

Naval incident exposes deep rift in Sri Lankan ruling circles

Wije Dias

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As the fifth round of peace talks between the Sri Lankan government and the Liberation Tigers of Tamil Eelam (LTTE) was about to begin in Berlin last month, a naval incident involving the tragic death of three LTTE cadres revealed the deep-going political division wracking ruling circles in Colombo.

On one side, the United National Front (UNF) government signed a ceasefire with the LTTE last year and has been pursuing negotiations to end the country's protracted civil war. On the other, President Chandrika Kumaratunga, who heads the opposition Peoples Alliance (PA) and holds substantial executive powers, has, with increasing boldness, been undermining the peace process.

Matters came to a head on February 6-7. A tense confrontation developed between the Sri Lankan navy and an LTTE trawler carrying a small quantity of arms. The 22-hour standoff ended in the suicide of three LTTE members to prevent the boat being taken into naval custody. In the Colombo and international media, the episode, which threatened to derail the talks, was blamed on the LTTE and brushed aside.

What was buried by the press, however, was that Kumaratunga, with the backing of the country's military chiefs, had taken the unprecedented step of directly intervening into the standoff. Using her powers as commander-in-chief, she issued an order to the navy to seize the LTTE boat, overriding the elected government of the day and cutting across attempts in Berlin to resolve the issue peacefully. The result was the needless death of three young LTTE members.

The incident exposed the depth of the divisions in Colombo over the peace talks. With the backing of the major powers, the most influential sections of business have been pushing for a peace settlement as a way out of the country's deepening economic morass. But two decades of war have created powerful entrenched interests in the military, state bureaucracy and business that have profited from the war and are hostile to any concessions to the country's Tamil minority.

Two rival centres of state power are developing. One is the UNF, which won the 2001 elections by appealing to broad layers of the population that want an end to the civil war. The other is Kumaratunga, who, with the backing of Sinhala chauvinist groups, has been consolidating her control of the armed forces. The president has unilaterally extended the tenure beyond retirement age of a number of key military chiefs, including the naval commander Vice Admiral Daya Sandagiri, who are loyal to her. In issuing a direct order to the navy on February 7, she went one step further in directly challenging the government's powers and flouting basic democratic processes.

The naval confrontation began around 2 p.m. on February 6 as delegates to the peace talks were gathering in Berlin. Sri Lankan naval vessels intercepted two LTTE boats—a speedboat towing a large trawler near Delft Island off the northern Jaffna Peninsula. The navy called in officials from the Norwegian-led Sri Lanka Monitoring Mission (SLMM), which supervises the ceasefire agreement, to oversee an inspection of the two vessels. However, the LTTE cadres—twelve on the speedboat and three on

the trawler—vehemently objected to being boarded by navy personnel and threatened to commit suicide.

Such searches are a sensitive political issue. The ceasefire agreement makes no reference to the right of the Sri Lankan navy to intercept LTTE craft. It prohibits the LTTE from moving arms into areas under government control. It also permits the Sri Lankan armed forces to safeguard "the sovereignty and territorial integrity of Sri Lanka from external aggression". But the government, with the backing of the SLMM, has stretched this clause to include naval searches.

In Colombo the issue has been seized upon by Sinhala chauvinist groups such as the Janatha Vimukthi Peramuna (JVP) to denounce the government for failing to take tougher action to halt, search and seize LTTE vessels and any arms on board. Last June, the government came under a barrage of criticism from the JVP and Kumaratunga's PA over a similar incident. The two parties moved a no-confidence motion in the defence minister for releasing an LTTE trawler, allegedly carrying arms, after the crew threatened to commit suicide.

The searches have also created tensions within the LTTE. While the LTTE's vessels are being searched and its arms threatened with seizure, the government is continuing to spend billions of rupees on procuring sophisticated weaponry to strengthen its armed forces. Moreover, for the most part, the boats being intercepted by the navy are ordinary fishing vessels, fueling resentment among Tamil fishermen, who have already been subjected to years of military harassment and restrictions.

The February 6 interception rapidly escalated into a major confrontation. The initial response of the naval personnel on the spot was to defuse the situation by allowing the SLMM officials to search the two vessels by themselves. No arms were found on the speedboat and it was allowed to leave, along with the 12 LTTE members on board. Several hours later, an SLMM official also reported that he had found no arms on the trawler.

