

## The Situation Today in Sri Lanka

The 26-year conflict with the terrorist Liberation Tigers of Tamil Eelam (LTTE) is about to end. The Sri Lankan government is beginning the process of reconciliation. Its 170,000-strong army will soon become available for more UN peace-keeping missions around the world and to help maintain regional security. The State Department reports that there have been human rights abuses on both sides, but there has been no genocide, as Tamils in leadership positions in their community will attest. Each of these statements is explained in this white paper.

### The Situation on the Ground

The Sri Lankan government has cornered the LTTE in a 30 square mile area. The Ministry of Defense believes the conflict will end in the next few days.<sup>1</sup> On February 12<sup>th</sup>, the government declared a 10 mile "safe zone" for civilians. According to the UN, between 150,000 and 180,000 civilians remain trapped in this zone; the government estimates the number at 50,000-70,000.<sup>2</sup> The government has permitted access to the zone for UN officials and representatives of the International Committee of the Red Cross (ICRC) so that they may assist in providing essential services to displaced persons. UN Secretary General Ban Ki-moon and Sri Lanka President Mahinda Rajapaksa spoke by telephone on March 19<sup>th</sup>. President Rajapaksa described the resistance by the LTTE to release the civilians it holds. He said every restraint is being maintained by the military, with clear orders given against firing heavy weapons at areas with civilians, including the areas held by the LTTE. He reiterated that no firing whatever was being carried out in the safe zone. UN Undersecretary-General for Humanitarian Affairs and Emergency Relief Coordinator, Sir John Holmes, visited the area in late February and reported "good cooperation going on between the Government, UN agencies and NGOs ... including access to the transit centres, and other centres elsewhere." He said the "basic needs such as food, shelter, clean water, sanitation and health care appeared to be being met, despite serious overcrowding in some of the transit sites. UN agencies and NGOs now have more or less free access to these sites, which is very important. But movement into and out of them is otherwise currently highly and unacceptably restricted."<sup>3</sup>

The UN, ICRC, and Human Rights Watch report that the LTTE is forcibly holding the Tamil civilians within the combat zone and are shooting at civilians who try to escape to government-established safe zone. According to Human Rights Watch, "the LTTE is unlawfully seeking to use the presence of the large civilian population in areas under its control for military advantage."<sup>4</sup> The Sri Lankan Navy and the ICRC are currently sending boats into the conflict area to evacuate civilians who have managed to escape. ICRC has complained that the evacuation process has been "wretchedly slow" and therefore only around 2,000 of the worst-injured have been evacuated.<sup>5</sup> President Rajapaksa told the UN Secretary-General in their March 19<sup>th</sup> call that the number of civilians who had fled the LTTE to the safety of government areas was 45,519, and the numbers were rapidly increasing.

### The LTTE

The LTTE has been designated a foreign terrorist organization by the United States, the European Union, India, and Canada.<sup>6</sup> The FBI recently classified the LTTE as "among the most dangerous and deadly extremist organizations in the world" and said its "ruthless tactics have inspired terrorist networks worldwide, including al Qaeda in Iraq."<sup>7</sup> The State Department confirms that the LTTE's use of "explosive belts, vests, and bras, the use of female suicide bombers and waterborne suicide attacks against ships have been copied by other terrorist groups."<sup>8</sup> In 2002, Soosai, the head of the

LTTE's naval squadron, the Sea Tigers, claimed that al Qaeda's attack on the U.S.S. Cole was inspired by the LTTE's naval operations.<sup>9</sup> The LTTE truly is an international terrorist organization: the FBI says the LTTE is the only terrorist group in the world that has been responsible for the deaths of two sitting heads of state, Indian Prime Minister Rajiv Gandhi and Sri Lankan President Ranasinghe Premadasa.<sup>10</sup>

The LTTE does not speak for all of the Tamils in Sri Lanka. It does not represent even a small fraction of the Tamil population, most of whom peacefully live in the south rather than in the LTTE-controlled northern territory. For example, more Tamils live in Colombo than do Muslims or Sinhalese, the other two population groups. Many Tamils are in the present government. Allegations by American lawyer Bruce Fein that the government has committed genocide are flatly denied by Tamil leaders themselves, including the Army's senior legal adviser for humanitarian law and human rights, Major-General Mohanti Peiris, a Tamil woman.

### Reconciliation

The government has already recruited Tamil leaders to help the Tamil population integrate into the general society. In addition to the three Tamil ministers currently in the Sri Lankan cabinet,<sup>11</sup> the government, on March 9<sup>th</sup>, appointed Vinayagamoorthy Muralidharan (alias *Karuna*), the former deputy leader of the LTTE, to be Minister of National Integration and Reconciliation.<sup>12</sup> One way to measure the government's commitment to reconciliation is to look at what it did in an area formerly controlled by the LTTE. The Army took back the Eastern Province from the LTTE two years ago. Elections were held there in May 2008 and were monitored by People's Action for Free and Fair Elections (PAFFREL). Four council members were elected, two Tamils, one Muslim, and one Sinhalese. PAFFREL reported that inter-party intimidation was prevalent but noted that elections "held for the first time in the history of the Eastern Province has been one important step that opens the doors of democratic governance to the people in the East."<sup>13</sup> A former LTTE child soldier and Tamil leader, Sivanesathurai Chandrakanthan (alias *Pillayan*), was sworn in as the Chief Minister of the Eastern Province following the elections. According to the United Nations High Commissioner for Refugees 153,000 (approximately 80%) of the Internally Displaced Persons were moved back to their Eastern Province villages since combat ended in 2007.<sup>14</sup>

President Rajapaksa told Secretary-General Ban Ki-moon that he expects the Tamil National Alliance (TNA) members to respond to his call to participate in discussion of the political proposals that are now before the All Party Representative Conference. He awaits a positive response to his repeated calls for such participation from even some members of the TNA, who are prepared to act despite threats by the LTTE.

