

Endgame in Sri Lanka

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If we do not end war – war will end us. Everybody says that, millions of people believe it, and nobody does anything.

– H.G. Wells¹

The Sri Lankan President Mahinda Rajapakse finally ended the Eelam War² in May 2009 – though, perhaps, not in the manner many would desire. So determined was the President that he had told Roland Buerk of the *BBC* in an interview published on February 21, 2007, “I don’t want to pass this problem on to the next generation.”³

Though the final phase of open war⁴ began on January 16, 2008, following the January 2 unilateral withdrawal of the Government of Sri Lanka (GoSL) from the Norway-brokered

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¹ *Things to Come* (The film story), Part III, adapted from his 1933 novel *The Shape of Things to Come*, spoken by the character John Cabal.
² The civil war in Sri Lanka can be divided into four phases: Eelam War I between 1983 and 1987, Eelam War II between 1990-1994, Eelam War III between 1995-2001, and Eelam War IV between 2006-2009. See Muttukrishna Sarvananthea in “Economy of the Conflict Region in Sri Lanka: From Embargo to Repression”, *Policy Studies* 44, East-West Centre, <http://www.eastwestcenter.org/fileadmin/stored/pdfs/ps044.pdf>.
³ “No end in sight to Sri Lanka conflict”, February 21, 2007, http://news.bbc.co.uk/2/hi/south_asia/6382787.stm.
⁴ Amantha Perera, “Sri Lanka: Open War”, *South Asia Intelligence Review*, Volume 6, No.28, http://www.satp.org/satporgrp/sair/Archives/6_28.htm#assessment1.

Cease-Fire Agreement (CFA)⁵ signed in February 2002, it was the Mavil Aru Operation⁶ by the military in July 2006, which marked the commencement of Eelam War IV. From this moment, President Rajapakse was under constant pressure, both from within the country and outside, to stall Army operations. With initial small scale operations quickly transforming into a full blown war, the pressure on Rajapakse kept on mounting. The President, however, went ahead with his idea of decimating the Liberation Tigers of Tamil Eelam (LTTE)⁷ fully and finally. On May 18, 2009, with the killing of the LTTE Chief Velupillai Prabhakaran, the war eventually ended. The official announcement of the end of hostilities was made on May 20, 2009.⁸

The present paper is an attempt to put together the developments in Sri Lanka which led to this final confrontation, and to discuss some of the important events leading up to the war, including the collapse of the CFA, the impact of Karuna's revolt and of the Tsunami on the LTTE, as well as the pattern of shifts in military strategy. The paper will also deal with the post war scenario, including the Presidential and General Elections and their impact on Sri Lanka's future prospects.

Collapse of the CFA

On August 12, 2005, the then Foreign Affairs Minister, Lakshman Kadirgamar, was shot dead⁹ by a suspected LTTE sniper near his private residence on Bullers Lane, in the heart of the capital, Colombo. It was the first major killing by the LTTE

⁵ Memorandum of Understanding signed between GoSL and LTTE on February 24, 2002, <http://www.satp.org/satporeftp/countries/shrilanka/document/papers/memorandum2002.htm>.

⁶ Amantha Perera, "Sri Lanka: Blood over Water", *South Asia Intelligence Review*, Volume 5, No.4, http://www.satp.org/satporeftp/sair/Archives/5_4.htm#assessment1.

⁷ Liberation Tigers of Tamil Eelam (LTTE), <http://www.satp.org/satporeftp/countries/shrilanka/terroristoutfits/LTTE.HTM>.

⁸ "All guns silenced: Sri Lanka Army disproves worldwide concept on terrorism", May 20, 2009, <http://www.army.lk/detailed.php?NewsId=511>

⁹ "Kadirgamar assassinated", August 13, 2005, <http://www.hindu.com/2005/08/13/stories/2005081318780100.htm>.

since the 2002 CFA. Though the incident was a disturbing development in the course of the peace process, the Government continued to abide by the CFA. Shortly after Kadirgamar's assassination, however, a state of Emergency¹⁰ was declared in the country. The Emergency Regulations (ER) were, thereafter, regularly extended on a monthly basis.

Meanwhile, Mahinda Rajapakse, the hardliner, resumed the office of President in November 2005.¹¹ Rajapakse, who was the Opposition leader when the CFA was signed, had stated in a debate in Parliament on May 9, 2002, that the CFA was 'one-sided and favoured the LTTE' and had vowed to step up the campaign against the truce.¹²

Cease-fire violations were routine through this period, with a preponderance attributed to the LTTE.¹³ Some restraint visibly marked the course of the elections, which many believed was a tactical hiatus, arguing that the Tigers wanted Rajapakse to become the President to force a further polarization and return to wider conflict, which they mistakenly believed would favour them.¹⁴ Terrorist activities escalated once again in December 2005,¹⁵ despite the Rajapakse Administration's declared commitment to pursue a peaceful resolution to the ethnic problem. As many as 98 persons, including 54 SF personnel, 30 civilians and 14 militants were killed in these provocative attacks, in December 2005, marking it as the bloodiest month since the

¹⁰ "State of emergency declared in Sri Lanka", August 12, 2005, <http://www.cnn.com/2005/WORLD/asiapcf/08/12/sri.lanka/>.

¹¹ See the details of election in G.H. Peiris, "Polarised Vote", *South Asia Intelligence Review*, Volume 4, No.19, http://www.satp.org/satporgrp/sair/Archives/4_19.htm.

¹² "PA leader slams truce agreement", May 10, 2002, <http://www.tamilnet.com/art.html?catid=13&artid=6915>.

¹³ While 3,830 violations (ruled) were committed by the LTTE (between February 2002 to April 2007), the GoSL committed 351 such violations during this period. For details, see, "Cease-fire Violations: February 2002 to April 2007", http://www.satp.org/satporgrp/countries/shrilanka/database/Ceasefire_Violati_on.htm, also see Ajit Kumar Singh, "Sliding into War?" *South Asia Intelligence Review*, Volume 4, No.41, http://www.satp.org/satporgrp/sair/Archives/4_41.htm#assessment2.

¹⁴ G.H. Peiris, *Twilight of the Tigers: Peace Efforts and Power Struggles in Sri Lanka*, 2009, Oxford University Press, New Delhi, pp. 209-10

¹⁵ "Incidents involving LTTE", <http://www.satp.org/satporgrp/countries/shrilanka/terroristoutfits/2005.htm>.

CFA.¹⁶ The most brutal attack was on December 27, when 11 soldiers were killed and four were injured, as LTTE cadres triggered a remote controlled claymore mine, targeting an Army truck in the Puloly West area of Jaffna District.

Nevertheless, the Government held two rounds of talks with the LTTE, in Geneva, in 2006 (February 22-23 and October 28-29). Nothing substantial emerged during the February negotiations. However, at the end of the talks, the Norwegians, who were facilitating the talks, released a short statement claiming some 'positives', which included:

? The Government of Sri Lanka and the LTTE are committed to taking measures to ensure that there will be no intimidation, acts of violence, abductions or killings.

? The LTTE is committed to taking all necessary measures to ensure that there will be no acts of violence against the Security Forces and Police. The Government of Sri Lanka is committed to taking all necessary measures in accordance with the Ceasefire Agreement to ensure that no armed group or person other than Government Security Forces will carry arms or conduct armed operations.¹⁷

Geneva II (October 28-29), however, was an even more obvious failure than Geneva I (February 22-23). At Geneva I, the two parties at least agreed to meet later, on April 19-20, though that meeting never materialized. The Geneva II talks never progressed in real terms, with both sides sticking to their own intransigent positions. While the Government demanded that 'core issues' – democracy, multi-party system, pluralism, human rights, child recruitment, development of the North and East and devolution – be discussed within a time-bound framework, the LTTE emphasized that they would engage on 'contentious political issues' only after 'immediate humanitarian needs' – the opening of the A9 Highway being the most important – and

¹⁶ "Fatalities in Terrorist Violence in Sri Lanka since March 2000", http://www.satp.org/satporegtp/countries/shrilanka/database/annual_casualties.htm.

¹⁷ Amantha Perera, "A Temporary Reprieve", South Asia Intelligence Review, Volume 4, No.33, http://www.satp.org/satporegtp/sair/Archives/4_33.htm#assessment1.

concerns regarding the protecting human rights had been first addressed.¹⁸

The talks collapsed with both sides sticking to their demand and the Cease-fire was virtually abandoned by the LTTE from this point onwards.

Between these two rounds of talks, two incidents occurred, each with the potential of provoking a full scale war – the outcome that was, eventually, triggered. On April 25, 2006, the then Army Commander, Lieutenant General Sarath Fonseka, was critically injured, while at least eight persons were killed, when a female suicide cadre of the LTTE, disguised as a pregnant woman, blew herself up in front of the Military Hospital at the Colombo Army Headquarters.¹⁹ Following the attack, the Sri Lanka Air Force (SLAF) launched a series of strikes on the LTTE-held Sampoor area in Trincomalee District. The pro-LTTE website *Tamil Net* claimed that at least 12 civilians were killed in the aerial strike.²⁰ The CFA, nevertheless, survived.

Again, on June 26, 2006, a suicide bomber killed the Sri Lanka Army (SLA) Deputy Chief of Staff, Major General Parami Kulathunge, the third highest appointment in the SLA, and three others, at Pannipitiya, a Colombo suburb.²¹ Colombo's response remained restrained.

The LTTE, it appears, was determined to draw the Government into war. The week of July 31 – August 6, 2006, saw escalating confrontations between Government Forces and the rebels, south of the eastern Trincomalee Harbour.²² The trouble commenced on July 20, when civilians living in the Government controlled Kallar area complained that water had been cut off from an irrigation canal that flowed through territory controlled

¹⁸ Ajit Kumar Singh, "Geneva: Predictable Failure", *South Asia Intelligence Review*, Volume 5, No.16, http://www.satp.org/satporgtp/sair/Archives/5_16.htm#assessment1.

¹⁹ "Eight killed in blast at Army HQ; Commander injured," April 26, 2006, <http://www.dailynews.lk/2006/04/26/sec01.asp>.

²⁰ "12 bodies of civilians recovered from Muttur East", April 26, 2006, <http://www.tamilnet.com/art.html?catid=13&artid=17919>.

²¹ "Suicide bomber kills Sri Lanka Army Deputy Chief of Staff", June 26, 2006, <http://www.colombopage.com/archive/June26114905CH.html>.

