

Keynote address

by

**H.E. Mr. C. Romesh Jayasinghe,
the High Commissioner of Sri Lanka**

at the Seminar

on

**“Post-Conflict Sri Lanka and
India’s Role”**

at

Stella Maris College, Chennai

on

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Mr. R. Swaminathan, Special Secretary & Director General [Retd.] Govt. of India,

Dr. Sister Jasintha Quadras, Principal, Stella Maris College,

Lt-Gen V.R. Raghavan [Retd], President, Center for Security Analysis, Chennai,

Mr. N. Ram, Editor in Chief, The Hindu,

Mr. N. Sathiyamoorthy, Observer Research Foundation, Chennai,

Mr. P. M. Amza, Deputy High Commissioner,

Members of the Diplomatic Corps,

Ladies & Gentlemen.

Mahatma Gandhi said “It is, at least it should be impossible for India and Ceylon to quarrel. We are the nearest neighbours. We are inheritors of a common culture..... But even as blood brothers sometimes differ, so do next-door neighbours. And like brothers, they usually adjust their differences and are often more closely knit together after the clearance”. Though the Father of the Indian Nation made this statement almost 70 years ago, the sentiments expressed have withstood the passage of the years. Indeed, they have perhaps even gained in relevance at this present juncture, with the historic clearance or end of the conflict which affected parts of Sri Lanka for over a quarter century.

It is of course a fact that despite the conflict, the bilateral relationship between India and my country was never a hostage to the situation in Sri Lanka. After all, it was during this period that both nations established a bilateral Free Trade Agreement, which has in turn led to two way trade today growing to a level of over US\$ 3 billion per year. Parallel to the growth in trade, civil aviation links too expanded significantly, thereby enabling an exponential increase in people to people contacts. Nevertheless, it has also to be accepted that what was happening in Sri Lanka did have a potential of placing great stress on the bilateral relationship, with accordingly a need for both nations to devote some energy to managing the situation.

That particular need is now no more and so there is a consequent opportunity, for an even greater strengthening of relations. At the same time, the efforts in this direction would be even more sustainable, once they are evolved through a thorough understanding of the relevant background and issues. I therefore see our Seminar this morning on the theme of “Post-Conflict Sri Lanka and India’s Role”, as being singularly appropriate. I wish to thank the ORF in Chennai for their important initiative and regard myself as extremely privileged in being invited to deliver the Inaugural Address.

Ladies and Gentlemen, it is in a spirit of contributing to an understanding of the background and issues, that I now wish to flag certain matters for your consideration. I begin with those relating to the past. Let me emphasize in this regard that while the conflict in parts of Sri Lanka lasted for over 2 ½ decades, this era was also characterized by several attempts, in fact five in number, to politically resolve the situation.

The first such culminated after tripartite discussions convened by India with the involvement of the Sri Lanka authorities, the Tamil political parties and the armed separatist groups, in the India – Sri Lanka Agreement of 1987. In keeping with its obligations under the Agreement the Government of Sri Lanka enacted the 13th Amendment to the Constitution, in order to share responsibilities and empower especially the minority community through the devolution of many of the functions of the authorities based in the capital of Colombo, to Councils or administrations set up on the basis of the island’s nine Provinces.

With the passage of the Amendment, the LTTE undertook to lay down its arms and join the political process.

Unfortunately, the objective of the Agreement of bringing about peace was not attained, because the LTTE reneged on its commitments and attacked the units of the Indian Army that had originally gone to the island as a Peace Keeping Force.

In 1990, there was a second effort for negotiations, this time between the administration of the then newly elected President Mr. R. Premadasa and the LTTE. The key demand of the LTTE was that the Indian Peace Keeping Force (IPKF) should leave the island, before substantive discussions could commence. The Indian Forces were de-inducted, but instead of commencing talks, the LTTE promptly went back to conflict.

A third effort for negotiations commenced in late 1994, under the administration of President Kumaratunga. In these negotiations, the tactic of the LTTE was to insist on what they termed confidence building measures, such as the relocation of certain vital military facilities, to their manifest advantage and to the clear disadvantage of the Security Forces. The Government was of the view that such matters could be progressively addressed since as the outlines of a political solution become clearer, it would only be logical for both sides to incrementally de-escalate their respective security stances. The LTTE brushed aside this reasonable approach and in April 1995, they unilaterally commenced hostilities.

