

Executive Memorandum

No. 916
March 19, 2004



Published by The Heritage Foundation

The Election Crisis in Sri Lanka

Dana R. Dillon

A political crisis involving Sri Lanka's president and prime minister is threatening democracy and the rule of law in that South Asian country. Most pressingly, the inter-government dispute is also preventing the resumption of talks on ending the civil war between the government and the separatist Liberation Tigers of Tamil Eelam (LTTE) terrorist group. The Bush Administration should predicate military and economic assistance to Sri Lanka on a viable peace process and maintenance of democracy. Additionally, the Administration should fund an observer team for the April 2 election.

Background. Over the past two decades, the Sri Lankan civil war has killed more than 60,000 people—and displaced almost a million more—in a country of less than 20 million. The LTTE is fighting government forces to create an independent homeland in Sri Lanka for the Tamil minority.

President Chandrika Kumaratunga was narrowly elected to office for a second term on December 22, 1999. In 2001, Ranil Wickramasinghe became prime minister after his United National Party and its two allies won a majority in parliamentary elections. After her election, the president promised to end the civil war. She pursued an aggressive and embarrassingly unsuccessful military solution. The prime minister, however, was more successful in luring the LTTE to negotiations, and on February 23, 2002, the LTTE entered into a cease-fire agreement with the government.

Since the cease-fire began, the LTTE and the government have held six meetings and have made significant progress. The LTTE dropped its demand for an independent country, and the government began negotiating for a form of federalism that addressed the concerns of the country's minorities. The cease-fire not only brought about a significant reduction in violence, but also ushered in economic growth. The Sri Lankan economy—which had contracted by 1.4

percent in 2001—grew by 3.4 percent in 2002 and 5.5 percent in 2003. In June 2003, the Tokyo Donor's Conference, co-chaired by the United States, pledged \$4.5 billion for postwar reconstruction.

Despite the success of the cease-fire, in November 2003, the president sacked three ministers from

the prime minister's government and suspended parliament for two weeks. This move triggered a constitutional crisis and political impasse, which the president ended in February by calling for elections on April 2—two years early.

What Is at Stake. The president and prime minister belong to different political parties that hold substantially different ideologies. The president is an economic socialist and ethnic chauvinist. Her

- The Sri Lankan political crisis is delaying the resumption of peace talks.
- The credibility of the election process is key to peace in Sri Lanka.
- The U.S. should fund American observers for the Sri Lankan elections.

This paper, in its entirety, can be found at:
www.heritage.org/research/asiaandthepacific/em916.cfm

Produced by the Asian Studies Center

Published by The Heritage Foundation,
214 Massachusetts Ave., NE, Washington, D.C. 20002-4999
(202) 546-4400 heritage.org

Nothing written here is to be construed as necessarily reflecting the views of The Heritage Foundation or as an attempt to aid or hinder the passage of any bill before Congress.

party—the Sri Lankan Freedom Party—has joined the United People's Freedom Alliance, an umbrella group of leftist parties that includes the JVP, a notoriously violent Marxist group accused of murdering thousands of political opponents. The Alliance is opposed to compromise with the LTTE and favors a socialist economy. The prime minister's United National Party is pro-trade and pro-democracy, and favors a negotiated settlement with the LTTE, including concessions to the Tamils and other minorities.

The president's announced reason for sacking ministers and suspending parliament is that negotiations with the LTTE were ceding too much sovereignty to the Tamils. Nevertheless, President Kumaratunga's actions hint at a different motivation. She initiated the crisis only after the prime minister's government began impeachment procedures against a political ally—the chief justice of the Supreme Court. In fact, stopping the impeachment process was a condition for ending the political crisis.

Then, in January 2004, in a private ceremony (and on a questionable legal basis), the president extended her term in office by one year. In confidential interviews, prominent public officials in Sri Lanka voiced concern that the president intends to subvert the constitution and the rule of law—a recipe for rule by fiat and despotism.

On April 2, the Sinhalese, the majority ethnic group, could split its vote, leaving Sri Lanka's minorities—particularly the Tamils—in a position to decide the election. In 2001, many Tamils were reluctant to cross military checkpoints to vote. For the 2004 election, the military has made efforts to accommodate Tamil fears by increasing the number and width of crossing points. It is imperative for the peace process and the rule of law that all Sri Lankans are permitted to vote and that the election is conducted in a manner that legitimizes the results.

What the U.S. Should Do. In responding to Sri Lanka's constitutional crisis, the United States should:

- **Insist** that the economic and development assistance promised at the Tokyo Donor's Con-

ference be contingent on satisfactory progress in the peace talks. As co-chair of the conference, the United States should work with its partner countries to withhold assistance commitments until the peace process resumes.

- **Link** the disbursement of U.S. military assistance to satisfactory progress in the peace process. Assistance in 2003 consisted of \$350,000 for international military education and training and some training visits by American Special Forces teams.
- **Retain** the LTTE on the list of foreign terrorist organizations. The LTTE has interfered in the campaign by murdering political opponents, and its designation as a terrorist group has prevented it from raising funds in the U.S. If a lasting peace agreement is signed, the State Department can then consider removing the LTTE from the list.
- **Fund** American election observers. The U.S. Agency for International Development has allocated \$600,000 for training local election monitors and other election support efforts, but this is insufficient to provide for an American team to monitor the elections.

Conclusion. The cease-fire continues to hold, but the constitutional crisis between the president and the prime minister is delaying the resumption of peace talks. The United States has a considerable diplomatic investment in the peaceful resolution of the Sri Lankan civil war. Removing the LTTE—one of the world's bloodiest terrorist groups—from the battlefield would be a tremendous step toward restoring peace and prosperity in Sri Lanka. To spur the parties to restart peace talks, American military and economic aid should be based on a resumption of the peace process. The Department of State should fund an American team to observe the elections to ensure that all Sri Lankans are able to exercise their right to vote.

—Dana R. Dillon is Senior Policy Analyst for Southeast Asia in the Asian Studies Center at The Heritage Foundation.