

**SOUTH ASIA:  
DRUGS,  
GUNS &  
REGIONAL  
CONFLICT**



## **Small Arms in India & the Human Costs of Lingering Conflict**

*The acid test of good government is the level of response to the human rights requirements of its citizens. The protection and promotion of human rights have become the fundamental purpose of government. The level of a state's development can be determined by the extent to which its citizens enjoy human rights in all their ramifications. Peace, progress and stability are predicated at both the national and international levels with respect to human rights.*

U. Oji Umozurike, *The African Charter on Human and Peoples' Rights, 1997*

The past two decades have witnessed an escalation not of the causes of unrest in India, but rather of the lethality of militancy, and the costs of such violence increasingly threaten to upset the democratic tradition that has survived in India through the last fifty years. Viewed through the prism of contemporary human rights standards, small arms proliferation and the increasingly tenuous law and order situation in regions of the Indian Union are contributing to a crisis of governance, in which the State can no more guarantee the security of its citizens from non-state actors than it can itself uphold the entire family of civil, political, economic and cultural rights. The Indian State has proven incapable in many cases of responding to armed violence, perpetrated with ever more sophisticated and abundant weapons by insurgents, through peaceful, democratic and constitutional channels. Rather, in Punjab, Kashmir, the northeast states and other zones of civil conflict, as violence has escalated and state authority has been subverted, a pattern of human rights violations has emerged of which all parties are guilty.

If the character of the response to armed insurgency is a litmus test of the vitality of democratic institutions, and if we accept that the very quiddity of a democracy are the human rights standards that underpin good governance, the conflicts that have wracked India since the beginnings of well-armed militancy in Punjab State prove the

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vulnerability of Indian democracy. The State may be strong, but that strength has too often been located in armed force, rather than the courts, the media, the electoral process that mediates the aspirations of citizens, and the administrative organs that exist to improve the conditions of the impoverished majority.

The issue of small arms proliferation in India is most often viewed as a crisis of 'state security'; in this term is imbedded a set of assumptions which must be challenged. The security of the State cannot be an objective in itself. Rather, the critical question is whether the capacity of the State to ensure the security of its population is intact, or whether conflict such as that experienced in parts of India has eroded this capacity. Furthermore, the concept of security must be linked to the family of rights which India has recognised in a series of international documents and conventions, beginning with the United Nations Universal Declaration of Human Rights (1948) and most recently reaffirmed in the Harare Declaration (1991). The fundamental character of 'security' extends beyond the right to life, and embraces justice, equality, freedom and self-determination.<sup>1</sup> Indeed, the *raison d'être* of the State is the protection of individual liberties, and the security of the State is directly linked to this condition, and is contingent therefore upon the responsiveness of its administrative organs: their transparency, accountability, effectiveness, and efficiency.\*

In the past two decades, contrary to received wisdom, it is not the State itself that has been threatened by a series of determined insurgent movements, but rather the security, and the rights, of the individual Indian, most conspicuously in the zones of conflict. The emergence of increasingly better armed, better organised and more numerous militants is directly linked to the proliferation of sophisticated small arms and light

weapons sourced primarily from outside India. Levels of violence have escalated commensurately, and the authority of the State has been subverted more frequently since the precedent-setting explosion of militancy in Punjab in the 1980s. Faced with an entirely 'renovated' enemy, equipped with more lethal weapons in greater numbers, the costs of Internal Security (IS) operations have mushroomed, the Indian army has been deployed against Indian citizens on numerous occasions, and the brutality of 'peace-keeping' has produced a long catalogue of human rights abuses perpetrated by the State against civilians to match the violence of militants. More

\* Within the family of democratic nations, the primacy of individual rights, balanced against the obligations of citizenship, is no longer questioned, although the discrepancy between this rhetorical principle and reality may be large. "The good society is one in which individual rights flourish and in which their protection and promotion are the fundamental objective of government." L. Henkin, *The Rights of Man Today*, London (1979).

ominously, perhaps, shortcomings in constitutional law have been exploited to justify military rule and extrajudicial law and order measures, while the functions of the judiciary and the National Human Rights Commission (NHRC) have been abrogated with regard to investigations of human rights abuses.

This chapter will explore the problem of small arms proliferation in India through the histories of conflict in three regions: Punjab State, Kashmir, and the north east states. The movement of arms into these areas is a phenomenon closely linked to the larger security situation in South Asia – to the crisis of authority in Pakistan, the huge accumulation of arms in Afghanistan, conflict in Sri Lanka, and proximity to the large arms market in South East Asia – a fact to which India is in some measure held hostage. A description of these situations is also provided. The second half of this chapter will explore the manner in which insurgency, and the response of the State, has eroded both the civil/political rights and the economic rights of the individual in the zones of conflict and in India in general. Finally, the very serious implications for the vitality of democratic institutions in India and for the health of the economy will be explored using the rubric of the human rights family, which itself reinforces the rights-informed conception of ‘state security’.

### **I. Small arms proliferation in the regional context**

India is set in a region awash in sophisticated small arms, a great number of which are now available for purchase as a number of major conflicts have come to an end. To provide quantitative data on the number of various types of light weapons in either the region or in India alone is impossible – gathering such information is fraught with complications and a great portion of the weapons is in the hands of non-state actors – but anecdotal and inferential evidence suggests that the numbers are high.

Taking advantage of long and porous borders, poor relations between certain South Asian states (Pakistan and India, for example), numerous areas of militancy where weapons are in demand, and huge accumulations of light weapons, a network of arms bazaars, smuggling routes, and criminal organisations (often militants themselves) flourishes in South Asia. Drugs and weapons often move via the same trafficking ‘pipelines’, and in many cases, both state and non-state actors have large vested interests in the commercial value of such illicit trade, which itself gives every indication of being

large and lucrative. Moreover, this network supplies and in some cases sustains financially, groups at war with the Indian state.

Decades of conflict in Afghanistan, in which both the Cold War superpowers were directly involved, has generated a vast accumulation of weapons and a large population of displaced and transient fighting men, many of whom are committed to the cause of Islamic *jihad*. Before the outbreak of active conflict, between 1956 and 1978, the Soviet Union provided Afghanistan with US\$1.25 billion in military aid and sustained the country's 100,000-man army.<sup>2</sup> The US, India, Egypt and Pakistan all competed for influence as well, channelling military *matériel* and expertise to both the state and to tribal groups opposing the regime in Kabul. After 1979, the flow of arms into the country accelerated rapidly, as the Soviet state fought with a shifting coalition of tribal and religious forces, variously supported by the US, Pakistan, and Saudi Arabia. The total amount of military aid injected by these states from 1986 to 1990 alone is estimated at US\$8.7 billion. One Indian analyst reports that "by the end of 1992, Afghanistan had a minuscule air force, 50,000 troops and enough small arms to equip the combined forces of India and Pakistan."<sup>3</sup> At present, there are an estimated 10 million automatic rifles of the AK family (the world's most ubiquitous assault rifle, of which 40 to 70 million have been manufactured since 1947) in Afghanistan alone, and among the vast arsenal accumulated there and in Pakistan's frontier provinces, there remain as many as 500 functional US-made Stinger surface-to-air missiles (SAMs), each one capable of downing aircraft at high altitude.<sup>4</sup> These SAMs – portable and fired from the shoulder – have entered the global arms market and are reported to sell for roughly US\$100,000, while the CIA has presently set aside US\$55 million to buy back Stinger missiles, offering US\$175,000 a piece. Among those insurgent groups now in possession of Stinger SAMs are UNITA rebels in Angola, the PKK in Turkey, Chechen armed forces in the Caucasus, and the Tamil Tigers in Sri Lanka.<sup>5</sup>

Much of the weaponry injected into the war in Afghanistan was supplied covertly by the CIA and channelled by the Pakistani secret services (ISI) to the Afghan border and beyond, a notoriously leaky 'pipeline'. At the height of the covert supply operation aimed at strengthening the *mujahedin*, 50-60 trucks were moving weapons through Pakistan's frontier provinces a day, and huge quantities of weapons were diverted to ISI and Pakistani Army stocks and to commercial interests.<sup>6</sup> Indeed, reports and studies estimate that 70% of arms and ammunition moved via the ISI-CIA weapons pipeline

(weapons mostly purchased in China) was diverted to other destinations. Of this amount, at least 3 million AK-family automatic rifles 'leaked', many of which are suspected to have been covertly funneled to militants in Kashmir.<sup>7</sup> This influx of weapons into Pakistan has itself fuelled a crisis of law and order, and pre-existing communal and religious antagonisms have conspicuously sharpened as gun violence has spiralled beyond the state's control. Having served as an *entrepôt* for weapons moving into Afghanistan, Pakistan is still actively engaged in supporting the Taliban regime's conquest of Afghan territory.

