

Full text of the presentation made by Commodore RS Vasan IN (Retd) Head, Strategy and security Studies, Center for Asia Studies, at the People's Tribunal conducted at Dublin 14-16<sup>th</sup> January 2010

Honourable Judges, observers and delegates,

When I was contacted by the organizers and was asked to present a paper at short notice during this People's tribunal I welcomed the opportunity as some one who has been closely following the developments in Sri Lanka. The first links with Sri Lanka for most Indians is through the Ramayana and I am no exception. One closely followed the story and developed some bondage with the country the history of which has been intrinsically linked to India.

As years passed, on joining the service, the developments in the Island continued to hold interest as the Tamils were forced to take up arms against the unequal treatment and the persecution of Tamils in the Island who had contributed to the over all well being of the Island. I was in the Navy at that time and do know that the LTTE was supported morally, materially and militarily by a sympathetic India. Some of the cadres were indeed trained militarily to protect their interests. While it is not my intention to go back to history, no one can forget the way in which India came to the rescue of the Tamils when food and supplies were denied to the Tamil citizens of Sri Lanka. Rajiv Gandhi did not hesitate to use the IAF to drop food and relief supplies thereby violating the sovereignty of another country. This led to lot of resentment and anti India feelings for a long time.

The Indo Sri Lanka accord signed in 1987 unfortunately did not have the support of LTTE which was weary of the provisions of the accord and felt that nothing much could be gained by the agreement to protect the interests of the minority Tamils. Not only did Prabhakaran walk out of the accord but dared the might of the Indian Army which was invited to Sri Lanka to enforce peace. So IPKF was compelled to fight the LTTE resulting in losses on both sides. Finally both due to the discomfort of the Sri Lankans who felt that the IPKF is an occupationary force. The sacrifices made by many valiant soldiers were in vain as the accord did not make any headway. The memorial for the IPKF sums it up all as it stands in Mannar with the inscription" We came in peace, we came for peace and we sacrificed for peace"

As per estimates the four Eelam wars have claimed close to a lakh people of all descriptions and at the end of it all, there is nothing in return as far as the Tamils are concerned.

The Eelam war IV which proved decisive militarily has many dimensions for analysts around the world. While the LTTE has been defeated militarily, the Tamil cause in the Island has many question marks on giving dignity, pride and a sense of equality in Sri Lanka. The causes for the Sri Lankan success have been covered subsequently in a little more detail. There is a great sense of helplessness and indignation amongst the Tamils around the world. They feel let down by the rest of the world particularly during the final moments of the war where an effective intervention in their assessment would have saved

the hapless civilians. In specific terms, some of them strongly feel that some sort of cease fire agreement should have been worked out to bail out the civilians trapped in the war zones. However, the assessment of the rest of the world (barring few) saw it as an opportunity to eliminate the terrorist organization at what ever cost.

Today, the concerned citizen of the world with value for human life and dignity would like to know if any excesses were committed on either side irrespective of the compulsions of the prevailing situation at that time. The reports of UTHR and many other independent reports bring out excesses committed from both sides who were engaged in the war. However, there is an imperative need to get at the truth by an impartial enquiry in to the conduct of the warring parties particularly during the final phases of the war when the civilians were used as fodder by both sides.

It is to be remembered that the countries that supported Sri Lanka militarily, financially either covertly or directly have an equal moral responsibility for the excesses committed by the security forces. The countries that provided direct support includes China Pakistan, India, Israel, South Africa and USA, Sri Lanka on its own would not have been in a position to win the war with out this external support. It may be noted that when the issue of providing military equipment by India was broached, it was clarified by the Indian Government that only defensive equipment was provided to SL forces. The Indian Government was in great dilemma as to the nature of equipment to be supplied. The Sri Lankan Government made it a point to request India for the required equipment knowing fully well it would be able to get the right kind of military equipment from either China or Pakistan should India express its unwillingness.

