have been entered to a critical condition during last three years. The Tamil Nadu ¹²factor had been influenced for several times to New Delhi in connection with their foreign policy toward Sri Lanka in the history. Although, New Delhi bypassed Tamil Nadu influences in several times in crucial issues, the current political scenario of New Delhi government has been changed the situation. The Tamil Nadu Chief Minister Jayalalitha Jayeram (AIADMK), other pro LTTE political parties (DMK, MDMK) and key political players of Tamil Nadu accuse to the Sri Lankan government on war crime during the final steps of military operations against the LTTE in 2009. Anti-Sri Lankan protests were continuing throughout Tamil Nadu state in South India which were organized by DMK, AIADMK and MDMK other pro LTTE parties. Thousands of students and pro LTTE political parties joined those protests and asking an international investigation against war crimes committed against the Tamils by the security forces. ¹³ These protesters were forcing to the central government of India on the possibility of imposing economic sanctions on Sri Lanka and demanding to form a separate state for the Tamils. The Tamil Nadu Chief Minister Jayalalitha Jeyaram proposed a resolution against Sri Lanka and passed by the Tamil

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⁵ De Voorde, C.V. "Sri Lanka Terrorism: Assessing and Responding to the Threat of the Liberation Tigers of Tamil Elam." *Political Pratice and Research: An International Journal* 6, no. 2 (2005): 181-199.

⁶ Daily News, 26 May 2009

⁷ "India's aid to Sri Lanka in post war reconstruction", *The Caliber*, October 30, 2013. <www.thecaliber.in>

⁸ Ministry of Finance and Planning Sri Lanka, *Annual Report 2010*. (Colombo: Ministry of Finance and Planning, 2011)

⁹ See *ibid.*, p.275

http://thecalibre.in/category/in-depth-current-affairs/ [Accessed 2013 July 08]

Ministry of planning and Finance Sri Lanka, 2011, op cit., p.245

¹² Tamil Nadu a state of India, consist of 62,406,000 population and more than 88% of the population are Tamil Hindus (Directory of Census-Tamil Nadu, 2001). The Tamil Nadu state of India and the Manner district of Northern province in Sri Lanka is separated by 'Palk Strait' (Gulf of Mannar, Adams bridge) of 48 k.m. (Britannica Academic Edition).

¹³ "Student protest spreads in Madrass", *The Hindu*, 2013 March 18,<m.thehindu.com>

Nadu State legislative council on March 2013.¹⁴ The resolution which was passed unanimously in the Tamil Nadu Assembly urged New Delhi administration to slap economic embargo on Colombo till the suppression of Tamils was stopped and those who responsible for 'genocide and war crimes' faced an international investigate.¹⁵ Further, Jeyalalitha stressed to the central government in New Delhi, to move amendments to the US – backed resolution on Sri Lanka over war crimes against Tamils in Northern Sri Lanka. The Tamil Nadu Chief Minister had written a letter to Indian Prime Minister Manmohan Sing informing,

"Don't just support the US – backed resolution on Sri Lankan Tamils issue at UNHRC, but strengthen it through suitable amendments." ¹⁶

A number of anti Sri Lankan protested reported from Tamil Nadu during 2012 and 2013. In September 2012, a group of 180 pilgrims of Sri Lanka who were visiting to Velakkanni, attacked by the Tamil Nadu extremists at Poornima church in Trichy. Another two incidents were reported in Tanjavur and Chennai in connection with two Buddhist Monks were assaulted by Tamil Nadu protesters. The "Maha Bodi" pilgrim centre in Egmore and "Mihin Lanka" airline office in Chennai were attacked in 2012. A team of Sri Lankan school football who has been gone for a tournament in Chennai, had been sent back to Sri Lanka by Chief Minister Jeyalalitha Jeyaram. Due to increasing a number violence incidents the GOSL issued a travel advisory asking for Sri Lankan not to visit Tamil Nadu until further notice.

While President Rajapaksha was visiting in India, several anti demonstration took part in Tamil Nadu. On September 2012, the President of Sri Lanka visited in New Delhi, to pay homage Sanchi Stupa and also laid the foundation stone of the University of Buddhist Studies in Sanchi. On that occasion, MDMK general secretary Vaiko, who arrived in Nagpur with his party supporters on the way to Sanchi and protested to the President of Sri Lanka as well as the governor of Madhya Pradesh for inviting to President Rajapaksha.²⁰

In the following year, the Sri Lankan President and his family personally visited Bodh Gaya in Bihar state on February 2013 to pay homage to the famous Buddhist temple – Mahabodhi. When he arrived to the temple there were hundreds of anti Sri Lankan demonstrators shouting with slogan near the temple. In Tamil Nadu, DMK leader Karunanidhi led the black flags and protested in Chennai to President Rajapaksha's visit. ²¹ The demonstrators aimed their protest to allege war crimes and human rights violation on Tamils in Sri Lanka. It is clear, the Tamil Nadu political parties were behind those anti Sri Lanka demonstrations.