Among Commonwealth states, Pakistan has become one of the most seriously debilitated by the effects of small arms proliferation. There are at least 100,000 weapons in Karachi alone, over a million in the frontier provinces, and at least one automatic rifle in every family household in the border province of Baluchistan.<sup>8</sup> Mark Tully, when still a BBC correspondent in South Asia, described Karachi thus: "[It] has been divided into small fiefdoms controlled by breakaway desperadoes from various political and religious groups, and their running feuds are so complex that the authorities can do little except go round collecting bodies."<sup>9</sup>

To India's south in Sri Lanka is based one of the world's most effective insurgent movements, the Liberation Tamil Tigers of Eelam (LTTE), which has developed the machinery to acquire and deliver arms and drugs to almost any port in the South and Southeast Asian region (see Peter Chalk's chapter in this volume). Fourteen years of heavy fighting between the government based in Colombo and the LTTE based on the Jaffna Peninsula and the northeastern provinces has produced over 50,000 casualties. The Indian government played a key role in arming and training the LTTE beginning in 1983 and continuing until 1988, and there were as many as 20,000 Tamil cadres training in Indian camps at any one time throughout this period.<sup>†</sup> However, after the Indo-Sri Lanka Peace Accord, signed in July 1987, the LTTE was forced to turn to the international illicit arms market, which in fact provided access to a much wider and more lethal range of weapons than were previously supplied by the Indian government. Financed by drug-trafficking profits and the Tamil diaspora, the LTTE has developed a sophisticated infrastructure to move arms to their bases in northern Sri Lanka, including a large deepwater fleet. Because the LTTE acquires its weapons via illicit channels, the volumes of weapons held by them is difficult to estimate.

<sup>†</sup> "Training, which began in September 1983, was alleged to have continued until 1988, with the LTTE office in Madras being kept up apparently to facilitate 'back door' negotiations." Tara Kartha, *Tools of Terror*, New Delhi: IDSA (1999), p. 145.

However, the manner in which the LTTE continues to resist the entire Sri Lankan armed forces is the best indication of not only the dedication and organisational level of this group, but also of the quality of its equipment. In one year, beginning in March 1997, the attempt of the Sri Lanka army to take control of the highway to Jaffna through LTTE territory produced roughly 2,500 casualties without securing any new territory in a lasting way.<sup>10</sup> Meanwhile, military expenditure as a percentage of GDP in Sri Lanka has gone from 3.8% in 1985 (US\$311 million) to 6.5% in 1996 (US\$867 million), and presently stands at almost three times the per capita expenditure of India.<sup>11‡</sup>

In addition to lingering conflict and large accumulations of weapons to India's west and south, decades of conflict in Southeast Asia (Cambodia, Laos, Vietnam, and Burma) have created an arms bazaar containing all manner of light weapons in staggering quantities, while states such as Singapore discretely supply the financial infrastructure to accommodate large weapons purchases (see Chalk). Excess small arms left over from wars in this region (the CIA funnelled arms and money to the Khmer Rouge after the Vietnamese invasion of Cambodia) and the presence of a network of organised criminal groups moving both drugs and arms in large quantities have generated a huge regional arms market. The LTTE's deepwater fleet is reported to be a prime transporter of weapons in this area.

The drug and arms merchants Ling Ming-xian and Lo Hsing-han, who are reported to control most of the multi-million dollar drug trade in upper Burma, "frequently visit Singapore and have established companies there as a means of possibly laundering drug money." The Singapore authorities have done nothing to prevent this.<sup>12</sup> The infrastructure exists in the region to conduct large-scale illicit arms purchases, and weapons from this area, apparently moved by the LTTE, have already appeared in large volumes in India's northeast region in the hands of numerous insurgent groups.<sup>13</sup>

## II. Small arms proliferation and the transformation of militancy in India

Given the plenitude of arms sources and instability in the South Asian region, the rapid movement of large numbers of sophisticated light weapons into areas of militancy in India in recent decades is not surprising. India's stringent licensing laws for firearms are meaningless in the absence of proper

‡ Military expenditure as a percentage of education and health expenditure has gone from 17% in 1985 to 107% in 1996, an illustration of how the conflict in Sri Lanka is jeopardising human development and the future of the economy.



enforcement, and indeed information regarding the exact nature of gun possession legislation is exceedingly difficult to access via government channels. The growing availability of increasingly lethal weaponry, without regard to the buyer, is evident in the transformation of conflict in India since the beginning of insurgency in Punjab State in 1982.

Operation Bluestar, the army action in Amritsar in June 1984 which ended with the shelling of 500 Sikh separatist militants in the Golden Temple, yielded less than one hundred Sten and light machine guns and 377 .303 rifles. In contrast, by 1990, the Indian Army was seizing in a year over 500 AK-family automatic rifles, half a tonne of RDX explosive, and ten to twenty rocket-propelled grenades in Punjab. Between 1988 and 1998, the overall magnitude of weapons proliferation in India has increased ten-fold, with over 30,000 weapons seized, 18,000 of which belong to the AK-family alone. A .303 rifle, which has been the standard firearm of regular Indian Army infantry (as opposed to para-military forces and elite units) since WWII, fires a single round with each action. An AK-47, available in the weapons bazaars of Pakistan and Southeast Asia, fires 600 rounds a minute. This weapon is lethal in the hands of even untrained militants – teenage boys, for example – firing a huge volume of rounds indiscriminately. The first time an AK-47 was used in Delhi, by a Sikh extremist riding pillion on a motor scooter, thirteen people were killed in the space of one hour.<sup>14</sup>

The introduction of this class of weapons into India's internal conflicts has placed the State and its security forces on the defensive. Unlike in the case of certain countries in Sub-Saharan Africa, where the extreme weakness of the state (the courts and the taxation system were completely eroded) invited warlordism and left the centre powerless to defend itself, in India, a resilient state structure has only found itself truly threatened by the introduction of a new generation of light weapons. As the analyst Jasjit Singh notes, "More often than not, the weapons and equipment of the terrorist are superior to those the security forces have to cope with them. More important, the terrorist combines the advantage of the guerrilla with that of modern fighting weapons..."<sup>15</sup>

Singh is referring to the erosion of the total state monopoly on the means of coercion, which implies an erosion of state sovereignty. Quite simply, over the past two decades, the Indian government has periodically lost its ability to govern in the most basic sense in parts of Punjab, Kashmir, and the Northeast. Even in the region of eastern Uttar Pradesh and Bihar – where extreme poverty, overpopulation, wealth

concentrated in a narrow strata of society, and a deeply entrenched caste system generate a persistent but low-intensity form of communal violence – the ability of the state to ensure the safety of the local population is seriously degraded. In the wake of a series of massacres committed by private armies, direct rule was imposed by the federal government in March 1999, and a state of martial law was imposed, enforced by regular army forces.<sup>16</sup>

*Below are presented the brief histories of the three principal civil conflicts which the Indian State has faced in the past two decades, each one rooted in the internal problems of governance and under-development and each one having exploded in lethality with the introduction of a more sophisticated class of weapons (and support) from outside India.*

The effects of these conflicts on human rights and the fabric of Indian democracy will be explored in following sections, the purpose here being simply to familiarise the reader with the character and progression of each specific case.

### ***Punjab State: 1970s-1993***

The record of violent militancy in Punjab reaches back to the ascent of the charismatic and reformist Sikh preacher, Sant Bhindranwale, to the leadership of the foremost seminary in the state in the late 1970s. Supported by Prime Minister Indira Gandhi in a cynical bid to undermine the power of the more moderate Alkalis – a movement with separatist aspirations and broad support which she at first perceived as a greater threat – the ‘Bhindranwale insurgency’ tapped into the thwarted aspirations of a radicalised population of young Sikhs. Bhindranwale and his supporters installed themselves in the Golden Temple in Amritsar, the spiritual hearth of the Sikh faith, and initiated a reign of terror, with death squads operating against Sikh opponents in Delhi and journalists critical of the movement frequently ‘disappearing’, their corpses sometimes later discovered behind the Temple. Kartha writes, “Bhindranwale was for all intents and purposes running the state, deciding on transfers and postings within and adjudicating on land disputes, while his men roamed freely around armed to the teeth.”<sup>17</sup>

After years of vacillation, the Indian State responded with brutal force to quell the crisis of authority, beginning in 1993. The elected governor of Punjab was removed and President’s Rule was imposed in September, alienating the population. The Golden Temple was besieged and taken by the Indian Army in the summer of 1984, resulting in

the assassination of Mrs. Gandhi by her Sikh bodyguards. Riots followed in Delhi, in which Sikhs were massacred, while a decade-long cycle of state repression and army occupation began in Punjab to combat the growing support for an independent Khalistan for Sikhs.

Between 1984 and 1993, 25,000 people, the majority of them civilians, died in Punjab.<sup>18</sup> The trajectory of violence in this state served as the first painful case study for the Indian nation of the transformative effect of an influx of small arms. The insurgents installed in the Golden Temple, under the leadership of Bhindranwale, were armed with primitive weapons, *most sourced from within India*, with nothing more sophisticated than a handful of AK-47s, probably obtained from arms bazaars in Pakistan. After 1984, however, in response to the brutality of State security forces and the suspension of the elected government, the insurgents began to access the growing international arms market and became much better armed and altogether a more serious threat to Indian authority.

In the first year in which the AK-47 was present in the Punjab conflict – 1987 – civilian deaths jumped from 910 to 1,949 per year. Thereafter, until the subsidence of violence in 1993, the number of AK-47s seized by security forces rose commensurately with the number of civilian casualties. A Human Rights Watch report released in 1994 records in detail the rising death toll of unarmed civilians as the Indian security forces upgraded their weaponry – the standard .303 was replaced by automatic weapons, rocket-propelled grenades and high-power plastic explosives (RDX).<sup>\*</sup> The objectives of the militants were twofold – the expulsion of the Hindu minority from the Punjab and the paralysis of state machinery – and both these aims were achieved through the use of terror tactics which targeted civilians and the government alike: indiscriminate machine-gun attacks on trains, buses and market crowds; night-time attacks on police stations; the establishment of militia administrations in areas where state control was weakest; the destruction of development projects; and the use of terrorist attacks in New Delhi.