²² Amantha Perera, "Sri Lanka: Blood over Water", *South Asia Intelligence Review*, Volume 5, No.4, http://www.satp.org/satporgtp/sair/Archives/5_4.htm#assessment1.

by the Tigers. The Government accused the Tigers of deliberately closing down the sluice gates at Mavil Aru, denying water to 15,000 families and 30,000 acres of paddy land. The two sides exchanged at least two letters on sorting out the water mess, but eight days after the closure, Government troops moved into the area to wrest control of the sluice gates. Before the operation was launched, hardliners in Colombo, including Buddhist monks, tried to march to Mavil Aru, but were prevented by troops commanded by Major General Nanda Mallwarachchi, who assured them that water would be provided soon. Then came the military operation that heralded all out war.²³ Later, talking about Mavil Aru incident, President Rajapakse said, “That was the time they gave me the green light.”²⁴

Meanwhile, the December 1, 2006, suicide attack by the LTTE, targeting the Defence Secretary, Gotabhaya Rajapakse, President Mahinda Rajapakse’s brother, at Dharmapala Mawatha in Colombo, proved to be the last nail in the CFA’s coffin, though the target escaped unhurt.²⁵ From this point onwards, with the Government declaring a policy of ‘not compromising on national security’ and engaging in pre-emptive measures against terrorism, the LTTE became ruthless.

The Government troops moved on with their operation to clear the Eastern Province and, after securing success, entered into the Tiger’s heartland of Wanni in July 2007. Thereafter, finding the CFA a hindrance, the Government finally annulled the formal truce in January 2008. At the Cabinet meeting on January 2, 2008, Prime Minister Ratnasiri Wickremanayake proposed the immediate annulment of the CFA.²⁶ Government spokesperson, Minister Keheliya Rambukwella later stated,

The Government decided to officially withdraw from the Cease-Fire Agreement since it is futile to continue with the cease-fire with no indication that LTTE is willing to enter the peace

²³ Ibid.

²⁴ “We knew they would never lay down arms and start negotiating”, July 7, 2009, <http://www.hindu.com/2009/07/07/stories/2009070754730900.htm>.

²⁵ “Rajapaksa’s brother escapes bid on life”, December 2, 2006, <http://www.hindu.com/2006/12/02/stories/2006120202951500.htm>.

²⁶ “Sri Lanka government withdraws from Ceasefire Agreement”, January 2, 2008, http://www.colombopage.com/archive_08/January2162852JV.html.

path. The Cease-fire has been violated by the LTTE more than 10,000 times. The Cabinet decision will be put into practice by using the terms and conditions of the Cease-Fire Agreement itself.²⁷

Earlier, in an interview with the *BBC* broadcast in the night of February 12, 2007, President Rajapakse had declared that the Government's peace pact with the LTTE was a mistake.²⁸ He argued:

Today we realise we have made a mistake. Through the peace pact, we've demarcated areas called LTTE controlled areas, and they have taken over the rights of the people through this pact. In the LTTE controlled areas, no political parties can function, people cannot walk anywhere in freedom, and the children are being forced to join the armed forces of the LTTE. These rights should be given back to the people.²⁹

A study of the Memorandum of Understanding (MoU)³⁰ of the 2002 CFA and the conditions that led to the collapse of the ceasefire clearly demonstrates inbuilt contradictions. Excluding Sections 1 and 2 of Article 1 of the MoU, which relate directly to 'suspension of armed hostilities', all other sections collectively represented the grant of a series of vitally important concessions to the LTTE, including some that entailed the infringement of both legitimate rights of the Government as well as the sovereignty of Sri Lanka, without comparable reciprocal concessions being imposed on the LTTE. That the MoU was a haphazardly prepared document is visible in the fact that the term 'paramilitary groups' and 'forward defense lines', which proved to be the most contentious issues throughout the CFA, were not even clearly defined.³¹

²⁷ "Sri Lankan security forces on alert", January 3, 2008, http://www.expressindia.com/story_print.php?storyId=257251.

²⁸ "'Peace Pact With LTTE A Mistake' – President Rajapakasa", February 12, 2007, <http://www.army.lk/morenews.php?id=4193>.

²⁹ Ibid.

³⁰ Memorandum of Understanding signed between GoSL and LTTE on February 24, 2002, <http://www.satp.org/satporegtp/countries/shrilanka/document/papers/memorandum2002.htm>.

³¹ G.H. Peiris, *Twilight of the Tigers: Peace Efforts and power struggles in Sri Lanka*, 2009, Oxford University Press, New Delhi, pp. 69-70.

The LTTE during the CFA

During the CFA the LTTE continued to exert every possible effort, frequently in direct violation of the terms of the CFA, to strengthen its military power. Nevertheless, the organization suffered a number of major blows as well, and these eventually hurt it in the final outcome of the war.

As in earlier cycles of peace talks, the Tigers tried to replenish their strength – both in terms of men and material. On May 28, 2007, Sarath Fonseka had said that the CFA signed in February 2002 had helped the LTTE increase its arsenal 10 to 15 times.³² Later, asked about how the LTTE had exploited the CFA to strengthen themselves, he told *Independent Television Network* in an interview broadcast on January 6, 2009,

More than any thing else, the LTTE increased their combat soldiers from 2,500 to more than 11,000 during the four years of the Cease-Fire Agreement. They only possessed two artillery guns captured from the Army before. They were increased manifold; machine guns, Dvora-like fast boats and three fixed wing airplanes were added to their strength. They established banks, courts, police and customs to generate income.³³

And further,

The LTTE had managed to strengthen their cadres as well as the military equipment during the Cease-Fire from 2002 until its abrogation in 2007. The number of LTTE militants increased to 15,000 as a result of the truce.³⁴

Defence Secretary Gotabhaya Rajapakse, in an interview on September 9, 2008, acknowledged the strength the LTTE had built up: “Considering the arms and ammunition the LTTE have collected for the past 25 years, we have to fight hard during the next few months. That is what people have to expect in the

³² “Lankan Army's game plan: Seize East and weaken LTTE in North”, May 28, 2007, <http://www.hindustantimes.com/News-Feed/srilanka/Lankan-Army-s-game-plan-Seize-East-and-weaken-LTTE-in-North/Article1-225890.aspx>.

³³ “Military success not due to Karuna Amman’s defection, says Army Chief”, January 8, 2009, http://www.dailymirror.lk/DM_BLOG/Sections/frmNewsDetailView.aspx?ARTID=37261.

³⁴ “Any kind of a war victory to LTTE chief is daydream, Sri Lanka's Army Commander says”, January 7, 2009, http://www.colombopage.com/archive_09/January76105IRA.html.

coming months.”³⁵ The LTTE had a strong force – artillery, mortars and even SAM-14 heat seeking missiles at its disposal.³⁶

Using facilities and equipment approved by the Government-run Board of Investments (BoI), the LTTE had imported lathe machines and other equipment for the manufacture of its military hardware, according to military sources.³⁷ The then head of the BoI, Arjunna Mahendran, had approved the imports and facilitated their transport to the Wannu, which was under LTTE control. Military sources said that there is documentary evidence of these transactions involving the BoI. The LTTE’s sophisticated transmission and allied equipment had been imported and transported to LTTE controlled areas during the Cease-fire period, the report said.

There was at least some evidence that Government agencies were complicit in these activities. A March 17, 2009, report indicated that a special investigation has been launched into an incident in which high technology equipment and weapons, reportedly for the use of the LTTE, had been smuggled through the Bandaranayke International Airport (BIA), bypassing all inspection procedures, during 2002-2003.³⁸

On February 10, 2005, the United Nations Secretary General, Kofi Annan, in the world body’s report on “Children and Armed Conflict” disclosed that, since 2001, the LTTE has recruited more than 4,700 children. The LTTE also directed over 8,000 students who sat for the GCE ‘O Level’ Examinations in the Kilinochchi and Mullaitivu Districts to join combat training, according to military intelligence reports released on December 24, 2008.³⁹

³⁵ “A matter of time for total victory for the Security Forces - Defence Secretary”, September 11, 2008,

<http://www.dailynews.lk/2008/09/11/fea02.asp>.

³⁶ Shamindra Ferdinando, “How the war was won”, April 5, 2009, <http://www.island.lk/2009/04/05/defence1.html>.

³⁷ “Did BOI Approve Equipment For LTTE Arms Manufacture in Sri Lanka”, March 14, 2009, <http://www.lankanewspapers.com/news/2009/3/40895.html>

³⁸ *Investigations into weapons smuggled during CFA period*, March 17, 2009, <http://www.dailynews.lk/2009/03/17/sec02.asp>

³⁹ “LTTE wants 8000 students for combat training”, December 25, 2008, <http://www.dailynews.lk/2008/12/25/sec02.asp>

The University Teachers for Human Rights (Jaffna), quoting sources from the Wannu, claimed that, since early September 2008, the LTTE had conscripted 9,000 ‘very young’ persons.⁴⁰

The LTTE also went for extensive training sessions. One report, for instance, said that 300 to 400 Tamil youth from the upcountry were taken to the North and trained by the LTTE during the Cease-fire in 2002.⁴¹ Police Intelligence revealed that most of these youth were found to be residents of Ambakottewate, Kengalle, Galaha, Maussawa, Rattota, Ukuwela, Nuwara Eliya and Hatton. After the LTTE training, the youth returned to their home towns, the Police said. Muhundan was identified as the key LTTE leader who organised the ‘training’ for the upcountry Tamil youth.

Reports also indicated that the LTTE was paying SLR 25,000 to parents who permitted one of their children to join the organization.⁴²

Karuna’s Revolt

Perhaps the most crucial blow that the LTTE suffered during the CFA was the vertical split in the outfit. On March 3, 2004, one of Prabhakaran’s most trusted lieutenants, LTTE’s military leader for the East, Vinayagamorthy Muralitharan *aka* ‘Colonel’ Karuna Amman,⁴³ quit over alleged differences with his leader. In an interview to Nitin A. Gokhale, describing the reasons for his revolt, Karuna said:

My problem with Prabhakaran was mainly because of his rigid attitude.... He wanted Eelam or nothing... Then there was another problem within LTTE. Since Prabhakaran came from Jaffna, the leadership and all important posts within the organization were always given to the Northern Tamils. Although

⁴⁰ “Prabhakaran will flee, says Sri Lanka Army Commander”, November 22, 2008,

http://www.colombopage.com/archive_08/November2253002KA.html

⁴¹ “LTTE trained upcountry youth during Ceasefire – Police”, September 3, 2008, <http://www.dailynews.lk/2008/09/03/sec03.asp>

⁴² “Parents sell daughter to LTTE”, September 3, 2008,

http://www.dailynews.lk/2010/05/06/main_News.asp

⁴³ Velupillai Prabhakaran’s former deputy, Vinayagamorthy Muralitharan *aka* Karuna, defected in March 2004 and is currently a minister in the Rajapakse Government.

most of the fighters came from the East, we never got our due... When I raised these issues... I realized that they would like to get rid of me... But I read the signs early and decided to break away.⁴⁴

On October 12, 2004, Karuna announced the launch of a political party, Tamileela Makkal Viduthalai Pulikal (TMVP), tendered his ‘apologies to the Tamil people’ for past killings, and gave an assurance that he would ‘never leave the liberation struggle.’⁴⁵

He also took away almost 6,000 LTTE cadres along with him.⁴⁶ Since the East was the breeding ground for the LTTE, as it accounted for the largest proportion of fighting cadres, the revolt proved fatal for the organization. The LTTE started finding it increasingly difficult to replenish its shrinking cadre base.

