



Dynamics in India Sri Lanka Relations

Table of Content

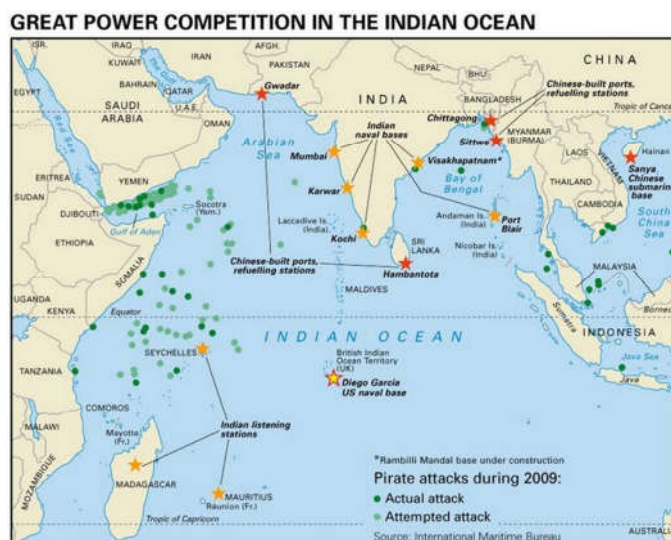
1	Background.....	2
2	Challenges for India in Srilanka vis-à-vis Chinese influence.....	2
3	Way Ahead.....	4
4	Importance of Sri Lanka to India.....	4
5	Impact of Change on India after recent elections in Sri Lanka	5
6	Measures taken by the new Govt. in Sri lanka for the Tamil Minorities	6
7	UN Resolution on Sri Lanka.....	6
8	India's Position.....	7

1 Background

- Sri Lanka, an island nation in the Indian Ocean, is separated from India by the Palk Strait – a bare 22 miles of water. It is of prime importance for India’s security and the security of the Indian Ocean.
- The political situation in Sri Lanka went through tumultuous times with the Tamil issue and the LTTE’s (Tamil Tigers) separatist war. The war and the Sri Lankan Tamil issue put India in a difficult situation in Sri Lanka. With the war over in 2009 it was expected that India – Sri Lanka relations would return to normalcy. But it did not.
- Erstwhile Sri Lankan president, Mahinda Rajapaksa brought drastic changes in domestic policy and foreign relations by making Sri Lanka as China’s spring board for its Indian Ocean Empire.
- After the newly elected Srilankan President Sirisena made his first foreign trip to India, while he sent his foreign minister Mangala Samaraweera to China to reaffirm relationship with Beijing and explain why Colombo was reviewing some projects, it raised many doubts on the Sri Lanka and China’s future foreign relations.
- The Chinese are concerned of the security questions raised by Sirisena’s ministers over the Colombo port city and over two visits of a Chinese submarine to Colombo port last year, under the Rajapaksa regime. However, Srilankan Govt. has assured China that ongoing projects were safe, including commitment to the Maritime Silk Road.
- Mr. Modi’s concluding visit of the blue sea in Sri Lanka was almost all encompassing. He did not flinch from talking about the Tamil issue and the problem of Indian fishermen. He got a commitment the current Govt. to stick to the 13-A constitutional amendment and beyond for devolution of power to Sri Lankan Tamils.
- Apart from economic agreement and support, the Indian prime minister’s two pronged thrust highlighted civilizational and religious connectivity. The concept of a Ramayana trail in Sri Lanka and a Buddhist circuit in India is a unique approach, given the importance of Buddhism to this overwhelming Sinhalese population.
- So was the agreement to set up the Rabindranth Tagore auditorium in Rahana University. Tagore had influenced Sri Lanka’s national anthem – “Sri Lanka Matha” (we salute mother Sri Lanka).
- Buddhism spread to South East Asia from India and this bond is very much alive as demonstrated by religious tourism from countries of this region to Bodh Gaya. India’s legitimate bond with South East Asia must be exploited in terms of today’s geo-politics.