The civilian death toll cannot be blamed solely on the actions of Sikh extremists. The increasing sophistication of the

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<sup>\*</sup>The ISI was almost certainly involved in training some militants and in supporting arms movements across the border into Rajasthan and Punjab State, according to numerous sources (Smith, p. 69; Kartha, pp. 176-177). The types of automatic weapons seized in Punjab beginning in 1987 were almost uniformly the Chinese Type 56 – an AK-family rifle – which could be acquired in the arms bazaars of Pakistan's North West Frontier Province.

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insurgency, and of the weapons at its disposal, triggered a proportionate response from the desperate security forces. Amnesty International recorded 'disappearances' perpetrated by the police and army against suspected militants and civilian sympathisers, numbering upwards of 2,000 before 1992.<sup>19</sup> In the context of special emergency legislation, which created a decade-long state of martial law in Punjab, security forces were empowered to act with impunity, detaining citizens without cause, committing torture and extrajudicial executions, and terrorising the population with a series of dragnet-style crackdowns and regular 'suppression' campaigns in the countryside. (see Part III on human rights abuses)

Without exploring the ten-year history of the insurgency and the measures taken by the state to quell it, it is not difficult to demonstrate the very great costs to the nation that this violence incurred. Between 1988 and 1993, a massive strengthening of police operations were required to turn the tide, led by the notoriously uncompromising Chief of Police K.P.S. Gill. The number of police personnel doubled in five years, police stations were issued with a new generation of weapons, including grenade launchers and mortars, and hundreds of millions of rupees were spent upgrading the security infrastructure. A double-fenced cordon was erected along the border with Pakistan, lit and patrolled 24 hours a day.

#### ***Kashmir: 1989-present***

In 1987-88, a corrupt and ineffective state administration, through a series of poorly conceived policies and the rigging of an election (unnecessary for its survival), led to the widespread disaffection of the majority Muslim population in Kashmir. Once again, as in the Punjab, the abuse of civil and political rights, including the corruption of the election process and the detention of protesters without due cause, radicalised the population. In January 1990, in the context of growing militancy, the Jammu and Kashmir State Assembly was dissolved and President's Rule was imposed, followed by the arrival of 200,000 regular army and para-military troops. Black laws were passed, giving security forces the legal right to circumvent the courts, arrest and interrogate suspected militants or supporters of militancy, and search civilian property without warrant.

The proliferation of sophisticated but portable weapons has been a key ingredient in this decade-long conflict. At any time since 1989, up to 400,000 regular Indian troops and paramilitary personnel have been stationed in the valley, and the combined civilian and

military death toll to the end of 1998 is 18,000. 200,000 refugees, mostly Hindus, have fled Kashmir since the beginning of conflict, victims of ethnic cleansing and systematic attacks by Muslim militants.<sup>20</sup> The response of state security forces to militancy has been exceedingly brutal and indiscriminate: numerous international and local organisations have documented widespread human rights violations, “including arbitrary arrests, torture leading to hundreds of deaths in custody and extrajudicial executions perpetrated by state police, army and paramilitary forces.”<sup>21</sup>

The years of active conflict have produced a very heavy human toll, although independent estimates and government casualties differ greatly. The Institute of Kashmir Studies reports that since 1989-99, between 40,000 and 50,000 have died.<sup>22</sup> In contrast, the State Ministry of Home Affairs reports that over that period, 16,991 persons, including 7,849 civilians, 1,319 security personnel, and 7,823 ‘militants’, of which 121 were foreign mercenaries, have been killed. The Indian Army itself reports that, apart from having lost 1,593 security personnel, government forces have themselves killed 2,477 civilians.<sup>23</sup>

Although Pakistan has always maintained that it gives no more than political and diplomatic support to the various rebel organisations in Kashmir, this is hardly a credible claim. The region was in the space of two years – 1988 and 1989 – flooded with a range of sophisticated small arms and a large number of foreign mercenaries, neither of which could have entered the valley from any other direction but Pakistan. According to one report, In 1989, police personnel learned from captured militants how to use many of the weapons they were seizing, because they had not themselves been exposed to such sophisticated models in their own training and experience.<sup>24</sup> A recent Amnesty International report on human rights atrocities committed in Kashmir states:

*There is evidence that Pakistan has provided men, training and military support to some groups seeking accession of Kashmir to Pakistan, though the Government of Pakistan has consistently denied such allegations. Many observers also believe that trained Islamist fighters from a range of Muslim countries including Sudan and Afghanistan, believing themselves to be engaged in a ‘holy war’ in the state, engage in some of the more brutal abuses, especially targeting the Hindu minority.<sup>25</sup>*

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The value of small but sophisticated arms to the insurgency in Kashmir once again demonstrates the huge threat this type of weapon poses in the hands of a guerrilla force. Portable and easy to conceal, militants have had little difficulty in moving automatic rifles, explosives, portable missiles, and other types of weapons over the mountains from Pakistan. Easily blending into the civilian population, militants have been able to both attack government institutions in the very heart of Srinagar and hold territory against the attacks of the Indian Army in the higher ranges of the mountains

After a decade of conflict, the Indian government has recently been describing a “return to normalcy” in Kashmir – elections in 1996 ended central rule and installed a new State Legislative Assembly and Chief Minister, Dr. Farooq Abdullah. The Chief Minister immediately took control of Unified Command, with jurisdiction over all security forces in Jammu and Kashmir. Under his administration, a newly constituted police force has replaced some military personnel in the valley. Reports of human rights abuses have declined since the army first entered Kashmir, while evidence points to severe “battle fatigue” among elements of the population that had supported the insurgency in 1988. Para-military forces and regular army have been withdrawn gradually as the state police force has been strengthened from 35,000 to 50,000.<sup>26</sup>

However, the explosion of intense fighting between Pakistan and India along the Line of Control in the summer of 1999 was only the most visible element of continued widespread insurgency and suffering in the region. The most recent authoritative research conducted into the human rights situation in Kashmir, conducted by Human Rights Watch in October 1998, suggests that gross abuses perpetrated by both the Indian military and militant groups themselves continue.<sup>27</sup> Between 1997 and mid 1999, militants killed more than 300 civilians, mostly rural Hindus. Indian forces have retaliated in a familiar manner, using tactics such as summary execution, “disappearances”, torture, and rape against the local Muslim population.\* Custodial killings continue, with nine recorded in 1998.

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\*“methods of torture include severe beatings with truncheons, rolling a heavy log on the legs, hanging the detainee upside down, and the use of electric shocks.” Human Rights Watch, 1999.

While a semblance of peace has returned to Srinagar and other major centres, hot conflict in the countryside persists. The militants active in the valley are now largely foreign mercenaries (Afghan, Tadjik Chechen, Pakistani), and they carry increasingly sophisticated weapons, an indication of the degree to which the violence in Kashmir still hinges on Pakistan’s own

policies toward Kashmir. The pretence of 'deniability' that Pakistan has endeavoured to maintain has become untenable – indeed, evidence suggests that the ISI has begun to favour better trained foreign mercenaries to local recruits, as they are more capable of causing greater destruction while operating in smaller numbers and employing more sophisticated weapons, such as high explosives. It has recently been estimated that 60% of militants active in the valley are non-Indians. The killing of a militant in March 1999 holding US citizenship, and with a battle-record in Chechnya, Tajikistan and Afghanistan over the past five years, illustrates the appeal of the Kashmir conflict for a certain international cadre of Islamist mercenaries.<sup>28</sup>

Furthermore, the Indian government has not followed its military response to unrest with a programme to tackle the socio-economic problems at the root of the ethnic tension. While the local press continues to report “excesses being committed by the security forces in the villages”, the central government is with-holding funds for reconstruction and development.<sup>29</sup> Unemployment remains high, the local population resents the presence of the armed forces, and the state government is practically insolvent. Meanwhile, arms continue to move through the mountain passes into the valley to add to an extremely large accumulation of arms and explosives already thought to be cached in the area.\*

### *The Northeast States: 1985-present*

Militancy has been a constant feature of life in most of the northeast region† of India since before India's independence, and self-determination movements representing tribal peoples and bearing a diverse range of ideological hues have fought central state authority with various degrees of intensity since 1947. Waves of migrants from Bengal and East Pakistan (Bangladesh since 1971) have placed pressure on the resources and autonomy of the indigenous population, which in this small region is comprised of 75 discrete groups and sub-groups. The formation of East Pakistan at the time of Partition (1947) virtually cut the region off from the Indian economy and has been a major factor in economic stagnation and a very high cost of living. Militancy has focused on the issue of 'outsider intrusion' and indigenous cultural rights, and since the late 1970s, the principal insurgent groups have been

\* The conflict along the LOC in the summer of 1999 was an extreme illustration of a familiar process – militants move across the border from Pakistan into Indian Kashmir during the winter months and entrench themselves before the beginning of active insurgency after the spring thaw. See Conclusion.

† While at independence the North East contained only the provinces of Assam, Manipur, and Tripura, to satisfy ethnic aspirations, the government has created out of erstwhile Assam the provinces of Nagaland (1963), Maghalaya (1972), Arunachal Pradesh and Mizoram (1987).

the United Liberation Front of Assam (ULFA), the National Socialist Council of Nagaland (NSCN), and the Bodo Security Force (BdSF).<sup>30</sup> Both ULFA and NSCN have since the mid-1970s combined an intense xenophobia toward ethnic outsiders, a jesuitical devotion to violent means in the struggle against the Indian security forces, and a Maoist breed of austere and populist communist politics aimed at cultivating rural support while reviving the economy of their constituent peoples.

