

OPINION

Shaping Western policy on Sri Lanka

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FOLLOWING the end of decades of armed struggle in May last year, western states, led by the United States of America and the European Union, are reviewing their policy on Sri Lanka. Having followed a path of working with the state to defeat terrorism, the West now has to choose between working with an oppressive state or attempting to reform Sri Lanka into a liberal state with respect for human rights and liberal values.

Over the past three decades, in the presence of an armed non-state actor, Sri Lanka had successfully managed to mask its genocidal actions as fight against terrorism. Till now, the international community, keen to maintain the international order, has always backed the Sri Lankan state despite the legitimate grievances and aspirations of the Tamils. The argument was that Sri Lanka was a liberal democracy in the making, but was being constrained by the 'terrorists' causing violence within its borders.

But today, even in the absence of an armed non-state actor in the island, Sri Lanka continues its violent oppression of the Tamils. Further, the government has made no attempt to take any meaningful steps towards political reconciliation. Thus, the dynamics at play in post conflict Sri Lanka and in particular the illiberal practices of the Sri Lankan state have forced the Western governments to review their policy towards the South Asian island.

Since Mahinda Rajapakse took over as President in 2005, Sri Lanka has increasingly distanced itself from the West and moved towards Asian powers.

During the last stages of the war, Sri Lankan air raids and artillery fires killed and maimed tens of thousands of Tamil civilians cornered in a small strip of land in the north west of the island. Despite numerous calls from western countries to stop the use heavy weapons, Sri Lanka with diplomatic support of China and India continued its military onslaught that culminated in the killing tens of thousands Tamils.

Following the end of the war in May last year, Sri Lanka imprisoned 300,000 Tamils in barbed wired concentration camps, raising further concern within the West. Further frustrat-

ing the western states, their repeated calls to open up the camps to aid agencies and work towards resettling the displaced were brushed aside by government. Sri Lanka paid lip service to the West by promising to take action but defaulted on every single promise, including repeated deadlines for releasing the displaced.

Further, the Sri Lankan state was able to escape Western attempts to censure it at the United Nations by relying on the support of its new Asian friends - China and India in particular. Sri Lanka not only defeated the western resolution but in a humiliating blow to the western states, with the support of its Asian and African allies, successfully passed its own resolution praising itself for winning the war.

With no inquiry into past atrocities and Sri Lanka continuing its flagrant violation of human rights, concerned western states attempted to link developmental aid to improved human rights. Instead of mending its methods, Sri Lanka turned to China, Iran, Libya and Myanmar - countries with equally questionable human rights records - for financial and diplomatic support.

With diplomacy no longer a viable avenue of pressure, the West turned to reform from within.

According to analysts, most of the western states saw the recently concluded presidential elections as an opportunity for change. Recognizing that the choice was between the man who ordered the killing of civilian Tamils and the man who carried it out, they nevertheless felt that a win by opposition candidate Sarath Fonseka was a way to bring Sri Lanka back into the global liberal democratic order.

This was evident in an interview given by a US official in the run up to the elections. Asked if the election could change relations with Washington, a senior US official said: "It already has changed the dynamic in a positive way."

"A lot of the progress we've seen in the last two months or so is attributable at least in part to the election," the official told AFP on condition of anonymity.

The US official was upbeat about pledges made by Fonseka

including greater media freedom and independent commissions to oversee the judiciary and other key institutions.

"I'm hesitant to make predictions about the future, because candidates promise all sorts of things and then they don't deliver, but certainly General Fonseka has been making some good pronouncements," he said.

During the election campaign both the United States and Norway were attacked by the government and supporters of the incumbent for allegedly funding the Fonseka election campaign - a charge denied by both countries. Some media reports cited the presence of James McGrath, a public relations aide to the British Conservative party, on the Fonseka campaign as evidence of western support for the challenger.

Rajapakse supporters also accused Western media of taking a biased stance. Almost all media reports in the English language media outside Sri Lanka predicted a Fonseka win - or at least a close race - with many print media running pictures of Fonseka supporters celebrating the day after the polls.

The reality however, as proven by published election results, was that there was never a close contest. President Rajapakse won by a considerable margin - over 57% of the voters chose the incumbent, while Fonseka was only able to garner 40% of the vote. Independent election observers also found that there were no significant irregularities, suggesting a genuine vote for the policies of Rajapakse over those of Fonseka.

While this may not have been the outcome the western states were hoping for, it has resulted them facing the dilemma set out at the beginning of this article: to deal with an oppressive regime, or to pressure it into change (from within or without).

A report published by Foreign Relations Committee of the US Senate late last year is a clear indication of some parts of the United States exploring all avenues including working with the

Sri Lankan state. The report recommends that the US disregard allegations of war crimes and human rights abuses and instead provide financial investment towards the rebuilding of the country, especially the southern areas.

A more recent report by the Center for Strategic and International Studies, a Washington-based think tank, espouses a similar view, stating: "given Sri Lanka's critical strategic location, the United States cannot afford to disengage with the country." The CSIS report calls for "a subtle and sophisticated approach to rethinking the partnership, recognising that the political game has changed in Sri Lanka, but also focusing on US economic, trade, and security interests, will benefit both sides."

These recommendations are contrary to other statements made by western actors on the expectations they have about Sri Lanka. The European Union for example has announced that it will suspend Sri Lanka from the countries eligible for GSP+ subsidies in six months, unless the country's human rights record improves. The United States government continues to call for the Sri Lankan government to put forward a political solution acceptable to all the communities on the island, including the Sinhalese, Tamils and Muslims.

In order for the west to ignore the past and focus on the future, Sri Lanka today has to at least start reigning in its human rights violations. This includes stopping the targeting of the media and presenting a political solution that addresses the state politics of oppression that contributed towards the armed conflict.

In other words, the expectation of those presenting this argument is that Sri Lanka should start showing some signs that it is prepared to work towards becoming a good international citizen. This may be driven by a principled stance on values and human rights, but is also argued by many who see the need for Sri Lanka to reform from a purely pragmatic perspective - unless the condi-

tions of oppression are addressed, the evidence from other conflict zones has been that violent conflict will resume and this will have a destabilizing effect on the country, the region and globally.

The dilemma now facing these western actors is that the actions of the Sri Lankan state after the electoral victory by President Rajapakse in no way suggest Sri Lanka is willing to reform. The intimidation of Fonseka and his supporters - the deployment of troops around his residence soon after the election results were announced, the closure of a newspaper critical of the government, etc - are not the actions of a state intent of respecting human rights. Further, the attempted deportation of a foreign journalist who questioned the election results and a visit to Russia to seal a USD300 million arms deal are all indication that Rajapakse is going to continue with his 'East is Best' policy.

During the course of the presidential polls, the Rajapakse campaign also succeeded in fanning the distrust of the West that has long existed in the Sinhala population. While opposition parties like the JVP have long argued that the US and the EU countries are 'anti-Sri Lanka' the last presidential campaign has succeeded in establishing in the minds of most Sinhalese the 'fact' that if Rajapakse had not been President, the West would have saved the Tamil Tigers. Thus any future action by these western states will be viewed with suspicion and perhaps even open hostility by the Sinhalese population.

Thus the western choice is perhaps no choice at all. Even working with the Sri Lankan state will not remove the suspicion and hostility of the Sinhalese - unless the west is completely prepared to accept the ongoing oppression of the Tamils. And as history has shown again and again, such an accommodation can have only one outcome. From Palestine to Iran, from Ireland to Argentina, an oppressed people will always resist by whatever means are available to them.