



# The Taming of the Tigers

April 2017

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An MWI  
Contemporary  
Battlefield  
Assessment of the  
Counterinsurgency in  
Sri Lanka



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## About the CBA & Acknowledgements

The following Contemporary Battlefield Assessment (CBA) was a collaborative effort produced by cadets and faculty of the Modern War Institute (MWI) within the Department of Military Instruction (DMI) at the United States Military Academy at West Point. A CBA is designed to meet the research needs of the institute and let cadets complete approximately one week of structured study prior to traveling to conduct fieldwork in a post-conflict country. These opportunities provide cadets with invaluable experience in approaching complex problems critically and conducting meaningful research and producing original knowledge that informs the military program, enhances cadets' West Point military development, and provides meaningful findings back to the force. Fieldwork for the research in this report was from an Academic Individual Advanced Development (AIAD) trip to Sri Lanka. In preparation, cadets spent several days in West Point prior to departure discussing the following:

- The political science literature on counterinsurgency
- Micro-dynamics of the case of Sri Lanka
- Best practices for ethnographic research, qualitative methods, and case studies

The syllabus of the AIAD course was divided into four sub-themes:

- The Causes and Consequences of Civil Wars
- Drivers and Typologies of Violence
- Civil War Termination
- Role of Environment and External Actors

Prior to departure, cadets were briefed by a number of leading academics, including Dr. Zachariah Mampilly of Vassar College on the importance of going beyond the capital of Colombo to acquire data and differing perspectives; Dr. Paul Staniland of the University of Chicago on how the case of Sri Lanka applies to the larger theories on counterinsurgency and state-building; and Dr. Kate Cronin-Furman of Harvard University on the legal and humanitarian aspect of how the counterinsurgency was waged. Dr. Cronin-Furman also accompanied us on our trip to Sri Lanka and provided us with invaluable expertise and resources on the Tamil view of the war.

Throughout the trip, West Point cadets and faculty met with a number of government ministers, senior members of the military, opposition figures, journalists, legal activists, former combatants, Tamil IDPs, and other civilians. The data we collected are far from conclusive but we tried as best as possible in two weeks to gather viewpoints from as many perspectives as possible. Part of the AIAD was also to conduct a cadet-led "staff ride" of the battlefield in which cadets were assigned various "stands" to research and re-create the roles played by the major figures. There were five stands: Mullaitivu (the final battle), PTK (a hospital destroyed nearby), Kilinochchi (the administrative capital of the Tamil Tigers), Elephant Pass (an important corridor to the Jaffna Peninsula), and Jaffna (a major battle fought with Indian peacekeepers). The AIAD was primarily organized by Dr. Lionel Beehner, an assistant professor at West Point's Defense and Strategic Studies Program (DSS). In addition to Dr. Beehner, the following report was coauthored by Col. Liam Collins, Lt. Col. Mike Jackson, and Maj. Steven Ferenzi, with assistance from the following cadets: Cadet Austin Willard, Cadet Jonathan Bishop, Cadet Emma Davenport, Cadet Liam Manville, and Cadet John Whisnant. Additional research was carried out by a number of former DSS cadets: Dana Millirons, Jacob Jacke, Andrew Scott, Wilhelm Bunjor, and Marshall Moore.

The authors would especially like to thank the following individuals: Lt. Col. Robert Ross, Maj. Ryan Morgan, Tameisha Henry, and all of the members of the US Embassy in Colombo; Maj. Richard Hutton, Col. Jonathan Neumann, Neania Buehler, John Amble, Capt. Jake Miraldi, Rene Caldwell, Maj. Nolan

Lassiter, Maj. Isaac Hedtke, Maj. Richard Hutton, Jillian Kutner, and all of the USMA staff that made this AIAD possible; Asma Edris Rahman, Bhavani Fonseka, and all of the activists and journalists in Colombo and in the northeast we spoke to;; as well as all of the members of the Sri Lankan military who graciously made time to meet with us. A final thanks goes out to the generosity of Mr. Vincent Viola.

The views expressed in this report are solely those of the chief authors and do not represent the views of the United States Military Academy, the Department of the Army, or the Department of Defense.

# Northern Sri Lanka



## Executive Summary

This report examines one of the few militarily successful counterinsurgencies of the modern era: The 1983–2009 war against the Tamil Tigers in Sri Lanka. We find that under select conditions, the application of brute force to isolate and kill off the senior leadership of an insurgency can lead to a decisive military victory and prevent a recidivism to violence. This report also argues that Sri Lanka’s military “learned” over the course of the three-decade war, and that by the final phase from 2005 to 2009, it was successful in updating its force structure, splitting the opposition, and using small-unit tactics to exploit the Tigers’ control of territory and decision to fight conventionally after 2005. The Tigers applied “hybrid-warfare” techniques, at times fighting a guerrilla war, carrying out terrorism strikes including suicide bombs, and deploying a conventional army, navy, and rudimentary air force. Over the course of two weeks in July–August 2016, a team of cadets and faculty from the United States Military Academy at West Point toured the battlefields of northern and eastern Sri Lanka, studying the terrain and tactics of fighters on both sides of the conflict, and interviewing scores of military leaders, Tamil opposition figures, journalists, activists, and victims of the civil war. The key findings of the report:

- Non-expeditionary counterinsurgency that brings overwhelming force to bear can decisively defeat an insurgency, provided or one or more necessary conditions are met.
  1. The presence of overwhelming public support for a military solution
  2. The ability to minimize the influence of the international community
  3. Terrain that favors such types of counterinsurgencies (e.g., an island or peninsula).
- Counterinsurgents must exploit ceasefires as brief pauses in fighting to provide space to update their force structure, strategy, and doctrine. In the case of the Sri Lanka Army (SLA), forces became smaller and more flexible, provided greater command at the field-officer level, and acquired greater human intelligence, which allowed the SLA to effectively split the Tamil Tigers in 2005.
- “Winning the peace” and preventing a return to war require greater attention to reconciliation, rebuilding of war-ravaged areas, rehabilitation of ex-fighters, and resettlement of victims displaced by war, among other items.
- In modern warfare it is difficult for countries to win a counterinsurgency if they follow international norms.

## Section I: Introduction

The Sri Lankan civil war (1983–2009) is one of the rare examples in modern history where a government fought and decisively defeated an insurgency.<sup>1</sup> The war spanned several decades and persisted despite numerous failed ceasefires, outside interventions, and even a devastating tsunami in 2004–2005. The aim of this report is to understand the dynamics of a modern counterinsurgency that “worked.” To carry out this task, in July 2016 a small team of West Point faculty and cadets toured the major battlefields of the northern Tamil-majority regions of this teardrop-shaped island off India’s southeast coast. The team interviewed dozens of military leaders, Tamil opposition figures, activists, journalists, and victims of the conflict. While there are aspects to its counterinsurgency that are unique to Sri Lanka, the assessment in these pages is meant to inform US counterinsurgency (COIN) doctrine in the modern era.



*Wreckage of war equipment used by Tamil Tigers at Mullaitivu, the site of the final phase of the counterinsurgency in early 2009.*

Since the late 2000s, the United States has adopted a population-centric COIN strategy in places like Iraq and Afghanistan.<sup>2</sup> In 2008–2009, the government of Sri Lanka (GoSL), backed by its Sinhalese majority, chose to forego such methods and applied overwhelming force, utilizing its air, sea, land, and intelligence assets, to crush the Liberation Tigers of Tamil Elam (LTTE). This group was perhaps the most sophisticated and ruthless insurgency of the late twentieth century, which popularized the use of the suicide bomb.<sup>3</sup> The defeat of the LTTE came at a tremendous cost in civilian lives and internal displacement.

In this report, we examine the final phase of the Sri Lankan civil war as a case study to focus on three key issues on civil war termination and counterinsurgency: First, we examine a military’s force

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<sup>1</sup> For reasons of clarity, this report will use the terms insurgency/counterinsurgency and civil war interchangeably. There are obvious substantive and conceptual differences. The US Field Manual 3-34: Counterinsurgency, defines an insurgency as “an organized, protracted politico-military struggle designed to weaken the control and legitimacy of an established government, occupying power, or other political authority while increasing insurgent control.” (U.S., *Counterinsurgency*. FM 3-24 (Washington, D.C.: Government Printing Office, 2006). Generally, an insurgency implies a localized irregular armed conflict whereby some non-state actor challenges the political rule of some state actor, often via guerrilla-style tactics. Conversely, a civil war tends to be an internal conflict of larger import and scale, where both sides have a claim of legitimacy or authority and tend to typically fight with more conventional means. Moreover, at least 1000 fatalities on both sides occur within a calendar year. For distinctions and definitions, see Paul Collier and Anke Hoeffler, “Greed and Grievance in Civil War,” *Oxford Economic Papers* 56, no. 4 (2004): 563-595, and Nicholas Sambanis, “What is Civil War? Conceptual and Empirical Complexities of an Operational Definition,” *Journal of Conflict Resolution* 48, no. 6 (2004): 814-858.

<sup>2</sup> See U.S. Army, *Counterinsurgency*. Department of the Army. FM 3-24 (Washington, D.C.: Government Printing Office, 2006).

<sup>3</sup> Robert Pape, *Dying to Win: The Strategic Logic of Suicide Terrorism* (Random House, 2005).

structure and how it plays into its ability to militarily defeat an insurgency. Second, we explore the critical role played by ceasefires, which provided time and space for the SLA to exploit divisions within and splinter the LTTE, to gain better intelligence on the enemy, and to modify its strategy, which in turn allowed it to end the war conclusively. We evaluate the postwar conditions—political, economic, social, etc.—whereby states “win the war, but lose the peace.” Finally, we provide a review of the academic literature on indiscriminate violence and war termination and apply it to the Sri Lankan context. This report aims to provide greater context to a counterinsurgency campaign that was operationally successful from a military and arguably political standpoint, as well as to assist US policymakers and military officials to evaluate how to apply its lessons to US counterinsurgency doctrine and strategy.

### Methodology & Case Selection

As in any recent conflict setting, data are often unreliable, biased, or scarce.<sup>4</sup> To mitigate against this, we relied primarily on dozens of extensive semi-structured interviews and firsthand accounts of ex-combatants, regime officials, and activists on both sides of the conflict carried out in July and August 2016. The fieldwork was carried out principally in Colombo, Trincomalee, Mullaitivu, Kilinochchi, Jaffna, Kandy, Diyathalawa, and Galle. The purpose of this method was to collect firsthand data, primarily from interviews with key participants in the war, as a way to understand the micro-dynamics of the conflict’s final phase, the application of violence, and the war’s aftermath. We supplemented this qualitative data with other primary and secondary sources, where necessary.

We chose Sri Lanka as a case study for three reasons: First, as mentioned, its war is one of the rare examples in recent times of a government decisively defeating an insurgency. Because the conflict ended relatively recently and in a decisive fashion, and given the recent election of a Western-friendly coalition government, we had the opportunity to reach regions and peoples of the country that were previously off-limits to outside researchers. Second, as a “warm,” or recently ended conflict zone, Sri Lanka provides a fresh look at ongoing postwar reconstruction and reconciliation efforts. Lastly, the final phase of the conflict is grossly understudied, rich in useful vignettes, and important for Western COIN theoretical models, even if its lessons may not be generalizable to every conflict zone, given the uniqueness of the Sri Lankan case. In many ways, the LTTE fought using a “tripartite” or “hybrid-warfare” model, employing the use of terrorism, irregular/guerrilla warfare, and conventional force.<sup>5</sup> A number of analysts expect this model to define modern asymmetrical conflicts.<sup>6</sup>

The war finally ended in the spring of 2009 after a brutal and relentless three-year military campaign.<sup>7</sup> The leadership of the LTTE was virtually wiped out, and tens of thousands of civilians died in the final months of the war. Both sides in the conflict have been accused of egregious human rights violations by the United Nations and other humanitarian organizations.<sup>8</sup>

The aim of this report is not to take sides or make normative claims about the ethical or correct use of force. Nor is it to gloss over or ignore the systematic human rights violations committed by the SLA

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<sup>4</sup> On this point, see OHCHR Investigation on Sri Lanka (hereafter OISL), 2015, 11.

<sup>5</sup> See Ahmed Hashim, *When Counterinsurgency Wins: Sri Lanka's Defeat of the Tamil Tigers* (Philadelphia: University of Pennsylvania Press, 2013), 32.

<sup>6</sup> On hybrid warfare, see Frank Hoffman, “Hybrid Threats: Reconceptualizing the Evolving Character of Modern Conflict,” *Strategic Forum* 240 (April 2009), 1-8.

<sup>7</sup> Hashim, *When Counterinsurgency Wins*, 32-33.

<sup>8</sup> For more on human rights violations during the war, see United Nations Human Rights Council (UNHRC) and Office of the High Commissioner’s Investigation on Sri Lanka (hereafter referred to as OISL) (2015).



in the name of counterinsurgency (or atrocities committed by the LTTE). Rather, the purpose of this report is to take an anthropological lens to an understudied yet complex conflict outside the purview of most military and academic analysis and to apply key lessons from the final phase of the war to US COIN doctrine. We argue that there are key tactical, operational, and strategic lessons to be learned from Sri Lanka, and we do ourselves a disfavor if we do not closely examine how foreign militaries apply force (and other tools) to end irregular wars.

### Outline of Report

This report proceeds over five sections: First, we provide an overview of the conflict's beginnings to put Sri Lanka's COIN campaign into historical context. Second, we discuss the final phase of the war and outline key lessons for US COIN doctrine. Third, we examine a number of the key battles during the final phase of Sri Lanka's civil war. Fourth, we review the academic literature on the use of indiscriminate violence for civil war termination, and situate the civil war in Sri Lanka within this wider literature. We conclude with a discussion of the broader military implications and applications to US COIN doctrine.



### Background of the War

The Sri Lankan civil war lasted over three decades and claimed tens of thousands of lives.<sup>9</sup> Even though calls for a Tamil Eelam, or independent homeland, date back to 1922, the immediate causes of the recent civil war arose in the decades following independence from the British Empire in 1948.<sup>10</sup> Under colonial rule, Tamils, who are primarily Hindu and reside in the northern and eastern parts of the island, were favored by the British and given top posts in government, universities, and other professions—a divide-and-rule strategy the British applied across swaths of its empire.<sup>11</sup> This bred resentment among the majority ethnic Sinhalese, who are predominantly Buddhist yet claim to feel like a minority in South Asia. But the resentment was reversed after the British left, as the minority Tamil population increasingly felt excluded from political control and disenfranchised by the Sinhalese-dominated government.

*A book from the Jaffna library, a structure that was burned down by a Sinhalese mob in 1981 and then rebuilt. The book portrays the Tiger leader.*

Indeed, the roots of this conflict can be traced back over a thousand years, to the time of the Tamil Indian kingdoms. The island had been invaded by Indian Tamil forces seventeen times since 1100 AD, which contributed to its post-colonial power vacuum and subsequent ethnic tensions.<sup>12</sup> Even though the Sinhalese are the majority population in Sri Lanka (82 percent), Sinhalese officials we spoke to describe

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<sup>9</sup> Casualty and fatality estimates vary. Government estimates are vastly under-reported. We rely on the most up-to-date data collected by the OISL's 2015 report.