Although the northeast region has been unstable for decades, only after 1985, when both ULFA and NSCN began to access more sophisticated light weapons by tying into an international network of illicit arms trafficking and organised insurgencies in the South and Southeast Asian region, was central government authority seriously challenged.<sup>‡</sup>

‡ The most recent reports suggest that both ULFA and NSCN are now almost solely dependent for arms procurement on the black markets of Thailand, where the largely marginalised Khmer Rouge sell a range of small arms and light weapons cheaply. From there, the weapons are loaded on ships, manned by Thai and Burmese nationals bound for a coastal area in Bangladesh lying between Cox's Bazaar and Burma's Arakan province, where they are landed and turned over to militants. Subir Bhaumik, "Insurgency in Northeast India," *AAKROSH*, October 1998, p. 84.

\* "Confessional statements of some surrendered guerrillas indicate that the ISI wanted to use the insurgent forces to open a second front of subversion in the Northeast, in addition to the one in Kashmir." Ibid.

† "It has now been established that Bangladesh's former military rulers (and even the BNP government) provided the insurgents from the Northeast shelter and material support. Most insurgent leaders who have since been arrested carried Bangladeshi passports..." Ibid.

Tribal territories in the region had always straddled the borders of what are now Burma (Myanmar) and Bangladesh, and aid and support was at first sought in both these foreign states. From northern Burma came training and access to better arms from the Chin National Army, which has fought the Burmese government in Rangoon since 1947 and which through its drug-trafficking networks has access to the arms bazaars in Cambodia, Laos and Bangkok. From Bangladesh came various forms of support and encouragement, including training and arms supplies from Pakistan's ISI\* and from Bangladesh's government itself for a period in the mid-1980s.† China gave low-level support to the NSCN in the 1960s and 1970s, in the form of antiquated small arms, however this support had been withdrawn by 1985. Finally, the LTTE has allegedly co-operated with both ULFA and NSCN, supplying arms and expertise from bases in Bangladesh.<sup>31</sup>

Contingent upon the success of militant groups in accessing and acquiring weapons on the regional black market was their ability to generate large sums of money from local sources, a task accomplished through extortion of the business community and a growing presence in the drug trade. With the acquisition of the first AK-47s in the 1980s, ULFA was able to launch an extremely lucrative programme of extortion. Kartha reports: "Between 1989-90, the traders of Jorhat [Assam] alone



paid up in excess of [US\$6.7 million], while traders in Guwahati paid [US\$1 million].”<sup>32</sup> The Tata Tea company, with large tea estates in Assam, was found to be paying ULFA large sums while footing the medical bill of an ULFA leader in a Bombay hospital. The funds generated were exceedingly difficult to trace, although Bangladesh froze several ULFA accounts in 1992 holding roughly US\$70 million.<sup>33</sup> Indeed, the ULFA military chief Paresh Barua admitted in an interview with the BBC to controlling a military account worth tens of millions of dollars.<sup>34</sup>

The effectiveness of the extortion campaigns initiated by ULFA and NSCN led to a massive and brutal state response upon the model set in Punjab and Kashmir several years earlier: large numbers of para-military personnel were brought in to Manipur, Assam and Nagaland to replace the civilian police forces, additional emergency legislation was passed giving the security forces the legal power to ‘shoot to kill’, enforce curfews, detain without cause, and bypass the civilian courts, while awarding security personnel immunity from prosecution for acts committed against civilians and militants in the North East.

However, it seems that the cycle of escalating violence and armed resistance, met with suppression on a vast scale as the Indian security forces prosecute a war against insurgency that produces more civilian than militant deaths, has reached an impasse now that the North East has integrated into an international movement of arms and drugs. The entire region is a rich market and a key transit point for both, which suggests that the prospects for checking the movement of more sophisticated weapons into regional conflicts are dim. While the NSCN is still considered to be a fairly ‘pure’ movement of national liberation, ULFA’s hard-won reputation as a “movement for the people” has been seriously tarnished. The governor of Nagaland describes a state population reeling “under extortion, ransom calls, forcible collection of taxes for so-called development work, series of bank frauds...highway robberies and even rapes.”<sup>35</sup> A recent article on Assam describes the law and order situation thus:

*Close proximity to the Bhutan border (20 kilometres away) has made availability of small arms ridiculously easy. And it has spawned a new ‘gun culture’. Arms are used to settle even personal scores and business rivalries.*<sup>36</sup>

Since the signing of a cease-fire between the Government of India and the NSCN in late 1997, intense military operations by government forces have continued, and

Amnesty International, as well as the NSCN itself, have catalogued a series of extrajudicial executions, shootings of civilians, torture and other human rights violations.<sup>37</sup> Central rule continues, with security in the entire northeast region under unified military command, and no real progress has been made toward the conclusion of peace agreements.

### III. Militancy and the erosion of democratic institutions in India

The proliferation of sophisticated small arms and light weapons in India, which, as the case studies have shown, have periodically placed the military initiative in the hands of insurgents in several regions, has transformed conflict. Internal Security operations have become a major preoccupation of India's armed forces, and have cost the State huge sums and many civilian and military casualties. Small groups of insurgents have been able, in Punjab, Kashmir and the North East, to exploit the inability of the military to distinguish militants from the civilian population, by incorporating civilians into a supportive role for insurgency while triggering massive human rights abuses and high civilian casualties.

Sophisticated hardware has also magnified the damage militants are able to inflict on the state and its military and civilian organs, paralysing its governing capacity. *In effect, such a transformation of conflict in India has put the State on the defensive, and this threshold, once crossed, has in turn had a transformative effect on the quality of governance.* The institutions of democracy have failed to respond to and mediate the causes of conflict – poor governance, poverty, ethnic tension, environmental stress, religious violence – and in turn, conflict itself has eroded the power of these institutions, however weak to begin with, to make peace and ensure the observance of human rights.

A principle of peace is non-violent democratic contest – in other words, the functioning of a system which holds the tensions and differences in a society within the parameters of regular elections, to which all parties are committed. Civil conflict in India has consistently involved the breakdown of the electoral process, whether as cause or effect, which itself represents the most fundamental compromise of democratic governance. In Kashmir, a high degree of state autonomy and the transfer of large sums to the state administration had not resulted in a corresponding level of human and economic development; indeed, governance leading up to the breakdown of law and order was corrupt, cynical and unresponsive to the aspirations of the electorate. Discontentment

led to a certain amount of nationalist-separatist sentiment, a fact which troubled the central government in New Delhi far out of proportion with the true gravity of the situation. Thus, the Assembly elections of 1987 were, by most accounts, rigged against the weak coalition of Islamist parties under the Muslim United Front. This is considered to be the 'spark' which led to civil unrest, beginning with peaceful student protests in the State Capital, Srinigar, and ending with the deployment of the Central Police Reserve and the beginnings of militancy.<sup>38</sup> Central rule, which broke completely the link between voter and administration in Kashmir, was later imposed, and state-wide elections only returned freely elected civilian rule in 1996.

A similar pattern is evident in the earlier escalation of violence in Punjab State, which might have served as a cautionary tale to be applied to Kashmir. During the Bhindranwale insurgency, authority had effectively shifted beyond the organs of the state, and a crisis of law and order certainly threatened the security of the population and its civil liberties. However, the removal of the government of Punjab Chief Minister Darbara Singh and the imposition of direct President's Rule in September 1983, even if expedient to the desires of the security forces battling Sikh separatists in the Golden Temple, triggered the second, more lethal stage of insurgency, by alienating the Punjab electorate – "The dismissal of an elected government played straight into the hands of the terrorists..."<sup>39</sup>

If the removal of elected governments has eliminated a mechanism by which state administrations may be held accountable and responsible, the passing of emergency legislation to expand the powers of security forces in conflict zones has been an equally serious blow to democracy in India. Indeed, emergency legislation has effectively barred citizens' recourse to civilian courts to protest abuses committed by security forces, while at the same time conferring on those security forces a mantle of immunity from prosecution. A virtual state of martial law has reduced the organs of civilian rule – the judiciary, the local police (as opposed to para-military and 'special' police forces), municipal and state governments, human rights commissions, and even the media – to a dependent and subservient position.