IV. DISPUTE ON TAMIL NADU FISHERMEN IN PALK STRAIT

The dispute between South Indian fisherman and the Sri Lankan Navy over the fishing rights increased the tense relation between Sri Lanka and India further more. The narrow area of Palk Strait between Sri Lanka and India, which separate the two countries is the disputed area for a long time ²². The Tamil Nadu fishermen often enter the Sri Lanka water for poaching fish around the Strait of Palk. This practice continues for a long time. During the war, this area was controlled by the LTTE, but end of the civil war the Sri Lanka Navy (SLNAVY) controlled the area and it has increased her patrol in the strait much. The problem has risen since then, because several illegal fishermen and their vessel were arrested by the Navy. The Ministry of defence point out the scene as,

"Naval observation at sea and satellite images indicates that anything from 500 to even more than 1000 fishing craft from South India enter these water every day. They cross the international maritime boundary line with impunity and fish in these waters, often using trawl nets that go deep down and scour the bottom of the ocean, endangering the habitat of the fish and threatening the fish stocks in these water."²³

The Sri Lankan fishermen have been accused to Tamil Nadu fishermen for a long time because Indian fishermen are fishing in trawlers with big nets. So, this strategy is badly affected to the fish harvest for Sri Lankan fishermen. In 2004 a visit of goodwill mission of Indian fishermen to Sri Lanka to discuss the problems related to trans boarder fishing by Indian boats in the Palk bay and Palk straits.²⁴

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¹⁴ India Today Online, 22 March 2013,http://www.indiatodayonline.com

¹⁵ "Tamil Nadu Government passed the resolution Sri Lanka." *Sangam*, 27 March 2013 <www.sangam.org>
¹⁶ *Ibid*

¹⁷ "Sri Lankan tourists face fresh attacks in Tamil Nadu – Trichy". *Yahoo News*, 04 Sep 2012, http://www.in.news.yahoo.com

^{18 &}quot;Sri Lankan monks protest against attacks in South India." Global Times, 19 March 2013, < www.globaltimes.cn>

¹⁹ "Sri Lanka Government warns citizens against travelling to Tamil Nadu" 17 July 2013, <<u>www.dailysahafat.com</u> >

²⁰ "Sri Lankan President Mahinda arrives in India amid MDMK protest" *India Today*, 20,Sep 2012, <www.m.indiatoday.in >

^{21 &}quot; Sri Lankan president begins visit to India amid protests" *Colombo Page*,08 February 2013, < www.colombopage.lk >

²² Mukul Sharma, In Risky Waters, *Front Line*, Vol 16,issue 19 (1999)

²³ "Massive poaching brings 'No catch' threat to Sri Lankan fishermen" (no date)< <u>www.defence.lk</u> > [Accessed on 16 July 2013]

²⁴ V. Vivekanandan. *Fishing for a favor, Netting a lesson*, Report of the goodwill mission of India, (Trivendrum:South Indian Federation of Fishermen Societies, 2004)

The fisherman's problem was arisen its peak during February in 2011. That was the Tamil Nadu legislative assembly election period and AIADMK and MDK had given to the fishermen issue their highest priority in their election campaign in the state (especially in the coastal areas in Tamil Nadu such as Rameswaram, Nagapattinam).

The Tamil Nadu government often accused to the Sri Lankan Navy that they arrest the Tamil Nadu fisherman and harass them often. During that period two Tamil Nadu fishermen were killed in the sea and Tamil Nadu government accused the Sri Lankan government , that SLNAVY should be responsible for the deaths of those two Tamil fisherman. Several anti demonstrations were continued in Nagapattam and other coastal areas of Tamil Nadu. The MDMK Secretary Vaiko started a fasting against Sri Lanka in connection with the issue of the deaths of two fishermen. This was a popular issue in Tamil Nadu legislative assembly election campaign in 2011.