The most dramatic impact of the Karuna defection, however, was the radical transformation of intelligence flows to Colombo. A confidential study by the *Institute for Conflict Management* for the Government of Sri Lanka in 2000 had recognized,

...a collapse of effective intelligence and surveillance of the target population. This is inevitable, where information sources within the community are virtually non-existent... The situation is worsened by the fact that very few officers and men in the existing Police and Counter-terrorism Forces speak Tamil. The wide array of natural interactions between a civilian police force and the larger community – which constitute the deepest and most reliable sources of intelligence on criminal and extremist activities – is, by virtue of this psychological isolation, shut off.⁴⁷

⁴⁴ Nitin A. Gokhale, *Sri Lanka: From war to Peace*, New Delhi: Har-Anand Publications, 2009, pp. 23-24.

⁴⁵ “Pro-Karuna political party launched”, October 13, 2004, <http://www.dailynews.lk/2004/10/13/pol01.html>

⁴⁶ “More ruthless than Prabhakaran”, March 11, 2004, <http://www.rediff.com/news/2004/mar/11spec3.htm>

⁴⁷ *Report on General Security of Colombo and Important Infrastructure Installations and Locations* Institute for Conflict Management, October 2000, Unpublished, p. 31.

And further,

...the top leadership of the LTTE was virtually outside the ambit of any sustained counter-terrorism operations, and... even basic intelligence on them and on their movements was lacking.⁴⁸

This intelligence barrier was broken with Karuna's defection. A leadership and cadre which was intimate with the profile of top LTTE commanders and with the organisation's patterns of operation came over to Colombo's side, providing critical and continuous insights, as well as operational support. Crucially, a significant pool of Tamil cadres who were willing to cross over into LTTE-held areas provided a rich and augmenting source of intelligence.

Sarath Fonseka, on January 8, 2009, did, of course, claim that it was 'shameful' for anyone to try connect Karuna Amman leaving the LTTE with the eventual success of the Army on the battlefield against the LTTE.⁴⁹ It is, however, quite evident that Karuna, along with his deputy Sivanesathurai Chandrakanthan *aka* Pillayan, was key to military success in the East, and was at least significant in the North as well. Further, after its final defeat in and expulsion from the Eastern Province in July 2007, the LTTE's attempts to replenish cadre strength by coercive conscription had failed in this region, formerly its principal source of recruitment.

The Catastrophic Tsunami

Even as the LTTE was struggling to recover from the split in the party, the Tsunami hit the Island country on December 26, 2004.⁵⁰ Reports indicated that the Sri Lankan Tamil community in the Northern and Eastern Provinces suffered the most in the tragedy, registering more than a half of about 30,000 fatalities in

⁴⁸ Ibid., p. 59.

⁴⁹ "Military success not due to Karuna Amman's defection, says Army Chief", January 8, 2009, http://www.dailymirror.lk/DM_BLOG/Sections/frmNewsDetailView.aspx?ARTID=37261.

⁵⁰ Roland Buerk, "Eyewitness: Sri Lanka Tsunami", December 26, 2004, http://news.bbc.co.uk/2/hi/south_asia/4125581.stm.

the entire country.⁵¹ That the LTTE suffered huge military losses was evident in the then President Chandrika Kumaratunga's December 30, 2004, statement that the threat of a war with LTTE was 'more remote' after destruction of key LTTE military bases as a result of the Tsunami.⁵² "The threat of war is remoter (*sic*) than on December 25 (the day before the Tsunami) because the LTTE has suffered heavy casualties, if not anything else," Kumaratunga told reporters after she visited badly-affected areas on the east coast. She said the LTTE had lost almost all its main naval bases on the North-eastern coastal belt and described LTTE casualties as "very high".

One leading military columnist, Iqbal Athas writing in the *Sunday Times*, put LTTE's military losses at 2,100 cadre. LTTE's powerful Navy, which had, in the past, been instrumental in transporting military material purchased in the international grey markets, and in launching a number of harrowing strikes against the Sri Lankan Navy, is believed to have lost many of its fast attack boats.⁵³

The LTTE, however, sought to underplay its losses. The Sea Tigers⁵⁴ chief, Colonel Soosai, in an interview to a London Tamil Television channel, *Deepam TV*, stated, on December 29,

In Mullaitivu three of our fighters perished. Major Dharmendra, a fighter who was assigned to provide support to him and a civilian fighter we call 'Petrol Iyah', died in the calamity. In Vattuvagal and Chaalai we didn't suffer any losses to personnel. In Vadamaradchy East we lost three fighters manning the forward defence lines. An LTTE woman cadre who had come to Vadamaradchy East on leave died in the flooding. Loss of lives of our cadres was limited to those I have mentioned. We suffered some additional property damage. In Trincomalee and in

⁵¹ Louise Doughty, "Stories of the Tsunami", March 26, 2005, <http://www.guardian.co.uk/books/2005/mar/26/featuresreviews.guardianreview1>.

⁵² "Chandrika says war threat with LTTE recedes after Tsunami", December 30, 2004, <http://www.highbeam.com/doc/1G1-126596377.html>

⁵³ "LTTE's approach on unfolding post tsunami developments in Sri Lanka - 'Chaotic'", January 6, 2005, <http://www.asiantribune.com/news/2005/01/06/ltte%E2%80%99s-approach-unfolding-post-tsunami-developments-sri-lanka-chaotic>

⁵⁴ Cadres of the Sea Wing of the LTTE.

Batticaloa two observation posts were washed away. The losses are not that significant.⁵⁵

Though, it is difficult to quantify the losses suffered by the LTTE, there were indications that the Tsunami helped the LTTE gain sympathy amongst the people, both within the country and the Diaspora. The Tamil Rehabilitation Organization (TRO), known as LTTE's fundraising outfit and banned in a number of countries, including the USA, UK and Malaysia, came to the forefront in the areas temporarily controlled by the LTTE. Riding on a sympathy wave around the world, the TRO, which had branches in 28 countries, including Switzerland, France, Germany, Norway and Denmark, organized fundraising campaigns even, as in the UK, where they were proscribed.

Even though there are many LTTE front organizations, including, for instance, the White Pigeon, operating after the Tsunami, the TRO has taken the lead role, and it is evident that the LTTE is keen to give it legitimacy. It is difficult to determine the exact quantum of funds being handled by the TRO after the Tsunami, but, independent analysts believe it to be in the billions of rupees. A TRO document conceded that the organization had received a sum of nearly USD 500 million during December 26, 2004, to January 26, 2005, including USD 500,000 from Norway. It stated further that local institutions and private donations had added SLR 52.4 million, postal orders SLR 3.8 million, and another SLR 20.7 million from NGOs.⁵⁶

According to sources, between January 1 and August 15, 2005, alone, the TRO had received a sum of US\$ 9,383,923 as donations.⁵⁷ A significant proportion of the money collected was used for buying weapons. Apprehensive of the consequences of this massive generation and diversion of resources, the Sri Lankan Parliament, on July 7, 2005, adopted by majority vote, the Draft

⁵⁵ "'Tamils in northeast are also human beings' – LTTE commander", December 31, 2004,

<http://www.tamilnet.com/art.html?catid=13&artid=13789>.

⁵⁶ Bandula Jayasekara, "TRO and Tsunami", *South Asia Intelligence Review*, Volume 3, No.37, http://www.satp.org/satporgtp/sair/Archives/3_37.htm.

⁵⁷ Saji Cherian, "LTTE's Diaspora Resources", *South Asia Intelligence Review*, Volume 4, No. 38, http://www.satp.org/satporgtp/sair/Archives/4_38.htm#assessment2

Bill to give effect to the Convention on the Suppression of Terrorist Financing.

Reports, meanwhile, indicated that the LTTE was recruiting children affected by the Tsunami for use as soldiers. On January 14, 2005, the United Nations Children's Fund (UNICEF) Sri Lankan representative, Ted Chaiban, stated that it had received reports that the LTTE were recruiting children displaced by the Tsunami, and warned the rebels to leave under-age survivors alone: "Recruitment... was an issue before the Tsunami. It's an issue that continues to be of concern." Further, on January 26, 2005, the UNICEF stated that the LTTE recruited at least 40 children under the age of 18 in the month after the Tsunami disaster. According to Martin Dawes, UNICEF spokesperson for South Asia, "We've got 40 cases we've been able to verify... There's one 13-year-old. It goes up to 17. This is something we regret ... children have no place in the war." On April 5, 2005, the UNICEF added that the LTTE had recruited at least 106 child soldiers in the wake of the Tsunami.

Though the then President Chandrika Kumaratunga was euphoric on December 30, 2004, Colombo later feared that the LTTE may actually have augmented its strength after the Tsunami. The Government claimed that the LTTE was covertly building up its military machine even as the country grappled with the Tsunami disaster. There were sustained allegations that the LTTE obtained military hardware under the cover of Tsunami relief. Media reports indicated that it was during this period that the LTTE acquired its air power. In one instance, Tsunami aid cargoes destined for the LTTE were detected at the airport to have included two helicopters, ammunition and a consignment of body armour.⁵⁸

While the specifics of the effect of the Tsunami on the LTTE's capacities remain uncertain, subsequent developments would suggest that the overall impact was negative, and the rebels were substantially weakened by this natural calamity. Certainly, it was in this phase that the feared Sea Tigers lost their grip on the Sri Lankan coastline, making interdiction of military and civil

⁵⁸ Ameen Izzadeen, "No War, No Peace", *South Asia Intelligence Review*, Volume 3, No.33, http://www.satp.org/satporgtp/sair/Archives/3_33.htm.

supplies to the LTTE-held North easier once hostilities were restored.

International Pressure on LTTE

The LTTE was heavily dependent on Diaspora Tamils for its resources, both in terms of money and arms and ammunition. In a January 10, 2008, report posted on its website under the title “Taming the Tigers”, the US Federal Bureau of Investigation described the LTTE as one of the most dangerous and deadly extremist outfits in the world, adding that the world should be concerned about an outfit that had ‘inspired’ networks worldwide, including the al-Qaeda in Iraq. It alleged that the LTTE had perfected the use of suicide bombers, invented the suicide belt, pioneered the use of women in suicide attacks, killed some 4,000 persons in the past two years alone and assassinated two world leaders — the only terrorist group to do so.