While the most recent imposition of President's Rule was in March 1999 in Bihar, when troops were brought in to assist the police in quelling the private armies of rival castes, the Armed Forces (Special Powers) Act (1958) has been in effect in Manipur for four

decades. This act confers on the security forces the power to 'shoot to kill', essentially an official sanction for denying the right to life, which itself is protected under Article 21 of the Constitution of India and Article 6 of the International Covenant on Civil and Political Rights (ICCPR). A report by Amnesty International on Manipur notes "a climate in which the agents of law enforcement use excessive force with impunity."<sup>40</sup> A member of the United Nations Human Rights Committee, investigating the Armed Forces Act, stated:

*These laws greatly concern me because when we give a person powers to be able to deny the lives of citizens, that is far too much power. I think it is excessive, particularly when that person is immune from prosecution and can act with impunity...I am convinced that these laws are contrary to Article 6 of the Covenant [ICCPR].<sup>41</sup>*

During the insurgency in Punjab, a series of 'counter-terrorism acts' – the National Security Act (1980), Punjab Disturbed Areas Ordinance (1983), Terrorist Areas Act (1984) and the Terrorist and Disruptive Activities Act (1985) – effectively suspended the guarantee of due process and civil liberties for the state population for over a decade. This legislation cleared the path for the infamous "bullet for bullet" policy introduced by the Director of Police, which manifested in a campaign of terror during which hundreds

of civilians "disappeared" after being arrested in the 1980s and early 1990s.\* In addition, under the auspices of the special powers, police in neighbouring Gujarat, where no insurgency existed, initiated a widespread crackdown on smugglers, detaining suspects without cause and committing acts of torture and murder.<sup>42</sup>

In Kashmir, the Terrorism and Disruptive Activities Act (TADA) was in effect from 1987 to 1995, legislation which gave security forces special powers in the use of force, arrest and detention. Its suspension was only secured after intense national and international lobbying, and there is significant evidence that the practices established under the law – such as preventative detention – have continued unlawfully since 1995. While roughly 800 people "disappeared" under TADA and remain unaccounted for, the numbers "disappeared" since 1995

\* The Supreme Court, acting on a petition filed by the now "disappeared" human rights activist Jaswant Singh Khalra in 1995, instructed the National Human Rights Commission (NHRC) to investigate allegations of widespread human rights allegations in Punjab. The NHRC is still working on this investigation, which is closely scrutinised by the independent Committee for Coordination on Disappearances in Punjab. Roughly 500 "disappearances" are under investigation. Amnesty International, *India: A Mockery of Justice. The Case Concerning the "Disappearance" of Human Rights Defender Jaswant Singh Khalra Severely Undermined*, London: Amnesty (July 1998).

indicates the pattern-setting precedent such legislation represents, which perpetuates a spirit of unaccountable impunity after it is repealed: deaths in custody numbered 218 in 1996, 200 in 1997, and 60 in the first half of 1998.<sup>43</sup> The history of special legislation in all three conflict zones in India reveals a persistent reality: the State's strategy of suppression begins with the marginalisation of locally-based democratic institutions, and thus the mechanisms of democratic resistance to the excesses of the security forces, and ends with a record of egregious human rights violations committed against the local population, for which the perpetrators are not made to answer in a court of law. Amnesty International, which has compiled the most comprehensive catalogue of human rights violations in Punjab, Kashmir and the Northeast, comments:

*Wherever movements for autonomy or secession have appeared to threaten the state, the Government of India has responded with harsh and repressive methods. These have included arbitrary arrests, torture, deaths in custody and "disappearances" of those believed to be connected with insurgency... Any act of enforced "disappearance" is an offence to human dignity. It is condemned as a denial of the purposes of the Charter of the United Nations and as a grave and flagrant violation of the human rights and fundamental freedoms proclaimed in the United Nations Declaration of Human Rights and reaffirmed and developed in international instruments in this field.<sup>44</sup>*

The violation of press freedom and the repression against human rights activists are, among the suspension of civil liberties in the zones of conflict, worthy of special concern. It is clear that in the barrage of Indian Army and Government of India propaganda and the diametrically opposed statements coming from the information services of the militant groups themselves, "the truth lies bleeding somewhere in the middle". Without a proper record of events – and atrocities committed by both state and militant forces – responsibility cannot later be assigned, and justice can never be satisfied.

The story of the lawyer and prominent human rights activist Jalil Andrabi is a prime example. As the Chair of the Kashmir Commission of Jurists, Andrabi had documented many cases of custodial killings, "disappearances" and arbitrary arrest, and had lodged numerous complaints and petitions with the High Court in Srinagar. In March 1996, Andrabi was arrested at a road-block by personnel of the 35 Rashtriya Rifles, and his body was found two weeks later floating in the Jhelum river. No military personnel have

yet been charged or investigated in his murder. Reports of human rights abuses dropped very significantly after this event, as other human rights activists and journalists began to fear for their own lives – Amnesty International describes a “virtual suspension of documentation and reporting of human rights abuses.”<sup>45</sup> Militants themselves have also been responsible for suppressing journalists: in both Punjab and Kashmir, “codes of conduct” for reporting on the conflict were repeatedly announced by various groups. As already mentioned, among the corpses that appeared behind the Golden Temple in Amritsar during the “Bhindranwale insurgency”, those of journalists who had criticised the Sikh extremists were common.

In the establishment of the National Human Rights Commission (NHRC), as well as state-level commissions, the traditional immunity of the security personnel accused of so many human rights violations has been preserved. What should become a key institution in India’s democratic system has thus been compromised by the legacy of conflict – the State response – in Kashmir and elsewhere. The act that established the NHRC specifies that the commission is not empowered to investigate allegations of human rights violations by armed forces, an act of near-fatal omission, according to the UN Human Rights Committee. It comments: “This is too broad a restriction on its [NHRC’s] powers and contributes to a climate of impunity for members of the armed forces.”<sup>46</sup> The NHRC is presently investigating “disappearances” in Punjab only after two challenges by the Government of India, dismissed by the Supreme Court in September 1998.<sup>47</sup>

#### **IV. The transformation of State security forces: the brutalisation of the ‘peace-keeper’**

*...anything which threatens the discipline and morale of the Army and the paramilitary police endangers the unity of India. Sophisticated small arms do represent such a threat.*

Mark Tully, *former BBC correspondent to India*<sup>48</sup>

In explaining the unity of the Indian state despite internal conflict and external enemies, the existence of the “uncorrupted, apolitical, and impartial” Indian Army is often cited as the key explanation. However, the use of military personnel in the capacity of policemen in the zones of insurgency has in fact seriously compromised both the morale and the reputation of the armed forces. As the proliferation of small arms has

emboldened militants, and even organised criminals, the army has increasingly been used in aid of civil power, a situation which has clearly raised concerns among military commanders of the erosion of the vaunted soldier ethic. When the army was called in to Gujarat in the 1980s to restore order in Ahmedabad, the officer commanding the regular forces warned that his soldiers were “becoming corrupt like the police.”<sup>49</sup>

The reluctance of military commanders to allow their soldiers to be prosecuted for committing atrocities against civilians flows from the fear that such investigations would undermine troop morale, however the brutal way in which soldiers have responded to the threat posed by well-armed militants suggests that forces fighting insurgency are demoralised at any rate.

There is a long catalogue of cases in which armed forces personnel reacted to the slaying of their own by militants by targeting suspected sympathiser communities indiscriminately. Chris Smith characterises these events as ‘regular’ and severe, writing: “...the security forces [in Kashmir] have frequently engaged in “rampages” following guerrilla attacks, involving rape, torture, assassination, arson, and random killing.”<sup>50</sup> The NSCN in Nagaland has provided a list of over 100 violations of the recent (1997-98) cease-fire by members of the security forces, one of which was a rampage in retribution for a guerrilla attack. In March 1998, members of the 21<sup>st</sup> Assam Rifles surrounded Makhani village, fired on and desecrated the church during Sunday services, raped women, beat eighteen villagers so that they had to be hospitalised, and tortured 20 young men, some of whom were subsequently detained.<sup>51</sup>

The story of the Rashtriya Rifles, established in 1991, illustrates the manner in which the Government has tried, without remarkable success, to remove regular forces from counter-insurgency duties in order to forestall the breakdown of discipline and morale. The court martial of 14 members of the Border Security Force stationed in Srinagar for firing into a crowd and

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*The past two decades have witnessed an escalation not of the causes of unrest in India, but rather of the lethality of militancy, and the costs of such violence increasingly threaten to upset the democratic tradition that has survived in India through the last fifty years.*

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killing 35 protesters in 1994 signalled a sea-change in government policy toward counter-insurgency operations. After 1994, the Rashtriya Rifles (RR) were greatly strengthened, to become a special paramilitary force composed of 34 battalions, with a mandate to ensure “internal security” exclusively. They are better trained than regular army personnel, and are equipped with imported night-vision and anti-mine devices, 3-inch mortars, and medium and heavy machine guns. Since 1994, most of the personnel of the RR has been deployed in Kashmir and the Northeast.<sup>52</sup>

The fact that a human rights violation essentially spurred the Indian Government to create and deploy this force might lead one to assume that the intent was to fight militancy in a more ‘surgical’ fashion, while eliminating attacks by security personnel against civilian targets. However, the RR receive no human rights training at their counter-insurgency school in Virangte in the Northeast, and indeed there now exists a long record of human rights abuses committed by members of the Rashtriya Rifles. In one well-known case, in retaliation for the killing of a commanding officer by the NSCN in Nagaland in 1995, members of the RR razed the town centre of Mokukchung, destroying 79 shops, 48 houses and 24 vehicles. Ten civilians were killed in the action.<sup>53</sup> The human rights activist Jalil Andrabi was arrested by RR troops in Kashmir, two weeks before his body appeared bearing signs of torture.<sup>54</sup> Indeed, considering the number of recorded human rights abuses in which members of the Rashtriya Rifles are implicated, it seems the formation of this special counter-insurgency force has not improved the character of security operations in fighting

militancy. The history of the RR simply indicates of the cost and scale of fighting internal conflicts in India today.