The fourth endeavour for peace took place under the Government of Prime Minister Ranil Wickremesinghe, through a Ceasefire Agreement or CFA negotiated under the facilitation of Norway that came into operation in February 2002. Under the CFA, six rounds of face to face negotiations between the Government and the LTTE took place with the presence of the Norwegian facilitators in various locations outside Sri Lanka. However in April 2003, the LTTE abruptly walked away from the negotiations. The LTTE also built up quite a record of repeated violations of the Ceasefire Agreement, by abusing the space they should have used for legitimate political activities to instead covertly take on Government targets and those associated with non-LTTE Tamil political factions.

The fifth in the series of efforts for peace was mounted by President Mahinda Rajapaksa, who in his Address to the Nation after being elected to office in November 2005, offered to personally meet and discuss with LTTE leader

Prabhakaran, the way forward to a negotiated solution. However, even as the President was extending this gesture of peace, the LTTE intensified its campaign of covert attacks. Despite the repeated and serious provocations President Rajapaksa did not abandon the effort to re-invigorate the Ceasefire Agreement and sent teams of senior Government personalities twice to Geneva, for talks with the LTTE under Norwegian facilitation.

The LTTE however made for it the fatal error of mis-reading the restraint of President Rajapaksa as weakness and decided to plunge into even more escalated conflict. Having unsuccessfully attempted in April 2006 to assassinate the Commander of the Sri Lanka Army, the LTTE began a series of offensives in the East, cutting off irrigation for agriculture and threatening to over-run the vital port city of Trincomalee. In the North, the control of the Jaffna peninsula by the Government was challenged.

In this situation, the President and his Government faced the LTTE with great resolve. The results were not long in coming, with the Tigers flushed out of the East by mid 2007 and then cleared out of the North in May 2009.

Had any one of these efforts for peace succeeded, the conflict would have ended much earlier with the prevention of further suffering and loss. Regrettably, that could not be the case due to the obdurate refusal of the LTTE to make the transition from its focus on fighting and violence, to purposeful discussion. The present reality therefore is that whatever may be the attempts by non-mainstream elements to subjectively interpret what happened, the culpability of the LTTE in wrecking the efforts for peace will never be erased. This reality alone Ladies and Gentlemen, should lead us to accept that in relation to Sri Lanka there should be a closure of any tendency to become fixated on the past, at the cost of the ability to look ahead positively to the future.

Another set of matters I wish to flag, concerns the immediate needs arising from the end of the conflict, as well as the medium or longer term effort that would follow. The tactics deployed by the LTTE up to the very end caused

further tragic human loss and suffering, as well as the large scale displacement of civilians. To the around 280,000 persons who escaped or were freed during the first five months of this year from their plight of being used as human shields by the LTTE, must be added another 100,000 or so persons including from the Muslim community, who had been displaced even earlier on, again due to the activities of the Tigers. The scale of the problem can be seen in its immensity, when it is realized that the number involved amounts to more than 1.5% of the island's total population. At the same time, Sri Lanka is fortunate to have a competent administrative system with a proven track record of delivery, especially in relation to health care and education. Its capacities were notable when in the aftermath of the Asian Tsunami of 2004 which led to a death toll of 35,000, it was possible to launch a sustained and ultimately successful rehabilitation effort with no outbreak of mass disease or any breakdown of law and order.

A major concern would be the comprehensive de-mining of the areas inhabited by the internally displaced, so that they can safely return to their dwellings. Among the related concerns would be ensuring the availability of construction material for repairs to damaged housing stock, plus supplying in adequate quantities the wherewithal such as fertilizer and fisheries equipment, for the resumption of livelihoods. Let me add that Sri Lanka deeply values the generous pledge of Indian Rs. 500 crore announced by the Prime Minister of India to meet these needs, which is complemented by the timely grant of Rs. 25 crore by the Government of the State of Tamil Nadu, for the same purpose.

Sri Lanka will also draw on the specialized agencies of the UN system, the ICRC and other reputed international NGOs with a record of effective service in the island, for assistance in coping with those displaced or otherwise affected by the conflict. With the progressive restoration of security and normalcy, access to the transit facilities housing the internally displaced can now be stepped up for the personnel of these agencies.