By 8 p.m., however, navy commander Sandagiri intervened and ordered an end to the conciliatory stance. He insisted that a second check be made of the trawler by naval personnel, despite the threat by the LTTE cadres to commit suicide. Sandagiri's decision was taken against the advice of SLMM chief Trond Furuhovda, who was monitoring the situation and waiting for instructions from Berlin. Press reports indicate that Sandagiri had been in contact with Kumaratunga ever since he came to know of the standoff.

As the tense situation continued at sea, there were frantic telephone discussions between the Secretary of the Defence Ministry, Austin Fernando, in Berlin and Defence Minister Tilak Marapana in Colombo. Concerned that Kumaratunga and her allies would seize on the incident to berate the government, both rejected LTTE claims that the vessel had developed engine trouble while fishing and insisted on a second search. At the same time, they were aware that the standoff had the potential to disrupt the peace talks due to begin the following day.

The delegations hurriedly met in Berlin to thrash out a compromise. Government officials agreed to allow a second search by SLMM officials

without navy personnel, as long as it was not taken as a precedent. Anxious to proceed with the talks, the LTTE conceded that the navy had the right to carry out a search, which was postponed until the following morning. By then it was after 1 a.m. Colombo time.

Around 7.30 a.m. on February 7, two SLMM officials boarded the trawler and, in a concealed compartment, discovered one dismantled anti-aircraft gun, a rifle, three hand grenades and two boxes of ammunition. Kumaratunga was determined to take a hard line and to exploit the situation for all it was worth. She rang Defence Minister Marapana at 8 a.m. to insist that he order the navy to immediately seize the trawler, the arms and the LTTE members. He reminded her of the delicacy of the talks and proposed a further attempt to work out a resolution to the crisis through talks in Berlin.

Having failed to convince Marapana, the official representative of the elected government, Kumaratunga issued her own orders, using her powers as commander-in-chief. In the preamble she accused the LTTE of smuggling arms and criticised the government for failing to insist on the right of the navy to conduct the second search. She ordered the seizure of the boat and the weapons. Her only concession to the talks was that the LTTE members would be released if they signed a written agreement not to engage in such activities in the future. Only later did she send a written copy to Marapana.

The presidential order effectively preempted any peaceful resolution of the incident because all the delegates to the peace talks were asleep in Berlin. That in itself constitutes a breach of the ceasefire agreement, which requires that "both parties will cooperate fully to rectify any matter of conflict". With the presidential order in hand, the navy prepared to seize the trawler and tow it to Kurikaduwan, the closest naval base. The three LTTE members were to be handed over to the SLMM, which reluctantly agreed to the plan.

The standoff dragged on, however, as the LTTE cadres, who were in contact with their military commander, refused to hand over their vessel. What triggered their decision to commit suicide is unclear. According to SLMM officials on the trawler, a lengthy discussion took place over the radio around noon. Whether in response to an order, or to a move by the navy to take the boat by force, the LTTE members set fire to the boat. The SLMM officials jumped into the sea and were rescued. The three LTTE members then gathered together and set off a jacket packed with explosives.

Both government and LTTE officials in Berlin immediately sought a face-saving formula to plaster over the incident and allow the negotiations to proceed. No mention was made of Kumaratunga's intervention. Instead, the LTTE's chief spokesman Anton Balasingham effectively blamed the three dead LTTE members by putting the entire tragedy down to a "communication failure" between LTTE command and the trawler.

Balasingham's gesture is in line with the LTTE's attempts to reach a power-sharing arrangement with the government at all costs. The LTTE has already formally abandoned its demand for a separate Tamil state in the north and east of Sri Lanka and has offered to act as a "partner" to Colombo in implementing the IMF's economic restructuring measures.

These concessions have clearly created tensions in the LTTE's ranks. Balasingham alluded to the differences when he told a gathering of LTTE supporters in Germany on February 9 that the organisation's military leaders "have experience only in destroying. Therefore it is difficult to control them and keep them calm at the negotiating table."

In Sri Lanka, a senior LTTE official Ilamparithy ne Aanchaneyar told those gathered at the funeral of the three dead LTTE members that the ceasefire was to blame. According to a report in the *Sunday Leader*, he said that the navy would never have dared accost an LTTE boat in such a manner in the past. It was only "brave" now, he said, because the LTTE are virtually unarmed and bound by the ceasefire not to retaliate.