<sup>10</sup> All info on the background of the LTTE conflict comes from a July 25, 2016 briefing by a senior Sri Lankan Army colonel in Colombo, Sri Lanka. We corroborated the information with independence sources.

<sup>11</sup> Ibid.

<sup>12</sup> Ibid.

feeling under siege and in danger of becoming extinct, given India's seventy million Tamils (by comparison, Sri Lanka's entire population is just over twenty million).<sup>13</sup> A common argument heard is that the Tamil population (9.4 percent of Sri Lanka's population) constitutes a minority in Sri Lanka but a majority in the region, with their vast and active diaspora they can draw on for political, economic, and military support.

After independence, both leading post-colonial national political parties, the United National Party (UNP) and the Sri Lanka Freedom Party (SLFP) became largely dominated by an anglicized post-colonial Sinhalese elite who built on resentment against the Tamils' colonial-era privileges and battled to "out-Sinhala" their opponent in crafting exclusionary policies towards the country's Sri Lankan and Indian Tamil-Hindu populations.<sup>14</sup> These policies included the "Sinhala Only" official languages act of 1956, the formal designation of Buddhism as the national religion in 1972, and disenfranchisement of Tamils from universities and government institutions.<sup>15</sup> These actions gave birth to the Tamil militancy in the decades that followed. Though there were communal riots in Colombo and caste-based violence across the Jaffna Peninsula in the North, Tamil resistance during the 1960s remained mostly nonviolent. After the SLFP was voted into power in 1970, and in response to perceptions of increasing marginalization, numerous Tamil "liberation" groups emerged in the mid-1970s demanding an independent Tamil state uniting the country's North and East.<sup>16</sup> A Tamil teenager, Vellupillai Prabhakaran (hereafter "VP"), took control of an obscure group in 1972 called the Tamil New Tigers, a group influenced by Che Guevara and the Marxist liberation theology of the era. He renamed the group the Liberation Tigers of Tamil Eelam (LTTE) in 1976.<sup>17</sup>

The rise of the Tigers corresponded with the radicalization of Marxist separatist groups across the globe. The group initially pushed for greater self-determination, but by 1977 this morphed into calls for an independent, secular, and socialist state. The Sinhalese had placed quotas on universities, dropping the Tamil collegiate population from 50 percent before the 1970s to around half that by the 1980s.<sup>18</sup> In 1981, the Jaffna library, which at the time was one of the largest in South Asia, was set ablaze by Tamil militants.<sup>19</sup> In 1983, the LTTE ambushed an SLA military convoy, killing thirteen soldiers, spawning countrywide riots that killed at least 2,500 Tamils. This event, which became known as "Black July," formally commenced the country's descent into several decades of civil war.<sup>20</sup> Throughout the 1980s and 1990s, both the LTTE and the SLA launched brutal attacks against each other and Sri Lanka's civilian population. The LTTE reportedly fluctuated between 7,000 and 15,000 active cadres throughout its lifetime, although it enjoyed the support of hundreds of thousands of Tamils. It was formally designated a terrorist organization by the US State Department in 1997 after a series of suicide bombings on civilian targets throughout Sri Lanka, and political homicides that included the 1991 assassination of former Indian

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<sup>13</sup> This comes from interviews with senior government and military officials we spoke to July 24-26, 2016, in Colombo, Trincomalee, and Jaffna peninsula.

<sup>14</sup> Ibid.

<sup>15</sup> Jon Lunn, Claire Taylor, and Ian Townsend. "War and Peace in Sri Lanka." *Economic Indicators* 3 (2009): 9.

<sup>16</sup> Contrary to some erroneous claims, the war was never about religious persecution but fought primarily over nationalism. An example of this is Robert Kaplan, "Buddha's Savage Peace," *The Atlantic* (September 2009).

<sup>17</sup> See Sahadevan, "On Not Becoming a Democrat: The LTTE's Commitment to Armed Struggle," *International Studies* (New Delhi: Sage Publications), 32, no.3, July-September 1995, 249-81.

<sup>18</sup> U.S. Library of Congress, Country Studies: Sri Lanka, "Tamil Alienation," (<http://countrystudies.us/sri-lanka/71.htm>, accessed December 5, 2016).

<sup>19</sup> From a tour of Jaffna Library on July 25, 2016.

<sup>20</sup> The war technically began back in the mid to late 1970s but the violence did not reach levels to consider it a civil war until around 1983.

Prime Minister Rajiv Gandhi in India and the 1993 assassination of Sri Lankan President Ranasinghe Premadasa.<sup>21</sup>

### India's Involvement in the War

Until the late 1980s, LTTE tactics mostly consisted of small-scale assaults and improvised ambushes on police and military convoys. But its tactics grew more sophisticated as a result of India's support. India involved itself in Sri Lanka's ethnic conflict for a number of reasons. It was primarily interested in preventing its Tamil Nadu region from becoming radicalized as a result of spillover violence from Sri Lanka and so it initially sought to support Tamil militants as a way to pressure the Sri Lankan government to cut a deal with the Tigers before the conflict metastasized. The intervention was also partly driven by a personal feud between the prime minister of India, Indira Gandhi, and the president of Sri Lanka, JR Jajawerdene, which resulted in India's military directly arming and financing nearly 20,000 LTTE rebels in Tamil Nadu, providing them with training on explosives, communications, and naval operations. By the late 1980s, however, India began to rethink its support, fearing that its own Tamil populations might be emboldened and seek separation.<sup>22</sup> In 1987, India deployed a "peacekeeping" force, ostensibly to enforce a ceasefire and disarmament program in the North. The intervention escalated after Operation Pawan, India's occupation of the Jaffna Peninsula. The peacekeepers withdrew in 1990, officially ending India's support for the LTTE. For much of the 1990s, the war escalated and became internationalized, as a female LTTE suicide bomber would assassinate ex-Prime Minister Rajiv Gandhi in 1991.

The 9/11 attacks in New York and Washington led to the clamping down of external resources for LTTE, which the US government placed on a new, post-9/11 Specially Designated Global Terrorist list. Peace negotiations between the GoSL and the LTTE led to a Norwegian-brokered temporary ceasefire in 2002, which would not be officially declared dead until January 2008. Yet violence resumed as early as 2004, and the entire post-tsunami period of 2005–2008 was marked by escalations of violence by both sides, including both LTTE and GoSL attacks on civilians.<sup>23</sup> According to many, the peace process was clearly over as early as April 2006 when it became apparent that both parties were using the ceasefire to rearm.<sup>24</sup> In November 2005, Mahinda Rajapaksa was elected president on a hardline nationalist platform, supported by a base of radical Sinhalese parties including the Janatha Vimukthi Peramuna (JVP) and the fundamentalist Buddhist clerics.<sup>25</sup> By 2007, the government had taken control of the country's eastern region, thanks in part to the high-level defection and cooption of the LTTE second-in-command, Col. Karuna Amman and his 6,000-strong Tamil paramilitary.<sup>26</sup> Buoyed by its 2007 success in the East, the GoSL officially withdrew from the ceasefire in January 2008 and began intensive military operations against the

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<sup>21</sup> See "Sri Lanka Human Rights Country Report: 2007," U.S. Bureau of Democracy, Human Rights and Labor, U.S. Department of State, March 11, 2008, <http://www.state.gov/g/drl/rls/hrrpt/2007/100620.htm>. During the late 1980s-early 1990s, the GoSL also faced a rural Sinhalese insurrection led by the Janath Vimukthi Peramuna (JVP), an initially Marxist political party that became increasingly anti-Tamil throughout the 1980s and is now one of the most radical Sinhalese nationalist groups. It is notable that an estimated 50,000 lives were lost during the GoSL's brutal repression of this uprising, many of them civilians, and the vast majority of victims were Sinhalese.

<sup>22</sup> Hashim, *When Counterinsurgency Wins*, 94-95.

<sup>23</sup> Ibid.

<sup>24</sup> Ibid.

<sup>25</sup> JVP refers to Janath Vimukthi Peramuna, a nationalist Sinhalese party.

<sup>26</sup> Lunn, Taylor and Townsend, "War and Peace in Sri Lanka", 9.

LTTE in the North. In January 2009, the SLA captured the key LTTE town of Kilinochchi and the strategic causeway of Elephant Pass, which trapped the remaining 1,000 LTTE fighters and approximately 250,000 civilians in a thirty-square-kilometer area of coastline in the northern Vanni area.<sup>27</sup> The entire region was effectively blocked off from international monitors and media.

While human rights organizations had been sounding alarm bells about civilian casualties wrought by both the SLA and the LTTE long before, it was only in February 2009 that the United States, United Kingdom, European Union, Norway, and Japan began calling for a short-term ceasefire to allow full humanitarian access to the conflict zone.<sup>28</sup> The Sri Lankan government ignored these calls until April 12, 2009 when it instituted a 24-hour unilateral ceasefire to allow civilians to flee the conflict zone, where at this stage approximately 20,000–100,000 were thought to remain.<sup>29</sup> Less than 300 civilians reportedly fled, not only because the LTTE was shooting anyone who tried to leave, but also because the SLA was reportedly firing upon fleeing civilians as well.<sup>30</sup> On April 26, the GoSL stated that it would finally “cease to use heavy weaponry which might cause civilian casualties,” a statement that many human rights organizations have pointed to as incriminating evidence that the GoSL had previously been deliberately using such weapons and inflicting widespread civilian casualties.<sup>31</sup> Nonetheless, there are numerous reports supported by satellite imagery indicating that heavy SLA shelling continued throughout May, with civilian casualties reaching up to 1,000 per day as the military made its final advance.<sup>32</sup> On May 17, 2009, after it was revealed that VP had been killed, the LTTE finally admitted defeat by the SLA, stating that, “This battle has reached its bitter end . . . We have decided to silence our guns. Our only regrets are for the lives lost and that we could not hold out for longer.”<sup>33</sup> In a speech to Parliament on May 18, 2009, President Rajapaksa announced that the LTTE had been militarily and politically annihilated and declared the conflict formally over. While the true death toll may never be known, the United Nations estimates that between 80,000 and 100,000 lives were lost during the decades-long war.<sup>34</sup>

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<sup>27</sup> “Sri Lanka: Government Proposal Won’t Address War Crimes,” *Human Rights Watch* (May 7, 2010). <https://www.hrw.org/news/2010/05/07/sri-lanka-government-proposal-wont-address-war-crimes>.

<sup>28</sup> *Ibid.*

<sup>29</sup> *Ibid.*

<sup>30</sup> *Ibid.*

<sup>31</sup> “Sri Lanka says ending combat operations,” *Reuters*, April 27, 2009.

<sup>32</sup> “Sri Lanka images ‘prove damage’”, *BBC News Online*, May 13, 2009 and *Ibid.*, ICG.

<sup>33</sup> Somini Sengupta, and Seth Mydans, “Rebels Routed in Sri Lanka After 25 Years of War,” *New York Times*, May 18, 2009.

<sup>34</sup> This estimate may be substantially more given recent Crisis Group estimates of civilian casualties at around 75,000 during the last five months of war, in contrast to UN estimates of between 7,000–20,000. *Ibid.*, ICG (May 2010) and C. Bryson Hull, and Ranga Sirilal, “Last phase of Sri Lanka war killed 6,200 troops – govt,” *Reuters*, May 22, 2009. <http://www.reuters.com/article/idUSSP463682>.

### Explaining the Success of the Tigers' Insurgency

Initially composed of poor fishermen, the LTTE emerged by 1987 as the most powerful among the disparate Tamil separatist movements, all of which would either be absorbed or destroyed by the Tigers.<sup>35</sup> The intervention by India in the late 1980s on the side of the Tamil Tigers radicalized some of the Sinhalese majority population and at the same time internationalized the conflict.



*Surveying the wreckage: One of the bombed-out vessels used by LTTE Black Sea Tigers at the PTK Museum outside Mullaitivu, just north of Trincomalee, Sri Lanka.*

The LTTE proved itself a highly disciplined and hierarchical organization, unflinching in its use of violence, and uncompromising in its political demands. Experts we interviewed described it as “the most ruthless terrorist organization in the world,” a function of its reputation for strict militancy. Thousands of Tamil cadres received direct training, equipment, and support from the Indian government. The level of military sophistication arguably even surpassed that of the SLA. In the early 1990s, for example, the LTTE deployed surface-to-air missiles, well before the Sri Lankan military possessed them, which changed the tactics and equipment of the Sri Lanka Air Force (SLAF). By the end of the war, the LTTE possessed a formidable conventional army, navy, and even a limited air force, unique for a non-state actor.<sup>36</sup>

VP consolidated power by either eliminating his rivals or absorbing other Tamil separatist groups. He created a highly disciplined, capable force that compelled the withdrawal of an Indian peacekeeping force and defeated the Sri Lankan military in several significant battles over the next thirty years. The LTTE also pioneered aggressive tactics such as suicide bombings and the use of human shields and child soldiers.<sup>37</sup> Toward the end of the war, a convoy of over 200,000 Tamil civilians trailed the LTTE as it retreated, impeding its ability to wage guerrilla-style attacks but also making the sifting of insurgents from civilians next to impossible for the SLA.

Over the span of three decades, the LTTE grew to roughly 15,000 fighters.<sup>38</sup> Virtually every Tamil family in the North and East of Sri Lanka was forced to provide a family member to the rebels, both male and female. Larger families provided more than one recruit. The organization also was tightly organized militarily, boasting commando units, women’s brigades, disciplined infantry units, and specialized forces trained in laying mines, sharpshooting, and operating mortars and artillery. Upon capture, fighters were told to swallow a cyanide capsule to avoid providing intelligence to the state. By the 1990s, the group also boasted sophisticated anti-aircraft capabilities. Perhaps its most controversial use of force were suicide bombers, or Black Tigers.<sup>39</sup> These were recruits who showed the most commitment, and martyrdom was

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<sup>35</sup> Ibid.

<sup>36</sup> The LTTE’s air force consisted only of two or three planes, which were primitive and flown by GPS to navigate; they were used primarily for psychological impact, according to a SLAF officer we spoke to (July 23, 2016).

<sup>37</sup> This point is hotly disputed. Tamil officials we interviewed denied their use in any kind of active-duty sense. OISL report on human rights documents widespread use of child recruitment into LTTE ranks (2015), 132.

<sup>38</sup> Pape, *Dying to Win*, 314-315.