Needless to say, the Tamil Tigers are among the most dangerous and deadly extremists in the world. For more than three decades, the group has launched a campaign of violence and bloodshed in Sri Lanka, the island republic off the southern coast of India. Its ultimate goal: to seize control of the country from the Sinhalese ethnic majority and create an independent Tamil State.⁵⁹

Unsurprisingly, the rising international pressure in the aftermath of the 9/11 attack affected the LTTE, and was certainly a factor in the LTTE’s decision to enter into the CFA.⁶⁰

The ban imposed by the European Union on May 30, 2006,⁶¹ had the greatest impact on the group, since the EU accounted for the largest number of Diaspora Tamils. More than 300,000 Sri Lankan Tamils are part of the huge Diaspora across Europe, which resulted from two decades of war that engulfed the

⁵⁹ “‘Ruthless’ LTTE most dangerous extremists: FBI”, January 11, 2008, <http://www.expressindia.com/latest-news/Ruthless-LTTE-most-dangerous-extremists-FBI/260325/>

⁶⁰ G. H. Peiris, “Negotiating to Negotiate”, *South Asia Intelligence Review*, Volume 1, No. 1, http://www.satp.org/satporgtp/sair/Archives/1_1.htm#assessment2.

⁶¹ “LTTE officially added to EU blacklist”, June 1, 2006, <http://www.dailynews.lk/2006/06/01/sec01.asp>.

Emerald Island. On April 1, 2007, the leaders of the LTTE's French branch since 2003, Nadarajah Mathinthiran *alias* Parathi and Thuraisamy Jeyamorthy *alias* Jeya, who were in charge of money collection in France, were among 17 LTTE suspects arrested. During 2006, the LTTE reportedly collected more than six million Euros in France, with each Tamil family forced to pay 2,000 Euros per year, and shopkeepers 6,000 Euros.⁶² Again, on June 21, 2007, Arunachalam Chrishanthakumar *alias* Shanthan, 'president' of the British Tamil Association, and a high-ranking agent of the LTTE, and head of finance, Goldan Lambert, were arrested by the British police under the Terrorism Act of 2000.⁶³ Further, on June 18, 2008, the Italian Police said they had arrested 33 suspected LTTE members in pre-dawn raids across the country.⁶⁴

Moreover, action was also taken against the LTTE propaganda machinery. On June 22, 2008, the European broadcast of the *Tharisanam Television* – a major propaganda arm of the LTTE, was suspended. *Tharisanam Television* had also been used as a tool to raise funds for the terrorist organisation's much-needed weapons and ammunition.⁶⁵ Earlier, on March 16, 2008, Italian Police had closed the illegal *Euro Television* channel, part of the LTTE's propaganda machinery. The channel's transmission had, in fact, been shutdown since March 6. LTTE had launched the Euro Television after the French Government banned the Tamil Television Network (TTN) run by the outfit, on May 2007.⁶⁶

Prior to the EU ban, Canada, another major safe haven for LTTE supporters, had already formally proscribed the LTTE as a

⁶² "Major incidents involving the LTTE outside Sri Lanka", <http://www.satp.org/satporgtp/countries/shrilanka/database/outsidemajorincidents.htm>, also see Ajit Kumar Singh, "Targeting the LTTE's Global Network", *South Asia Intelligence Review*, Volume 6, No.41, http://satp.org/satporgtp/sair/Archives/6_41.htm#assessment2

⁶³ "Two top Tamil LTTE leaders arrested under UK Terrorism Law", June 22, 2007, <http://www.lankalibrary.com/phpBB/viewtopic.php?t=3556>

⁶⁴ "33 Tigers arrested in Italy", June 19, 2008, <http://www.dailynews.lk/2008/06/19/sec01.asp>

⁶⁵ "LTTE propaganda television Tharisanam suspends broadcasts", June 23, 2008, <http://www.dailynews.lk/2008/06/23/sec05.asp>

⁶⁶ "Italian Police put the lid on Tiger TV channel", June 17, 2008, <http://www.dailynews.lk/2008/03/17/sec02.asp>

terrorist group, on April 10, 2006.⁶⁷ Later, during the final phases of the war, the Canadian Immigration Minister Jason Kenney, on April 15, 2009, told reporters in Calgary that Canada had done its best to end the long-running conflict in Sri Lanka, but would not bow to pressure to remove the LTTE from the list of banned terrorist groups.⁶⁸ On June 16, 2008, the Canadian Cabinet had outlawed the Toronto-based LTTE front organization, the World Tamil Movement (WTM), under the Anti-Terrorism Act. Later, a secret report released by the Royal Canadian Mounted Police, on August 18, disclosed that WTM had wired more than US\$ 3 million to overseas bank accounts, allegedly to finance the LTTE.⁶⁹

The impact was compounded by a global crackdown on the LTTE.⁷⁰ Notably, on February 11, 2009, the US Department of Treasury designated the Maryland-based Tamil Foundation as a LTTE front organization under Executive Order 13224, which targets terrorists and those providing support to terrorists or acts of terrorism.⁷¹ On September 2, 2008, Papua New Guinea intelligence officials arrested 12 Sri Lankan nationals linked to the LTTE, who were on the run from the Sri Lankan SFs.⁷² On, April 25, 2007, the 'director' of the LTTE in New York, Karunakaran Kandasamy, was arrested by the FBI in Queens on charges of providing material support to a foreign terrorist organization.⁷³ Later, on May 1, 2007, Australian Police arrested

⁶⁷ "Canada outlaws Tamil Tigers", April 10, 2006, <http://news.aol.com/topnews/articles?id=n20060410171109990012>

⁶⁸ "Major incidents involving the LTTE outside Sri Lanka", <http://www.satp.org/satporgrp/countries/shrilanka/database/outsidemajorincidents.htm>, also see Ajit Kumar Singh, "Targeting the LTTE's Global Network", *South Asia Intelligence Review*, Volume 6, No.41, http://satp.org/satporgrp/sair/Archives/6_41.htm#assessment2

⁶⁹ "Canadian police report says World Tamil Movement raised funds for Tamil Tigers", August 19, 2008,

http://www.colombopage.com/archive_08/August1944746CH.html
⁷⁰ Ajit Kumar Singh, "Targeting the LTTE's Global Network", *South Asia Intelligence Review*, Volume 6, No.41, http://satp.org/satporgrp/sair/Archives/6_41.htm#assessment2

⁷¹ "Assets of One More LTTE Front in US Frozen", February 12, 2009 <http://army.lk/fulsit.php?idx=1220>

⁷² "Tigers on the run nabbed in PNG", September 3, 2008, <http://www.dailynews.lk/2008/09/03/sec01.asp>

⁷³ "Tamil Tiger leader in New York arrested by FBI", April 25, 2007, http://www.colombopage.com/archive_07/April25183052CH.html

two suspected LTTE cadres, Aruran Vinayagamoorthy (who had access to US\$ 526,000 in two bank accounts between August 2001 and December 2005) and Sivarajah Yathavan, after raids in Sydney and Melbourne, on the charges of providing material support and funnelling money collected from donors in the garb of Tsunami charity to the outfit.⁷⁴ In 2006, on November 30, the Cambodian Prime Minister, Hun Sen, promised the then Sri Lankan Prime Minister Ratnasiri Wickremanayake, during the latter's visit to Cambodia, that he would choke off the flow of weapons from his country to the LTTE.⁷⁵

Worse, Prabhakaran failed to mend relations with India and to tap support from Tamil Nadu, which had been vital for the LTTE's past survival.

Loss of leaders

The loss of long serving leaders⁷⁶ had devastating consequences for the LTTE. On the political front the death of Anton Balasingham⁷⁷ in 2006 hampered outfit's attempt to reach out to the international organizations and Government in the difficult situation of war. With the death of his successor, S. P. Thamilselvan,⁷⁸ the LTTE lost its last moderate face to deal with the outside world. Giving importance to its international wing, the organization named a senior leader, identified as Shanmugam Kumaran Tharmalingam *alias* Selvarasa Pathmanathan *alias* Kumaran Pathmanathan *alias* KP, as the chief of a newly established Department of International Relations (DIR), on

⁷⁴ "Tsunami aid to Tigers, says AFP", May 2, 2007, <http://www.heraldsun.com.au/news/victoria/tsunami-aid-to-tigers-says-afp/story-e6frf7kx-111113451494>

⁷⁵ "Cambodia vows to end arms flow to LTTE", December 1, 2006, <http://www.dailynews.lk/2006/12/01/>

⁷⁶ "LTTE leaders killed during encounters with security forces in Sri Lanka", 2001-2009, <http://www.satp.org/satporgrp/countries/shrilanka/database/ltteleaderkilled.htm>.

⁷⁷ "Anton Balasingham passes away", December 14, 2006, <http://www.tamilnet.com/art.html?catid=13&artid=20610>.

⁷⁸ "Public face of the Tamil Tigers", November 2, 2007, http://news.bbc.co.uk/2/hi/south_asia/7075158.stm, also see, Ajai Sahni, "LTTE: Shattered Haven", Volume 6, No.17, http://www.satp.org/satporgrp/sair/Archives/6_17.htm#assessment2

February 1, 2009.⁷⁹ Pathmanathan was to represent the outfit in any future peace initiatives, was to be the primary point of contact for engaging with the international community, and would work abroad with required mandate from the LTTE leadership, a letter then sent to various international actors by the DIR declared. The leader of the outfit's political wing, B. Nadesan, confirmed to *Tamil Net* that Pathmanathan had already begun corresponding with international actors.⁸⁰ On the military front the demise of 'Brigadier' Balasegaram Kandiah *aka* Balraj and the revolt by 'Colonel' Karuna, severely eroded the LTTE's fighting prowess. Balraj, the first 'commander' of the LTTE's conventional fighting formation, Charles Antony Brigade, established in 1991, died on May 20, 2008, of a sudden heart attack in Wannai. He had served as a key commander in LTTE's major operations, including the overrunning of the SLA garrison in Elephant Pass in 2000.⁸¹ In his condolence message, Prabakaran said,

The man who was at the center of many of our Himalayan victories, the heroic military leader, who trained, guided and fought with our fighting formations and conventional brigades, is with us no more. His ability to move the fighting units, his focused actions and his martial characteristics struck fear in the hearts of the enemy. These same characteristics strengthened the conviction and morale of our fighters. They brought us victories.⁸²

The SFs also killed several top LTTE leaders, including the political head for the eastern Ampara and Batticaloa Districts, E. Kaushalyan (February 7, 2005); 'commander' of the 'Charles Anthony Brigade' 'Lieutenant Colonel' Veeramani (May 25, 2006); Military Wing leader 'Major' Shankar (January 14, 2007); Eelamaran, leader in charge of Jaffna (April 29, 2007); Deputy 'Sea Tiger' leader Vinayagam (February 5, 2009); the 'financial

⁷⁹ "LTTE appoints Pathmanathan as head of international relations", January 30, 2009, <http://tamilnet.com/art.html?catid=13&artid=28224>.

