

# Sunday Times

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## **Ten years after the Indo-Lanka Accord: not even the 'kovanam'**

The Indo-Lanka Accord was signed ten years ago. Ostensibly the treaty (that's what it was and is) was meant to provide the Tamils in the northeast a constitutional basis for realising "their legitimate political aspirations" - as Rajiv Gandhi would have it in his hey days. But in reality it brought Sri Lanka quite firmly into the sphere of India's strategic and economic interests. These are of course well witnessed and well documented matters.

The continuing relevance of the Accord is that, by the virtue of the fact that it is technically a treaty, it keeps New Delhi an inevitable and ultimate factor in any settlement to the ethnic conflict in Sri Lanka.

Here, we have to keep in mind that the Accord is a very unique treaty in that it grants to one country the legal right to decide the political future of a section of another country's people.

Today the provincial council system which was the direct result of the Accord functions in every province of the country except the northeast for the people of which it was meant in the first place.

The Accord is a treaty. And as such India expended vast resources to sign and secure it. The thirteenth amendment to the 1978 constitution is the anchor and very basis of the treaty's legal status. Indian bureaucrats have not, in the past, refuted the conclusion which follows from this - that the repeal of the thirteenth amendment would, in a fundamental way, equal the unilateral abrogation of the treaty.

Today Delhi may strive, through subtle diplomatic propagandising, to make the PA and its Tamil cronies believe that it fully backs the government's devolution package.

This position would be acceptable as bona fides if Delhi can tell its friends here how it would view the legal status and geopolitical relevance of the Indo - Lanka treaty sans its constitutional anchor - the thirteenth amendment.

The ex Tamil militant groups in Colombo who keep harping on the thirteenth amendment may be doing so with this particular implication of the treaty in mind. All the non LTTE Tamil militant groups which had engaged in an armed struggle for the separate state of Thamil Eelam (or Eelam in the case of EROS and EPRLF) decided to give up their secessionist cause and join the democratic mainstream of the Sri Lankan polity in 1987 as a direct result of the Accord. If not they would have died a slow death in exile.

The armed Tamil groups which became political parties in the Sri Lankan electoral

system were able to do so only by convincing some of their important members and hard-core supporters that an acceptable alternative to a separate state could be secured through the good offices and backing of the Indian government. Ten years have gone by and they have nothing to show the Tamil people.

"What the Indo-Lanka Accord gave us was a meagre loin cloth to cover our nakedness.

Today we find that even this Kovanam (amude) has been snatched from us," said the leader of a Tamil party which gave up its armed struggle after the accord.

In this connection one must say that something that is fundamentally important to Tamil politics is not taken note of in most current assessments of the situation in the northeast.

It is the plain fact that the LTTE continues to enjoy a considerable degree of support among the Tamils which at the bottom is directly connected to the perception that nothing has been achieved by the mainstream Tamil political parties through peaceful means.

Those who object to this general perception among the Tamils in the war torn areas, however, argue that this does not justify the LTTE's position politically because nothing has been secured all these years through the war.

The objectors, needless to say, are very much in the minority.

The compelling contrast which justifies the LTTE's war to the majority of people in the northeast is the way the other groups which gave up the armed rebellion against the Sri Lankan state have gone down the drain, as it were, unable, sometimes according to their own admission, to even secure minor concessions relating to the day to day woes of the Tamils.

It is the Indo-Lanka Accord which helped bring into sharp focus and added compelling credence to Velupillai Prabhakaran's long standing belief and assertion that the Tamil cause would be forgotten and crushed by the 'Sinhala state' if the armed insurrection in the northeast were to be abandoned.

The contrast that has emerged in these ten years since India imposed the treaty on the Sri Lankan government and the Tamils is a stark one between the increasing political impotence of the other ex-Tamil militant groups and the growing military power of the LTTE.

Some of the Tamil groups openly grumble today that they made a big mistake in 1987 by saying farewell to their arms.

Their chagrin means little practically except that it reflects a general frustration in northeastern political circles. This ultimately is what continues to lend that cogent legitimacy to the LTTE's cause among the Tamils.

The events which were triggered off by the Indo - Lanka accord, in hindsight, have actually strengthened Prabhakaran's 'politics' since 1987.

Another important benefit reaped by the Tigers politically in these ten years is the manner in which the majority of the Tamil population in the northeast has drifted away from its psycho-political dependence on India.

The voices which can be raised today among the Tamils to argue India's centrality in any settlement to the ethnic conflict are few and weak.

This brings us to a scenario in which the final political resolution of the northeast conflict may become further compounded. It is reasonably assumed that the existence of the Indo - Lanka treaty binds the Sri Lankan government to have Delhi as a party (however much in the background and despite the so called Gujral Doctrine) to a final settlement to the conflict. If this has to be the case then there have to be among the Tamils credible political forces that can legitimize and 'sell' India's role as a indirect or direct party to this final settlement.

But as we pointed out, those who can do this in the northeast constitute an endangered political species. The EPDP leader Douglas Devananda fervently argues now that the Indo Lanka treaty was a golden opportunity which the EPRLF and the LTTE failed to exploit for the full benefit of the Tamil people in the northeast. He also speaks of resuscitating the thirteenth amendment.

Devananda is not speaking through his hat. It will benefit everyone who is genuinely interested in bringing peace to this country if the PA determines with some finality the exact status of the thirteenth amendment as the Indo - Lanka treaty's constitutional basis.