<sup>39</sup> Ibid.

rewarded with elaborate gravestones, financial gifts, and “protection” for family members.<sup>40</sup> An SLA colonel we interviewed even described a detonation device used by female Tigers called a “suicide bra.”<sup>41</sup> For the most part, the LTTE employed suicide bombers to assassinate military or political figures, not to instill terror among the Sinhalese population. The group favored hard targets over soft targets. The use of child soldiers was prevalent, though Tamil politicians, analysts, and journalists we interviewed claimed that teenage LTTE recruits were never used in the frontlines, as Black Tigers, or in infantry units. Interestingly, senior Sri Lankan military officers we spoke to admitted that suicide bombing was a legitimate use of force against hard military targets.<sup>42</sup>

The longevity of the LTTE can be attributed to a number of factors, chief among them the group’s tightly controlled and disciplined leadership. This cohesion prevented, at least until 2005, internal dissent, fracturing, and defections. The group was what the University of Chicago’s Paul Staniland classifies as an “integrated” insurgency. Its origins, given that its senior leadership was drawn from the lower-caste network of the Jaffna Peninsula, began as a “vanguard” group, heavily hierarchical with a tight-knit leadership circle and isolated from the larger population. Eventually, however, the LTTE “integrated” itself by establishing broader social ties to local Tamil communities. They controlled and administered territory.<sup>43</sup> They developed close alliances with student leaders. VP promoted those who demonstrated good governance or battlefield performance. He established a culture of snitching and surveillance to prevent defection. Recruits were socialized via intense boot camp training and adopted a new set of values. “Prabhakaran,” writes Staniland, “created a set of symbols and institutions that innovatively socialized fighters and reconfigured Tamil identity.”<sup>44</sup> He surrounded himself with a ring of loyalists yet also promoted his cadres based on a meritocratic system, though he would eliminate anyone who appeared to rival his authority. This helped foster a spirit of discipline, unity, and strict surveillance. Thanks to the Tigers’ naval forces, they were able to keep their resupply routes open. Interestingly, the GoSL also contributed to the LTTE’s longevity, by paying the salaries of public officials in Tamil-held parts of Sri Lanka, providing aid, and permitting NGOs to operate in the North.<sup>45</sup> The LTTE also drew from the largesse of the vast diaspora of well-heeled Tamils overseas, who supplied them with funds, weapons, and a megaphone to the outside world. The operational objective of the LTTE was to control and hold territory as a way to signal to the international community its legitimacy and pave the way for an internationally recognized independent homeland.

In the next section, we discuss in greater detail the final phase of the war as a way to draw lessons for US COIN doctrine with a focus on force structure, the role of ceasefires, and postwar reconciliation.

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<sup>40</sup> Interview in Colombo with senior SLA intelligence officer (July 24, 2016).

<sup>41</sup> Ibid.

<sup>42</sup> Ibid.

<sup>43</sup> On rebel governance, see Mampilly.

<sup>44</sup> Paul Staniland, *Networks of Rebellion: Explaining Insurgent Cohesion and Collapse*. (Ithaca, NY: Cornell University Press, 2014), 142.

<sup>45</sup> Hashim, *When Counterinsurgency Wins*, 118.

## Section II: Lessons from Sri Lanka's Counterinsurgency

The Sri Lankan civil war provides a remarkable, if controversial, example of how the application of overwhelming force was brought to bear to end an insurgency. The United States has spent the last decade and a half at war in the Middle East at a cost of trillions of dollars and thousands of American lives. The vast majority of this time was spent waging a counterinsurgency campaign against Sunni insurgents motivated by a mix of sectarianism and secular resistance to greater foreign occupation, and the fight is still ongoing. In spite of intense pressure from American policymakers, the US military has struggled to defeat insurgencies in Afghanistan and Iraq against various Islamist non-state actors in each. A major part of its effort is to avoid civilian casualties in contexts where fighters and non-combatants are hard to distinguish. By contrast, the SLA applied a deliberate and concerted COIN strategy to use varying degrees of indiscriminate force to isolate the insurgents' elite corps and wipe out the group's will to continue fighting. Moreover, throughout the conflict, the GoSL pursued a parallel and covert counterterrorism strategy of decapitating the LTTE via targeted assassinations of key LTTE leaders (e.g. its Long Range Reconnaissance Patrol unit).<sup>46</sup>



*Sri Lankan cadets drill at their military academy at Diyatalawa, located in the central highlands.*

This approach runs counter to recent US counterinsurgency methods articulated in FM 3-24, which emphasizes a population-centric strategy.<sup>47</sup> This posits that separating insurgents from the population, like “fish swimming in the sea,” is preferable to using overwhelming force.<sup>48</sup> The theory rests on the belief that insurgencies are, in effect, a competition between counterinsurgent and insurgent, both of whom jockey for legitimacy and influence within a given population. When a regime loses so-called hearts and minds and social mobilization turns violent, killing or capturing armed insurgents becomes necessary, yet overwhelming force is deemed ineffective if it shrinks popular support. The logic is twofold: First, normatively, the use of overwhelming force will lead to greater civilian casualties, which goes against Western values and the laws of war, and also will push fence-sitters in the population over to the side of the insurgent.<sup>49</sup> Second, the need to win these kinds of wars rests on the counterinsurgent's ability to gather information—for non-combatants to act as informants on rebels—which requires a greater degree of control and application of indiscriminate force.<sup>50</sup>

By contrast, in Sri Lanka, after the end of a ceasefire in 2005 and rise to power of its powerful new civilian president, Mahinda Rajapaksa, whose support among Sinhalese voters came chiefly from his promise to end the war, the SLA took a more forceful approach to its counterinsurgency and use of indiscriminate violence, even against non-combatants. During the final phase of the war, both sides significantly adapted their force structures. For the Tigers, the war was primarily fought with guerrilla-

<sup>46</sup> See “Tribute to Long Range Reconnaissance Patrols (LRRP) in Sri Lanka,” *WN.com* (May 2, 2009),

[https://wn.com/long\\_range\\_reconnaissance\\_patrol\\_\(sri\\_lanka\)](https://wn.com/long_range_reconnaissance_patrol_(sri_lanka)).

<sup>47</sup> U.S. Army, *Counterinsurgency*. FM 3-24. Washington, D.C.: Government Printing Office, 2006. (the manual was updated in 2014)

<sup>48</sup> This aphorism comes from the writings of Mao Zedong on guerrilla warfare.

<sup>49</sup> On fence-sitting and free-riding, see Stathis N. Kalyvas, and Matthew Adam Kocher, “How “Free” is Free Riding in civil wars? Violence, insurgency, and the collective action problem.” *World Politics* 59, no. 02 (2007): 177-216.

<sup>50</sup> See Stathis Kalyvas, *The Logic of Violence in Civil Wars* (Cambridge: Cambridge University Press, 2006).

style tactics that closely resembled those employed across Latin America, Southeast Asia and Africa during the Cold War. But over time, the LTTE increasingly fought conventionally as it developed, in effect, a functioning shadow state in the North and East of the country. The government, on the other hand, developed an infantry-heavy force that emphasized smaller, agile units as a way to penetrate deeper into LTTE-held territory. It also successfully utilized its superiority in airpower. Military leaders we interviewed said that these adjustments were critical to winning the war.

The 1983–2009 war is generally divided into four phases, as detailed in Table 1 below.

**Table 1: Phases of Sri Lankan Civil War (1983–2009)**

	Historical Context	LTTE Actions	Government Actions
Eelam War I (1983–1989)	<ul style="list-style-type: none"> <li>- Opening salvos of kinetic phrase of civil war</li> <li>- Competition for power among Tamil rebel orgs</li> </ul>	<ul style="list-style-type: none"> <li>- Guerrilla-style ambushes</li> <li>- Consolidation of its power, with support of India</li> </ul>	<ul style="list-style-type: none"> <li>- Indecisive and unclear, but efforts to improve intel-gathering grow</li> </ul>
Eelam War II (1990–1994)	<ul style="list-style-type: none"> <li>- Defined by Indian peacekeeper withdrawal and LTTE advances</li> </ul>	<ul style="list-style-type: none"> <li>- Carries out more suicide attacks against Sinhalese and Indian politicians</li> <li>- Develops conventional military capabilities</li> </ul>	<ul style="list-style-type: none"> <li>- Despite holding Elephant Pass, government suffers series of setbacks</li> <li>- Seeks ceasefire and peaceful resolution to the war</li> </ul>
Eelam War III (1995–2000)	<ul style="list-style-type: none"> <li>- Government believes it can deliver knockout blow to isolated LTTE</li> <li>- Phase of war effectively ends in stalemate</li> </ul>	<ul style="list-style-type: none"> <li>- Loses Jaffna &amp; retreats into countryside</li> <li>- Successful attack against Mullaitivu</li> <li>- Increasingly utilizes its sea-based forces</li> </ul>	<ul style="list-style-type: none"> <li>- Aim was to clear LTTE from Jaffna</li> <li>- Seeks to negotiate from position of strength</li> <li>- Suffers defeat at Mullaitivu/Elephant Pass</li> </ul>
Eelam War IV (2001–2009)	<ul style="list-style-type: none"> <li>- 9/11 dries up int'l support for LTTE</li> <li>- After tsunami and failed ceasefire in 2005, gov't enjoys popular support to end war decisively</li> </ul>	<ul style="list-style-type: none"> <li>- Loses key terrain</li> <li>- Still believes it can win militarily or be bailed out by int'l community</li> <li>- Adapts hybrid warfare</li> <li>- Is eventually isolated</li> </ul>	<ul style="list-style-type: none"> <li>- Splits LTTE from east</li> <li>- Retakes Kilinochchi</li> <li>- Becomes more flexible</li> <li>- Ramps up size of army</li> <li>- Final operation isolates LTTE and ends war</li> </ul>

### Lesson 1: Force Structure Adaptations & Influence on the State & Counter-State

The Sri Lankan civil war was characterized by the evolving nature of force structures on both sides of the conflict. During the 2002–2006 ceasefire, both belligerents in the war—the GoSL and the LTTE—



adjusted their various strategies and force structures. By the time the ceasefire came to an end in 2006, both sides had radically altered their respective methods of warfare. The SLA emphasized small-unit tactics, focusing on tactical improvements in bunker busting, room clearing, and night operations, adopting the file formation for rapid movement, and increasing training with live rounds. The SLA also placed a heavier emphasis on the utilization of Special Forces commandos and reorganized their regular infantry into smaller eight-man squads known as Special Infantry Operational Teams (SIOT) to conduct independent long-range patrols and pushed more authorities to unit commanders. This provided them with greater mobility and flexibility. On the other hand, the LTTE also revised their tactics, abandoning their Maoist guerrilla roots and adopting a more conventional style of fighting. This shift reflected their impression of themselves as a quasi-state that fielded a conventional army, navy, and air force. This section will analyze how this change in structures within both organizations led one to achieve overwhelming victory while leading the other to flounder and eventually become destroyed.

Several changes arose within the SLA before the fighting resumed. First and foremost, came a drastic increase in its size. Before the war formally began, the SLA fielded 10,000 soldiers within its ranks. Multiple sources within all branches of the military maintained that the Sri Lankan armed forces were completely unprepared to properly counter the insurgency in the 1980s.<sup>51</sup> Thus, during the last ceasefire, the entire military experienced its own surge in recruitment. Several officers said that recruitment rates soared from around 3,000 a year to 3,000 a month.<sup>52</sup> The Sinhalese majority in the South supported a lasting end to the war, one that resulted in the dismantling of the LTTE leadership cadres in the North and East. By war's end in 2009, the SLA had grown to over 200,000 soldiers.<sup>53</sup> Its weapons and military operations were largely financed by China.<sup>54</sup>

The next change that came for the SLA was a complete overhaul of its military doctrine. At the tactical level, the SLA all but abandoned typical conventional warfare. Instead, its soldiers focused on small-unit tactics and placed a heavy emphasis on jungle warfare, bunker and house clearing, and night operations.<sup>55</sup> Each company was asked to control and secure 5,000–6,000 hectares around its base. Intelligence-gathering capabilities improved in these smaller units. The SLA introduced food and ammo caches in the jungle so that each unit—four-or eight-man “buddy teams” of commandos—could be self-reliant for up to twenty days.<sup>56</sup> These forces became more mobile and comfortable in map reading and land navigation. The Special Forces commandos also became heavily utilized to clear the LTTE from their strongholds. Not only were these small units able to effectively maneuver around the enemy forces and neutralize them, but an advanced coordination at the operational level enabled their success. Finally, the SLA gave more independence and greater control to

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*“We were always planning for limited objectives, either to capture a particular town or capture a particular road. . . We were only running in circles, basically. The LTTE always had the initiative and the army was merely reacting.”*

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<sup>51</sup> Taken from interviews with senior military officials (July 24-26, 2016, in Colombo and Trincomalee, Sri Lanka).

<sup>52</sup> Ibid.

<sup>53</sup> Ibid.

<sup>54</sup> This information came from interviews as well as news reports such as the following: Jeremy Page, “Chinese billions in Sri Lanka fund battle against Tamil Tigers,” *The Times* (UK), May 2, 2009.

<sup>55</sup> Interview with a SLA colonel in Colombo, July 22, 2016.

<sup>56</sup> Ibid.

lower-level commanders. The SLA would incorporate significant amounts of preparatory fires before moving and advancing, firing behind LTTE lines to cut off their supplies, even though sometimes civilians would get caught in the crossfire. As Gen. Sarath Fonseka said of the SLA's military tactics and strategy prior to the final phase of the war (sometimes referred to as Eelam War IV), "We were always planning for limited objectives, either to capture a particular town or capture a particular road. We...were only running in circles, basically. The LTTE always had the initiative and the army was merely reacting."<sup>57</sup>

Since the ceasefire, the SLA had become increasingly connected with both the country's air force and its navy via the Battle Maneuver Command Center (BMCC). The BMCC streamlined the targeting and approval process so that SLA units could effectively integrate close air support into their ground operations.<sup>58</sup> Most importantly, the BMCC allowed for proper coordination between the newly enlarged SLA. By the final operation, five divisions of the SLA, consisting of tens of thousands of soldiers, closed in on the LTTE on the beaches of Mullaitivu. The navy set an outer cordon for the SLA to clear the ground, creating siege-like dynamics to, in effect, starve the enemy population into submission, as one naval commander put it.<sup>59</sup>

The increased emphasis on small infantry and Special Forces units allowed for a drastic increase in intelligence-gathering capabilities. One of our military sources stressed that "boots on the ground" more so than technology was essential for proper intelligence gathering, especially in discovering the rift within the LTTE.<sup>60</sup> Had there been a focus on technology usage only, such as unmanned aerial vehicles (UAVs), they would not have accurately discovered LTTE movements nor fissures going on behind the scenes among the LTTE elite. Exploiting the rift between its northern and eastern factions was arguably the turning point in the war against the organization. While the source within the military was confident victory still would have been achieved had the eastern faction not been split, he still stressed that peeling the group away from the LTTE greatly assisted the war effort, a point discussed later on.<sup>61</sup>

### *Tiger Military Innovation*

The SLA was not the only participant that innovated militarily during the ceasefire. Although prior to Eelam War IV, the LTTE was effective at innovating by deploying suicide bombs for strategic effect, the SLA, as noted above, adjusted and responded. The Tigers adapted what some have described as cross-domain "hybrid warfare," building on its unconventional tactics—guerrilla-style ambushes, suicide bombs against military and civilian targets, etc.—to add to its greater conventional capabilities by the mid-2000s.<sup>62</sup> As the scholar Ahmed Hashim noted, "Sri Lanka's civil war evolved into a paradigmatic example of hybrid war."<sup>63</sup> A senior-ranking military official told us, "They were a force to be reckoned with, not a ragtag group." For much of the final phase of the war, the group was armed with heavy artillery, its center of gravity. Once it lost that capability, the LTTE members were forced to fight at rifle range, while continuing to face artillery barrages by the SLA. Finally, the group boasted sophisticated naval capabilities. This included its infamous Sea Tigers, which was the world's first use of naval suicide bombers. The Sea

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<sup>57</sup> As quoted by Hashim, *When Counterinsurgency Wins*, 86.

<sup>58</sup> Ibid.

<sup>59</sup> Interview with senior Sri Lankan Naval admirals in Trincomalee, July 24-25, 2016.

<sup>60</sup> Ibid.