Sri Lankan Government refused those accusing of harassment to Indian fisherman and said the SLNAVY arrested the fishermen who violated the Sri Lanka maritime boundary and illeagal poaching but the government and the SLNAVY denied those allegations of harassment. ²⁵ Likewise, the GOSL also point out that the other several cases of Sri Lankan fishermen who arrested by the Indian maritime security and stay under custody in Tamil Nadu during past years. However, the fishermen issue was developed as a diplomatic problem between both countries. The two foreign ministers in both countries met in New Delhi and discussed the matter for seeking a solution to the issue. When President Rajapaksha met Prime minister Manmahan Singh in 17 th SAARC summit in Maldives November 2011, the leaders agreed to appoint a Joint Working Group to assure for a long lasting solution for the fishermen issue related to the both countries.

V. THE KACHCHATIVU ISSUE

While the fisherman issue is further developed, the Tamil Nadu government raises the issue of Kachchativu Island. Kachchativu is a tiny barren Island of 1.5 k.m.² located in Palk Strait, which is 15 miles away North East of Rameshwarum in India and 14 miles away South West of Delft island in Sri Lanka. India handed over the island to Sri Lanka in 1974 by the "Kachchativu island pact". The Tamil Nadu government of Jeyalalitha has often criticized the Indian government giving away the Kachchativu to Sri Lanka. The Tamil Nadu has also stressed that India should take over the island from Sri Lanka again. In 2008 Jeyalalitha filed a petition in the Supreme Court in Tamil Nadu and sought its direction to the government of India to retrieving the island.²⁶ During the post war period the Kachchativu issue was drawn attention by the anti Sri Lankan politicians of Tamil Nadu. In 2011 when the fishermen issue had risen to the peak the Chief Minister Jeyalalitha renewed her demand to the Indian government to regain the control over the Kachchativu island and surrounding areas which were given up to Sri Lanka in 1974. The Tamil Nadu assembly unanimously passed a special resolution in connection with this issue in 2011. In 2013 ex Tamil Nadu Chief Minister Karunanidhi filed a petition to the Supreme Court in connection with regaining the control over Kachchativu Island.

VI. HUMAN RIGHTS COUNCIL IN GENEVA 2012 AND 2013

The United Nation Human rights council in Geneva adopted a resolution in 2012 and again 2013 calling on Sri Lanka to take credible steps to ensure accountability for alleged war crimes and human rights violations during the final steps of the war with the LTTE. The United States sponsored resolution in the 47 members of UNHCR, 24 countries voted for the resolution and 15 against it in 2012, its 19 session in Geneva²⁷. India, voted for pro resolution making a critical stage for historical relations in both countries. However, India made an amendment to the resolution, impeding the international involvement to look for investigations.

The UNHRC has passed the second resolution against Sri Lanka in its 22 session on March 2013. Twenty five countries voted for the resolution and 13 against it and India was among voters for resolution again. ²⁸ India decision was made highly desperate in Sri Lankan government and the decision was criticised by the Sri Lankan politician as well.

VII. A POLITICAL SOLUTION TO THE CONFLICT IN SRI LANKA

After ending war India is continuing to compel to implement a political solution to the ethnic conflict in Sri Lanka. The delegations of both countries—visited New Delhi and Colombo several times in connection with this issue. India concerns the present Provincial Council system should be more strengthened with devolution of more power. The Indian government's opinion had come to its peak when Sri Lankan government tried to remove the land and police powers from provincial councils in 2013. Then, the India stressed to the government of Sri Lanka to avoid the amendment of the provincial council act in connection with powers which they have been vested by the constitution. However, The

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²⁵ "Massive poaching brings", op cit.

²⁶ See V.Suryanarayan, "India Sri Lanka and Kachchativu Crisis:A fact sheet and possible solution. 2013,May 06, Institute Peace and Conflict studies, <www.ipcs.org>

²⁷ 19 th session of the human rights council: Resolutions, decisions and Presidents statements. www.ohchr.org.>

²⁸ "Human rights council adopts nine resolutions and two decisions", Office of the high commissioner for human rights, March 21,2013. <www.ohchr.org>

government of Sri Lanka held the provincial council election in September 2013, without make amendments to the powers of provincial councils.