⁸⁰ Ibid.

⁸¹ "Brigadier Balraj passes away – LTTE", May 20, 2008, <http://www.tamilnet.com/art.html?catid=13&artid=25705>.

⁸² "Brigadier Balraj: Brave LTTE Commander who led from the front", May 24, 2008, <http://transcurrents.com/tamiliana/archives/647>.

division' chief, Subarathnam Selvatoreiy *alias* Thamilendi (Mrach 7-8, 2009); weakening the outfit considerably.⁸³

Many others had been killed or removed as a result of Prabhakaran's own paranoid style of functioning. Thus the LTTE claimed as a 'prominent counter-intelligence success' the crushing of the alleged coup by the then 'deputy leader' of the outfit Mahathaya. Thousands of cadres and leaders were detained and interrogated for suspected complicity. These included senior leaders like Jeyam, Yogi and Thamilselvan's elder brother Paramu Balasubramaniam *alias* Moorthy, who were, however, reinstated later. Hundreds of others, suspected of being Mahathaya loyalists were tortured and killed. These included the 40 member contingent functioning as Mahathaya's bodyguards. Among them was former Kilinochchi District 'commander' Rasanayagam Gowrikannan *alias* Susheelan, who was 'arrested' months after Mahathaya.⁸⁴

The Military during the CFA

Where the LTTE was significantly weakened by a multiplicity of factors through the period of the CFA, Colombo was able to strengthen its capacities and capabilities under a planned and sustained effort. The military, for one, went on buying spree.⁸⁵ A January 22, 2005, *Tamil Net* report claimed that the Government had entered into a defence deal with Iran in the aftermath of the Tsunami, through a USD 150 million credit line offered to Sri Lanka by the Islamic Republic, which tilted the military balance, according to the LTTE, in violation of the February 2001 CFA.⁸⁶ On January 5, 2007, the military inked several significant defence agreements with China, including

⁸³ "LTTE leaders killed during encounters with security forces in Sri Lanka: 2001-2009", <http://www.satp.org/satporgrp/countries/shrilanka/database/ltteleaderkilled.htm>.

⁸⁴ "Pottu Amman and the Intelligence Division of the LTTE", September 12, 2009, <http://www.lankajournal.com/2009/09/%E2%80%9Cpottu-amman%E2%80%9D-and-the-intelligence-division-of-the-ltte>

⁸⁵ "No more hiding", September 19, 2009, <http://www.cassindia.com/fullarticle.asp?recno=191>.

⁸⁶ "Equitable aid distribution, focus of Pirapaharan, Norway meet", January 22, 2005, <http://tamilnet.com/art.html?catid=13&artid=14046>.

those for the supply of modern radar and large quantities of ammunition.⁸⁷ *Jane's Defence Weekly* reported that Sri Lanka signed a classified USD 37.6 million deal with China's Poly Technologies in April 2007 to supply its defence forces with ammunition and ordnance for the Army and Navy. Another company, China National Electronics Import Export Corp was to provide Sri Lanka a JY11 3D radar for USD five for its location near Colombo.⁸⁸

The largest single order with Poly Technologies was for 120 mm mortar shells for the Army, of which 70,000 rounds were priced at USD10.4 million. Other imports include 68,000 152 mm artillery shells (USD 20 million) and 50,000 81 mm high-explosive mortar bombs (USD 3.7 million). The Sri Lankan Navy's requirement, valued at USD 2.7 million, for a range of ammunition including 100,000 14.5 mm cartridges, 2,000 RPG-7 rockets and 500 81 mm airburst mortar shells, 50 Type 82 14.5 mm twin-barrel naval guns, 200 Type 85 12.7 mm heavy machine guns, 200 Type 80 7.62 mm multipurpose machine guns, 1,000 Type 56-2 7.62 mm submachine guns and 1,000 Type 56 7.62 mm submachine guns.⁸⁹

Apart from Iran and China,⁹⁰ in 2001, Pakistan supplied a range of hardware, including the Heckler and Koch G3 rifle (manufactured under license by POF), 120mm heavy mortars and hundreds of thousands of mortar and artillery shells, when other suppliers such as the UK expressed reluctance to provide such arms.⁹¹ The Sri Lanka Government was also known to have bought some refitted Soviet-era tanks and MIG planes from Pakistan. Islamabad had earlier supplied multi-barrel rocket launchers to Sri Lankan troops in 2000, when the LTTE was on the verge of capturing the northern Jaffna peninsula. Sri Lanka

⁸⁷ "Chinese arms, radar for Sri Lanka military", June 4, 2007, <http://www.tamilnet.com/art.html?artid=22366&catid=13>

⁸⁸ Ibid.

⁸⁹ Ibid.

⁹⁰ "Chinese billions in Sri Lanka fund battle against Tamil Tigers", May 2, 2009, <http://www.timesonline.co.uk/tol/news/world/asia/article6207487.ece>

⁹¹ "Amnesty International Undermining Global Security: the European Union's arms exports", International Action Network on Small Arms, http://www.iansa.org/regions/europe/documents/undermining_security/licensed_production.htm

and Pakistan agreed to further strengthen their traditional cooperation in defence during high level talks on November 21, 2004. Both sides agreed to review the defence credit line of USD 20 million “with a view to its operationalization”. Pakistan thus emerged as a major weapons’ supplier to the Sri Lankan Government.⁹²

Meanwhile, the Army launched a major recruitment drive. On January 13, 2009, the then Army Commander Lieutenant General Sarath Fonseka declared, “Today the Army is strong with 180,000 personnel, whereas a few years ago, we had just 116,000 people. We elevated ourselves not just with man power but with well trained, sharp and skilled professionals.”⁹³ To meet the LTTE challenge, the Army rapidly bolstered its strength in officers and men, with the Light Infantry, Sinha, Gemunu, Gajaba, Vijayaba and the Sri Lanka National Guard absorbing most of the fresh recruits. The armory and artillery, too, received a tremendous boost, with unprecedented increase in firepower. The Army Chief also created the Mechanized Infantry Brigade and Special Presidential Guard as part of the expansion. To facilitate the recruitment, the required qualifications to join the Army were kept at the lowest possible level, though capabilities were enhanced with better training, equipment and leadership. The Army also had to overcome the threat posed by LTTE infiltration, as well as of a small group of officers and men on the terrorists’ payroll.⁹⁴

On May 18, 2008, the Army extended an amnesty deadline for its deserters by two weeks, as 3,709 deserters had reported back during the first two weeks of an amnesty declared on May 2.⁹⁵ The extension was reportedly announced following requests from several sections, including the deserters, urging more time to rejoin the Force. For a Force that had earlier been plagued with

⁹² Ajai Sahni, “Reluctant Hegemon”, *South Asia Intelligence Review*, Volume 5, No.48, http://www.satp.org/satporgrp/sair/Archives/5_48.htm

⁹³ “Tigers cornered”, January 14, 2009, <http://www.dailynews.lk/2009/01/14/sec01.asp>.

⁹⁴ Shamindra Ferdinando, “How the war was won”, April 5, 2009, <http://www.island.lk/2009/04/05/defence1.html>.

⁹⁵ “Sri Lanka extends amnesty for deserters as nearly 4,000 rejoin”, May 19, 2008, http://www.colombopage.com/archive_08/May19162124JV.html

massive defections and demoralization, this was a dramatic index of growing confidence.

To sustain its onslaught and maintain dominance in recovered areas, the Army had deployed a total of 50,000 soldiers on the war front, and had backed this with a recruitment drive, adding 15,000 soldiers to its Forces in 2008, over the 30,000 recruited in the preceding year. The Army's recruitment got a further boost, as the SFs secured increasing dominance on the war front, and as the myth of the LTTE's invincibility receded. Recruitment was backed by sweeping upgradation of weapon systems and capabilities, including the purchase of MIG 29s, which had 3D radars that could help locate LTTE planes.⁹⁶

On November 2, 2008, the International Monetary Fund (IMF) declared that Sri Lanka's war-battered economy, with an overvalued currency, reliance on foreign borrowings and poor management of the budget, was at "serious risk". In its annual assessment, the IMF stated that Sri Lanka could have inflation at 23.9 per cent by the end of 2008. Economic growth was expected to slow down from 6.8 percent in 2007, to 6.1 per cent in 2008 and 5.8 per cent in 2009.⁹⁷ The Island nation's foreign exchange reserves had fallen from USD 3.4 billion in July to USD 2.6 billion dollars by October 2008, as the Central Bank had spent hundreds of millions of dollars since September, in a bid to shore up the Sri Lankan Rupee.⁹⁸ Under these adverse circumstances, the Government had been spending SLR 6,840 per minute in the war over the preceding months, and subsequently increasing this expenditure to SLR 18,000 per minute.⁹⁹

⁹⁶ Col R. Hariharan, "Sri Lanka armed forces and dynamics of change", April 17, 2010, <http://www.srilankaguardian.org/2010/04/sri-lanka-armed-forces-and-dynamics-of.html>

⁹⁷ "Sri Lanka economy, rupee at risk from deficit, foreign debt: IMF", November 3, 2008, http://lankanewspapers.com/news/2008/11/34468_space.html.

⁹⁸ Ibid.

⁹⁹ "Government of Sri Lanka to shoulder an increase of 11,160 rupees per minute to fight the war against terrorism", October 15, 2008, http://www.colombopage.com/archive_08/October1525913SL.html

The Military Operation in North East

The Rajapakse Government made the political determination in mid-2006, in the renewed phase of hostilities in July 2006, after the closure of the sluice gates of Mavil Aru in the east by the LTTE, that there could be neither peace nor development as long as the Tigers were not eliminated militarily. Army chief Sarath Fonseka drew up a plan, with the backing of the political leadership, to oust the Tigers, first from the East, and then to take the war into the LTTE heartland in the Wanni in the north.¹⁰⁰

When the LTTE triggered Eelam War IV in August 2006 by directing its largest ever offensive at the strategic Trincomalee Naval base and Kilali-Muhamalai-Nagarkovil frontline, it controlled approximately 15,000 square kilometers of territory.¹⁰¹

The LTTE launched its offensive with a multi pronged attack on Army and Navy bases in the Muttur and Trincomalee area in the first week of August 2006.¹⁰² Although the LTTE had initially overwhelmed the Armed Forces, the Army quickly moved in additional forces into the theatre. By the end of the first week, the LTTE retreated, paving the way for the largest ever combined Security Forces campaign.