As the newspaper noted: "Despite the rhetoric, there is some truth in

Ilampathy's assertions. The SLN [Sri Lankan Navy] has indeed stepped up its activity after the ceasefire. The SLN has on more than one occasion taken on the LTTE at high seas knowing perhaps that there would be no fighting. Observers of the conflict cannot be oblivious to this 'timidity to temerity' change of mood in the SLN after the ceasefire."

In fact, just prior to the Berlin talks, there were press reports indicating that the navy was making elaborate preparations to roundup LTTE trawlers believed to be downloading arms from a ship off the coast. No mysterious ship was found. But the reports indicate the possibility that the navy was preoccupied with manufacturing an incident that could be utilised to undermine the peace negotiations.

The previous round of peace talks held in Thailand in January almost stalled following an intervention by the military on the sensitive issue of the High Security Zones (HSZ) operated by the armed forces. On the Jaffna peninsula alone, 15 HSZs, covering 160 square kilometres or 18 percent of the total landmass, have been created by driving an estimated 130,000 people from their homes. The LTTE has called for the displaced to be allowed to return.

Just prior to the January talks, the Jaffna commander, Major General Sarath Fonseka, released a report declaring that civilian resettlement in the HSZs should only be considered if the LTTE agreed to the "disarming of its cadres and decommissioning of its long range weapons". The LTTE reacted sharply, withdrawing from a key subcommittee on military affairs. The issue was put off, but remains unresolved after the latest round of talks in Berlin.

Kumaratunga's hand was also visible in this issue. When the military report was made public, she immediately held talks with its author—Jaffna commander Fonseka—and Army Commander L. Balagalle. While not publicly commenting on its contents, Kumaratunga's actions clearly signalled where she stood. Her allies in the Sinhala extremist groups immediately seized on the report to demand that the LTTE begin to disarm.

Last month's naval incident demonstrates that Kumaratunga, the military and the Sinhala chauvinist groups have become increasingly aggressive in their efforts to disrupt the peace talks. Following the sinking of the vessel, the opposition PA and the JVP moved a no-confidence motion in Defence Minister Marapana. JVP leader Wimal Weerawansa berated the minister for making concessions to the LTTE outside the framework of the ceasefire agreement.

While the opposition lost the vote, it is significant that it was the opposition, not the government, which took the political offensive. Throughout the entire affair, neither Prime Minister Ranil Wickremesinghe nor Marapana criticised Kumaratunga's decision to issue a direct presidential order to the navy. Like the opposition, the government parties are thoroughly steeped in Sinhala chauvinism. If Wickremesinghe was unwilling to challenge Kumaratunga, it was because he feared that it would trigger a ferment within the government's own ranks among those who felt too many concessions were being made to the LTTE.

Kumaratunga is clearly being cautious in her moves to undermine the peace talks, in large part because they are being backed by the major powers. One of the reasons for her growing confidence is the increasingly strident insistence on the part of the Bush administration that the LTTE must disarm if it is to be accorded any place in a peace settlement.

On February 14, US Deputy Secretary of State Richard Armitage effectively laid down an ultimatum to the LTTE. "It [the naval incident] called into question the LTTE's commitment to the [peace] process... The LTTE is going to have to take a number of difficult steps to demonstrate that it remains committed to a political solution. The Tigers need to honour the restrictions and conditions that the ceasefire—and future negotiations—set on their arms supply... Logically, down the road, this is going to include disarmament."

It comes as no surprise that just a week before the next round of talks are due to be held in Japan, the Sri Lankan navy has been involved in another clash that threatens to derail the negotiations. A naval patrol boat has attacked and sunk a boat, which the LTTE claims was one of its cargo ships engaged in legitimate activities in international waters. The LTTE has issued a protest, in the strongest possible terms, warning “that this grave incident will have far reaching implications for the peace process.”

The activities of Kumaratunga and the military have implications which go far beyond the next round of negotiations. Their willingness to resort to military provocations, break with parliamentary procedure, and ignore the elected government underscore their contempt for working people who have repeatedly indicated their opposition to the war. It is a sharp warning to the working class that Kumaratunga and her allies will not hesitate to use further anti-democratic methods to achieve their ends.



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