

ISSUE BRIEF

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Sri Lanka: Northern Provincial Council Election Could Be Step Toward Reconciliation

Lisa Curtis

Tomorrow, for the first time in 25 years, Sri Lanka will hold elections to its Northern Provincial Council, a step that could facilitate reconciliation between the country's majority (mostly Buddhist) Sinhalese and minority (mostly Hindu) Tamil populations. The election, if deemed free and fair, will mark the most significant step the Sri Lankan government has taken since the end of the civil war four years ago to address grievances of the Tamil community.

While there are still concerns about the government's handling of the final days of the civil war and other steps it has taken to stifle democracy in the country, the U.S. should use the elections to increase engagement with the government of President Mahinda Rajapakse and put the U.S.–Sri Lanka relationship on more solid footing.

Possible Path for Devolution of Power. Civil war broke out in 1983 between the Sri Lankan government and Tamil groups calling for an independent state. The U.S. designated the leading rebel group, the Liberation Tigers of Tamil Eelam (LTTE), as a terrorist organization because of its ruthless tactics that included suicide bombings, assassinations, and use of child soldiers.

A 1987 agreement brokered with the assistance of the Indian government (called the Indo–Lankan Accords) resulted in the 13th amendment, which provided a degree of autonomy for the Tamil-dominated Northern and Eastern provinces of the country. Elections were held in a merged North-Eastern province in 1988 and brought to power Tamil leader Varadaraja Perumal, who subsequently declared independence for the province. This prompted the central government to dissolve the council and bring the province under its direct control. In 2007 the Sri Lankan Supreme Court ruled that the province should be demerged. The government subsequently allowed elections to be held in the Eastern Province in 2008.

The Tamil National Alliance (TNA)—a political party that formerly supported a separatist agenda but now campaigns on upholding Tamils' rights within a federal unified state—is expected to win the elections in the Northern Province by a significant margin. Even so, there remain questions about the degree of power the council will have over affairs in the region. There is already a presidentially appointed governor that will continue to wield the most control. The army has also retained significant forces in the region.

The TNA has been pushing for increased powers for the council, including responsibility for land and police issues. But the international community is worried that once elections have occurred, the government may try to roll back the 13th amendment, thus denuding the council. Indian national security advisor Shiv Shankar Menon, during a recent trip to Sri Lanka, reportedly warned the Rajapakse government against changing the 13th amendment, saying it would be a violation of the Indo–Lankan Accords.

This paper, in its entirety, can be found at <http://report.heritage.org/ib4052>

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The Heritage Foundation
214 Massachusetts Avenue, NE
Washington, DC 20002
(202) 546-4400 | heritage.org

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Downward Trend in U.S.–Sri Lanka Relations.

Relations between the U.S. and Sri Lanka have been severely strained over the last four-and-a-half years mainly because of concerns about massive civilian casualties in 2009 resulting from clashes between government forces and the LTTE. In March the U.S. spearheaded the second United Nations Human Rights Council resolution, calling attention to alleged human rights abuses and indiscriminate killings of Tamil civilians by Sri Lankan forces. The resolution also raised concerns about reports of forced disappearances, torture, and intimidation of journalists and human rights activists.

The U.S. is concerned that Rajapakse's effort to capitalize on the government's victory against the LTTE and consolidate his power base is weakening Sri Lanka's democratic institutions. Rajapakse has removed term limits on the executive and weakened the independence of the judiciary by impeaching the previous chief justice in January. Moreover, dozens of journalists have fled the country in recent years, citing government intimidation, and Amnesty International says at least 15 journalists have been killed since 2006.

Use Elections to Rebuild Ties. So long as tomorrow's elections are deemed free and fair, the U.S. should note this positive development and encourage the government to build on this stepping stone to national reconciliation following the decades of bloodshed. More specifically, the U.S. should:

- **Praise the Sri Lankan government for holding the election, but make it clear that any effort to reduce the powers of the council, once elected, would be unacceptable.** Given the authoritarian tendencies of the Rajapakse government and its past efforts to centralize power, it would not be surprising if the Sri Lankan leader tried to negate the impact of the election by seeking changes to the 13th amendment. Washington, with support from the international community (especially the Commonwealth nations that are scheduled to meet in Sri Lanka in November), should hold Rajapakse's feet to the fire on this issue.

- **Use positive momentum from the election to increase engagement with the Sri Lankan government on other bilateral issues, including trade and business cooperation and maritime issues.** Given the downward trend in Washington's relations with Colombo, Sri Lanka has increasingly turned toward the Chinese for economic and other assistance. China has become Sri Lanka's largest donor; has provided fighter jets, weapons, and radars to the Sri Lankan military; and made a billion-dollar investment to develop the southern port at Hambantota. Despite frustration with the Rajapakse government, there are sound reasons to remain engaged with the country, particularly to avoid it becoming overly dependent on China.

- **Coordinate policies closely with India, which has a 70-million-strong Tamil population of its own and a vested interest in seeing a successful reconciliation process.** The Indian state of Tamil Nadu is one of the country's most economically vibrant states, and its political leaders play an important role in national politics. The Indian government also wants to stay engaged with Sri Lanka because of the China factor. Since the U.S. and India broadly share similar interests in Sri Lanka, they should coordinate closely to ensure that the country preserves its democratic institutions and does not fall increasingly under the sway of the Chinese.

Remain Engaged. There are increasing geostrategic reasons to care about Sri Lanka, particularly because the island nation is strategically located in the Indian Ocean and is increasingly being wooed by China. The U.S. should use the occasion of the historic elections in the Northern Province to foster goodwill with the government and encourage it to build a national consensus on reconciliation.

—*Lisa Curtis is Senior Research Fellow for South Asia in the Asian Studies Center at The Heritage Foundation.*