### Regional Security

Sri Lanka, even during the decades of the present conflict, has done its part as an international peace-keeper. It presently has 750 soldiers wearing blue helmets in Haiti. As the conflict winds down, more soldiers will become available for other peace-keeping missions including in the region, which is constantly victimized by terrorism, as seen recently in the Mumbai attacks and the shooting of members of the Sri Lanka cricket team in Pakistan. The issue of regional cooperation came up in Secretary of State Hillary Clinton's recent telephone conversation with the President Rajapaksa. She noted that Sri Lanka was on the verge of defeating terrorism and said the United States looked forward to working with Sri Lanka in building the peace.<sup>15</sup>

## Sri Lanka Fact Sheet

- Since gaining independence in 1948, Sri Lanka has enjoyed the longest period of continuous multi-party democracy with universal suffrage of a non-western country.
- Sri Lanka was the first country in the region to open up its economy and practice free trade policies.
- Commercial contacts between the people of Sri Lanka and the USA are over 200 years old. In 1787 New England sailors first anchored in the harbors of Sri Lanka to engage in trade.
- During World War II, Sri Lanka served as an important base for Allied forces.
- In 1960, Sri Lanka gave the world its first elected female Head of State.
- During the Cold War, Sri Lanka's foreign policy of non-alignment carried undertones of alliance to the U.S. and Western Europe.
- During the Persian Gulf War, Sri Lanka was the only country in Asia to offer refueling bases for U.S. warplanes.
- The United States has provided counterterrorism training to Sri Lankan government agencies as well as to the country's banking sector.
- Sri Lanka is cooperating with the U.S. in implementing the Container Security Initiative and Megaports Program. Sri Lanka has also joined the Proliferation Security Initiative (PSI).
- Sri Lanka's population is 20.1 million. Its ethnic groups are: Sinhalese (74%), Tamils (18%), Muslims (7%), others (1%).
- Sri Lanka permits freedom of religion. Four of the world's major religions are practiced in Sri Lanka: Buddhism, Hinduism, Islam, and Christianity. Article 10 of the Constitution guarantees freedom of religion for all.
- Sinhala and Tamil are both official languages. Sri Lanka's language policy, as enshrined in the articles 18 and 19 of Chapter IV of the Constitution, recognize Sinhala and Tamil as national languages and English as the link language.
- Sri Lanka has exceptional socio-economic indicators for a middle income developing country. In the UNDP's 2008 Human Development Index (HDI) released December 18, 2008; Sri Lanka was listed 104 out of 179 countries.

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- <sup>1</sup> Press Release, Ministry of Defense of Sri Lanka, Sri Lanka on Verge of Defeating Terrorism - Hillary Clinton Tells President Rajapaksa (March 13, 2009) (on file with author).
- <sup>2</sup> *Id.*; *see also* Press Release, UN Office of the Commissioner for Human Rights, Serious Violations of International Law Committed in Sri Lanka Conflict: UN Human Rights Chief (March 13, 2009) (on file with author).
- <sup>3</sup> John Holmes, UN Undersecretary-General for Humanitarian Affairs and Emergency Relief Coordinator, Briefing to the Security Council on the Humanitarian situation in Sri Lanka (Feb. 21, 2009).
- <sup>4</sup> Trapped and Mistreated: LTTE Abuses Against the Civilians in the Vanni, Human Rights Watch (Dec. 15, 2008).
- <sup>5</sup> *Trading Danger for Captivity*, THE ECONOMIST (March 5, 2009), *available at* [http://www.economist.com/world/asia/displayStory.cfm?story\\_id=13243335&source=hptextfeature](http://www.economist.com/world/asia/displayStory.cfm?story_id=13243335&source=hptextfeature).
- <sup>6</sup> Foreign Terrorist Organizations (Oct. 11, 2005), <http://www.state.gov/s/ct/rls/fs/37191.htm>.
- <sup>7</sup> Taming the Tamil Tigers (Jan. 10, 2008), [http://www.fbi.gov/page2/jan08/tamil\\_tigers011008.html](http://www.fbi.gov/page2/jan08/tamil_tigers011008.html).
- <sup>8</sup> U.S. State Department, Country Reports on Terrorism 2005, *available at* <http://www.state.gov/s/ct/rls/crt/2005/64345.htm> (last visited March 20, 2009).
- <sup>9</sup> CRS Report RL32223, *Foreign Terrorist Organizations* (Feb. 6, 2004).
- <sup>10</sup> *Id.* at 7.
- <sup>11</sup> Government of Sri Lanka, [http://www.priu.gov.lk/Govt\\_Ministers/Indexministers.html](http://www.priu.gov.lk/Govt_Ministers/Indexministers.html) (last visited March 20, 2009).
- <sup>12</sup> Press Release, Ministry of Defense of Sri Lanka, Karuna joins Govt; Leads Over 2000 Tamils from East to SLFP (March 12, 2009) (on file with author).
- <sup>13</sup> PAFFRELL, Provincial Council Election, Eastern Province, Third Interim Report, Dec. 5, 2008.
- <sup>14</sup> United Nations High Commissioner for Refugees (UNHCR), Sri Lanka Statistical Summary, 2007.
- <sup>15</sup> *Id.* at 1.