So the nations who supplied war material can not wash off their hands by just saying it is only a military sale and they would not be unduly concerned with how and where it was used. The nations which supplied many types of arms and ammunition who were made aware of the use against civilians chose to accept the plea of collateral damage when it came to loss of civilian lives caught in the cross fire.

**Genesis of the LTTE Defeat or the Sri Lankan Success.** Many reasons have been put forward as reasons for the defeat of the LTTE. Some of the important in the assessment of this author are contained in the succeeding paragraphs. There is a major factor of the denial of the use of the seas for sustenance of the war effort that ultimately led to weakening of the LTTE and final defeat.

- **Responses post 9/11-Global War on Terrorism measures (GWOT).** The world at large had become intolerant of terrorism and initiated many measures to combat terrorism. USA which was attacked on its own soil led many of the initiatives to combat terrorism in what was called Global War on Terrorism. The actions at home by LTTE in carrying out attack on innocent citizens and on politicians hardened the stand of the international community against LTTE. Sri Lanka benefited from the hard stand of the global community and was able to get the

- LTTE proscribed in over 32 countries around the world. Such branding as a terrorist organization enabled the host nations and Interpol to keep closer watch on the activities of LTTE particularly on efforts to acquire weapons and systems from the west. Also, the financial transactions also came under scrutiny making it difficult to carry on in the manner it did prior to 9/11.
- **Tsunami.** This is an important factor as it hit Sri Lanka when LTTE was readying for another war. There are no estimates of how many sea tigers or their assets were lost post Tsunami. It also brought in the angle of relief work and aid packages for the victims. There was also a lot of discussion on how the aid is to be distributed particularly in the LTTE controlled areas.
  - **Break up of Karuna.** The break up eventually came up due to serious differences with Prabhakaran on various issues. It was felt that the East was providing recruits as fodder and also there was no solution with the use of arms and loss of lives on both sides. It was initially assessed that the break up of Karuna would not affect the manner in which LTTE carried on its war efforts. However, it is clear that Karuna did provide the military edge to the SL Army as he was fully aware of the tactics and the level of preparedness of the LTTE. The inside knowledge of means and methods helped the SL Army to go after the LTTE with thorough preparation.
  - **Election of Mahinda.** It is ironical that the election of Mahinda was facilitated by the LTTE leader who called the Tamils not to vote and participate in the election process. This ensured a clear victory for Mahinda who proved that he was more than a match for Prabhakaran and a nemesis to the LTTE leader. Mahinda Chintana was quite clear about rooting out terrorism if he was elected to power and also asserted that the unity and integrity of the Island would be maintained.
  - **Increase in military strength.** The recruitment and training of youth in the SL Armed forces was at a new high and unlike in the past, it appeared that the youth were quite keen to join the forces and fight the LTTE. The reverse was happening in the LTTE where the strengths kept coming down particularly after the break up with Karuna and the top leadership resorted to extreme measures for recruiting child soldiers.
  - **Cooperation by military of China, Israel, Pakistan, India.** Despite the political and military differences that China, Pakistan and India have on many issues, Sri Lanka was helped by all the countries in terms of building up a credible force with required weapons to take on the guerilla force. Sri Lanka also played its card well and was able to get the best from all the regional and extra regional players. There was criticism from Tamil Nadu about the nature of weapons and sensor supplied. But in the long run, this had little impact on the decisions taken by the Center.
  - **Neutralisation** of FOC ships and war making machinery. This in no small measure contributed to the success of the SL forces in the war against the LTTE. The LTTE was not in a position to get its replacements for its depleting war reserves. Due to the intelligence that was provided by USA and also India, the SL

Navy was able to sink ships on the high seas at considerable distance from the coastline.

During the heydays prior to 9/11, the LTTE ruled the seas and was able to transact with any country /group of its choice to obtain military hardware by employing its own Flags of Convenience ship. It has been estimated that over a dozen ships were routinely employed in obtaining military weapons from Southeastern countries and other groups dealing in such activity. The providing of intelligence on the movement of such ships carrying weapons was crucial in neutralizing the ships in far off areas including high seas. The Sri Lankan Navy and the Air force operated in tandem to sink ships at distances not attempted hitherto.