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*The State may be strong, but that strength has too often been located in armed force, rather than the courts, the media, the electoral process that mediates the aspirations of citizens, and the administrative organs that exist to improve the conditions of the impoverished majority.*

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Finally, the demoralisation of the police force in the Punjab after the decade-long conflict is a well-recorded fact. Indeed, the Supreme Court in New Delhi has criticised the conduct of the police in this state, accusing it of “highhandedness and tyranny.”<sup>55</sup> Despite the suspension of emergency legislation and the return of an elected state governor in 1992, three years later



the Punjab Chief Secretary noted that “complaints against the police are pouring in.” Amnesty International, the Peoples Union for Civil Liberties, and other India-based human rights organisations continued to record cases of arbitrary arrest, illegal detention, and custodial death after the supposed return of law and order after 1993. Moreover, there have been a number of recorded cases of Punjab police operating illegally outside Punjab State, and thus beyond their jurisdiction. Amnesty International published a report in 1995 recording the details of two extrajudicial executions, one “disappearance”, one custodial death and numerous instances of torture, including rape, attributed to the Punjab police operating outside Punjab.<sup>56</sup> The Director of Police at that time, K.P.S. Gill, denied all these allegations – allegations that subsequently contributed to the setting up of the NHRC investigations into “disappearances” in Punjab. The experience of counter-insurgency operations in Punjab, carried out under the conditions of immunity from prosecution, have evidently eroded the character of policing in a lasting way. Indeed, this case illustrates the difficulty of restoring a level of governance respectful of human rights, once the institutions of administration have been shaped by the experience of militancy, emergency legislation, military-style campaigns targeting civilian populations, and the suspension of democratic process. The police force is not the Army – it must remain long after peace has been established and the armed forces have withdrawn, and it must be a key guarantor of personal security on a permanent basis.

#### **V. Conflict and the erosion of economic rights: the implications for development**

The proliferation of small arms and rising violence also impacts on the economic rights of Indian citizens, both in the manner in which funds must be diverted from development to support the Army and counter-insurgency operations, and in the way that parallel and parasitic economies develop to support and perpetuate militancy.

Drugs and arms are perennial partners, both moving along identical underground trafficking conduits and both generating large revenues for organised criminal networks. In the case of South Asia, moreover, the two biggest producers of heroin – Afghanistan and Burma – are located in a region of porous state borders, in which a large number of insurgent movements rely on drug trafficking proceeds to fund arms purchases. The manner in which drug money has become essential to the perpetuation of militancy is apparent in both the Indian Northeast and Kashmir, judging by the

volumes of heroin regularly seized by security forces and reports from the area. Indeed, a recent report states that “India has become a leading transit point to the US and European countries for smuggling drugs originating in the Golden Triangle (Burma, Thailand and Laos), supplanting the established land route of Burma-China-Marseilles/US/other European countries.”<sup>57</sup>

The trade in drugs among militant movements underlines the transformation of insurgency into the pursuit of less than purely ideological motives, as the power of the gun allows militancy to become entrepreneurial and profit-oriented.

While groups may have originally moved into drug-trading as a means of survival, with the objective of national liberation clearly in mind, the proceeds from this lucrative trade that the possession of a network of cadres and sophisticated small arms makes possible become a primary objective. This appears to be the trajectory of insurgent activity in much of the Northeast in particular, where long and porous borders with four states – Bhutan, Burma, Bangladesh, and to a degree Nepal – combine with a huge regional production centre of heroin (mostly in Burma) to create key drug smuggling routes. It is here more than in any other part of India that drugs and guns have become synonymous – on the border with Burma in Moreh, “a centre of flourishing border trade, a visitor might be asked if he wants ‘black or white’. Black means guns and white means drugs.”<sup>58</sup> In this region, while weapons and training from first the Chinese, and later from Bangladesh and Pakistan created strong insurgent movements such as the NSCN and UFLA, all direct patronage froze in the late 1970s, at which point the militant movements turned to extortion of the business community and ‘head taxes’ on the rural population. After two decades, observers note a very high degree of criminalisation among the militant groups, and internecine conflict between certain of them battling for

control over the most lucrative trade routes has been reported. In one area of Assam (Nalbari), ULFA cadres are fighting two Bodo organisations – the NDFB and the BLT – whilst the formerly sympathetic local population is largely disillusioned and lives in fear. Subir Bhaumik describes the situation in the northeastern state of Tripura:

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*Drugs and arms are perennial partners, both moving along identical underground trafficking conduits and both generating large revenues for organised criminal networks.*

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*Fund-raising, unless controlled centrally, can seriously damage the moral fabric and the command structure of insurgent groups. The insurgent groups in Tripura have turned extortion into an industry. Since 1994, they have kidnapped 1,550 people and extracted huge ransoms. These groups hardly ever attack security forces or other 'hard' targets.<sup>59</sup>*

There have long been reports of insurgents using drug and extortion money not only to fund arms procurement, but also to support lavish lifestyles, holding foreign bank accounts in South East Asia and basing their activities out of lavish five-star hotels.<sup>60</sup>

Linked to the issue of insurgency and small arms proliferation is the problem of underdevelopment. A key grievance of militants in both Kashmir and the Northeast has been the manner in which the State has neglected human development locally. The effect of conflict, however, has been to depress further the local economies and endanger the prospects for recovery. In the Northeast, unemployment has driven young men into militancy and prevents them from abandoning it, unlike in Punjab State at the end of active conflict. Punjab has a per capita income second only to Delhi's. Assam, in contrast, is one of the poorest states in India, rated 13<sup>th</sup> among 17 states. Instability only exacerbates the economic decline: state bank branches have been closed as employees have refused to serve in the region, and both the tea and petrochemical industries are languishing.<sup>61</sup> A similar plight affects Kashmir, where the costs of fighting insurgency have beggared the State Treasury. While per capita income in Kashmir was that of the all-India average in 1987, in 1995, Kashmir had fallen to 13<sup>th</sup> place. Meanwhile, literacy stands at less than 40%.<sup>62</sup> Key factors in the continued instability are, in the words of a local NGO worker, "a lack of jobs, a lack of industry, and no avenues for any economic activity."<sup>63</sup> The levels of poverty in both these regions is clearly both a cause and a consequence of poor governance, and hence insurgency itself, a fact which touches upon the most basic rights to life, physical security and education.

The economic rights of all Indians are indeed impacted upon by the costs of fighting increasingly sophisticated insurgencies in Kashmir and the Northeast, as the Indian Army is now most likely to be deployed within Indian territory against Indian citizens. The cost of refitting security forces with more sophisticated weaponry to match that of militants has become a heavy financial burden, although it is one difficult to quantify as a discrete element of general military expenditure in India. In the past decade, while fighting with Pakistan along the Line of Control (LoC) in Kashmir has never escalated beyond intense artillery exchanges, which have killed 1,442 soldiers (since 1989), over

#### Small Arms in India & the Human Costs of Lingering Conflict

20,000 soldiers, militants and civilians have perished within Kashmir itself.<sup>64</sup> In ten years of fighting insurgency in the Northeast, over 8,800 have perished<sup>65</sup> Meanwhile, India maintains standing forces of 1.2 million men (in contrast to Pakistan's 0.6 million and the UK's 0.2 million), and in the last ten years, overall military expenditure has risen by 264%, over a period when world military expenditure has fallen by one third.<sup>66</sup>

While it is exceedingly difficult to extrapolate from these general figures the cost of counter-insurgency, the case of Kashmir yields some indications. The costs to both Kashmir State and the central government of the insurgency have been enormous, and represent a price that Indians will have to pay long after the cessation of hostilities. Pakistan's tactic of lobbing shells over the LoC while covertly training and arming militants, often mercenaries from third countries, to infiltrate Kashmir has paid handsomely, at least in terms of beggaring the local economy. In India, "some 30 soldiers for every militant are required in an (insurgency-infested) area, as opposed to the 3-1 ration required in a conventional war," according to military analysts.<sup>67</sup> According to Rahul Bedi, an expert on the conflict:

*The ISI reportedly pays each militant a monthly salary depending on training and experience. It is claimed that the highest paid are the Afghans, many veterans of the war against the Soviet occupation forces, followed by those from Pakistan-held Kashmir [Pakistan's northern provinces]. Locally trained militants earn the least. Interrogations with captured insurgents has revealed that families of dead militants are also compensated by the ISI.<sup>68</sup>*

This strategy of fuelling conflict by covert means has cost Pakistan far less financially than the Indian government has spent on security operations in Kashmir. India estimates that the ISI spends between US\$15 million and US\$20 million a year hiring, training and arming insurgents. In contrast, independent analysts estimate that since 1990, India has spent US\$270 million a year on counter-insurgency operations in Kashmir alone.<sup>69</sup> This represents a huge sum for a country with 30% of its population living in severe poverty, occupying 134<sup>th</sup> place on the UN Human Development Index and possessing a per capita GDP of US\$430.<sup>70</sup>

The act of preparing for and prosecuting wars has always represented an abuse of economic and social rights, and the manner in which the Indian state has responded to lethal insurgency over the past decades has certainly affected the right of the Indian

citizen to, among other things, education, shelter, food, and medical care. Indeed, the histories of both Kashmir and the Northeast illustrate the fact that conflict grows out of socio-economic desperation, even if dressed in nationalist ideologies. Furthermore, in neither case have militants, armed with better weapons, succeeded in securing for their people a more equitable distribution of wealth, greater investment, or higher levels of state investment in human development. Rather, as militant terrorism and the state's heavy-handed military response has destroyed the economies of Kashmir and the Northeast, the parallel drug and arms trades have become established elements of local economic activity, corroding the prospects for long-term peace and prosperity.