<sup>61</sup> Ibid.

<sup>62</sup> Hashim, *When Counterinsurgency Wins*, 32-33.

<sup>63</sup> Ibid.

Tigers were not only an effective use of force by sea but also enabled the LTTE to smuggle in more arms and other supplies.

Moreover, during the war's final phase, the LTTE introduced its rudimentary air force, or Air Tigers.<sup>64</sup> Even though it consisted of only a few Cessna Skymasters, helicopters, and UAVs, the ability to carry out air attacks against air bases and potentially civilian populations had a psychological impact disproportionate to its tactical utility.<sup>65</sup>

The desire to become a legitimate state in the eyes of the international community drove much of the LTTE leadership's military decision making toward the end of the war.<sup>66</sup> At its peak in the mid-2000s, the Tigers controlled a roughly 10,000-square-kilometer parcel of territory.<sup>67</sup> Fighting vehicles, including ships to augment their navy and a rudimentary air force, were imported into their territory and became increasingly used in their tactical doctrine.

In the past, it had been proven that the LTTE had the capabilities to stand toe-to-toe with a state-enemy fighting force and achieve either a costly draw or even a victory. Ever since the failed intervention of the Indian Peacekeeping Force (IPKF) in 1987–1989, the LTTE had seen moderate military success. In spite of the loss of its original capital, Jaffna, in 1995 to the SLA, the LTTE had been able to reorganize and successfully destroy SLA bases located at Mullaitivu the following year. Despite its inability to militarily retake Jaffna, the LTTE had been able to seize Elephant Pass, the sole land route between the Jaffna Peninsula and the rest of the island, which forced resupply to happen only by sea.<sup>68</sup> These military successes created a sense of overconfidence among the ranks that potentially evolved into hubris and led to the group's demise.<sup>69</sup> On top of that, the issuance of uniforms to LTTE cadre made them increasingly distinguishable from the civilian population. As one official we spoke to put it, "The LTTE became too married to the idea of defending territory in their state as a way to build legitimacy with the international community."<sup>70</sup>

Yet, why did the LTTE not revert back to guerrilla-style tactics? In the past, the group followed a Maoist approach to protracted warfare, which states that insurgencies do not have to be rigid. They can be fluid and shift between the phases—strategic defensive, strategic stalemate, and strategic offensive— as many times as necessary. So when it proves untenable to fight as a conventional force, it may become necessary to revert to guerrilla-style warfare for a time. This is what the LTTE did between 1995 and 1996 when, after the group lost Jaffna they retreated into the Vanni jungles, reorganized, and inflicted successful high-casualty attacks on the SLA. So why could they not do it this time?

It was clear when the hostilities began that the SLA's increased size and altered tactical methods were too much for the LTTE to handle. And yet, they refused to melt away into the jungle as they had in the past and resume their insurgency. Even after the loss of their capital, Kilinochchi, in early 2009, the LTTE still did not revert to guerrilla warfare. It is puzzling as to why a tried-and-true method was not immediately adopted when conventional warfare seemed to fail so spectacularly. Discussing it with both military sources as well as Tamil sources, however, shed some light on the question.

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<sup>64</sup> "Tigers confirm Air Wing," *TamilNet*, November 27, 1998.

<sup>65</sup> "Sri Lanka rebels in new air raid," *BBC News*, April 29, 2007.

<sup>66</sup> Interview with senior Sri Lankan Naval admirals in Trincomalee, July 24-25, 2016.

<sup>67</sup> *Ibid.*

<sup>68</sup> See next section for more detail on the tactical significance of this battle.

<sup>69</sup> This viewpoint comes from a number of sources we interviewed on both sides of the conflict.

<sup>70</sup> From an interview with a top SLA official in Jaffna, July 25, 2016.

Military sources stressed that the importance Tigers placed on the perception of legitimacy in the eyes of the international community played a huge role in the decision not to return to guerrilla warfare. The entire concept of establishing and running an independent Tamil state rested, in the minds of the LTTE's leadership, in defending its territory from southern invaders.<sup>71</sup> It became impossible then to simply regress and allow territory to be taken in order to survive to fight another day.

More personal reasons were also provided as to why there was no return to guerrilla warfare. One of the Tamils we spoke to in Jaffna stated that Prabhakaran, by the end, had no hope for victory. As early as 2007, VP had recognized that the only chance for survival was if the international community intervened and imposed another ceasefire between the belligerents.<sup>72</sup> When it became increasingly clear that this was not going to happen, VP seemed to resign himself and his cause to simply fight to the death. Arguably he may have sought to facilitate civilian casualties, given his use of human shields, to provoke an international response as well.

To sum up, the final three years of combat of the decades-long civil war were characterized by vast restructuring of both sides' methods of warfare. From the tactical level to the overall strategic end, both sides innovated as the war began to reach its end. For the Sri Lankan military, the utilization of small, flexible units, practically adopting guerrilla methods, its decentralization of operational command to field commanders, and its ability to exploit the fissures within the LTTE elite cadres helped ensure its victory militarily. The LTTE's adoption of a conventional style of war weakened its mobility and ability to exploit the SLA's weaknesses, which precipitated its eventual defeat. As one SLA commander we interviewed put it bluntly, "If the LTTE had continued with its guerrilla war, they'd still be fighting."<sup>73</sup>

### *Splitting the Opposition*

The SLA also sought to divide the opposition between the Tamil Tigers headquartered in the North in Kilinochchi and the opposition headquartered in the Northeast in and around Trincomalee. A variety of parochial grievances had been festering between the two camps and their leadership, which the SLA was able to exploit, thanks largely to its increased infiltration of intelligence on the Tiger network. In effect, the SLA was able to "peel" off a powerful faction, led by a prominent Tamil, Vinayagamoorthy Muralitharan, whose *nom de guerre* was Karuna Amman, and effectively bring an end to the war in the East. Largely through the use of human intelligence, the SLA exploited this rift that was developing between the two LTTE rivals. It was widely believed in Colombo that VP, like many of his insurgent counterparts across the globe and in history, would not accept a popular or powerful second-in-command. By maintaining such tight control with no real inner circle or groomed successor, VP left a power vacuum after his death in 2009. In exchange for an amnesty and a future government post, Karuna formed a faction that effectively served as a paramilitary group that worked on behalf of the Sri Lankan authorities and supplied the SLA with valuable intelligence, which in turn allowed for more precise targeting of Tiger camps scattered about the Vanni as well as coordinates of senior cadres. The peeling off of the Karuna faction not only split the opposition but also effectively split the northern Tamil regions in half and denied VP a pool of fighters—some one-quarter of Tamil Tigers were from the East—as well as valuable terrain

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<sup>71</sup> Taken from interviews with senior SLA officials, July 22-26, 2016, in Colombo, Trincomalee, and Jaffna, Sri Lanka.

<sup>72</sup> Taken from an interview with a senior Tamil operative in Jaffna, July 25, 2016.

<sup>73</sup> Taken from interviews with senior SLA officials, July 26, 2016, in Jaffna, Sri Lanka.

and access to the sea.<sup>74</sup> The splitting of an insurgency, as demonstrated by the SLA, requires the following conditions:

*The state must have solid intelligence.* This is generally acquired via human intelligence rather than through technological intelligence, surveillance, and reconnaissance (ISR)—the SLAF possessed drones for ISR-gathering purposes but sources told us the most valuable intelligence was provided by informants—and is improved when a state can fight in smaller units, can win over locals, or can infiltrate the ranks of the rebel opposition. The Sri Lankan military maintained a vast network of informants within the LTTE.

*There has to be an existing fissure within the ruling opposition elite to exploit.* This should be more likely to exist in insurgencies that are what Paul Staniland defines as “parochial” groups, given that these groups have fragmented leaderships and weaker links to locals.<sup>75</sup>

*The side that eventually splits must be brought into the political fold and provided amnesty or else there will be credible commitment issues present.*

*Defectors can provide useful actionable intelligence, which can precipitate the end of the war.*

## Lesson 2: Operational Role of Ceasefires

Ceasefires play a significant if controversial role in irregular warfare.<sup>76</sup> Throughout the Sri Lankan civil war, both sides used cessations in hostilities as an opportunity to rearm, reorganize, and readapt their forces, doctrines, and strategies. In Sri Lanka, many observers expected another intervention by the international community as the humanitarian situation deteriorated in the early months of 2009. No such intervention occurred. The government was able to finally defeat the LTTE on the battlefield, but at a tremendous cost in civilian lives. Sri Lanka forces us to ask in what situations ceasefires are effective, and under what circumstances they only allow wars to drag on rather than reaching their natural (albeit violent) termination.

There is an emerging body of research on the subject. Some scholars, including most famously Edward Luttwak, argue that ceasefires actually prolong conflict by preventing one side from reaching utter exhaustion and admitting defeat.<sup>77</sup> Put another way, ceasefires artificially imposed by outside actors afford armed groups the opportunity to recuperate and recruit to “fight another day.”<sup>78</sup> Luttwak has argued against the use of externally imposed ceasefires because it “tends to arrest war-induced exhaustion and lets belligerents reconstitute and rearm their forces.”<sup>79</sup> Implicit in this viewpoint is that war will only bring peace after sufficient violence and ceasefires prevent this violence. Others disagree and point to the fact that negotiated settlements in the post–Cold War era are becoming increasingly

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<sup>74</sup> Hashim, *When Counterinsurgency Wins*, 172.

<sup>75</sup> Staniland, *Networks of Rebellion*, (2014).

<sup>76</sup> For a good roundup of the literature, see Max Fisher, “The Surprising Science of Cease-Fires: Even Failures Can Help Peace,” *The New York Times* (September 15, 2016).

<sup>77</sup> Edward N. Luttwak, “Give War a Chance.” *Foreign Affairs* (July/August, 1999).

<sup>78</sup> *Ibid.*

<sup>79</sup> *Ibid.*

effective and frequent. A 2015 study by Madhav Joshi and J. Michael Quinn of Notre Dame, for example, finds that ceasefires create a virtuous cycle that can bring about a more durable peace.<sup>80</sup>

Another factor in whether a ceasefire “sticks” is the extortion of natural resources and black market activities. Staniland argues that the influx of resources can have a bolstering effect that strengthens rebel organizations or has a disintegrating effect that turns the insurgent group into a band of greedy criminals. From either standpoint, Staniland contests that external resources are the basis for insurgent groups gathering funds to continue fighting. He contends that insurgencies built on “preexisting social ties contribute to trust and unity of purpose...This social base provides the foundation for controlled expansion of the group over time, including the thorough and effective homogenization of new fighters.”<sup>81</sup> He explains that insurgents gain capital to continue the fight through external support.

The effects of war on a state’s governmental institutions are also important for calculating whether fighting a war to defeat an insurgency is more worthwhile than negotiations. Generally, fighting a war has the advantages of firmly establishing a monopoly of violence for the victor and in the process strengthening the government’s institutions—the military, its tax-collecting apparatus, and so forth. Additionally, a decisive military victory in a civil war tends to create a more lasting peace than a negotiated settlement, which parties are able to break at any time.<sup>82</sup> Arguments in favor of negotiated settlements and against war, however, hold that war is expensive, risky, and often unsuccessful. Whether or not an aggressive COIN approach focusing on destruction of the enemy is preferable to a drawn-out COIN operation largely depends on if the state carrying out the war can convert its wartime measure into long-term stability, and perhaps more importantly, whether the state is equipped in the realm of extreme repression.

#### *“Make War to Make Peace”: Ceasefires in the Sri Lankan Context*

Ceasefires played a crucial role in the outcome and length of the decades-long Sri Lankan civil war. Ceasefires aided and hindered both sides of the conflict, but the ceasefires never actually led to anything resembling peace. The ceasefires only prolonged the violence by allowing both sides to reconstitute and rearm themselves, and preventing a weaker LTTE from being crushed early on. The lesson of Sri Lanka is that peace talks can only work if both sides are willing to negotiate and compromise, but it became very apparent that self-determination for the Tamil people was completely unacceptable to the Sinhalese-led government. International and NGO intervention only extended both sides’ fighting capabilities and the longevity of the war by supplying food and medical treatment.

The first ceasefire, the Indo-Sri Lanka Peace Accord, was signed on July 29, 1987 by Indian Prime Minister Rajiv Gandhi and Sri Lankan President Jayewardene. With the accords, the Sri Lankan government made a number of concessions to the Tamil people, and allowed for a 100,000-strong Indian Peacekeeping Force (IPKF) to establish some semblance of order in pockets of the Tamil-controlled parts of the island,

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<sup>80</sup> M. Joshi, and J. M. Quinn, “Is the Sum Greater than the Parts? The Terms of Civil War Peace Agreements and the Commitment Problem Revisited.” *Negotiation Journal*, 31 (2015): 7–30.

<sup>81</sup> Paul Staniland, “Organizing Insurgency: Networks, Resources, and Rebellion in South Asia,” *International Security*, Vol 37, No. 1 (Summer 2012), 142-177.

<sup>82</sup> On this point, see Alexander B. Downes, ‘The Problem with Negotiated Settlements to Ethnic Civil Wars’, *Security Studies*, 13: 4 (2004), 230-279; Robert Harrison Wagner, “The Causes of Peace,” *Stopping the Killing: How Civil Wars End* (1993): 235-268; and Monica Duffy Toft, “Ending Civil Wars: A Case for Rebel Victory?” *International Security* 34, no. 4 (2010): 7-36.

yet at considerable cost.<sup>83</sup> During the intervention, the IPKF sought to disarm all Tamil militant groups. The LTTE refused to comply and this led to an all-out armed conflict between the two groups, as the Tigers retreated into the Vanni jungles to fight a guerrilla war.<sup>84</sup> Under President Ranasinghe Premadasa, the GoSL even began secretly supplying the LTTE with weapons to fight the IPKF.<sup>85</sup>

Not only did the first ceasefire result in heavy fighting between the LTTE and the supposed peacekeeping force, but it resulted in the LTTE being funded and armed by the force that it would turn back to fight as soon as the Indians were expelled. After defeating the fourth largest army in the world, the LTTE was now confident enough to take on and unify the rest of the Tamil militant groups on the island and then turn its focus to the Sri Lankan army. In this ceasefire, not only did the supposed “peacekeeping” force end up in armed conflict against one the parties with which they were supposed to be helping to broker peace, but now after fighting the IPKF, the LTTE was confident in its military capabilities. This is a clear example of a ceasefire breaking down because of the role played by an outside intervention. At this point in the conflict, both sides were still convinced that they could win militarily, and thus were not ready to negotiate.

The second ceasefire was agreed to in January 1995, after the United National Party (UNP) was defeated by the People’s Alliance party in the 1994 parliamentary elections. Attempted negotiations were unsuccessful and the LTTE broke the agreement and bombed two Sri Lanka Navy vessels on April 19, 1995.<sup>86</sup> This ceasefire failed primarily because of recent military success by the LTTE. The LTTE had recently almost taken Elephant Pass in one of their biggest military campaigns yet. The LTTE had successfully held the city of Jaffna from an assault by the Sri Lanka Army. And the LTTE had succeeded in the Battle of Pooneryn, as well as successfully assassinating President Premadasa. The LTTE was feeling confident militarily and saw the government's desire for peace as a sign of weakness. Unless the Sri Lankan government was willing to meet all of the LTTE’s demands, this ceasefire would never hold. This only fueled greater Sinhalese Buddhist nationalism, according to several sources we spoke to.