The resettlement of the internally displaced will have to take place in a situation where due to the conflict the infrastructure both in the East and especially in the North, has been subjected to colossal degradation. For example, that segment of the electricity grid which enabled power transmission to the Jaffna peninsula is no more. One hundred and forty kilometers of rail-track, on the stretch from the Northern Province town of Vavuniya to the peninsula, is no more. The heavy industry on the peninsula such as the cement factory and the chemicals plant were razed long ago by the LTTE.

While the precise financial cost of the conflict is perhaps yet to be worked out, a study carried out on the basis of a detailed methodology by the American academic Professor John Richardson for his book “Poisoned Paradise” looks at the early phase from 1983 to 1987 and calculates that the cost during those four years, was equivalent to 70% of Sri Lanka’s 1988 GDP. As the conflict went on for 27 years, the cost on the basis of Professor Richardson’s computation may amount to four to five years cumulated worth of national GDP. Moreover, the process of recovery has to be commenced within the current global climate of significant and prolonged economic down-turn. At the same time, two significant positive factors that have emerged with the end of the conflict should not be overlooked. The first is that the return to normal economic activity of North and of the East, which together account for around 13% of Sri Lanka’s population, 28% of its land area and over 50% of the island’s fisheries rich coastal belt, will hugely boost national productivity. The second would be with the opening up of road transport between the rest of the island and the peninsula, the energizing re-entry back into national life of the Jaffna and Northern Province populace, who are renowned for their intellectualism and disciplined approach to any task they undertake.

Ladies and Gentlemen, there is also the all important matter of strengthening national reconciliation and amity, through a political process of devolution which creates a sense of empowerment amongst all. President Rajapaksa clearly signaled his intent to move in this direction when in his

Address to Parliament on 19th May 2009 informing of the successful end of the security operations, he emphasized “we do not accept a military solution as the final solution”. The President in order to give this effort further impetus constituted an All Party Committee chaired by him, which would meet once a month, to address the issues of national reconciliation and of development. It was particularly encouraging that 22 political parties including the Tamil National Alliance, participated in the initial meeting of the Committee on 2nd July.

In advancing the political process, the President and his Government would be mindful that our Constitution is rigid in nature, requiring for amendment a 2/3rd majority in Parliament, with some entrenched clauses needing even thereafter approval by the people at a Referendum. Since Sri Lanka’s change in 1989 from the previous first-past-the post system to a proportional representation system, no party has obtained a two third majority. In fact, President Rajapaksa depends for his parliamentary support on a coalition, with his own party the SLFP having less than 1/3rd of the seats in a Legislature with a total strength of 225.

In this situation, the President intends to proceed pragmatically by relying on the constitutional provisions for devolution that have already been enacted, through the 13th Amendment to the Constitution adopted after the India-Sri Lanka Agreement of 1987. Paradoxically though the 13th Amendment became part of the law of the land 22 years ago, it could not benefit the Northern and Eastern Provinces as long as the LTTE was present in those areas.

In the East the operationalization of the 13th Amendment has already started, with the election of the Chief Minister and his administration consequent to the Provincial Council polls held on the 10th of May 2008. Now that the LTTE is no more in the North, the Government will hold Provincial Council elections there as well. Before that, there will be elections to the local bodies in two of the main Northern Province towns, namely Jaffna and Vavuniya.

The completion of the Provincial Council election in the North, in the wake of that which took place in the East, will be an important milestone in the further strengthening of national amity. These elections will have to be complemented by the evolution of sound administrative practices and conventions. The political leaders and authorities in the capital of Colombo and those at the helm of administration in the Provinces would need to collaborate towards this end through a spirit of give and take, which while trying to accommodate the specific interests and concerns of the Provinces, also keeps in mind the wider context of ensuring Sri Lanka's continued economic and political progress as a multi-ethnic and multi-cultural society.

Ladies and Gentlemen, Dr. Henry Kissinger concludes his book "Diplomacy" by referring to a Spanish proverb that says "Traveller, there are no roads. Roads are made by walking". The session of the Seminar that follows next will have the benefit of being addressed by a most distinguished group of panelists. I am very confident that the understandings reached through their contributions, would help India and Sri Lanka as the nearest of neighbours and the inheritors of a common culture, to choose on an informed basis the road that would best lead them, to the realization of their shared goals.

I thank you Ladies and Gentlemen, for the kind attention you have devoted to my remarks.