Actions were also initiated by the Government of India to reinforce security measure particularly post the assassination of Rajiv Gandhi. The list includes the following measures:-

- Setting up of seven naval detachments along the Tamil Nadu coast. These were set up along the coast and manned by the Navy. The state government also funded the revenue expenditure of these assets and provided necessary help in running them. The navy on its part positioned personnel on rotational basis and also used commercially hired trawlers/boats to augment the surveillance capability along the coast.
- Optimal use of CGS Mandapam in Palk Bay and CGS Tuticorin in Gulf of Mannar for better surveillance and for support of surface operations.
- Activation of NAS Ramnad (INS Parindu) Both the Navy and the Coast Guard air assets were deployed as required for carrying out aerial surveillance in the Palk bay and other areas of interest.
- Greater interaction with the civil authorities (Customs, Police, State Administration and NGOs). The enhanced levels of communication and interaction amongst the agencies involved allowed for speedy decision making and implementation of such decisions.
- Intelligence sharing both with in and the Sri Lankan authorities. This played a crucial role in preventing the LTTE from having unfettered freedom in smuggling of essentials from Tamil Nadu and other countries.
- Sensitisation of the fishermen along the coast. Many of the fishermen who indulged in smuggling items to the LTTE did so either due to sympathy or due to commercial reasons. However, the LTTE did not enjoy support across the board, particularly when it was established that the LTTE did not hesitate to kill Tamil fishermen for furthering its own agenda.
- Induction of the Hovercraft to overcome shallow water limitations. The LTTE and the smugglers were safe in the relative comfort of shallow waters and were able to use the shallow waters to evade arrest and detection. The induction of the Hovercraft did change this situation and the coast guard was able to chase suspects even in shallow waters.
- Regular IBL meetings with the naval counterparts on regular basis for review of the arrangements. This arrangement stood the test of time and every quarter such

meetings were held on the IBL alternatively on either a naval ship or a coast guard vessel. The close coordination and the frank discussions enable many measures to be implemented with out bureaucratic impediments.

**Fishing in Troubled waters.** For centuries, the fishermen on both sides have been routinely fishing in areas in the Palk bay. The insensitivity of the Central Government and the inaction by the State Government led to the situation of gifting away Kachchativu to the Sri Lankans in the interest of having a settled maritime border. However, this has caused undue hardship to the fishermen from Tamil Nadu who is now accused of straying in to Sri Lankan waters intentionally. During the different phases of the Eelam war, this remained a contentious issue. The fishing in the Palk Straits is characterised on both sides by:-

- Fishing community of around 35,000 people,
- 8,000 are sea-going fishermen.
- Only about 16 km to Talaimannar in Sri Lanka.
- The lack of fish on our side of IBL.
- Practices of Centuries of fishing around Kachchativu
- Use of fishing boats for smuggling, refugee landing and clandestine activities.

A ban was imposed by Sri Lanka on its own fishermen, the Indian fishermen carried on fishing in these disputed waters with near impunity though there were incidences of firing by either the Sri Lankan Navy or the LTTE. Many of the firing cases reported remained unsolved as it was difficult to establish who actually carried out the firing. The proof provided by the fishermen in the case of MV Krishna clearly established that the LTTE had killed the fishermen and taken over the vessel during May this year.