This ceasefire failed because the Sri Lankan government was not willing to satisfy any of the LTTE’s demands and because the LTTE was riding a wave of recent military victories. At this point, the LTTE would not settle for anything less than having all of its demands met. This was not acceptable for the Sri Lankan government. This lull in the fighting also allowed for the LTTE to take a step back and learn from its successes, especially its use of suicide tactics. We see this emerge again when the LTTE breaks the ceasefire by sinking two Sri Lankan naval vessels with suicide bombers.<sup>87</sup>

The third and longest ceasefire of the war was signed on February 22, 2002, and consisted of a series of negotiations mediated by Norway. Six separate rounds of peace talks would occur over the following two years. During the peace talks, both sides made concessions on the ground such as allowing civilian traffic through their territory, which began connecting the island once again. The LTTE and the Sri Lankan government even exchanged prisoners. But in mid-2003, the LTTE pulled out of the peace talks when it became clear that the Sinhalese-controlled government would not concede any control of the island to the Tamils. In July 2004, a suicide bomb in Colombo marked the first attack in years and signaled the end to the peace talks. Shortly after, the 2004 tsunami would rock the southern coastline and again

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<sup>83</sup> Staniland, *Networks of Rebellion*, 165.

<sup>84</sup> Ibid.

<sup>85</sup> From interview with SLA intelligence colonel, July 25, 2016 in Colombo.

<sup>86</sup> From briefings with senior SLA military leaders, July 25-26, 2016 in Colombo, Trincomalee and Jaffna.

<sup>87</sup> A number of Tamils we interviewed voiced their support for the use of suicide bombing as a legitimate form of resistance.

put the country at an uneasy peace settlement. This unofficial peace would be short lived, and hostilities would continue in late 2005 following the election of Mahinda Rajapaksa as president.

So how did these peace talks lead from what most people thought would be the final end of the war, to the bloodiest phase of the war between 2006 and 2009? During such an extended period of peace, both sides made many military innovations. The SLA developed its Long Range Reconnaissance Patrol (LRRP) teams and adopted a more unconventional style of war. The LTTE took the exact opposite approach and conventionalized its guerrilla force. The LTTE also undertook many state-building endeavors and developed a sophisticated government infrastructure, complete with a banking system and schools.<sup>88</sup> While expanding in this manner made the LTTE a much more legitimate governing force, it also made big and easy targets for the Sri Lanka Air Force to find and bomb. In this respect, the extended period of peace allowed the LTTE to expand and develop in a manner that would ultimately lead to its demise, while allowing the SLA to hone the new LRRP and guerrilla-style of warfare that would help it defeat the LTTE. Finally, the drying up of international support for the LTTE after 9/11 helped isolate the Tigers. These innovations and developments made both sides substantially stronger and meant that any future conflict would now drag on longer than it would have before the ceasefire.

In sum, ceasefires are less likely to be an effective and sustainable means to peace unless a number of conditions are met, most notably that the grievances that fueled the conflict are resolved. Conflict usually arises after nonviolent options have been exhausted, or over an issue that neither side can compromise on.<sup>89</sup> Moreover, the intervention and aid of third parties into ceasefires only tend to prolong the ceasefire that was doomed to fail, thus allowing for both sides to rearm and reconstitute, dragging out the conflict even longer than it should have lasted originally. When NGOs or international aid come into play, this can also amplify the problem as the belligerents misuse the aid and buy time to benefit their military functions. This finding is not generalizable for all conflicts. Ceasefires in eastern Burma and northeastern India reduced violence and instability and laid the groundwork for negotiations. That is, they were able to create the kind of “virtuous cycle” Joshi and Quinn discuss.

In Sri Lanka, however, ceasefires arguably perpetuated the fighting. The SLA was able to recruit soldiers more rapidly after the ceasefire broke down. Prior to the ceasefire, it boosted its ranks roughly at a pace of 3,000 recruits per year. By 2008, that number had ballooned to 3,000 *per month* as the SLA would eventually comprise over 200,000 soldiers, due largely to the 'SLA's operational success on the ground. The authorities in Colombo also fast-tracked procurement of more advanced weapons systems.

After seizing the LTTE capital of Kilinochchi in late 2008 and isolating its senior cadres in a swath of land roughly the size of Central Park to its northeast, the SLA began the final phase to end the war with decisive force. Some 250,000 Tamil civilians found themselves squeezed in the “no-fire zone” created by the SLA, which would later be the site of repeated shelling during the war's “humanitarian operation” in 2009, resulting in over 20,000 civilian casualties. The SLA militarily targeted a hospital whose coordinates were given to the government, IDP camps, and safe areas.<sup>90</sup> From a military standpoint, the argument is that the war decapitated the LTTE leadership, which led to an unconditional surrender. Put otherwise, the government of Sri Lanka achieved its larger military objective by winning the war. Moreover, civil war researchers have empirically found that overwhelming military defeats tend to lead to longer-lasting

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<sup>88</sup> From July 18, 2016 interview with Zachariah Mampilly.

<sup>89</sup> See James Fearon, “Rationalist Explanations of War,” *International Organization* 49, no. 03 (1995): 379-414.

<sup>90</sup> From evidence presented in BBC documentary *No Fire Zone* (nofirezone.org). Military officials we spoke to argued that the hospital and other safe areas consisted of Tiger insurgents and were being used for military purposes, thus making their targeting legitimate under the laws of war. Tamil leaders we spoke to dispute this.



peace and greater postwar governance structures than wars that end with negotiated settlements (or outside military interventions).<sup>91</sup>

### Lesson 3: “Losing the Peace”: The Struggle to Achieve Postwar Reconciliation & Rehabilitation

Armed conflicts within countries have the potential to devolve into civil wars whenever there are grievances committed by one party toward another that cannot be resolved politically. That is, one of the most robust predictors of an insurgency or civil war is a recently extinguished insurgency or civil war.<sup>92</sup> This is the fundamental theorem that spans across all scholarly theories regarding civil war, yet if political or socio-economic grievances were the main determining factor for civil war, Sri Lanka’s tenuous peace would have shattered years ago. A repressive government has prevented the old grievances from being properly addressed, and has even created new ones in recent years. However, that same repressive government—and the slightly more moderate one that replaced it in 2015—may be the reason why violence may never break out on the island again.<sup>93</sup> The following items were listed as the most pressing grievances of Tamils in the North: lack of accountability for last phase of war; military presence; sexual assault and harassment by SLA; systematic attack on Tamil culture—or what a new report calls the “repression of memorialization”;<sup>94</sup> government distribution of drugs and alcohol; state-sponsored settlement of Sinhalese people in the North; failure to release Tamil prisoners; government ignoring of the Northern Provincial Council; and the GoSL’s Office of Missing Persons not genuinely trying to locate people.<sup>95</sup>

The first issue of concern not only among the Tamil population but among the international community as well is the actions of the SLA in the final phase of the war in 2009, which constituted human rights abuses according to a 2015 investigation by the UN Office of the High Commissioner for Human Rights.<sup>96</sup> Though the Sri Lankan government continues to describe this final phase as a “humanitarian operation,” Tamils and legal activists describe it as war crimes bordering on genocide. The United Nations accuses the SLA (as well as the LTTE) of committing violations against international law in its conduct of the war, including deliberately targeting hospitals, civilians, and executing prisoners.<sup>97</sup> While the LTTE, a State Department-designated terrorist organization, was certainly far from innocent in its own actions, its leaders were almost all summarily executed or killed in the fighting in those final days, and they cannot be brought to appropriate justice.<sup>98</sup>

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<sup>91</sup> See “How Wars End,” *Human Security Report Project* (2006). Also see Alexander B. Downes, ‘The Problem with Negotiated Settlements to Ethnic Civil Wars’, *Security Studies*, 13: 4 (2004), 230–279; Robert Harrison Wagner, ‘The Causes of Peace,’ *Stopping the Killing: How Civil Wars End* (1993): 235-268; and Monica Duffy Toft, ‘Ending Civil Wars: A Case for Rebel Victory?’ *International Security*, 34, no. 4 (2010): 7-36.

<sup>92</sup> Paul Collier and Anke Hoefler, “Greed and Grievance in Civil War,” *Oxford Economic Papers* 56, no. 4 (2004): 563-595.

<sup>93</sup> The new government of pro-Western Maithripala Sirisena drew mixed opinions among Tamils we met.

<sup>94</sup> “Erasing the past: Repression of Memorialization in North-East of Sri Lanka”, People for Equality and Relief in Sri Lanka (PEARL), November 1, 2016.

<sup>95</sup> From over a dozen interviews with Tamil civil society, opposition politicians, and journalists in Mullaitivu, Trincomalee, and Jaffna, carried out over course of several days in July 2016.

<sup>96</sup> OISL Report, (2015), 1-13.

<sup>97</sup> Ibid.

<sup>98</sup> See OISL Report (2015).

The SLA, meanwhile, has faced minimal accountability for its indiscriminate and disproportional use of force in that final phase.<sup>99</sup> To date, the GoSL has not admitted publicly to inflicting a single civilian casualty, even if members of the military finally acknowledge, at least in private conversations, that counterinsurgencies cannot be fought and won without some. In the South, many Sinhalese laud the military as heroes who finally brought an end to the “most brutal terrorist organization in the world” and would never approve of seeing them prosecuted.<sup>100</sup> This has stalled progress on instituting transitional justice. In 2015, Sri Lanka’s new president, Maithripala Sirisena, acknowledged at Geneva that there were indeed some crimes committed during the war and promised trials to bring certain “bad apples” to justice, though it was highly unclear if the government will meet the March 2017 deadline to do so.<sup>101</sup> There is a lingering dispute over how (or whether) to implement transitional justice, including the composition of the court (whether to enlist foreign or local judges, or some hybrid thereof), the role of political prisoners, and other thorny issues that remain unaddressed. Under the Provincial Terrorism Act (PTA), the government can arrest and hold prisoners without charges. As of this past summer, it appeared that justice was unlikely to ever be achieved.<sup>102</sup>

The military, meanwhile, has maintained a significant presence in the northern and eastern provinces since the end of the war. Senior officers claim this presence is necessary. Across the branches, members of the military have launched economic endeavors that include administering resorts, golf clubs, and hotels on lands formerly owned by Tamils. In spite of these efforts, there is little evidence that there has been any economic development that benefits the Tamil people actually living there. “Fishermen used to be free to fish wherever, but now Sinhalese fishermen are fishing illegally with the support of the troops and government,” one Tamil complained.<sup>103</sup> Others describe it as being under occupation.<sup>104</sup> Many Tamils accuse the police of deliberately turning a blind eye to the flow of drugs and alcohol into Tamil areas—these areas were largely drug- and alcohol-free zones when the LTTE wielded power.<sup>105</sup> There is a stifling of independent media, as security services continue to pay regular visits to opposition newspapers as a way to intimidate editors and encourage favorable coverage. The phrase “white vaning,” was often heard to describe the enforced disappearances of opposition journalists and activists.<sup>106</sup> The military, of course, has its own justifications for maintaining a heavy presence in the areas. But no matter what reasons it gives, they will only be seen as excuses to the Tamil people who view the military as little more than invaders.

### *This Land is Our Land*

On top of the military intrusion into daily life, the Tamils feel invaded by an influx of Sinhalese Buddhists into traditionally Tamil and Hindu areas. Tamil fishermen complain that Sinhalese fishermen are moving in and depleting fish stocks. Another source described how Hindu temples were actively being destroyed by Buddhist monks who then, with patronage from the government, began constructing their

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<sup>99</sup> See next section for more details on the type of violence deployed during the final phase of the war.

<sup>100</sup> From interviews with senior SLA military officials, July 23-27, 2016.

<sup>101</sup> An international investigation was empaneled in 2014 and returned its findings in 2015. It is now clear that Sri Lanka will not meet the March 2017 deadline to perform on its transitional justice commitments.

<sup>102</sup> Taken from interviews with civil society groups in Colombo, July 23-24, 2016.

<sup>103</sup> From interviews with Tamil civilians and politicians in the region, July 23-27, 2016.

<sup>104</sup> Ibid.

<sup>105</sup> Under the LTTE, there was virtually no drugs or alcohol permitted.

<sup>106</sup> On this issue, see D.B.S. Jeyaraj, “White-Vanning Culture and the Lucrative Industry of Abducting Tamils for Ransom,” August 15, 2016 (<http://dbsjeyaraj.com/dbsj/archives/47804>).

own temples and shrines, typically citing some ancestral or holy tie to the terrain.<sup>107</sup> In spite of the areas being traditionally Tamil for generations, scores of Sinhalese families are being moved in, opening their own businesses in places Tamils used to own. “They want to make Tamils a minority in their own homeland,” said one Tamil politician. The same source described it as “colonization,” and the phrase “structural genocide” was used by many of the Tamils we interviewed.<sup>108</sup> The government explained away the supposed encroachment as an effort to redistribute its population. There are serious overcrowding issues within the Western Province, and in that same province there is over half of the country’s economic activity, specifically around Colombo. In an effort to fill in the more under-populated areas as well as spur economic growth, the government began incentivizing families to move to those areas. Since these are primarily Sinhalese families moving into Tamil areas, however, it is seen as a form of internal colonization and slowly crowding out of the native Tamil population.

The root of the issue with both the continued military presence as well as the moving in of Sinhalese families rests with land ownership. In the North, a vast amount of the land is privately owned. These lands were seized by the government as the SLA moved through clearing out the LTTE. Now, the military still holds them as it conducts domestic rebuilding operations and brings in Sinhalese families to develop the area. Unfortunately, many people who were displaced by the war or had lands seized still live inside internally displaced persons (IDP) camps. At its postwar peak, there were over 200,000 IDPs in northern Sri Lanka.<sup>109</sup> There are various numbers presented over how much of the IDP population remains, ranging from 3,000 to 15,000 people.<sup>110</sup> The resettlement of these people is yet another grievance for the Tamil people, some of whom have been displaced for more than twenty years, creating a whole generation of Tamils who have never lived elsewhere.<sup>111</sup>

Reconciliation is further hampered by how the government has approached the situation in the past. Many Tamils feel that even though the administration in Colombo has changed, the agenda has not, and thus the Tamils will continue to suffer.<sup>112</sup> The general feeling among the average Tamil appears to be that the conditions that were in place in the early 1980s, before the war, are the same now. More moderate Tamils, however, recognize that while the grievances are there, the leadership, organization, and funding for a reconstitution of an insurgency are nonexistent. In spite of the strength of the diaspora abroad, the near-constant monitoring of the government as well as post-9/11 laws curtailing foreign terrorism financing would prevent any help coming from the outside to create and fund another militant group.<sup>113</sup> Still, large caches of LTTE munitions reportedly remain at large and there have been at least three attempts to reconstitute the LTTE since the end of fighting in 2009.

### *Tamil Divisions*

The view of the Tamils changes depending on whom you talk to. Some of those we interviewed were more extreme, claiming that they had knowledge of the location of hidden weapon caches, and that due to the actions of the government, organized violence, if not an outright insurgency, could resume at

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<sup>107</sup> From interviews with Tamil journalists in Jaffna, July 24-25, 2016.

<sup>108</sup> Ibid.

<sup>109</sup> OISL Report (2015), 202.