2 Challenges for India in Srilanka vis-à-vis Chinese influence

- China’s has a considerable ability to invest in and carry out infrastructure projects and the china’s entry into the Indian Ocean due to regular counterpiracy patrols.
- Since 2008, India has watched as China built port facilities, highways, and other major infrastructure in Sri Lanka. China’s Navy warships have also paid port visits to Sri Lanka, even taking in Trincomalee, where India has been sensitive to any extraregional presence for decades.
- In September and October 2014, New Delhi became unsettled at the sight of a conventional Chinese submarine and a tender ship openly paying port visits in Colombo on the way to counterpiracy



patrols in the Gulf of Aden. Despite the public nature of the docking and advance notice, Indian policymakers appeared to be taken by surprise and feared India had lost strategic ground to China regarding Sri Lanka.

- Shortly after the submarine episode, Maithripala Sirisena defeated Mahinda Rajapaksa in Sri Lanka's January 2015 presidential election and visited India for a successful summit with Indian PM in February.
- The February and March Modi-Sirisena summits present opportunities for Indian investment in Sri Lanka, including in the maritime realm.

Until India approaches maritime economic policy in its neighborhood more proactively and demonstrates the appeal of its own investment and construction capabilities, it will continue to react with alarm to each new manifestation of China's inexorable reach into the Indian Ocean

Maritime Security

The **new maritime security architecture** for India island neighbors is moving towards a closer 'security net'. Amongst the countries of the Indian Ocean Region, Sri Lanka is the most significant in this initiative. The Indian Prime Minister Narendra Modi's recent trip to Sri Lanka highlights New Delhi's reawakening to the strategic position that Sri Lanka holds in India's neighborhood.

- In the current scenario, India's overall political-military standing in the Indian Ocean is strong and outstrips that of China.
- As demonstrated by the Indian PM's recent trip to Sri Lanka, Mauritius, and Seychelles, India is actively deepening its partnerships with most Indian Ocean littoral states.
- With Sri Lanka alone, India's naval ties have strengthened considerably during the postwar period in terms of bilateral exercises, staff talks, training, equipment, senior official visits, and trilateral maritime domain awareness cooperation involving Maldives. By contrast, Sri Lanka's naval relationship with China over the same period remains limited mostly to the realm of military diplomacy and some training.
- However, India has not provided significant investment in Sri Lanka's maritime infrastructure, which Sri Lanka sees as essential to achieving its national development goals primarily because India lacks a structural economic incentive (although it has a strategic incentive) to invest in Sri Lanka's maritime infrastructure which China possess.
- On the other hand, Colombo competes with Mumbai for the busiest port in South Asia, and both have aspirations to rival Singapore as a regional shipping hub.
- Also, India is supporting infrastructure projects mostly in the north of Sri Lanka such as the construction of a power plant, 27,000 new homes, and a hospital; the dredging of the war-devastated Kankesanthurai port; and the reconstruction of the Northern Railway Line. These projects are primarily intended to improve the infrastructure of the war-ravaged Tamil population in the north and help promote post-conflict reconciliation but do not directly advance Sri Lanka's maritime development goals as compared to Chinese port-building projects in Colombo and Hambantota and construction of highways connecting coastal cities like Colombo, Galle, and Matara.
- However, ironically, Chinese port development in Sri Lanka indirectly benefits India. Approximately 70 percent of shipping to and from Indian ports goes through Colombo port. Although the Indian government and companies finance and carry out important connectivity projects throughout Sri Lanka, India has not chosen to develop maritime infrastructure on the scale that China has. When considering



China's commercial investments and the PLA Navy's entry into the Indian Ocean, India's lower maritime investment profile in Sri Lanka has raised questions to observers about the strategic implications for India's standing in its region.

3 Way Ahead

- According to the World Bank and Asian Development Bank, South Asia is one of the least integrated regions in the world. Thus, by investing in Sri Lanka's maritime infrastructure and regional connectivity, India could enhance its own security.
- Though it cannot be denied that India needs to build up its domestic maritime infrastructure, such as through Sagar Mala initiative. But India should have a stake in the development of maritime South Asia rather than primarily extraregional countries and institutions driving the process by encouraging public-private partnerships and government-to-government investments in India's neighborhood, beyond concerns about China.
- India is making great strides to expand its political and military weight in the Indian Ocean (like "Sagar Mala" and "Mausam" initiatives). But it needs to work on building the economic dimension of maritime power. All Indian Ocean countries—including India—want to improve their infrastructure. Until India approaches maritime economic policy in its neighborhood more proactively and demonstrates the appeal of its own investment and construction capabilities, it will continue to react with alarm to each new manifestation of China's inexorable reach into the Indian Ocean.