VIII. ANALYSIS THE INDIA'S FOREIGN POLICY ON SRI LANKA

India's foreign policy on Sri Lanka during post civil war period has been guided by the two factors. One is India's internal political scenario which is directly connected with Tamil Nadu factor. Locally, the central government of congress party is not further popular in the Indian political arena. After defeating her general election in 1977 the congress always protects their political power allied with regional parties. The political contribution of the Tamil Nadu political campaign cannot be undermining to determine persist the Congress government in New Delhi. This fact is proved in Tamil Nadu legislative election result in 2011. The congress allied with AIADMK and reported a magnificent victory securing 203 seats in the state legislative while DMK securing 31 seats. This is a major political change that took place in Tamil Nadu after the election in 1967 in which DMK defeated India Congress for the first time and subsequently, Congress never won an election in the state. ²⁹ The General election in India is scheduled to be held in 2014. Therefore, Congress joining hands with AIADMK will be more important in their future political stability of the Congress. In this background India has been given her attention to Tamil Nadu politician who are always on anti Sri Lanka stand. In geopolitical, 62 million of the Tamil population in Tamil Nadu, who is affected to the rights and necessaries of Sri Lankan Tamils.

The second factor is Sri Lanka's growing relations with China and Pakistan. As a South Asian regional power India will not be tolerated the growing relations between Sri Lanka, China and Pakistan. China and Pakistan always gave their military support during the civil war in Sri Lanka. China supplied the arms to the government of Sri Lanka and Pakistan involved with training the military forces in Sri Lanka. After the war was ended China is the main financial contributor of Sri Lanka's development projects. China has been involved to construct the Hambantota port and Hambantota international airport. Hambantota port is the most important project for the China strategically to seek her maritime lane for developing her trade passing in the Indian ocean. Further, China extends her military and diplomatic support to Sri Lanka understanding with the strategic location of Sri Lanka in the Indian Ocean. China voted against the resolution in UNHCR in 2012 and 2103 and confirmed the sovereignty of Sri Lanka. For the first time, Sri Lanka attended the Shanghai Cooperation Council meeting as a dialogue partner. President Rajapaksha officially visited China several times during the post war period and strengthened the relationship between the two countries furthermore.

Bi lateral relations between Sri Lanka and Pakistan developed rapidly during the civil war period in Sri Lanka. Pakistan is one of the major sellers of arms and ammunition from 1999. Extending her military support furthermore, Pakistan has also supported to train Sri Lankan military forces and intelligence service officers. Her huge military support for the final stages of the civil war in Sri Lanka is tightening the relationship of with Pakistan. In the post war period, firming bilateral relations with Sri Lanka, the President of Pakistan Asif Ali Zardari, and a team of high-powered delegation visited Sri Lanka in November 2010, on a state visit at the invitation of the President of Sri Lanka. The visit showed the opening of a new chapter in the Pakistan- Sri Lanka relations. Then, the Sri Lanka President Mahinda Rajapaksha visited Pakistan in February 2012. Both visits confirmed the development of economic cooperation between the two countries. Pakistan agreed to train Police and intelligence officers in Sri Lanka involving with security issues of the country. These facts confirm that Pakistan is ready to continue her mutual assistance further in the post war period in Sri Lanka in the areas of security as well as economic.

IX. CONCLUSION

The bi- lateral relations between India and Sri Lanka in the postwar era are based on two important facts. One is India's internal politics and the party interest which have always sought for strengthening their coalition power with the ruling government. The Tamil Nadu politics play an important role in this regard, by influencing to the central government to intervene to the Sri Lanka Tamil issues during the civil war in Sri Lanka. This also further complicated by fishermen issue. It is very clear the ruling Congress coalition seek to protect it's popularity with the help of AIDMK in Tamil Nadu for next general election.

The second issue is India's emerging power in the Asian region and its future threats from China who is ready to further strengthen her bi- lateral relations with Sri Lanka. This factor is always influenced to India within her strategic plan in the Indian ocean and security. Growing Sino- Sri Lanka relations are suspected by India and India shows her dislike to Sri Lanka with pressuring the Sri Lanka government through human rights violations on Tamils not only in regionally but also internationally. The bi-lateral relations India and Sri Lanka in the postwar era are not amicable and trustful. The growing political issues have been spoiled the historical amicable relations of the two countries.

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²⁹ See "Tamil Nadu Vidhan sabha election 2011",<www.travalindia-guide.com.>

³⁰ Indian Express, 2009 May 28 http://www.indianexpress.in

³¹ "Sri Lanka President visits Pakistan" *Asia Tribune*, 2012, February. http://www.asiatribune.com

³² "Pakistan, Sri Lanka agrees to boost bilateral relations" *The Frontier post*, 2010, 23 November. http://www.thefrontierpost.com, Pakistan is the second largest trading partner of Sri Lanka in SAARC region

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