<sup>110</sup> Ibid.

<sup>111</sup> To be fair, the SLA recognizes this challenge and to its credit tracks the number of IDPs that still need to be repatriated, but has no law to compensate citizens for “eminent domain.”

<sup>112</sup> Interviews with Tamil journalists and politicians in Jaffna and Mullaitivu, July 24-25, 2016.

<sup>113</sup> Ibid.

any time.<sup>114</sup> Journalists we interviewed said that “even though the LTTE was defeated militarily, their ideology is still strong. It would be very easy to mobilize the diaspora and resume militant activities.”<sup>115</sup> However, the political representatives of the Tamil people as well as various NGO groups—Sinhalese and Tamil alike—recognize that there is no hope and little desire for any armed conflict. The government maintains not only a complete monopoly of violence throughout the country, but also the overwhelming support of the Sinhalese majority as well as constant surveillance on anyone even remotely suspicious.

Another enduring issue that would prevent any serious return of an open rebellion rests within the Tamils themselves. Within the Tamil community are deep divisions over where to move onward. While there are certainly pockets of extremists, these seem few and far between, with the vast majority of the Tamil population resigned to the fact that armed resistance cannot work again. The level of social cohesion and command and control among the Tamil population that existed during the heyday of the LTTE does not exist anymore. Caste issues also hamper the ability of ex-Tiger reintegration. In the East, former cadres can re-enter society and are respected, but in the North around Jaffna, they are less accepted and less able to find gainful employment.

Meanwhile, another deep issue is the disagreement over what the final demands should be. The mainstream answer, championed by the Tamil National Alliance (TNA), which is the main Tamil party represented inside Parliament, calls for devolution of authority and federalism. But the word federalism has a very negative connotation to the majority Sinhalese, who view it as a slippery slope toward the marginalization and even possible extinction of their people, who are a minority in the larger South Asian context. Increased autonomy and a unified Sri Lankan identity seems to be the consensus among more moderate Tamils in the North. Then there are those who continue to call for complete secession and full autonomy.<sup>116</sup>

The next section examines a few of the key battles of the civil war, including its final operation. The purpose of this section is to analyze how the Sri Lankan military’s force structure, terrain, and battlefield tactics played into its ability to counter and eventually defeat the Tamil insurgency. We start first in the Jaffna Peninsula, and then discuss the importance of the battles of Mullaitivu, Elephant Pass, and Kilinochchi. This section also sets up our analysis of the SLA’s decision to use indiscriminate force during its final “humanitarian operation” in 2008–2009, as well as a larger review of the academic literature on violence and civil war termination.

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<sup>114</sup> Ibid.

<sup>115</sup> From interviews carried out in Jaffna, July 25-27, 2016.

<sup>116</sup> Ibid.

### Section III: Battlefield Assessment

The aim of this next section is to examine in greater detail the tactical and operational levels of the conflict to trace the evolution in military proficiency and doctrine on both sides, which set the stage for the final phase of the war in 2008–2009. The authors of the report surveyed the terrain at a number of important key battlefields and strategic locals in northern Sri Lanka, interviewing participants, witnesses, and civilians to gain a greater understanding of how and why these key battles were fought as well as their impact on the overall course of the war.



#### The Battle of Jaffna

The city of Jaffna is of significant strategic as well as cultural importance to northern Tamils. During the early years of the civil war, the Jaffna Peninsula provided a direct link to India, which allowed Tamil rebels to train, supply, and briefly hide from the government. Culturally speaking, it is considered the homeland for the Tamil population inside Sri Lanka. As such, it was established as the early center of gravity for the LTTE, and acted as its de facto capital, even if its control over the peninsula was never absolute. The group needed to control the city and its surrounding peninsula as a way to secure a sea line of communication to the rest of the country as well as demonstrate the capability to administer a separate state.

Over the course of the civil war, numerous pitched battles were fought in or around Jaffna. The first major battle of the war took place between the 20,000-strong Indian Peace Keeping Force (IPKF) and the LTTE (fielding approximately 2,500 fighters to defend the city) over the course of two weeks in October 1987.<sup>117</sup> The attack on the city was known as Operation Pawan (Wind). The overarching plan was not only to disarm but to eliminate the LTTE's leadership, under the belief that once the group was leaderless, it would fall apart. As such, the battle began in earnest with a botched air assault on Jaffna University. Intelligence provided to the IPKF led them to believe that the LTTE's top leadership could be found there. However, the defenders intercepted the radio chatter, and thus ambushed the Indian assault force. The attackers were trapped in the area for two days and had to be rescued by a unit of tanks.<sup>118</sup>

The battle proved incredibly difficult for the IPKF for several reasons. First, the city was filled with civilians. Unlike the SLA's actions later in the war, the Indians were under strict orders to limit civilian casualties and collateral damage to buildings.<sup>119</sup> This caused them to be incredibly limited in their usage of heavy weapons against the LTTE fighters.<sup>120</sup> On top of that, the civilians could not always be trusted to

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<sup>117</sup> Dilip Bobb, "A Bloodied Accord," *India Today*, November 15, 1987.

<sup>118</sup> *Ibid.*

<sup>119</sup> *Ibid.*

<sup>120</sup> It should be noted that while the IPKF may have been ordered to minimize civilian casualties, they did not. During their intervention, they were implicated in a number of atrocities, including massacres of both Tamil and Sinhalese civilians.

stay out of the fight. Indian soldiers reported that it was nearly impossible to distinguish fighters from civilians, and any teenager could potentially be an enemy.<sup>121</sup>

The other main obstacle was the nature of the fight itself. The IPKF was completely unprepared for urban guerrilla warfare, and its leadership was already beginning to compare the invasion of Sri Lanka to the American war in Vietnam and the Russian war in Afghanistan.<sup>122</sup> The LTTE utilized claymores and improvised explosive devices (IEDs) along every approach into the city, and almost every building was booby-trapped. Snipers could be found on rooftops, and even in tall trees, all across the city. While the Indian armor and mechanized infantry units were generally safer from the snipers and landmines, the LTTE also had anti-armor capabilities, causing significant damage and casualties. And despite an Indian Navy blockade of the city, Tiger ships were still able to slip in and out, providing both supplies to the defenders and a means of escape as the battle eventually drew to a close.

Through persistence, constant airlifts for resupply, and the eventual LTTE breakout from the Dutch-built fort, the IPKF's columns slowly cleared the city of fighters. Over the course of the two weeks, it suffered some 600–1,200 casualties. The LTTE, meanwhile, lost around 700, while the rest of the fighters—including its entire leadership—were able to flee the city and melt away into the jungle. Around 200 civilians were killed in the fighting.<sup>123</sup> The Indians' hold on the city would prove to be fleeting. By 1989, the IPKF retreated from the island, allowing the LTTE to regain control of their capital.

Fighting would recommence years later, this time from the south. From October 17 to December 5, 1995, the city of roughly 100,000 was under a fifty-day siege from the SLA. Around 10,000 SLA soldiers attacked the city, supported by tanks, heavy artillery, and aircraft. Unlike the Indian attack several years prior, civilians attempted to flee in boats in vast numbers. International monitors described the situation as a pending "humanitarian disaster."<sup>124</sup> At the tactical level, the 1995 battle was not as documented as the one in 1987, but the result was largely the same: the SLA eventually took control of the city, suffering roughly 500 casualties while inflicting around 2,000 on the LTTE. Once again, however, many Tigers were able to retreat from the city and return to their guerrilla roots in the countryside. The capture of the LTTE's capital gave the Sri Lankan government a supreme sense of bravado and confidence. They lauded the capture of the city as the death knell of the insurgency and the end of the war.<sup>125</sup> The LTTE, however, was far from defeated.

### The Battle of Mullaitivu

After losing Jaffna in 1995, the LTTE sought to regain the initiative and prove to the international community that it was still a capable force. To accomplish this, the group launched Operation Unceasing Waves. This operation was designed to overrun the major SLA base located in Mullaitivu.<sup>126</sup> Mullaitivu was the site of several important battles throughout Sri Lanka's history, culminating in the 2009 Battle of Mullaitivu in which the LTTE was defeated by the Sri Lankan government. The area is located on the northeast coast of the island, enclosed by a white sandy beach and a blue lagoon. Historically the district was dominated by Tamils. During British colonial rule, two significant battles took place here, one in 1803

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<sup>121</sup> Ibid.

<sup>122</sup> Ibid.

<sup>123</sup> Dilip Bobb, "A Bloodied Accord," *India Today*, November 15, 1987.

<sup>124</sup> Tim McGirk, "Panic as Battle for Jaffna Rages," *The Independent*, October 31, 1995.

<sup>125</sup> Ibid.

<sup>126</sup> Iqbal Athas, "Censorship Out: Then Events Unfurled," *Sunday Times*, October 13<sup>th</sup>, 1996.

and the other in 1878.<sup>127</sup> Two of the most significant battles of the Sri Lankan civil war also occurred here. The first was a resounding victory for the LTTE in 1996. The second battle, a crushing defeat for the LTTE, was the final major action in a civil war that had dragged on for three decades.

During the first battle, on July 19, 1996, after two days of ferocious fighting, the SLA base was completely overrun by a force of 4,000 Tigers. The SLA launched rescue efforts by sea, as well as inserting a large force of commandos near the base. None of these efforts were successful. The LTTE skillfully used suicide attack craft, so-called Sea Tigers, to repel the naval force that attempted to land troops near the base. The 275 commandos were surrounded before they could reach the base, and they took more than 100 casualties before they themselves were rescued.<sup>128</sup> Over 1,200 Sri Lankan troops died in the battle, while the LTTE claimed they lost merely 332 fighters.<sup>129</sup>

The battle was an operational success for the LTTE, having acquired caches of weapons, ammunition, and even some artillery pieces and mortars from the base. Perhaps more importantly, the victory gave the LTTE confidence that it could stand toe-to-toe with the SLA and win. This combination of new conventional weaponry and overconfidence could have certainly been a factor in the Tigers' decision to fight conventionally when the SLA launched its massive campaign after the 2002–2006 ceasefire ended.

### The Battle of Kilinochchi

The Tigers next trained their sights on the town of Kilinochchi, which lies just southeast of Elephant Pass, the only land route linking the Jaffna peninsula with the rest of Sri Lanka. In September 1998, the LTTE launched Operation Unceasing Waves II on the Sri Lankan forces' complex at Kilinochchi. After falling to the LTTE, the town would become the showcase and de facto administrative capital of the Tamil Tigers. Here the LTTE demonstrated that it was capable of governance, including civil services such as banks, hospitals, and a judiciary system.<sup>130</sup>



*A fallen water tower in Kilinochchi bombed by Tigers during the final phase of the war. (Photo Source: Atlas Obscura)*

Still, the Sri Lankan armed forces would retain their hold on the Jaffna Peninsula for the rest of the war, though it was not from lack of effort on the LTTE's part. A crucial chokepoint to the peninsula is Elephant Pass. During the civil war, the SLA constructed a large base here to control traffic to the peninsula. Both the US and British armies provided consultation and helped design the base, which was seen as "impregnable" by some only months before the LTTE would seize it in April 2001. The First Battle of Elephant Pass was fought in July 1999. LTTE forces surrounded the base in order to block off reinforcements, employing anti-aircraft guns to completely isolate the base. At the time, only one battalion of 800 SLA soldiers was garrisoned inside the fort. The

<sup>127</sup> See archives of Sangam.org (<http://sangam.org/mullaitivu-falls-tamil-forces-210-years-today/>).

<sup>128</sup> Ibid.

<sup>129</sup> Taken from "Mullaitivu: Debacle to Victory", *The Eight Man Team Blog*, January 30, 2009, <https://lrr.wordpress.com/2009/01/30/mullaitivu-debacle-to-victory/>.

<sup>130</sup> Interview with Zachariah Mampilly, July 18, 2016.

LTTE was able to slowly advance to the base and capture perimeter positions and force the SLA to fall back to positions deeper within the base. Only after four days of intense fighting were reinforcements sent to the area. A force of 10,000 soldiers landed onshore at Vettalaikerni, just twelve kilometers east of the base. The force was met with heavy resistance and it took the reinforcements eighteen days to reach Elephant Pass. Fighting would continue for a few more days until August 9, when the LTTE made a tactical and temporary withdrawal.<sup>131</sup>

Having learned from the previous failed attack on Elephant Pass, the LTTE knew it would have to adopt a different strategy to seize this important gateway to the North. This time VP adopted a strategy of “encircling and enfeebling” the enemy.<sup>132</sup> Essentially the LTTE would cut off the supply route to the base and try and starve out the SLA. The water at Elephant Pass was undrinkable, so the SLA relied on daily deliveries from a nearby supply base, Iyakchchi. LTTE fighters seized nearby supply bases and began encircling Elephant Pass. After weeks of weakening, the army finally made a “tactical withdrawal” due to a lack of food and supplies. By April 2001, the LTTE occupied Elephant Pass. This effectively cut off the SLA-controlled peninsula from the rest of the mainland, and all supplies had to be either shipped or flown in.<sup>133</sup>

Fast-forward to 2006, and the tenuous ceasefire in place for the past four years would break down. On August 11, the LTTE launched an attack to dislodge the Sri Lankan forces from the peninsula. While it was undocumented how many LTTE fighters were involved in the attack, some 30,000 SLA forces defended the peninsula. The attack occurred in tandem with a large-scale assault by the LTTE on the naval base at Trincomalee in an effort to cut off the main method of resupply for the Sri Lankan soldiers at Jaffna. The attack, however, was a failure, and the LTTE was forced to retreat with heavy casualties. In spite of the failure, the forces in the North continued with their advance. After five days of fighting, the attack stalled, and the LTTE was forced to fall back to its original position outside of the city.<sup>134</sup>

Eager to break free of the Tiger perimeter around the city, the SLA forces launched their counterattack on October 28. However, they were barely able to advance into the LTTE’s territory before being ambushed and, after sustaining heavy casualties, were forced to retreat.<sup>135</sup> The Third Battle of Jaffna ended in a draw, with neither the Sri Lankan Army nor the LTTE able to gain any ground. The LTTE suffered 700–1,000 casualties. The SLA lost over 300.<sup>136</sup> The SLA advanced towards Kilinochchi in the late fall and early winter of 2008, and reportedly all civilians evacuated the town by October. During November and December, the 57th Division of the SLA advanced along the A9 highway from the southeast while Task Force 1 advanced from the west and north to perform a button-hook maneuver, engaging the city from the north. Throughout the last two months of 2008, the SLA shelled the city repeatedly, but intense fighting remained stagnant. Floods and mines set in place by the LTTE prohibited movement of troops, and the LTTE set up considerable defenses outside of the town. By January 2, 2009, however, the overwhelming firepower of the SLA overcame the weaker conventional forces of the LTTE, and they disappeared into the jungle. After their victory there, the SLA began pushing east toward the coast. Though Kilinochchi did not provide an overwhelming advantage in terms of tactical positioning, from a strategic as well as symbolic standpoint, it was a center for morale across the LTTE-controlled territory.

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<sup>131</sup> Hashim, *When Counterinsurgency Wins*, 148-149.

<sup>132</sup> DBS Jeyaraj, “How the LTTE Captured Elephant Pass Army Camp 15 Years Ago Through an ‘Encircle and Enfeeble’ War Strategy,” *DBSJeyaraj.com*, April 27, 2015.

