

India uses UN report on Sri Lanka to assert its interests

Sarath Kumara
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A visit by a high-level Indian delegation to Sri Lanka last week underscored the tense relations between the two neighbours. New Delhi is particularly concerned about Sri Lanka's deepening relations with India's rival, China, and is exploiting a UN report on Sri Lankan war crimes to put pressure on Colombo.

The delegation, headed by National Defence Advisor Shivashankar Menon, included Foreign Secretary Nirupama Rao and Defence Secretary Pradeep Kumar. During the two-day visit from June 10, they met Sri Lankan President Mahinda Rajapakse, Foreign Minister G. L. Peiris, Defence Secretary Gotabhaya Rajapakse and other senior officials.

Since the Sri Lankan military crushed the separatist Liberation Tigers of Tamil Eelam (LTTE) in May 2009, India and Sri Lanka have had an uneasy relationship. New Delhi tacitly supported the Rajapakse regime's drive to defeat the LTTE, hoping to thus strengthen its influence in Colombo. Instead, New Delhi's key regional rival, China, emerged as the main beneficiary, with the Colombo government receiving direct political and economic support from Beijing.

During the past two months India has sought to exploit the UN expert panel report on Sri Lanka's human rights violations to place pressure on the Rajapakse government. Released by UN Secretary General Ban Ki-moon in April, the report implicated senior politicians, government officials and military commanders in war crimes, pointing to credible evidence that around 40,000 Tamil civilians were killed in shelling by the army.

Although the report made only limited recommendations such as requesting an investigation by the Sri Lankan government, Colombo has been visibly nervous about the reaction of the major Western powers and their allies. The US, European Union and Japan have supported the UN report as a means of reinforcing their interests in the

strategically vital island.

India has avoided expressing an opinion on the UN report. In an April 27 statement, the External Affairs Ministry said the "issues raised in the report need to be studied carefully" and India "intends to engage" with the Sri Lankan government on its contents.

Last month, Foreign Minister Peiris visited New Delhi seeking its support for Sri Lanka's rejection of the UN report. Although increasingly dependent on China, President Rajapakse is well aware that he cannot simply ignore India.

The Indian government did not provide the hoped-for backing. Instead, External Affairs Minister S. M. Krishna and Peiris issued a joint statement on May 17, calling for the urgent resettlement of northern Sri Lankan war refugees, withdrawal of emergency regulations, "investigations into human rights violations" and a "devolution package, building upon the 13th Amendment [to Sri Lankan constitution]."

The 13th Amendment was proposed by the Indo-Lanka Accord, signed in 1987 by then Indian Prime Minister Rajiv Gandhi and Sri Lankan President J.R. Jayawardene. Under the Accord, Jayawardene agreed to amalgamate the island's northern and eastern provinces, as a concession to demands for a "Tamil homeland", and to devolve limited powers, including land and police powers, to the provincial councils.

The Accord was used to deploy Indian troops to disarm the LTTE, but the land and police powers were never handed to the provincial councils. The Colombo ruling establishment opposed the transfer of even limited powers to the Tamil elite. Sinhala chauvinist groups, including the Janatha Vimukthi Peramuna (JVP), denounced the Accord as a national betrayal, a charge supported by Rajapakse. In 2007, reflecting these entrenched interests, a Supreme Court ruling re-separated the northern and eastern provinces.

The declared purpose of last week's Indian visit was to discuss "follow up" measures to implement the joint statement between Krishna and Peiris. According to the *Sunday Times*, however, Rajapakse opposed giving land and police powers to the provincial councils. He told the Indian officials that the constituent parties of his ruling United Peoples Freedom Alliance had expressed "strong objections". The *Times* said this stand was "expected to pitch Colombo and New Delhi on a collision course diplomatically."

India did not push the devolution of powers because of concern for the democratic rights of the Tamil masses. Rather New Delhi wants to see certain powers transferred to the Tamil elite to expand India's political and economic interests in Sri Lanka. At the same time, the Indian government is seeking to pacify political parties in India's southern state of Tamil Nadu that display bogus concern for Sri Lankan Tamils.

With India's backing, the Tamil National Alliance (TNA), the former parliamentary proxy of the LTTE, has opened talks with the Rajapakse government, seeking land and police powers for the north and east. The TNA has complained that these discussions have dragged on as a result of Rajapakse's refusal to make any concessions.

At the conclusion of last week's visit, Indian delegation head Menon indirectly expressed displeasure over Rajapakse's recalcitrance. He told the Indian press: "If they think they want to do better than the 13th Amendment ... that is for them but they all must feel comfortable."

Just before the visit, J. Jayalalithaa, the recently elected chief minister of Tamil Nadu, presented a resolution to the state assembly on June 8 demanding that New Delhi press the UN to declare those responsible for Sri Lankan civilian deaths as "war criminals". The resolution, which passed unanimously, also demanded economic sanctions on Sri Lanka because it "did not heed global opinion" on the Tamil issue.

The Tamil Nadu government's rhetoric has nothing to do with sympathy for the fate of the Tamil people. Jayalalithaa supported Rajapakse's war, calling for the LTTE to be crushed. Together with all the other Tamil Nadu parties, her party seeks to exploit popular sympathy for the plight of Tamils in Sri Lanka to divert the explosive discontent among ordinary people over deteriorating living conditions at home.

Although the New Delhi government is applying pressure to Rajapakse, it is treading cautiously. The *Deccan Chronicle* reported that Menon and Rao rushed to Chennai (Madras) to meet Jayalalithaa after the Tamil Nadu assembly resolution and tried to convince her that alienating Rajapakse was not to India's benefit. The *Chronicle* added that Jayalalithaa was asked to fall "in line with Delhi's Lankan policy—which is not to push President Rajapakse too hard lest he becomes a vassal of China."

New Delhi's overriding concern is that it does not want an enemy in its backyard. As a rising power, India seeks to safeguard its maritime routes through the Indian Ocean. But so must China, which depends on the Middle East and Africa for much of its energy supplies. China has built a large harbour at Hambantota in southern Sri Lanka, as part of its expanding maritime presence in the Indian Ocean.

India's concerns about Beijing coincide with those of Washington, which is seeking to cultivate New Delhi as a counterweight to China, and has been aggressively asserting its own interests in the Asia-Pacific and Indian Ocean regions over the past year.

Concluding his visit to New Delhi last month, Peiris hinted at the reasons behind the strained relations between the neighbours. He said both India and China had commercial relations with Sri Lanka and there was no "question of China encircling" India by developing the Hambantota port. "We would certainly not allow one country to use Sri Lanka as a launching pad for hostile action against any other country," he stated. "That is the universal principle and we accept that."

Notwithstanding this attempt to balance between India and China, the Rajapakse government has dragged the island into the geo-political rivalry developing between the major powers.



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