4 Importance of Sri Lanka to India

- **Diplomatically**, Sri Lanka provides an excellent opportunity for U.S. engagement. Sri Lanka sits squarely in the middle of the theater where Russia and China seek to challenge U.S. global strategy, and in 2009 Sri Lanka was invited by China and Russia to attend the Shanghai Co-Operation Council as a dialogue partner.
- Despite the increased courting by China and Russia, Sri Lanka has maintained an independent foreign policy based upon nonalignment since 1957. Instead of alignment, Sri Lanka prefers to broker individual deals based on reciprocity, such as the exclusive economic zone it granted China in exchange for massive Chinese economic investment.
- Likewise, in 2007, Sri Lanka agreed to the Access and Cross Servicing Agreement with the United States which allows U.S. warships and aircraft the use of Sri Lankan port and airfield facilities in exchange for American economic assistance.
- **Economically**, Sri Lanka provides a plethora of opportunity for increased engagement efforts as well. The infrastructural developments in Sri Lanka over the past decade have significantly increased the commercial capacity of the country.
- Specifically, the Hambantota Harbor and international commercial airport developments are expected to project Sri Lanka to the status of a global mega hub, on par with the United States Pacific Coast, the United States Atlantic Coast, European, and Far Eastern mega hubs.
- When ultimately completed, the port will have approximately ten times the capacity as Singapore or Rotterdam, and it will be the only major commercial shipping hub between Singapore and Fujairah. This is particularly important because over 45 percent of the world's trade transits within 10 miles of this port, and therefore international shipping companies will incur no deviation costs to bring a ship into port.
- Sri Lanka is already using the increased commercial capacity to seek economic partnerships with the emerging economic power base known as the BRIC (Brazil, Russia, India, and China), and is poised to become their regional hub.

5 Impact of Change on India after recent elections in Sri Lanka

- Recently held Parliamentary elections thus saw victory of an alliance of the UNP (United National Party) and SLFP (Sri Lanka Freedom Party) The Tamil dominated party emerged as the third largest party and the main opposition in the country. Currently, the President (Maithripala Sirisena), the PM (Ranile Wickramasinghe) and the leader of opposition are amenable to having friendly ties with India
- The Srisena Govt. has committed to abolish Executive Presidency; implementing 13th Amendment fully; devolving powers to the Tamil minority areas; cooperating in investigation of war crimes , etc.

All this has had a following impact on India:

- **Smoother ties with Sri Lankan Tamils** - Many Tamils have felt abandoned since the war's end in 2009 at the hands of the previous govt. under Rajapaksa which largely ignored their demands. The election results highlighted the ethnic polarisation in the country, with Tamils and Muslims, the second-largest ethnic minority, both voting against Rajapaksa. For India, the previous government's treatment of Tamils of Indian origin had been a constant source of disagreements and friction. New Delhi could now hope to get clearer understanding and satisfaction on how ethnic Tamils will be treated and on their acceptance as equal citizens alongside ethnic Sinhalese in Sri Lanka.
- **Reduced security engagement with China** –China has made large strategic and commercial investments in Sri Lanka. Today, about 70 per cent of Sri Lankan military hardware is Chinese. Chinese investments and part ownership of Sri Lankan maritime assets remains a deep cause of worry for India. While Sri Lanka under a new government may not entirely disengage with China given its surging cash reliance on Beijing to build its infrastructure, however, India could look forward to a correction in Colombo's strategic proximity to Beijing as well as an overall rebalancing of the island nation's external relations. Sri Lanka is likely to be more sensitive to Indian concerns about third-party security presence in that country.
- **Smoother execution of Indian developmental projects in Sri Lanka** – Under Rajapaksa, India faced a number of administrative difficulties in executing development projects, especially those to resettle Tamils in Sri Lanka's north. For instance, only 20,000 houses for Tamils could be built since 2009 with Indian support against a target of 50,000. Indian state investments in Sri Lanka total some \$1.3 billion, much of it going into post-conflict reconstruction. India is also helping with the Omanthai-Pallai and Kankesanthurai railway line as well as the harbor reconstruction in Kankesanthurai. Earlier India helped build the Matara-Colombo railway link in 2012.
- **Stronger trade ties** – Bilateral ties under a new government will likely see more focus on the state of Sri Lanka's economy. For Sri Lanka, costly short-term foreign debt, much of it from China taken to build its infrastructure, is a worry. Indian investments in Sri Lanka have grown. Sri Lanka is also dependent on India for much of its fuel. Given that a strategic relationship is also governed by trade, India will have a lot of room to manoeuvre in Sri Lanka. The long stalled Comprehensive Economic Partnership Agreement between the two countries could be revived.
- **A genuine democracy** – Buoyed by his military victory over the Tamil Tigers, Rajapaksa steadily tightened his grip on power, amending the constitution to eliminate term limits and dismissing a Supreme Court justice who resisted his changes. The system known as "executive presidency" gave his family a tight grip on the economy and politics, in what critics said was subversion of democracy by a one-family rule. Thus the new government under Srisena could help in ushering democracy to Sri Lankan population.