### Conclusion

As this report was coming to print, India was considering the fall-out of a full-scale, two-month military operation, in June and July 1999, in the Kargil sector of Kashmir, along the Line of Control (LoC). The nature of this most recent development provides a striking and conclusive illustration of the destabilising effects of insurgency and the diffusion across India's borders of portable light weapons.

When the snows melted along the high-altitude Kargil highway, which links the valleys of Ladakh and Kashmir along the LoC, approximately 1000 well-armed "intruders" were discovered by Indian Army patrols, installed in newly fashioned bunkers along a series of peaks within Indian territory. According to Indian intelligence, most of the force was comprised of Pakistani regulars from the Northern Light Infantry, reinforced by Chitral Scouts and contracted *mujabedin* of various nationalities. Among the weapons carried by these soldiers, they reportedly possessed about "50 Stinger SAMs, leaked from the Afghan arms pipeline," weapons blamed for downing an Indian Mi-17 military helicopter.<sup>71</sup> Pakistan denied any direct connection with these "intruders", who were termed Kashmiri freedom fighters, acting independently, while a number of Western states clearly agreed with New Delhi in ascribing responsibility for the action to Pakistan.

The presence of five battalions (1000 soldiers) of lightly-armed troops threatening the Kargil highway from the heights above provoked a massive and expensive Indian response. 45,000 Indian Army soldiers were deployed in the Kargil sector against this tiny force, while the Indian Air Force flew over 500 strikes in the space of two months. 2185 helicopter sorties were required to supply Indian forces and evacuate casualties. An

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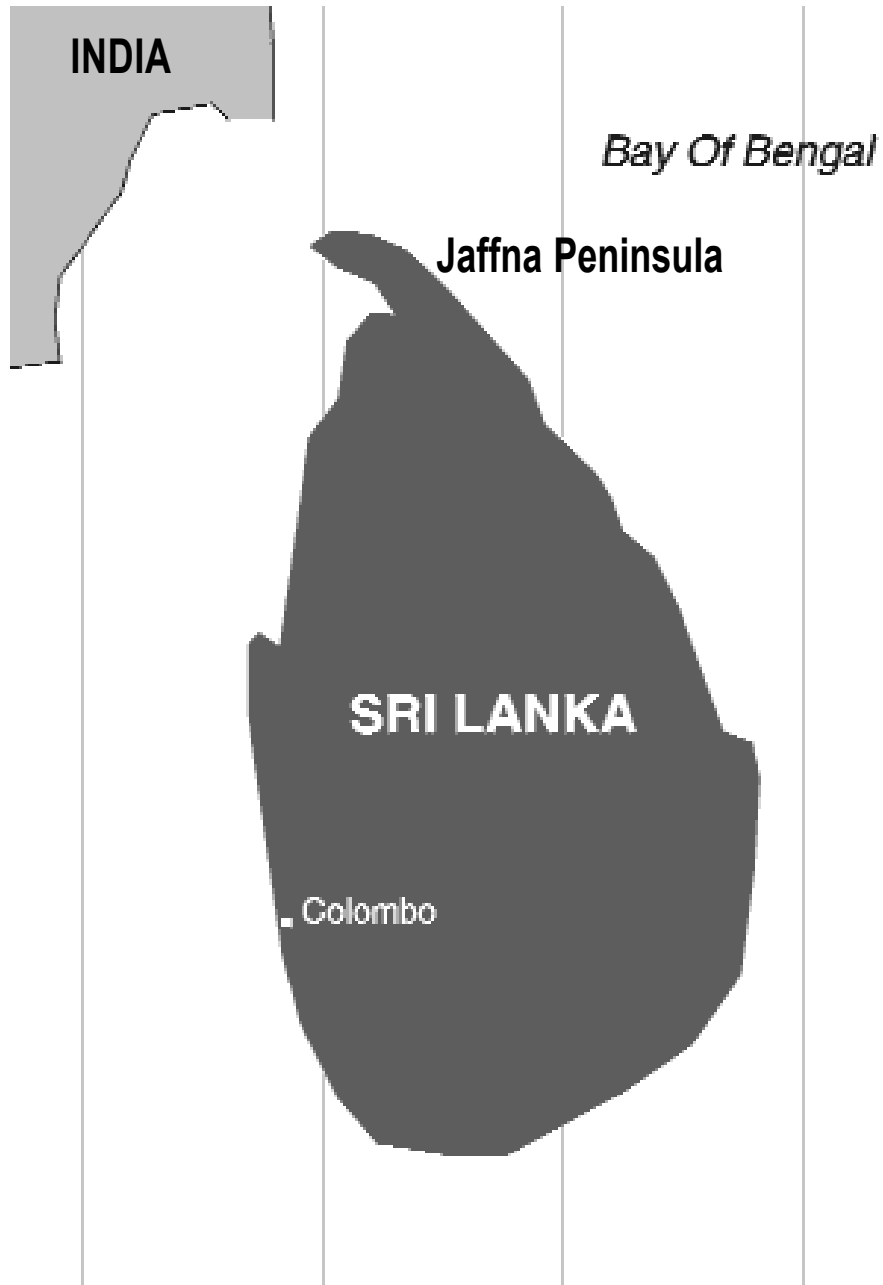
intense artillery barrage supported the infantry attack, with 150,000 Bofors 155mm shells fired, each costing US\$1000, in addition to lighter mortar fire. Rahul Bedi reported that the Indian government was forced to aggressively shop the world's arms markets for specialised high-altitude military equipment, and had placed special orders for arms and ammunition totalling US\$48 million by the first week of the conflict.<sup>72</sup> The ministries of defence and external affairs added an extra day to the working week to deal with the additional workload.<sup>73</sup> The Indian Army now estimates the total cost of the entire operation to have exceeded US\$1.2 billion, and the combined Indian-Pakistani body count is at least 1,100.<sup>74</sup>

While the Indian media was flush with accounts of the valour of its troops, and eulogised each Indian casualty in detail, a much more sober, and modestly commented-upon, reality emerged. According to conventional wisdom, the military operation, although expensive in both material and human terms, was a success. Pakistani "intruders" were pushed back, and all Indian territory was recovered. Furthermore, foreign states, the UK and the US among them, villified Pakistan for supporting the covert build-up of forces within Indian Kashmir. With hindsight, however, it has become clear that Pakistan has in fact exposed in a most dramatic fashion the vulnerability of the Indian State. An Indian officer serving in Kargil during the conflict went on the record, saying "It costs peanuts to send 1000 men onto unguarded hills and then defend them. It is said that a dog and a machine-gunner can defend a hilltop against a battalion. That is exactly what Pakistan did."<sup>75</sup>

Indeed, what Pakistan did not achieve in the diplomatic arena, it achieved in placing its own very limited investment in covert operations along the LoC in stark contrast to the massive and panicked efforts of the Indian armed forces. Once again, the fragility of peace in the South Asian region in an era of uncontrolled small arms proliferation has been dramatically illustrated, and both the civilian population of Kashmir and the Indian taxpayer will be counting the costs of 1999's spring conflict for years to come.

Finally, the outbreak of violent conflict in Kashmir may also reflect the reality that both Pakistan and India continue to perpetrate human rights abuses in the Kashmir valley, thus keeping the conflict alive in the hearts and minds of local civilians. International efforts designed to keep forces from violating the LoC, and to encourage high-level dialogue, miss the point by not also focusing on ways to end human rights abuses in the region.

- <sup>1</sup> "Rights are the ideals and distinguishing marks of a civilised society. The fundamental concepts embraced in the over-arching concept of rights may be identified as justice, equality, freedom and self-determination." A. Nsirimovu, *Human Rights Education Techniques in Schools*, (1994).
- <sup>2</sup> Tara Kartha, *Tools of Terror: Light Weapons and India's Security*, New Delhi: IDSA (1999), p. 61.
- <sup>3</sup> *Ibid.*, p. 62.
- <sup>4</sup> Michael Renner, "The Kalashnikov Age," *The Bulletin of American Scientists*, Jan/Feb 1999, pp. 18-22.
- <sup>5</sup> Thomas Hunter, "Manportable SAMs: The Airline Anathema," *Jane's Intelligence Review*, Oct. 1996.
- <sup>6</sup> Mohammad Youssaf & Mark Adkin, *The Bear Trap*, Lahore: Jang (1992).
- <sup>7</sup> Chris Smith, "Light Weapons and Ethnic Conflict in South Asia," in Boutwell, Klare & Reed (eds), *Lethal Commerce: The Global Trade in Small Arms and Light Weapons*, Cambridge, MA: American Academy of Sciences (1995).
- <sup>8</sup> Kartha, p. 301.
- <sup>9</sup> Mark Tully, "The Arms Trade and Political Instability," *Strategic Analysis*, June 1995, p. 330.
- <sup>10</sup> *Asian Age*, 24 March, 1998.
- <sup>11</sup> UNDP *Human Development Report 1998*, UNDP New York: Oxford (1998), pp. 170-171.
- <sup>12</sup> *Ibid.*, p. 178.
- <sup>13</sup> Rahul Bedi, "Turf wars muddy the waters of Indian intel," *Jane's Intelligence Review*, March 1999, pp. 39-41.
- <sup>14</sup> Smith, p. 70.
- <sup>15</sup> Jasjit Singh, "War through terror," in Kartha, p. 9.
- <sup>16</sup> *The Hindu*, 5 March, 1999.
- <sup>17</sup> Kartha, p. 173.
- <sup>18</sup> Smith, p. 70.
- <sup>19</sup> *Human Rights Watch Arms Project*, Vol. 6, No. 10 (1994).
- <sup>20</sup> Rahul Bedi, "The Fight for Kashmir," *Jane's Defence Weekly*, Vol. 30, No. 11 (1998), pp. 24-27.
- <sup>21</sup> Amnesty International, *Jammu and Kashmir: Remembering Jilil Andrabi*, London: Amnesty, March 1997, p. 4.
- <sup>22</sup> *Indian Express*, 5 March 1999.
- <sup>23</sup> Amnesty International, *If They Are Dead Tell Us: 'Disappearances' in Jammu and Kashmir*, London: Amnesty, Feb. 1999, p. 7.
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- <sup>46</sup> Amnesty (1998), pp. 46-47.
- <sup>47</sup> *Ibid.*, p. 67-68.
- <sup>48</sup> Mark Tully, "The Arms Trade and Political Instability," *Strategic Analysis*, June 1995, p. 339.
- <sup>49</sup> *Ibid.*, p. 340.
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## The Tamil Tiger Insurgency in Sri Lanka