Defence Secretary Gotabhaya Rajapakse told *Sunday Island* that battles triggered by the LTTE at Mavil Aru in June-July 2006, and Muttur, which preceded a large scale attack on the Muhamalai frontline in the second week of August 2006, compelled the Government to go on the offensive. Had the opportunity been ignored, it would have given the LTTE an immense advantage, he added.¹⁰³

Thus, in February 2007, the 57th Division of the Sri Lanka Army (SLA) was born, with a clear mandate to advance in a methodical manner from the west of Vavuniya into the LTTE strongholds. The move came even as the SLA was engaged in

¹⁰⁰ "Lankan Army's game plan: Seize East and weaken LTTE in North", May 28, 2007, <http://www.hindustantimes.com/News-Feed/srilanka/Lankan-Army-s-game-plan-Seize-East-and-weaken-LTTE-in-North/Article1-225890.aspx>.

¹⁰¹ Shamindra Ferdinando, "How the war was won", April 5, 2009, <http://www.island.lk/2009/04/05/defence1.html>.

¹⁰² Ibid.

¹⁰³ Ibid.

ousting the Tigers from their remaining bases in the East, which was declared 'liberated' in July 2007. Seven months after the establishment of the 57th Division, General Fonseka created Task Force 1 (subsequently elevated to the status of the 58th Division) with a directive to march along the Mannar-Pooneryn (A-32) Road. The 57th and 58th Divisions covered a distance of 63 kilometres and 82 kilometres, respectively, before closing in on Kilinochchi. The brief to the troops was to cause maximum damage to the LTTE in terms of its human resources capacities and infrastructure. The Army Divisions crawled their way to their target destination amid fierce resistance from the Tigers, neutralizing a number of LTTE bases, beginning in the west of Vavuniya and the Mannar rice bowl. Wiser from past mistakes, the troops operated in small batches of four to eight and avoided battalion marches into possible Tiger traps. The gains were, indeed, impressive. The areas wrested by 57th Division included the Madhu Church complex, the towns of Palampiddi, Thunukkai, Uilankulam, Mallavi, Terumurikandy and Iranamdu Junctions.¹⁰⁴

The battle path of the 58th Division along the Mannar-Pooneryn Road (A-32), running along the coastal belt, was considered strategically critical, as it connected the LTTE's main sea supply route across the Palk Strait. Some of the important areas taken from the LTTE by the Division included Adampan, Andankulama, Parappakadattan, Vellankulama, Nachchikudha, Manniyankulama, Chempankundu, Devils Point, Pooneryn and Sinna-Paranthan.¹⁰⁵

The vast area recovered from LTTE control by these two Divisions substantially reflects the nature of the torturous military campaign. Eventually, the 57th Division claimed to have captured an area of 1,624 square kilometres. Its troops reported the death of 4,974 Tiger cadres. The 58th Division troops 'confirmed' the death of over 2,000 Tiger cadres.¹⁰⁶

The three wings of the military together account for over 200,000 personnel, while Military Intelligence estimates put the strength of Tiger cadres, post-Kilinochchi, down to less than

¹⁰⁴ "Cornered Tigers", *Frontline*, Volume 26, Issue 2, January 17-30, 2009.

¹⁰⁵ *Ibid.*

¹⁰⁶ *Ibid.*

2,000. With losses of territory all round, the Tigers were eventually confined to an area of 40 to 45 square kilometres, mainly in the forests of Mullaitivu.¹⁰⁷

Change in Strategy

On January 15, 2009, Defence Secretary Gotabhaya Rajapakse declared that the ‘courageous political leadership’ given by President Mahinda Rajapakse and the correct military leadership given to the Security Forces were the principal reasons behind the historic victories achieved in the struggle ‘to defeat terrorism’.¹⁰⁸

There was also a visible in change in strategy.¹⁰⁹ Some of the noticeable elements included:

? In the midst of the heavy fighting in the East, the Army launched its Wannai campaign, forcing the LTTE to split its resources to resist the onslaught on multiple fronts.

? As in the case of war in the eastern theatre, Government Forces launched massive and regular air strikes to thwart an LTTE build-up, both on ground and sea.

? Unlike in earlier wars, the Army gradually evicted the LTTE from the East, where the latter had several major bases, with overland and sea access to its Wannai strongholds.

? Unlike the previous phases of the war, the Government media did not buckle under the LTTE-led propaganda onslaught. The Armed Forces also engaged in a successful media campaign, with the Army media, and particularly its website, playing a critical role.

Explaining the war strategy, on May 28, 2007, General Fonseka had said the Army’s game plan was to drive the LTTE out of the Eastern Districts completely, and weaken it in the Northern Districts. He had said, “In five to six months we will completely mop up the LTTE in the East... There is no point in

¹⁰⁷ Ibid.

¹⁰⁸ “Correct political and military leadership led to victory - Defence Secretary”, January 15, 2009, <http://www.dailynews.lk/2009/01/15/sec02.asp>.

¹⁰⁹ Col R. Hariharan, “Sri Lanka armed forces and dynamics of change”, April 17, 2010, <http://www.srilankaguardian.org/2010/04/sri-lanka-armed-forces-and-dynamics-of.html>

entering areas under LTTE's control before it is weakened militarily.”¹¹⁰ The Army seemed to have learnt its lesson from the past.

Operation Jayasikurui (Victory Assured) in 1997-1999 had been the longest, costliest and the most disastrous operation in Sri Lanka's military history. The Army's units were so thinly spread out in the bid to hold a vast swathe of captured territory that they became easy prey to marauding LTTE squads in the latter phase of the campaign. Army camps, mostly small, fell like nine pins in 1999.¹¹¹

The Navy Commander Vice Admiral Wasantha Karannagoda on September 4, 2008, had said that their successful deep sea operations contributed to the ground operations, as the Navy destroyed a massive amount of arms and ammunition bound for the LTTE in floating warehouses. The Navy also ensured that sea lines of transport and communication were maintained, particularly from Trincomalee to Jaffna and Colombo to Jaffna, even as the security of harbours was assured.

Later, in an interview on June 21, 2007, Defence Secretary Gotabhaya Rajapakse distinguishing between the military campaign then being conducted, and those of previous Eelam wars, observed:

The biggest difference I see here is that the President is handing down the security strategy to his officials, but the military strategy is a matter for the Armed Forces. Recently the Army Commander himself said the military was not interested in taking the North, but efforts were being taken to weaken the LTTE to bring it to the negotiating table. That is exactly what I said. What he meant was, we are not interested in grabbing land, but intend to weaken them militarily. Our task is to weaken them. It is left to the politicians to bring them to the negotiating table.¹¹²

¹¹⁰ “Lankan Army's game plan: Seize East and weaken LTTE in North”, May 28, 2007, <http://www.hindustantimes.com/News-Feed/srilanka/Lankan-Army-s-game-plan-Seize-East-and-weaken-LTTE-in-North/Article1-225890.aspx>.

¹¹¹ Ibid.

¹¹² “SECDEF speaks to the nation”, June 21, 2007, http://www.defence.lk/new.asp?fname=20070620_02.

LTTE Decimated

On July 31, 2008, Government troops crossed the Mannar-Kilinochchi boundary to enter Kilinochchi District, the LTTE headquarters, killing 20 militants and injuring another 35. Later, the 58th Division of the SLA captured the Vellankulam Town, the northern-most town in the Mannar District, on August 2, 2008, and advanced up to the 29th milepost on the Mannar-Pooneryn Road, shifting the entire Division into the Kilinochchi District. With the capture of Vellankulam, the whole of the Mannar District came under the control of the Security Forces (SFs) for the first time in the North-East conflict. the General Officer Commanding of the 58th Division, Brigadier Shavendra Silva disclosed,

The troops attached to the 58 Division killed 2,500 Tiger cadres in the Mannar battlefield by the time it completely liberated the Mannar District from the clutches of the LTTE and stepped into Kilinochchi District, the last stronghold of the LTTE.

The troops on the Mannar front had begun their operation in September 2008.

Through this, however, the LTTE had hoped that international pressure and the growing anxiety over the loss of civilian lives would force Colombo into some compromise. Indeed, Defence Affairs spokesman, Minister Keheliya Rambukwella indicated, on April 1, 2009 that the Government was ready for a ‘pause in firing’, if the LTTE freed the civilians trapped inside the New Fire Zone (NFZ)¹¹³, but that this would not constitute a Cease-fire with the LTTE at any point. He declared that a Cease-fire could become valid only when the LTTE agreed to lay down arms and renounce violence.¹¹⁴

¹¹³ Notably, Colombo had demarcated an estimated 20 square kilometres of a new NFZ with a varying breadth of one to two kilometres along the Mullaitivu western coast with effect from February 12, 2009. Earlier, the Government had, on January 21, 2009, designated a 32 square kilometre NFZ – eight kilometres in length and four kilometres in breadth. However, the LTTE rejected the provision with contempt, moving its heavy artillery batteries and mortars into the NFZ, using civilians huddled in the area as a shield against military action by the SFs.

¹¹⁴ “Govt ready for pause but no ceasefire”, April 2, 2009, <http://www.dailynews.lk/2009/04/02/sec03.asp>.

With the 58th Division troops entering the Government-designated NFZ in the early hours of April 20, 2009, after the capture of a three kilometre-long LTTE-built earth bund in the Puthumattalan and Ampelavanpokkanai areas of the NFZ in Mullaitivu District, and liberating some 39,081 civilians, Eelam War IV entered its final phase.¹¹⁵

Cabinet Spokesman, Information and Media Minister Anura Priyadharshana Yapa, declared, on April 30, 2009, that the SFs had already liberated some eight or nine kilometres of the 12 kilometre-long NFZ. Meanwhile, President Mahinda Rajapakse, on the same day, declared that the Government's aim was to 'liberate the remaining civilians' inside the NFZ within the 'next five or six days'.¹¹⁶

The war was now in its penultimate moments.

It was on May 20 that the Sri Lanka military officially ended the war with the LTTE in the Mullaitivu beach area. Earlier, at 1400 hrs on May 18, the Army had announced that the entire Puthumattalan area has been brought under Government control, finally freeing the entire country of LTTE's terrorism.¹¹⁷ The LTTE, which, at one time, controlled over 15,000 square kilometres, nearly one-fourth of the 65,332 square kilometre territory of the island nation, was finally decimated.

Earlier, the Government had announced that the 'humanitarian mission' launched to liberate civilians held hostage in a human shield by the LTTE for months, had been brought to an end in the afternoon of May 17 in Mullaitivu.¹¹⁸

An official announcement in the afternoon of May 18, 2009, over *Rupavahini*, the main Government-controlled TV channel, had claimed that Prabhakaran, LTTE intelligence unit chief Pottu Amman, and Sea Tigers' chief Soosai, had been killed in the course of an Army attack earlier that morning. Military sources said Prabhakaran was shot dead along with his two deputies as

¹¹⁵ Ajit Kumar Singh, "Endgame", *South Asia Intelligence Review*, Volume 7, No.43, http://www.satp.org/satporgrp/sair/Archives/7_43.htm.