**Recent Developments.** It would be interesting to examine some of the recent developments of significance to both the nations post the war phase. These include:-

- **First on the election on 26<sup>th</sup> January.** There is a lot that has happened in the political scene with the opposition coming together to field Gen Fonseka as the Presidential candidate. While the LTTE was defeated by the concerted action both by the Military and by the political leaders, ironically the TNA is also supporting the General who has promised many things in the manifesto issued recently.
- **Creation of Coast Guard by Sri Lanka.** Sri Lanka has announced setting up of a Coast Guard. This would enable Sri Lanka to entrust the peace time tasks to another designated maritime security agency with a human face. The tasks of Search and Rescue, Marine Pollution etc., are best handled by the Coast Guard with low value investments.
- **Greater role for the Military** -50 percent increase in Mil Strength. The announcement that the strength of the armed forces would go up to 3 lakh is something that has a potential to upset the democratic processes and governance in the Island. The strengthening of the military which played a

decisive role in the Eelam war 4 comes with the possibility of greater role for the Armed forces which does not augur well in a democracy. Also, after having defeated the LTTE the need for increasing the strength by 50 percent defies logic in a democratic set up. If this force was in the form of the home guards or the police it would be quite understandable.

- **Up gradation of Mil posts.** The up gradation of the posts for the armed forces, the creation of the Chief of Defence Staff etc., is not on unexpected lines as the Government wanted to recognize the exemplary services rendered by the top military leaders. Yet, this has the prospect of allowing the military to have a greater influence in day to day governance.
- **Formation of LTTE Government in exile?** The observers around the world also took note of the announcement of the creation of a LTTE Government in exile. It only shows that the movement can still bounce back depending on the actions or lack of them in Island. Also, according to credible inputs, there is still a lot of money that is available under different heads and there is some kind of power play to take control of the funds raised during the struggle for over three decades plus.
- **Arrest of KP.** The arrest of KP the master planner and the key figure for arms procurement has dented the efforts of the organization to restructure itself. The Diaspora and the LTTE remnants would be examining all options to see that the movement is sustained. This can only be prevented if the SL Government is serious about its role and commitment to the internally displaced persons of the Island who are waiting to return to normalcy.
- **Death of Prabhakaran's father.** This is being mentioned in passing more to bring out the fact that Prabhakaran's father was never in agreement with his son taking up arms and was particularly upset that LTTE had decided to take on the IPKF,
- **Trapped civilians (IDPs) and misery.** The harsh environment in the camps and the international criticism about the treatment has not helped the Government in its effort to relocate its citizens. However, there is an immediate need to see that the rehabilitation efforts are intensified with outside assistance. Any delay or negligence on this account would help those sympathetic to the LTTE cause to regroup together and think of another phase for self determination.
- **The Muslim Factor.** The Muslims who were driven out of their areas in the east have many questions about their future. It would not be easy for any elected Government to seriously address all the related issues of their resettlement in the east.
- **Action by Tamil Diaspora.** The Diaspora was angry that their hopes were dashed and the LTTE could not deliver Tamil Eelam. Post war, the Diaspora intensified its efforts to exert greater pressure on the SL Government through the Red Cross and global organizations. The Diaspora is also divided on the way ahead. While some are supportive of the SL Government's efforts many still feel that the Tamils will not live in harmony and dignity as a vanquished race.

- **National level.** The UPA party led by the Congress did not find much opposition to its support to Sri Lanka in the war against LTTE. There were sporadic demonstrations and protests in Tamil Nadu but nothing that would bring down any Government at the State level. The regional parties tried to whip up emotions but every time the center pretended that it was interested in the plight of the Tamils and was content in sending its emissaries to Colombo and getting some assurances that the civilian interests are being protected.
- **Regional politics.** While there were lots of expectations that Tamil Nadu would burn if anything happened to Prabhakaran, nothing of that nature took place indicative of the lack of support to the violent ways of the LTTE. The regional parties continue to whip up emotions to derive political mileage. However, Sri Lanka is being engaged by the Center to ensure that the relations remain on even keel and are taken to the next level of performance.

**Geo Strategy.** Both India and Sri Lanka have the geographic advantage of being in a position to keep the Sea Lines of Communication (SLOCs) and all that is carried through them under observation through the surveillance means. In addition the following factors have a bearing on the actions of the two nations both in Palk Bay and the Gulf of Mannar areas.