<sup>133</sup> Arjuna Ranawan, “Colombo’s Battle for Jaffna,” *AsiaWeek.com*, May 19, 2000.

<sup>134</sup> *Ibid.*

<sup>135</sup> *Ibid.*

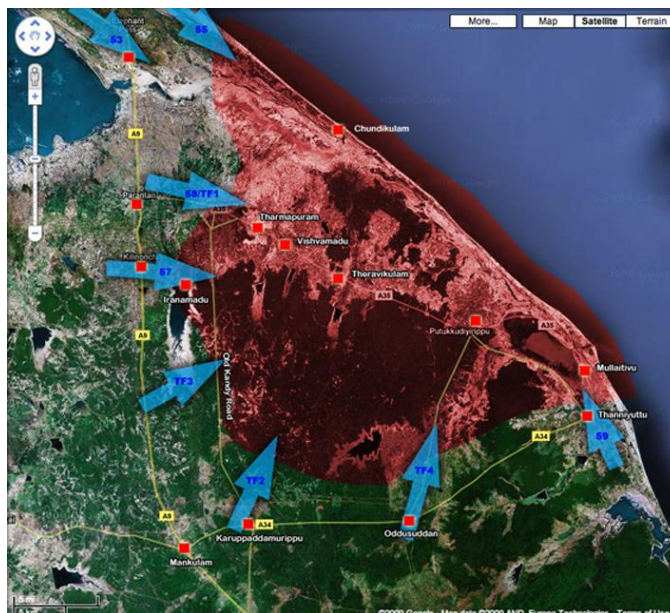
<sup>136</sup> *Ibid.*



The fall of Kilinochchi in 2009 is regarded by many as the beginning of the end for the LTTE.<sup>137</sup> Spokesmen from the LTTE claim that Kilinochchi was a meaningless victory for the SLA since it had been completely evacuated by the time the SLA took it, and much of the infrastructure destroyed. However, the LTTE's loss at Kilinochchi demonstrates that the group was not capable of holding its territory, and had grown overconfident in its military potential.

The LTTE conducted a large-scale withdrawal. Thousands of civilians traveled ahead of LTTE fighters as the Tigers conducted rearguard operations against the pursuing government forces. Eventually, many LTTE fighters (and the civilians who were with them) were bottled up on a flat, narrow spit of land just north of the town of Mullaitivu. Once contained, the LTTE was pounded by indirect fires and airstrikes until ground forces could move in and eliminate any remaining resistance. Mullaitivu officially fell on January 25, 2009.<sup>138</sup> The United Nations estimates that by its end, 40,000 civilians were killed during this final phase of the war, largely due to indiscriminate shelling by the SLA.<sup>139</sup>

Interestingly, after the fall of Kilinochchi, the LTTE had an opportunity to melt back into the jungle and continue the fight as a guerrilla force. Instead, the group chose to fight as a conventional force and make its last stand at Mullaitivu. Because the upper echelons of the LTTE were almost completely wiped out during the war, it is impossible to know exactly why the LTTE chose to make a last stand rather than revert to guerrilla operations. One plausible theory is that the LTTE believed that the international community would intervene if it intentionally exacerbated the humanitarian crisis enough.<sup>140</sup> This would help explain the LTTE's choice to retreat to a tiny, heavily fortified area along with thousands of civilians. In any case, the international community chose not to intervene, and thousands of civilians suffered as a result. On the other hand, the lack of intervention by a third party allowed the SLA to relentlessly pressure the LTTE until it was completely defeated.



Map of the final "humanitarian operation" at Mullaitivu (Credit: David Blacker)

<sup>137</sup> Hashim, *When Counterinsurgency Wins*, 148-149.

<sup>138</sup> *Ibid.*

<sup>139</sup> "UN urges creation of special court in Sri Lanka after new report confirms 'horrific' abuses," *UN News Centre* September 16<sup>th</sup>, 2015. <http://www.un.org/apps/news/story.asp?NewsID=51889#.WN5GZRLyugA>

<sup>140</sup> See Alan J. Kuperman, "The Moral Hazard of Humanitarian Intervention: Lessons from the Balkans." *International Studies Quarterly* 52, no. 1 (2008): 49-80.

## Section IV: Counterinsurgency & the Use of Indiscriminate Force

### A Review of the Counterinsurgency Literature

Yet, how does the violence evident in Sri Lanka fit into the wider literature on indiscriminate versus selective violence in civil wars? The following section unpacks the GoSL's indiscriminate use of violence toward civilians during the last phase of the war, drawing on the academic literature on counterinsurgency and violence in civil war termination.

For this report, we define a counterinsurgency, borrowing from FM 3-24, as the “military, paramilitary, political, economic, psychological, and civic actions taken by a government to defeat insurgency.”<sup>141</sup> Counterinsurgency does not come naturally for most militaries. Arguably a state's conventional material superiority poses challenges to its ability to wage counterinsurgency effectively, given its expectation of swift victory against weaker foes. Military institutions can often become set in their organizational ways, or what Andrew Krepinevich described as the “Army Concept,” in his critique of the US Army's inability and unwillingness to innovate and fight a counterinsurgency in Vietnam.<sup>142</sup> David Kilcullen describes counterinsurgency as “at heart an adaptation battle: a struggle to rapidly develop and learn new techniques and apply them in a fast-moving, high-threat environment, bringing them to bear before the enemy can evolve in response and rapidly changing them as the environment shifts.”<sup>143</sup> He emphasizes the importance of public perceptions and of COIN as an information campaign. Others have likened COIN to “winning hearts and minds,” or WHAM.

In recent years, owing largely to the writings of the French military scholar David Galula, counterinsurgency has been framed as a fight over the allegiance of the population at large between state and insurgent.<sup>144</sup> The logic is that insurgencies require the support of the population, especially for sustained guerrilla warfare, and so counterinsurgency requires not killing as much of the enemy as possible or retaking more territory but rather to winning over the population to the state or counterinsurgent's side. That is, winning individual battles is less important than pacifying the population and providing public goods (e.g., effective governance). To accomplish this, it is necessary to forcibly separate the population from the insurgents. This is often described as “population-centric” counterinsurgency. Robert Thompson, writing on communist counterinsurgency, contends that in addition to this separation, a regime must give priority to defeating insurgents' ability to employ political subversion, as well as control territory to pacify nearby areas.<sup>145</sup> A version of this type of COIN, called the Strategic Hamlet Program, was partly successful in the latter half of the Vietnam War. This kind of COIN was later applied in post-surge Iraq, as US soldiers moved out of forward operating bases and engaged in smaller-scale military patrols to liberate—or in military parlance, to “clear, hold, and build”—areas previously held by insurgents. Krepinevich, writing on the insurgency in Iraq, has likened the approach of

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<sup>141</sup> US Army and US Marine Corps, *Counterinsurgency*, FM 3-24/MCWP 3-33.5 (December 2006), 1-2.

<sup>142</sup> Andrew F. Krepinevich Jr, *The Army and Vietnam* (Washington DC: JHU Press, 2009).

<sup>143</sup> David J. Kilcullen, *Counterinsurgency*, (Oxford University Press, 2006), 2-3.

<sup>144</sup> David Galula, *Counterinsurgency warfare: Theory and Practice* (Greenwood Publishing Group, 2006).

<sup>145</sup> Robert Grainger Thompson, *Defeating Communist Insurgency: The Lessons of Malaya and Vietnam* (No. 10. FA Praeger, 1966).

installing counterinsurgent forces in areas to expand security to that of a spreading “oil spot.”<sup>146</sup> These techniques were first theorized and applied by French Marshal Hubert Lyautey and, as Lt. Col. (Ret) John Nagl has noted, by British Field Marshal Sir Gerald Templer, who famously won the “Malayan Emergency,” an insurgency in the 1950s.<sup>147</sup> A key component to this approach to COIN echoes what one of Mao’s generals’ claimed about revolutionary wars, which is that counterinsurgency is “20 percent military action and 80 percent political.” Many of these tenets of population-centric counterinsurgency were later codified in the 2006 FMFM 3-24. As the manual puts it, “Some of the best weapons don’t shoot,” referring obliquely to the role of “money as ammunition” and other non-kinetic forms of counterinsurgency.

But in recent years, these principles have come under scrutiny and withering criticism. Gian Gentile claims that population-centric counterinsurgency downplays the importance of the use of force.<sup>148</sup> He claimed that the British pacification of Malaya required a great deal of coercion in the form of forcible relocation. Another criticism of population-centric counterinsurgency is its failure to emphasize the importance of leadership.<sup>149</sup> This viewpoint holds that more resources should be expended on security, developing leaders, and building a civil administration, not on “winning over” the population. A final criticism is that counterinsurgency, at its essence, explicitly requires state-building, which is often antithetical to winning “hearts and minds.” As Paul Staniland notes, “Rather than a simple, apolitical technocratic exercise in administrative efficiency, state-building is characterized historically by relentless coercion, social homogenization, and center-periphery conflict.”<sup>150</sup>

There is also disagreement over how to prevent a recidivism to war after the kinetic part of counterinsurgencies end. One theory holds that the imposition of democratic elections will act as a bulwark toward a decline back into violence. Looking at Russia’s counterinsurgency in Chechnya, Mark Kramer writes, “In a country that holds regular multiparty elections for the highest office, leaders are apt to find that a costly and prolonged counterinsurgency campaign will spawn public restiveness and cynicism.”<sup>151</sup> What generally occurs after protracted counterinsurgencies is what Staniland calls “ugly stability,” a kind of uneasy peace sustained by collusive bargains between the state and insurgents.<sup>152</sup> Of course, it will depend on how the counterinsurgency was won. Scholars find that negotiated settlements, which are how roughly one-quarter of all civil wars end, do not stick, especially for ethnically driven wars.<sup>153</sup> The logic is that the preference for power-sharing agreements or greater federalism and autonomy for the ethnic insurgents lead to a relapse into war two-thirds of the time, largely because these deals require some level of disarming on the insurgents’ side, which can foster greater distrust. Moreover,

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<sup>146</sup> Andrew F. Krepinevich Jr, “How to Win in Iraq.” *Foreign Affairs*, 2005, 87-104.

<https://www.foreignaffairs.com/articles/iraq/2005-09-01/how-win-iraq>

<sup>147</sup> John A. Nagl, *Learning to eat Eat Soup with a Knife: Counterinsurgency Lessons from Malaya and Vietnam*. (Chicago, IL: University of Chicago Press, 2009).

<sup>148</sup> Gian Gentile, *Wrong Turn: America’s Deadly Embrace of Counterinsurgency* (New York: New Press, 2013).

<sup>149</sup> Mark Moyar, *A Question of Command: Counterinsurgency from the Civil War to Iraq*, (New Haven: Yale University Press, 2014).

<sup>150</sup> Paul Staniland, “Counterinsurgency is a Costly, Messy Business,” *Foreign Policy* (November 19, 2009). <http://foreignpolicy.com/2009/11/24/counterinsurgency-is-a-bloody-costly-business/> (accessed Dec. 10, 2016).

<sup>151</sup> Mark Kramer, “The perils of counterinsurgency: Russia’s war in Chechnya,” *International Security*, (2006).

<sup>152</sup> Staniland, “Counterinsurgency is a Costly, Messy Business,” (2009).

<sup>153</sup> Alexander B. Downes, “The Problem with Negotiated Settlements to Ethnic Civil Wars,” *Security Studies*, 13, ISS. 4 (2004).

often these deals do not require the complete dismantling of the insurgency's infrastructure, thus allowing insurgents to fight another day.<sup>154</sup>

### The Use of Indiscriminate Violence

The use of indiscriminate bombing and targeting of civilians was a crucial, if controversial, part of the GoSL's approach to COIN.<sup>155</sup> By late 2008, the SLA had cornered the LTTE in a remote swath of land made continuously smaller in the northern Vanni. One mile southeast of the town of Puthukkudiyiruppa, known as PTK, a "no-fire zone" (NFZ) established by the GoSL was supposed to be a safe haven for civilians from the violent conclusion to the civil war. The zone was an area no larger than New York City's Central Park, but contained as many as 250,000 civilians.<sup>156</sup> The Tamil civilians in the area were trapped, both by LTTE refusing to let them leave, and by the onslaught of SLA forces coming from every direction. However, both permanent and makeshift hospitals were repeatedly shelled by government forces.

Beginning in December 2008 and continuing through May 2009, over 30 hospitals were shelled by government forces, resulting in the injury and death of civilians.<sup>157</sup> Human Rights Watch claims that the deliberate targeting of hospitals by the SLA constituted a war crime.<sup>158</sup> Not only were those seeking medical attention and refuge targeted deliberately, there were reported instances of secondary attacks moments after an initial shelling, meaning that it is unlikely the hospitals were targeted by accident. Hospitals are "specially protected under international humanitarian law" unless they are "used to commit hostile acts."<sup>159</sup> Yet, there is no evidence that the LTTE ever utilized the permanent and makeshift hospitals near PTK to their advantage.

The hospital in PTK was eventually abandoned—today it is an outdoor war museum and memorial—as its operating theatre had been destroyed and the staff were no longer safe, and a makeshift hospital was established in a school in Putumattalan in February 2009.<sup>160</sup> The coordinates of the hospital were shared to both LTTE and SLA forces.<sup>161</sup> The hospital was hit with an artillery shell for the first time less than ten hours later. Over the next two months, the hospital was shelled five times, killing over fifty people and injuring hundreds. On April 21, a makeshift hospital at Valayanmadam, whose coordinates were made public and whose ceiling was marked with a red cross, was bombed aerially, killing five people, one of whom was a doctor.<sup>162</sup> At this point, the makeshift hospitals were abandoned.

One unnamed source able to escape the NFZ stated that he could clearly see the markings on the makeshift hospitals from the SLA's position.<sup>163</sup> When prompted by the international community, the

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<sup>154</sup> Ibid.

<sup>155</sup> Here it is important to note that Air Force officials we spoke to denied the use of airstrikes in densely populated areas and stressed their use of precision-guided munitions (PGMs) to minimize collateral damage.

<sup>156</sup> From interviews with Tamil sources in the north and east (July 25-26, 2016).

<sup>157</sup> "Sri Lanka: Repeated Shelling of Hospitals Evidence of War Crimes," *Human Rights Watch*, May 8, 2009. <https://www.hrw.org/news/2009/05/08/sri-lanka-repeated-shelling-hospitals-evidence-war-crimes>.

<sup>158</sup> Ibid.

<sup>159</sup> Ibid.

<sup>160</sup> Ibid.

<sup>161</sup> From No Fire Zone, a BBC Documentary (nofirezone.org) but also from several interviews of Tamil civil society groups we conducted July 25-26, 2016.

<sup>162</sup> Ibid.

<sup>163</sup> Randeep Ramesh, "Hospital Hit as Sri Lanka Conflict Nears Climax," *The Guardian*, February 9, 2009.

Rajapaksa government vehemently denied the targeting of hospitals, and stated that “no hospital should operate in the area. That is why [we asked] all the patients to move.”<sup>164</sup> Gotabaya Rajapaksa, permanent secretary in the Ministry of Defence (and president’s brother), blamed the LTTE for the attacks, attributing the hospital bombings to the desperation of LTTE forces.<sup>165</sup> While journalists were barred from entering the area, independent observers shared images and videos of the aftermath of the attacks to the Associated Press, detailed in the documentary *No Fire Zone*.<sup>166</sup> Despite the international outcry over the bombings of hospitals, no military commander or civilian official responsible for the attacks was ever held accountable in court.