¹¹⁶ "No question of ceasefire", May 1, 2009, <http://www.dailynews.lk/2009/05/01/pol01.asp>.

¹¹⁷ "Army brings entire country under govt rule", May 18, 2009, <http://www.army.lk>.

¹¹⁸ "All civilians freed", May 18, 2009, <http://www.dailynews.lk/2009/05/18/sec01.asp>.

they tried to flee in an ambulance and another van. Subsequent reports, citing Military sources, however, suggested that the fate of Pottu Amman remained uncertain, as his body was still to be conclusively identified.¹¹⁹ A court decision later confirmed his death.¹²⁰ According to reports, at least 350 militants, including Charles Anthony, Prabhakaran's elder son, political unit chief P. Nadesan, the head of the LTTE peace secretariat, S. Pulidevan, and Ramesh, a senior 'special military' leader, were killed in the final assault taken by the military. On May 19, Army Commander General Sarath Fonseka had confirmed that Prabhakaran's body was found near the Nanthikandal Lagoon. The Army also reportedly found his identity card, issued by the LTTE, and the armband with the number one indicating his position in the outfit. While his body was cremated, some samples were retained for DNA testing, 'should the necessity arise'.¹²¹ In an interview with the *Rivira* newspaper published on May 24, General Fonseka said, "We cremated the body in the same area and threw the ashes into the (Indian) ocean." Prabhakaran's former deputy, Karuna and the surrendered spokesman of the outfit, Daya Master,¹²² were flown in to the north-east on May 19, and positively identified their former leader.¹²³

The LTTE 'international relations' head, Kumaran Pathmanathan, in a statement issued from outside Sri Lanka on the same day, conceded that the war had reached its bitter end and that the outfit had decided to silence their guns in the interest of saving the lives of innocent Tamil citizens. Subsequently – after initial denials that LTTE chief Velupillai Prabhakaran had been

¹¹⁹ "Pottu Amman dead but body could not be identified: Gotabhaya", June 7, 2009, http://www.dnaindia.com/world/report_pottu-amman-dead-but-body-could-not-be-identified-gotabhaya_1262838.

¹²⁰ "Pottu Amman and the Intelligence Division of the LTTE", September 12, 2009, <http://www.lankajournal.com/2009/09/%E2%80%9Cpottu-amman%E2%80%9D-and-the-intelligence-division-of-the-ltte>

¹²¹ "Govt. ready for DNA test as Prabha is cremated", May 24, 2009, http://sundaytimes.lk/090524/News/sundaytimesnews_02.html

¹²² "LTTE media Coordinator Daya Master and interpreter George surrenders to Sri Lanka Army", April 22, 2009, <http://www.asiantribune.com/node/16968>

¹²³ Ajai Sahni, Ajit Kumar Singh, "Out of Chaos", *South Asia Intelligence Review*, Volume 7, No.46, http://www.satp.org/satporgtp/sair/Archives/7_46.htm, also see, Nitin A. Gokhale, *Sri Lanka: From war to Peace*, New Delhi: Har-Anand Publications, 2009, p. 9.

killed – Selvaraja Pathmanathan *alias* Kumaran Pathmanathan *alias* KP, LTTE’s International Diplomatic Relations Head, confirmed in an interview with BBC on May 24, that the Prabhakaran had been killed, and that the LTTE had now “given up violence and agreed to enter a democratic process to achieve the rights for the Tamil (self) determination of our people.”¹²⁴

That this was a hard-fought war is inescapable; that it prevailed over one of the most lethal and feared terrorist groups in the world is undeniable; that the end was bloody is, again the stark reality.

It is necessary to recall that LTTE terrorism and successive phases of the Eelam War resulted in, according to the UN, between 80,000 and 100,000 killed over the preceding more than two and a half decades.¹²⁵ According to the Sri Lanka Government, this included 23,790 SF casualties, of which 6,262 were killed, and 29,551 were wounded in the offensive between August 2006 and May 17, 2009.¹²⁶ Earlier, the LTTE had disclosed, in November 2008, that it had lost more than 22,000 cadres since the first guerrilla death in November 1982.¹²⁷ Military Spokesman Brigadier Udaya Nanayakkara indicated, further, that some 22,000 LTTE fighters had been killed during Eelam War IV, that is, between July 26, 2006 and May 18, 2009. Unofficial and unverified tallies suggest that some 7,000 civilian deaths occurred in the final phase of fighting, between January and May 2009. Unconfirmed data compiled by the *South Asia Terrorism Portal* indicates that at least 3,755 SF personnel, 3,209 militants and 11,108 civilians were killed after January 2, 2009, on which date Kilinochchi was captured by the Army (civilian and SF fatality figures relied largely on pro-LTTE sources such as *Tamil Net*). With this last carnage, the terror was brought to an end.

¹²⁴ “Tamil Tigers admit leader is dead”, May 24, 2009, <http://news.bbc.co.uk/2/hi/8066129.stm>.

¹²⁵ “Up to 100,000 killed in Sri Lanka’s civil war: UN”, May 20, 2009, <http://www.abc.net.au/news/stories/2009/05/20/2576543.htm>.

¹²⁶ “Over 6000 troops killed in the last phase of the war in Sri Lanka”, May 22, 2009, http://www.colombopage.com/archive_091/May1243004328IV.html

¹²⁷ “Casualties revealed as Colombo counts cost of victory”, May 23, 2009, <http://www.smh.com.au/world/casualties-revealed-as-colombo-counts-cost-of-victory-20090522-bi9r.html>.

Post War Challenges

There is a clear realization in Colombo, however, that the struggle is far from over. The end of the war marks the beginnings of a new struggle to secure an equitable political order and justice for the Tamil people within a non-discriminatory Constitutional framework. President Rajapakse made clear declarations that he would seek an ‘inclusive solution’ to the country’s ethnic crisis. While announcing the LTTE’s defeat in Parliament on May 19, 2009, he declared:

This is our country. This is our mother land. We should live in this country as children of one mother. No differences of race, caste and religion should prevail here. The war against the LTTE is not a war against Tamil people. Our aim was to liberate our Tamil people from the clutches of the LTTE. Protecting the Tamil speaking people of this country is my responsibility. That is my duty. All the people of this country should live in safety without fear and suspicion. All should live with equal rights... Those who live abroad and supported the terrorists with funds, if they have any love for their own people, should not help terrorism again. I call on all who have left our motherland due to terrorism, especially the Tamil people, to return... We shall resettle all those who have been freed from being hostages in very welcome surroundings. Similarly, it is necessary that the political solutions they need should be brought closer to them faster than any country or government in the world would bring... I seek the support of all political parties for that solution. Time is now raising a new challenge before us. It is the challenge of building the motherland.¹²⁸

In addition, President Rajapakse reiterated his Government’s commitment to a political solution to address the grievances of the Tamil people in the country: “I am committed to implementing the 13th Amendment dealing with devolution of

¹²⁸ “Terrorism defeated: writ of Parliament now throughout Sri Lanka – President”, May 19, 2009, <http://www.president.gov.lk/news.asp?newsID=679>.

powers and willing to go even a step further. That step we can discuss and negotiate with political leaders.”¹²⁹

The most immediate challenge, however, was to provide about 280,000 displaced Tamils in refugee camps – out of which 200,000 people were located at the refugee camp at Manik Farm in Vavuniya alone – proper relief and living conditions, immediately, and early rehabilitation in their places of origin.

The President, therefore, by virtue of powers vested in him by Article 33 (f) of the Constitution, appointed a 19-member Presidential Task Force for Resettlement, Development and Security in the Northern Province. It was mandated to prepare strategic plans, programs and projects to resettle internally displaced persons, and to rehabilitate and develop economic and social infrastructure of the Northern Province. Other activities commissioned to the Task Force included:

? To coordinate activities of the security agencies of the Government in support of resettlement, rehabilitation and development.

? To direct and oversee the implementation of the said plans, programs and projects of the relevant state organizations including the relevant provincial authorities.

? To liaise with all organizations in the public and private sectors and civil society organizations for the proper implementation of programs and projects.

? To seek, identify and apply innovative solutions to problems and constraints confronted in the execution of the mandate of the Task Force.

? To regularly review the progress of the implementation of the said programs and projects and to take immediate corrective actions where necessary.

The Presidential directive appointing the Task Force dated May 7, 2009, required it to complete its mandate and report to the President within one year. The Gazette containing this directive was published on May 13. The Government also defined its 180-day Plan to deal with the resettlement issue.

¹²⁹ Ajai Sahni, Ajit Kumar Singh, “Out of Chaos”, *South Asia Intelligence Review*, Volume 7, No.46, http://www.satp.org/satporgetp/sair/Archives/7_46.htm.

The task was executed on a war footing and tremendous work was, in fact, done. According to the Ministry of Resettlement the total number of IDPs remaining to be resettled dropped to 18,799 with the 17,641 people still in the Vavuniya relief villages and another 1,158 IDPs remaining in Jaffna, by October 2010. During the decisive final phase of the war in May 2009 an estimated 280,000 people in the North fled the war zones and sought shelter with the Sri Lankan Security Forces.¹³⁰ According to security sources, the remaining IDPs were to be resettled in their villages before end-2010, once the ongoing mine clearing process is completed.¹³¹ Later, a three-member delegation, consisting of Senior Adviser to the President, Basil Rajapakse; Secretary to the President, Lalith Weeratunga, and Defence Secretary Gotabhaya Rajapakse, during its visit to India on December 8 assured India that Sri Lanka would resettle all IDPs of Tamil origin by the end of January 2011.¹³² On December 29, however, the Government said there was no deadline for the resettlement of the IDPs in the Vavuniya camps. Minister for Human Rights Mahinda Samarasinghe stated, “We did not promise to complete the resettling process on a particular date. However, the Government is working hard towards completing the process as soon as possible.” More surprisingly, the Minister said that 100,000 IDPs still remained in the camps, while 20,000 had been granted freedom of movement from the camps.¹³³

Significantly, however, Tamil Diaspora organisations in different countries are reportedly making desperate attempts to keep alive the concept of ‘Tamil Eelam’, and continue to secure some support abroad, including the southern-most Indian State of Tamil Nadu, raising vital questions on the future of Tamil radicalism in Sri Lanka.

¹³⁰ “Sri Lanka to resettle remaining IDPs by the end of the year”, October 25, 2010,

http://www.colombopage.com/archive_10B/Oct25_1288019294CH.php

¹³¹ Ibid.