- **Presence of hydrocarbons/gas in Palk Bay area.** There are high expectations that the Palk Bay area may hold large volumes of energy (gas/oil) resources. With the conclusion of the Eelam war, there would be renewed efforts to tap the energy resources in the region by joint/mutually agreed areas under the NELP.
- **Sethusamudram Project.** While the SSCP took off in a big way, this has now got muddled in various issues including religious and environmental objections. It is not clear as to what shape it would take in the course of future. It has also become important to undertake fresh survey of the concerned areas of SSCP post Tsunami as the Environmental Impact Analysis was carried out before the Tsunami. There are expectations that the underwater profile in the areas would have undergone changes and there are also fears of what the Tsunami impact would be if the SSCP is implemented. There was a proposal by Ranil when he was the President for consideration of a land bridge between the two nations. If the SSCP is likely to be abandoned altogether, there is a need to have another close look at the land bridge proposal. The technology of today enables such connectivity even while retaining options for vessels of a particular size to travel beneath such a bridge.
- **Declaration of GoM as Marine bio sphere** Development of Tuticorin and deep water ports. The declaration of the portion of the Gulf of Mannar as a marine bio sphere would ensure that there are no developmental activities. However, the two nations may be in a position to invest in environment friendly ventures of tourism etc, in the area.
- **IOC Tank Farm in Trinco.** The tank farms in Trincomalee invested by Indian Oil Corporation have a strategic angle and would provide the required leverages in bilateral relations. The stocking of the IOC farms would need to be done by the sea routes for the moment.

- **Extra Regional players (China, US, Pak, UK etc).** With the excellent geographical vocational advantage enjoyed by Sri Lanka, this continues to interest of Extra Regional Powers who would like to engage Sri Lanka to ensure that their options are open depending on future global strategy driven largely by energy and economic interests. These interests mainly relate to the safe use of the seas along the established SLOCs. Over 80 percent of the worlds merchandise still moves through the medium of the seas from the African/Arabian coast to the Pacific nations.
- **Hambanthotta port.** It is no gainsaying now that China has come in to our neighbourhood. As per the records, it is clear that India let go off of an opportunity to invest in Hambanthotta. It is only because of the bureaucratic bungling from the Indian side that China was able to get a strategic food hold in Sri Lanka. However, it is now necessary to ensure that India's interests are protected by pro active strategies with respect to the Island nation which enjoys historical and cultural relations from times immemorial
- **Sri Lanka to train Pakistan Army.** The success of the Sri Lankan forces has evoked interest in the globe as it is a rare case of success against a well trained determined Guerilla force by a conventional army. The request therefore by Pakistan Army to be trained in such operations would take the defence cooperation between the two nations to a higher level. India would need to be watchful of the developments in our neighbourhood.

**Conclusion.** Having examined the overall picture related to the defeat of LTTE, there are certain issues that merit immediate attention. These are discussed subsequently.

- First and foremost- The rehabilitation of the war ravaged civilian's needs to be accorded the highest priority. This become even more important as the NE monsoons are to set in by end of October and would bring in greater misery to the suffering millions. The international community has a role in helping Sri Lanka in demining the areas to help speedy return of the IDPs
- Devolution of power to restore equality, dignity and pride to the Tamils as citizens of a unitary state. This has become a little more complicated as there is fresh thinking on the very need for such devolution. The President has gone on record to say that there is a need to get a fresh mandate post elections for what ever actions are required to be done to help the Tamils.
- Action and help by International community for expediting the process of rescue and rehabilitation
- The election seems to present some opportunities and they need to be explored in full to see that the manifesto of the leaders are subject to careful and detailed scrutiny to see that the legitimate aspirations of the minorities are addressed seriously with out giving rise to another armed conflict.
- As far as the People's tribunal is concerned, there is need to ensure that there is an impartial enquiry and the findings made public. The truth should make people and nations sit up and take note of excesses of any kind. The facts and truth brought out should bring out responsible and accountable responses from which ever government is elected to power in Sri Lanka