According to sources we spoke to in Jaffna, cluster munitions and barrel bombs were widely used.<sup>167</sup> Chlorine gas also was alleged to have been deployed against Tamil civilians.<sup>168</sup> The logic of this type of indiscriminate violence, which turns on its head the population-centric philosophy behind US COIN doctrine, is threefold. First, many of the senior officers we spoke to had enlisted as young officers in the early 1980s at the beginning of the war and so they were battle-tested but also wary of fighting several more decades. They had seen numerous military campaigns and ceasefires fail because of lack of popular will but also an inability of the military to decapitate the LTTE leadership. There was a strong sense among the senior combatants we spoke to that after the ceasefire broke down in 2005–2006, the SLA had learned its lessons, its senior officers were battle-hardened, and it enjoyed popular support to use all its military might to destroy the LTTE, even at the cost of producing mass atrocities. Domestically, the majority Sinhalese population turned in favor of using greater force after LTTE operatives began carrying out suicide operations against soft targets. Shortly before a suicide bomber carried out an attack in Kandy in 1998, the LTTE was placed on the US list of terrorist organizations, further isolating it internationally. A decade earlier, the LTTE had already lost its main state sponsor—India—after trying to kill a number of Indian politicians. By the time Rajapaksa came to power in 2005, according to sources we spoke to across Sri Lanka, public support for ending the war with overwhelming force among average Sri Lankans, even despite evidence that civilian casualties would be great, was high. The SLA and the Sri Lankan government issued a media blackout and prevented international reporters from covering the conflict. It was, as one reporter put it, a “war without witnesses.”<sup>169</sup>

Second, indiscriminate violence was partly unavoidable. That is because the LTTE traveled in tight units with family members, which ballooned to over 200,000 civilians by the end of the war, and virtually every Tamil family was required to have a member enlist with the LTTE. Moreover, it was not uncommon for Tamil civilians to be deliberately used as human shields. The Tigers’ endgame logic, according to several witnesses and experts we interviewed, was twofold (and a bit counterintuitive): First, the Tigers, having fended off the Indian Peacekeeping Force in the fight for Jaffna and then holding Kilinochchi and much of the Vanni region for several years, felt confident they could defeat the SLA. Second, if they did not win, the Tiger leadership believed that if there were enough civilian casualties, the international

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<sup>164</sup> Ibid.

<sup>165</sup> Ibid.

<sup>166</sup> Callum Macrae, “No Fire Zone,” BBC Films, 2013 (nofirezone.org).

<sup>167</sup> Ibid.

<sup>168</sup> The use of chemical weapons by the GoSL has never been proven but numerous Tamils we spoke to confirmed their use. It should be noted that the LTTE was the first non-state actor to ever deploy chemical weapons (chlorine) in 1990 in Batticaloa district.

<sup>169</sup> From an interview carried out at Jaffna Press Club (July 25, 2016).

community would be compelled to intervene to stop the war.<sup>170</sup> There is evidence that this dynamic was at play in 2008–2009.

A more persuasive argument heard is that the Sri Lankan government, backed by popular support and the post-9/11 counterterrorism climate, sought a kind of punitive response to the Tigers. Some human rights groups have accused the government and the SLA of carrying out what they describe as “war crimes” as a way to kill as many Tamils as possible to both prevent the LTTE from ever reconstituting itself and reshape the postwar population in favor of the Sinhalese.<sup>171</sup> Based on our research, evidence for the deliberate targeting of civilians is abundant.

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<sup>170</sup> The scholar Alan Kuperman has described this mechanism as the “moral hazard” of humanitarian intervention, as it unfairly rewards rebels who ratchet up the violence to an unacceptable degree to prompt outside military intervention, thus incentivizing rebels to engage in greater hostilities, not less, knowing they would be bailed out (“The Moral Hazard of Humanitarian Intervention: Lessons from the Balkans.”, *International Studies Quarterly* 52, no. 1, 2008: 49-80).

<sup>171</sup> “UN Human Rights Council urges Sri Lanka War Crimes Court,” *BBC News*, September 16, 2015. <http://www.bbc.com/news/world-asia-34266471>

## Section V: Implications for US Counterinsurgency Doctrine

The final phase of Sri Lanka's civil war provides important lessons for the United States and other countries engaged in COIN operations. From top-level policymakers to junior military officers, there is much to be learned from this under-studied conflict. At first glance, the outcome of Sri Lanka's war might appear to support the argument that overwhelming violence can defeat an insurgency. Yet, the case is far more nuanced and requires closer inspection. Even states that eschew the Sri Lankan state's methods ought to pay attention to this conflict because other regional actors, are certainly studying it. For example, Pakistan formally requested Sri Lanka's government to provide counterinsurgency training in an effort to repeat Sri Lankan "successes" in places like Kashmir and the FATA.<sup>172</sup>

We identify a number of military implications from the Sri Lankan conflict:

*The use of massive and overwhelming force can be effective strategy in ending an insurgency when and only if the following four conditions are met:* First, the international community does not hold much influence over the armed actors, possesses little desire to intervene, whether politically or militarily, or is not fully informed of all military operations as they are happening in real time;<sup>173</sup> second, the state is able to cut off insurgents from external resupply; third, there is sufficient public support for military actions domestically; and fourth, a state is fighting an internal war and not expeditionary COIN. As noted, this is neither a normative nor a prescriptive statement, only a recognition of the necessary conditions under which such COIN tactics are most effective. Further, these conditions only enable the end of war but do not mitigate, and arguably exacerbate, the postwar conditions for reconciliation. It should be emphasized, moreover, that this type of violence is more effective as a form of territorial control than coercion and, depending on the context, may violate the laws of armed conflict.

*Generally speaking, a decisive military victory is more amenable to achieving a lasting peace than a negotiated ceasefire.* However, to prevent a backslide into war or violence, states must either address the fundamental grievances that caused the war in the first place or perpetually resort to powerful repressive measures to keep disaffected populations in line. Currently, the Sri Lankan government is not doing what it takes to placate the Tamil population. Tamils we spoke to complain of "structural genocide," and blame the current government for their economic grievances, for the military occupying their land, and for refusing to make concessions for greater Tamil federalism in the North. The government's repressive apparatus is strong enough to keep them from openly revolting. If the government loosens its grip on the northern and eastern parts of the island but fails to address underlying grievances, there is a small risk of another outbreak of violence.

*Before intervening in conflicts or brokering ceasefires to arrest insurgencies or civil wars, external powers should at least ask whether intervening might prolong the conflict and lead to greater*

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<sup>172</sup> On Pakistan, see "Pakistan's military delegation visits Sri Lanka," *Zee News*, May 1, 2010, <http://www.zeenews.com/news623414.html>. An *Economist* article also cites outreach from military officials in Burma, Thailand and Bangladesh to the GoSL for advice on repeating the 'Sri Lanka Option' in their countries. See "The Sri Lanka option: Friends like these," *The Economist*, May 20, 2010.

<sup>173</sup> By "international community," we are referring broadly to international bodies like the United Nations as well as Western security alliances such as NATO and international tribunals such as the International Criminal Court. This point is not to assume that there was no prior knowledge of the military operations in northern Sri Lanka from 2008-2009, but that because of the lack of access granted journalists, much of what we know about what occurred from a humanitarian perspective came to light after the war ended.

*suffering in the long run.* While the end of the war was brutal and arguably in violation of humanitarian international law in its deliberate targeting of non-combatants and Red Cross facilities, it was an *end*. If the international community had intervened, that end might have been merely a pause, and perhaps the war would still be raging today.<sup>174</sup> The international community must weigh the costs and benefits of both intervening and not intervening and then make hard decisions based on that analysis.

*For some counterinsurgencies, it may make strategic sense to allow insurgent groups the space to organize, control territory, and conventionalize their forces.* It is much easier to bring military power to bear on conventional forces than on insurgents that remain hidden among the population. During the last ceasefire, the LTTE made significant strides in conventionalizing its forces. In cases of insurgents that seek to enjoy the trappings of quasi-statehood—rebel governance, holding territory, etc.—this should favor the counterinsurgent. The restructuring of the LTTE was instrumental in the group’s downfall. Rather than fighting as guerrillas, the LTTE chose to stand toe-to-toe with the SLA. One SLA officer we spoke to went so far as to say that if the Tigers had chosen to revert to guerrilla warfare, “they’d still be fighting.” The theory is that the SLA was unprepared to fight another decade of guerrilla-style insurgency in the Vanni jungles but rather could only rout the LTTE because its forces fought conventionally.

*States must align their force structure to deal with the threats they are actually facing, not the kind of threats they would like to face.* The United States experienced the pain of fighting COIN campaigns with forces that were designed primarily for conventional operations. The SLA suffered from a similar problem, and like the United States, it adapted.<sup>175</sup> During the ceasefire preceding the final campaign, the SLA underwent a massive restructuring program. Small units were created and given a great deal of autonomy, and the military, in general, became much more reliant on lighter and more mobile infantry. The United States should take a lesson from the Sri Lankan military and evaluate whether our current force structure is based on the large-scale conventional wars we would like to fight, or whether it is based on a grounded analysis of the conflicts we actually find ourselves in. The US Army never reorganized despite the length of counterinsurgencies in Iraq and Afghanistan.

*Powerful states should not be afraid to employ small-unit tactics—to “go guerrilla”— against weaker enemies, especially those that adapt the trappings of statehood, fight conventionally, and engage in some form of rebel governance.*<sup>176</sup> As the LTTE built a pseudo-state and conventionalized its forces, the SLA took advantage by waging a campaign of unconventional warfare against the LTTE’s fledgling institutions, utilizing its Specialized Infantry Operation Troops (SIOT). Even though the Sri Lankan government still maintained tremendous advantages in material, weapons, and manpower, it chose to utilize more flexible small-unit tactics to bring the fight to the LTTE. Commanders on the ground attested to the effectiveness of this approach. Militaries that have a marked conventional advantage should consider small-unit tactics and irregular warfare as a legitimate option, even when facing a weaker enemy.

*When it comes to counterinsurgency, there are unintended consequences of our human rights policies.* US policy prohibits the State and Defense Departments from assisting foreign militaries

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<sup>174</sup> Again, this is a common theory most notably associated with Edward Luttwak, "Give War a Chance."

<sup>175</sup> It should be noted that the cases are vastly different, given that the US was doing expeditionary COIN in a Muslim country while simultaneously doing nation/state building.

<sup>176</sup> Mampilly, *Rebel Rulers*, (2011).



that have committed human rights violations.<sup>177</sup> This stance might perversely allow those foreign militaries to act with greater impunity. When the United States refuses to provide aid or assistance to a state, the natural next step is for the state to seek assistance from another source. Often, these other sources of aid are authoritarian regimes (like Russia or China) that are willing to provide assistance regardless of blatant human rights abuses. This frees up the counterinsurgent forces to prosecute the war without regard for human rights. If US advisors had been present during the final campaign of the war, it is possible that the SLA would have been more constrained and avoided inflicting some of the civilian casualties that occurred.

*If a state military employs a COIN strategy similar to Sri Lanka's, there must be greater attention paid to the postwar needs of those victims displaced or adversely affected by the war.* This includes, but is not limited to, the "Five Rs": reconstruction, resettlement, rehabilitation, reintegration, and reconciliation.<sup>178</sup> Included in this postwar template to rebuild after a war and counterinsurgency campaign of this kind of magnitude and violence is the need for de-mining, the release of military-occupied land, IDP resettlement, and sensitivity to the losing side's cultural, religious, and economic rights.

*An enemy-centric focus may have worked because if a majority of the population did not need to be won over, then a "hearts and minds" approach is unlikely to work.* Given that the Tamils were so alienated, winning the population over didn't matter. This holds true for COIN carried out against consolidated minorities.

*Isolating an insurgency from external support and safe havens is important to a COIN strategy's success.*

*Terrorist designation works, if done in combination with a freezing of the group's financing and access to other military assets, as it isolates such groups internationally, robs them of an important base of support (i.e., diaspora networks), and undermines their legitimacy.*

*It may be difficult, if not impossible, for countries to win at COIN if they follow international norms.* These norms prohibit the deliberate targeting and forced displacement of civilian populations. To be sure, there are inherent contradictions in COIN, even population-centric COIN, which requires some baseline level of coercion to physically clear and rebuild insurgent strongholds. This goes in spades for expeditionary COIN, where there may be greater likelihood of violations of international norms, whether intentionally or due to cultural miscommunications.

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<sup>177</sup> Specifically, see the Leahy Law, named after Senator Patrick Leahy of Vermont, which is an amendment to a US human rights law and prohibits branches of the US government (e.g. State, DOD) from providing aid to any foreign military forces that violate human rights.

<sup>178</sup> At the time of this writing, 2,963 ex-LTTE cadres have been rehabilitated, while 1,005 former combatants have not, remain at large, and are considered a security threat by the Sri Lankan government. A number of ex-LTTE fighters fled abroad. On the release of military-occupied land: Of 27,000 hectares of land occupied by military in 2009, 21,000 have been released and 6,000 still occupied, roughly 2.14% of Jaffna's landmass.

## Section VI: Conclusion

In this report, we explored the case of Sri Lanka’s violent conclusion to its decades-long civil war against the Tamil Tigers. The purpose of this Contemporary Battlefield Assessment is to critically examine how a foreign military successfully brought about war termination in a modern counterinsurgency as well as to analyze the many layers of this conflict—including both side’s force structures, the role and utility of ceasefires, the splitting of insurgent groups, the postwar effort (or lack thereof) at reconciliation and rebuilding, and the decision to employ indiscriminate violence against non-combatants. We identify a number of lessons from this war—tactical, operational, and strategic—on how to bring about successful conflict resolution, as well as identify a set of conditions under which overwhelming military force can be applied to defeat modern and more sophisticated insurgencies.

Observed from a purely operational military standpoint, the takeaway from this Contemporary Battlefield Assessment is that under a very narrow and perhaps un-replicable set of conditions, the use of overwhelming force can successfully defeat an insurgency. The violent crescendo of Sri Lanka’s war in 2009 supports the argument that counterinsurgency is fundamentally a form of state-building, brutal, violent, and requiring unflinching public support, and the outcome of even a military victory can lead to what some scholars call an “ugly stability.”<sup>179</sup> The GoSL “put military might over hearts and minds,” as one expert we spoke to put it. Further, this case appears to uphold the argument that a decisive military victory rather than a negotiated settlement can achieve a more durable peace. However, as this report and the evidence we collected document, the war in Sri Lanka is a complex case, and the facts regarding the conduct of the war’s final phase will be debated by international human rights lawyers for decades. It should be re-emphasized that greater attention is required to “win the peace,” including more resources and political capital devoted to transitional justice, postwar reconciliation, and power-sharing, or else states risk a relapse into war. Again, this report is in no way a validation of the type of counterinsurgency employed by the GoSL. Rather, the aim of this report is to provide a set of guidelines, lessons learned, and pitfalls to avoid as US COIN doctrine and strategy continue to evolve in the twenty-first century.

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<sup>179</sup> Staniland, “Counterinsurgency is a Costly, Messy Business,” (2009).

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