¹³² “Resettlement by end of January”, December 11, 2009,

<http://srilankanewsfirst.com/news/15242.html>

¹³³ “Government now says no deadline to resettle IDPs”, December 29, 2010,

<http://www.dailymirror.lk/index.php/news/512-government-now-says-no-deadline-to-resettle-idps.html>

Seeking a Political Solution

In search of a political solution, the Government held elections throughout the country.¹³⁴ August 8, 2009, marked a new beginning in the history of Sri Lanka when, after a gap of over a decade, local body elections were held in the Northern Province – the Jaffna Municipal Council (JMC) and the Vavuniya Urban Council (VUC). Though much should not be read out of the election results, the Tamil National Alliance (TNA) victory in the elections for the VUC, and its strong performance in the JMC, provided the Government an opportunity to carry forward its agenda for conflict resolution. TNA's strong performance provided Colombo an opening to engage with the problem in a more inclusive manner, as reports indicated that the TNA was willing to negotiate with other Tamil political party leaders to create a common platform. However, Rajapakse remained adamant that any solution could only be discussed after the Presidential Elections. In a July 6, 2009, interview he insisted that major decisions would be taken only after he had renewed his mandate through re-election, since he wanted the solution to come "from the people".¹³⁵

A polarizing election¹³⁶, even as the wounds of the final ferocious battle to crush the LTTE were fresh, poisoned the tense peace in Sri Lanka. In the bitterly contested Presidential Election the United People's Freedom Alliance (UPFA) candidate,

¹³⁴ Since May 2008, when the first election was held to the Eastern Provincial Council, the country has witnessed elections in every nook and corner. Notably, since the 2008 Eastern Provincial Council election, there have been Local Authorities Elections in Batticaloa District (except for the Kaththankudi Urban Council where elections were held in 2006) and Provincial Council Elections in North Central Province and Sabaragamuwa Province. In 2009 local authorities elections were held for the Jaffna Municipal Council and Vavuniya Urban Council, while Provincial Council Elections were conducted in Southern Province, Uva Province, Western Province and Central & North Western Province. All these were capped by the Presidential Election, billed as the mother of all elections, and General Elections in January and April 2010 respectively. For more details see <http://www.slections.gov.lk/>.

¹³⁵ "President wants a solution from people", July 7, 2007, <http://www.dailynews.lk/2009/07/07/news02.asp>

¹³⁶ Ajit Kumar Singh, "Bitter Peace", *South Asia Intelligence Review*, Volume 8. No.30, http://www.satp.org/satporgtp/sair/Archives/sair8/8_30.htm#assessment1

incumbent President Mahinda Rajapakse was re-elected as the Sixth Executive President of Sri Lanka by a massive majority of over 1.8 million votes on January 26, 2010. He polled a total of 6,015,934 (57.88 per cent), as against the New Democratic Front (NDF) candidate, former Army Chief and ex-Chief of Defence Staff, General (Retired) Sarath Fonseka, who polled 4,173,185 (40.15) votes. President Rajapakse led in 16 out of 22 electoral Districts, while Fonseka led in six. 10,495,451 (74.49 per cent) out of a total of 14,088,500 registered voters cast their ballot at 11,098 centres throughout the country.

The NDF was a coalition including the main opposition United National Party, the Janatha Vimukthi Peramuna (People's Liberation Front, the country's major Marxist party), and several other political formations opposing the UPFA. The election and its aftermath were marred by a vicious campaign.

During the election campaign, Fonseka had alleged that the Government had killed surrendering LTTE leaders in the last phase of the war (May 16-19, 2009),¹³⁷ prompting the War Crimes Tribunal to call for investigations against Sri Lankan leaders. Fonseka had also claimed that Rajapakse was trying to have him killed to suppress his disclosures. Fonseka asserted, "There are criminals who do politics who can and will also try to kill me."¹³⁸

On January 28, 2010, the Sri Lankan Government retaliated with the allegation that Fonseka had attempted to "assassinate" President Mahinda Rajapakse and his family. The Defence Ministry claimed there was "ample evidence" to prove that former Army Chief Fonseka hatched a conspiracy from two hotels in Colombo. Lakshman Hullugale, Director of the Media Centre for National Security, claimed that the President and his family were to be assassinated along Galle Road in Colombo or at the Lake House Junction at Fort, the city's commercial hub. He

¹³⁷ "Gotabhaya instructed to kill surrendering LTTE leaders: Fonseka", December 13, 2009, <http://www.expressindia.com/latest-news/Gotabhaya-instructed-to-kill-surrendering-LTTE-leaders-Fonseka/553581/>

¹³⁸ "There are criminals who do politics who can and will also try to kill me", November 22, 2009, http://www.lankatruth.com/index.php?option=com_content&view=article&id=3877%3Ai-have-death-threats-from-political-criminals-as-well-gen-sarath-fonseka&Itemid=41.

claimed nine army deserters, who were arrested from outside a hotel in the capital the previous day, were part of the plot.¹³⁹

On September 17, 2010, a court martial in Sri Lanka held Fonseka, guilty on four counts in a case related to procurement of arms in violation of the tender procedures, and recommended that he be jailed for three years.¹⁴⁰ On September 30, 2010, President Rajapakse approved the prison sentence given by the second court martial against Fonseka. According to local media, the President recommended a 30-month jail term. The second court martial recommended a prison sentence of maximum three years for Fonseka after finding him guilty of four charges related to alleged irregularities in military procurements during his tenure as Army Chief.¹⁴¹ On October 7, Fonseka lost his seat in Parliament in accordance with an ordinance which states that if a member is jailed he immediately loses his seat.¹⁴²

The victorious President had also given his word on resolving the ethnic issue 'in an inclusive framework'. Unfortunately, the Rajapakse Government adopted delaying tactics on the grounds that any 'solution' would require amendments to the Constitution, and such amendments were possible only with a 2/3rd majority in Parliament.

Mandate to Deliver

The Parliamentary elections followed shortly thereafter, on April 8 and April 20, 2010. The UPFA won 144 seats in the 225-member Parliament, obtaining 4,846,388 (60.33 per cent) of the total of 8,630,689 votes polled. The UPFA won 127 'District-

¹³⁹ "Fonseka attempted to assassinate Rajapaksa: Ministry", January 28, 2010, <http://timesofindia.indiatimes.com/world/south-asia/Fonseka-attempted-to-assassinate-Rajapaksa-Ministry/articleshow/5510158.cms>.

¹⁴⁰ "Court martial recommends 3-year jail for Fonseka", September 18, 2010, <http://www.hindu.com/2010/09/18/stories/2010091863370100.htm>.

¹⁴¹ "Sri Lankan president approves 30-month rigorous jail term for Sarath Fonseka", September 30, 2010, http://www.dnaindia.com/world/report_sri-lankan-president-approves-30-month-rigorous-jail-term-for-sarath-fonseka_1445704.

¹⁴² "Sri Lanka' ex-Army chief Sarath Fonseka loses his parliamentary seat", October 8, 2010, <http://www.asiantribune.com/news/2010/10/08/sri-lanka%E2%80%99-ex-army-chief-sarath-fonseka-loses-his-parliamentary-seat>.

basis' seats along with 17 'National-basis' seats, while the main Opposition party, the United National Party (UNP), secured 60 seats, including 51 'District-basis' and nine 'National-basis' seats. The UNP obtained 2,357,057 (29.34 per cent) of the votes polled. The Democratic National Alliance (DNA), a coalition of which the main Marxist party Janatha Vimukthi Perumana (JVP) is the major constituent, and which backed the candidacy of former Army Commander Sarath Fonseka, polled 441,251 votes (5.49 per cent), winning seven seats – five District-basis seats and two National-basis seats. Fonseka, who contested while in military custody and facing several charges, including conspiring to overthrow the Government and plotting to kill President Mahinda Rajapakse, corruption, and politicising the military, won from the Colombo District. The TNA, the main political party representing the minority Tamil community, won 14 seats – 13 District-basis seats and one National-basis seat – securing 233,190 (2.90 per cent) of votes polled.

The UPFA is a mere six short of a 2/3rd majority required for passing Amendments to the Constitution and the precondition set by the President to reach any lasting solution. The TNA has already indicated that it is more than willing to cooperate with the Government, if the latter shows the necessary political will and understanding to reach out to the Tamil people. The opportunities of the nascent peace in Sri Lanka have, consequently, never been as great as they now are, since the emergence of the now-defeated LTTE in 1976, nor have the mandarins in Colombo ever been as empowered to realize these. Rajapakse is now clearly in a position where he can implement his 'Mahinda Chinthana' ('Mahinda thought') *in toto*, to secure the 'lasting solution' that he has long promised, to bring the 'ethnic problem', which corroded the Sri Lankan spirit for almost 34 years, to an end.

There is also some awareness within the ruling coalition that the LTTE's defeat and the UPFA's electoral victories are not sufficient grounds to believe that the country's trouble's are over. Defence Secretary Gotabhaya Rajapakse noted during the election campaigns that, although terrorism had been eradicated, some terrorism-related elements, including several non-governmental organisations (NGOs), remained committed to creating a separate Tamil State. He warned that the hard-won peace should not be

taken for granted, and that it would be necessary to reach out to every section of the nation in general, and the Tamils in particular, to search for the most viable solution.¹⁴³

The President's immediate response to the outcome of the Parliamentary elections was encouraging. Soon after the triumph he declared,

The assured majority in Parliament given by the voters encourages the Government to proceed with its policies for the strengthening of peace and reconciliation, reconstruction, greater infrastructure development, increased investment in identified areas of growth, and the overall development of the country to make it the centre of economic and social progress in South Asia.¹⁴⁴

The role of the international community remains crucial. UPFA senior leader Dullas Alahapperuma argued that, since that the voters in Sri Lanka had clearly spoken in the presidential and parliamentary elections, the world was bound to recognise the mandate: "We invite the international community to please listen and respect the people's mandate. And please don't try to pull the rug from under."¹⁴⁵

Sri Lanka's fractious past, however, continues to cast menacing shadows across the country, and the conduct of the political leadership of all hues has given at least some cause for apprehension. Crucially, any failure or loss of faith at this juncture will prove disastrous. Both Colombo and the international communities, however, appear to show an insufficient understanding of the promises of the present moment and the unacceptable costs of undermining the opportunity to resolve, fully and finally, one of South Asia's longest and fiercest conflicts.

¹⁴³ "'Respect mandate' world urged", April 11, 2010, http://www.bbc.co.uk/sinhala/news/story/2010/04/100411_dulles_world.shtm.

¹⁴⁴ "Sri Lanka President asks everyone to come together to build the country", April 10, 2010, http://www.colombopage.com/archive_10/Apr1270912502CH.php.

¹⁴⁵ "'Respect mandate' world urged", April 11, 2010, http://www.bbc.co.uk/sinhala/news/story/2010/04/100411_dulles_world.shtm.