6 Measures taken by the new Govt. in Sri Lanka for the Tamil Minorities

- The Sirisena government has appointed eminent civilians as governors of the northern and eastern provinces in place of military commanders, in an effort to reach out to Tamil minorities, and decided to return 1,000 acres of private land under the army's control to its owners in the northern part of Jaffna Peninsula.
- It has also decided to release land to resettle about 1,022 Tamil families displaced by the war in northern Sri Lanka.
- Other confidence building measures for minorities include : lifting of travel restrictions to northern Lanka and release of political prisoners, many of whom are languishing in jail without either being brought to trial or even charges being framed against them. The Sirisena government appointed a Tamil as the chief justice of the Supreme Court and committed to 13th amendment in the constitution and more for devolution of powers to Tamils.

7 UN Resolution on Sri Lanka

- The UN Human Rights Council resolution on Sri Lanka was adopted unanimously clearing the way for a foreign-supervised investigation into alleged war crimes in the island.
- A US-initiated draft resolution on Sri Lanka's alleged human rights calls for establishment of a Sri Lankan Judicial Mechanism with a Special Counsel to investigate allegations of violations and abuses of human rights and violations of international humanitarian law during the final phase of the nearly three decade-long brutal ethnic conflict that ended in military defeat of the LTTE in 2009.
- However, Sri Lanka steadfastly held on to the view that any human rights and war crimes abuses should be investigated by a local mechanism. But the proposed mechanism will include Special Counsel's office, of Commonwealth and other foreign judges, defence lawyers, and authorised prosecutors and investigators.
- Besides asking Sri Lanka to form a credible judicial system for the probe, the resolution - based on a landmark report issued by the UN last month - also calls on Sri Lanka to allow for punishment of "those most responsible for the full range of crimes".
- The resolution does not bind Sri Lanka to an international investigation into rights groups' claim that the military killed 40,000 civilians in the final months of the civil war.
- The report has also proposed some measures. Proposed measures include returning private land seized by the army, ending the harassment of human rights defenders, passing legislation criminalizing war crimes and enforced disappearances, establishing a witness-protection program, developing a national reparations policy and providing psychosocial support for victims.
- Sri Lankan Prime Minister has rejected a UN recommendation for international involvement in its investigation into alleged war crimes. He has said that there is nothing to be gained by international involvement, rejecting the idea that the inquiry would be hybrid. Sri Lankan President Maithripala Sirisena has vowed to bring war criminals to justice, with his government announcing plans to set up a truth commission, war reparations office and commission on missing people. Members of the Tamil minority have expressed distrust in a purely domestic inquiry.

8 India's Position

- The Sri Lankan war crimes issue is a particularly tricky terrain for the Indian government since the request made by several Tamil leaders for India not to support the draft resolution sponsored by the US, which has been watered-down seeking a domestic inquiry instead of an international independent probe.
- While India had supported US-sponsored resolutions on Sri Lanka in 2012 and 2013, it abstained from voting in 2014 stating that it is "India's firm belief that adopting an intrusive approach that undermines national sovereignty and institutions is counter-productive."
- India is likely to back Sri Lanka on the United Nations Human Rights Council resolution over alleged war crimes if it is put to vote in Geneva attributing the decision to measures taken by the new government in Colombo to empower Tamil minorities.
- India, backing its neighbour, publicly stated that Sri Lankan sovereignty must be respected and asserting that any resolution must be acceptable to Sri Lanka. India is on principle opposed to the role of foreign judges in internal conflict or affairs of any country.

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