*The LTTE represents a particularly violent manifestation of ethnic conflict in Sri Lanka. One of the main factors sustaining the group's activities has been an active finance and arms procurement network that literally spans the globe. So long as the Tamil Tigers are allowed to continue to operate in this way, their war will continue. This will not only generate more violence and feed into an escalating refugee problem.*

*It will also contribute to the further degradation of what is already an extremely serious human rights situation in the country.*

The Tamil ethnic insurgency in Sri Lanka has been fought with a particular viciousness over the past 25 years. At the heart of this struggle are the Liberation Tigers of Tamil Eelam (LTTE), otherwise known as the Tamil Tigers. Widely recognised as one of the most proficient, organised and ruthless insurgent forces currently operating in the world, the group has had a profound impact on the stability of Sri Lanka, contributing to the deterioration and militarisation of ethnic politics in the country. The organisation currently controls significant tracts of territory in the north and east of Sri Lanka, contests the Colombo Government with well-trained and equipped forces and continues to inflict a heavy toll on the civilian population through an active and extremely bloody terrorist war.

One of the main factors sustaining the LTTE insurgency is the group's sophisticated logistical network, which spans the globe providing both finance and arms for the fighting cadres "back home." The purpose of this chapter is to examine the components and dynamics of this infrastructure. **Part I** provides a brief overview of the conflict in Sri Lanka. **Part II** examines the structure and tactics of the LTTE. **Part III** analyses, in depth, the global arms procurement and finance generation operations of the LTTE and assesses their contribution to the organisation's on-going insurgent campaign in Sri Lanka.

## I. Overview of the conflict

### *Early Origins*

Sri Lanka is an island located off the South coast of India. The majority of the island's inhabitants are Sinhalese who are descendants from northern India, constituting roughly three-quarters of the population. Tamils descended from Hindu immigrants from southern India make up approximately 17 % of the population (most of whom are now located in the northeastern provinces) with the other inhabitants consisting of Moors, Burghers, Eurasians, Malays and Veddhas. Approximately two thirds of the population is Sinhalese-Buddhist in religious orientation; Hindus and Muslims together account for about fourteen % of the total, with the residual made of Roman Catholics and other Christian groups.<sup>1</sup>

Parts of Sri Lanka were colonised by the Portuguese and Dutch before the British seized control of the island in 1796.<sup>2</sup> Then known as Ceylon, the country achieved independence from Britain in 1948. The territory's 1948 independence constitution was modelled on the British Westminster Parliamentary system, guaranteeing the civil rights and cultural identity of the Tamil minority community.<sup>3</sup> However, during the 1950s and 60s, the Sinhalese majority explicitly manipulated the system in their favour, justifying this policy on the basis of alleged Tamil favouritism practised during the British colonial period.<sup>4</sup> Official discrimination was practised in higher education and the civil service, the main channels of advancement in the country. Sinhalese was introduced as the single recognised national language, Buddhism was established as the dominant religion, and Tamils were gradually deprived of effective political representation through the gerrymandering of electoral boundaries.<sup>5</sup>

In 1972, Ceylon became a republic under the name Sri Lanka. This coincided with the uniting of several opposition Tamil groups who formed the Tamil United Front (TUF). At first the group campaigned simply for linguistic, ethnic and religious equality throughout the country. However, by the mid-1970s the TUF had become associated with a far more hard-line, nationalist stance, largely in reaction to the refusal by the Colombo Government to grant even limited concessions to the Tamil minority. In 1976, the TUF renamed itself the Tamil United Liberation Front (TULF), contesting the 1977 Sri Lankan elections on a mandate that called for the creation of a fully independent Tamil state of Eelam.<sup>6</sup>

While the TULF, as a whole, was prepared to agitate for independence through the accepted political channels of the Sri Lankan State, a hard-core located within the Front's youth wing viewed extra-constitutional violence as the only means by which Tamil nationalist objectives could be achieved. The complete unwillingness of the Colombo administration to participate in meaningful negotiations with the TULF was a key factor in encouraging this perception, ingraining a belief that violence was the only language to which Sri Lankan politicians were likely to respond. Initially, 35 such groups were created, although five quickly achieved dominance:

- The Tamil Eelam Liberation Organisation (TELO).
- The People's Liberation Organisation of Tamil Eelam (PLOTE).
- The Eelam People's Revolutionary Front (EPRLF).
- The Eelam Revolutionary Organisation of Students (EROS).
- The Tamil New Tigers (TNT), later renamed the Liberation Tigers of Tamil Eelam (LTTE).<sup>7</sup>

Following the formation of these organisations, violence in Sri Lanka quickly escalated. The various Tamil insurgent groups carried out numerous attacks against Sri Lankan police outposts in the north east, capturing arms and ammunition. The draconian Prevention of Terrorism Act, passed in 1979, merely succeeded in encouraging further Tamil extremism, with attacks progressively becoming more violent and indiscriminate. Between 1977 and 1983, members of the security forces, moderate Tamil politicians, Sinhalese civilians and suspected informants were targeted, with over 34 separate police stations assaulted in guerrilla attacks.<sup>8</sup>

The Sri Lankan Government and military reacted violently to the increase in militant Tamil activity, with the Administration becoming increasingly authoritarian and militarised in nature. Country wide anti-Tamil disturbances and reprisals were encouraged and fomented, feeding into a spiralling cycle of violence and counter-violence. By the early 1980s, it was apparent that the trappings of responsible governance were beginning to break down in Colombo. This was vividly reflected by the outbreak of major civil unrest in mid-1983, when communal riots, fuelled by the military, degenerated into the wholesale massacre of hundreds of Tamils living in Jaffna and Colombo. A major hardening of the internal ethnic divide ensued, with large numbers of Tamils either fleeing to the northeastern provinces, or migrating as refugees to India, Australia, Canada and the UK.<sup>9</sup> This migration pattern served to largely bifurcate the

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identity of the Sri Lankan State, between a Sinhalese dominated southwest and central zone and a Tamil concentrated northeast. As Rohan Gunaratna observes, the conditions were now in place for a protracted internal ethnic conflict:

*The Tamils [now] had all the prerequisites in place for creating a state identity of their own. As the conflict deepened, the moderates were isolated. This paved the way for extremists on both sides to ascend to decision-making positions. With no hope of a negotiated settlement, the political climate was gradually becoming favourable for [the] Tamil insurgency. Within several months of the riots, the insurgents had increased their cadre strength by several fold and enjoyed wider public support. The militant approach [had] made them the de facto leaders of the northeastern Tamil people.<sup>10</sup>*

One factor that considerably benefited the Tamil insurgency during the 1980s was substantial international support due to effective TULF propaganda branding Sri Lanka as a state guilty of discrimination and 'ethnic genocide.' Backing was especially strong from India, with New Delhi acutely aware of the dangers of ignoring the sympathetic ethnic proclivities of its own Tamil population in the southern state of Tamil Nadu. In addition, the Indian Government was prepared to actively support the insurgency in Sri Lanka as a way of indirectly pressuring Colombo to remain part of its non-aligned orbit.<sup>11</sup> Between 1983 and 1987, the Research and Analysis Wing (RAW), the agency charged with India's clandestine foreign policy goals, provided extensive arms, training and sanctuary to a variety of Tamil insurgent groups, including PLOTE, TELO, EROS, EPRLF and the LTTE. By mid 1987, it is estimated that over 20,000 militants had received training in the country. While most of this was confined to paramilitary camps located in Tamil Nadu, specialised instruction took place mainly in New Delhi, Bombay and Vishakhapatnam. The most secretive training was conducted in Chakrata, India's premier military academy, where RAW also allegedly instructed Bangladeshi, Pakistani and Tibetan dissidents.<sup>12</sup>

Although the Indian government was instrumental in supporting the Tamil Hindu cause during the first half of the 1980s, by 1986, New Delhi was beginning to fear that the creation of an independent state of Eelam could serve to stimulate secessionist aspirations in its southern state of Tamil Nadu. In addition, concern developed over the increasingly violent nature of the conflict, which was severely destabilising the regional geo-political and strategic environment.<sup>12</sup> Moreover, it was creating a growing refugee

problem in an already heavily-populated country; by 1987, the number of Tamil refugees in India had risen to an estimated 130,000.<sup>14</sup>

As a result of these growing fears and concerns, the New Delhi Government began looking for a federalist solution to Sri Lanka's growing ethnic crisis. This effort culminated in July 1987 with the signing of the Indo-Sri Lankan Peace Accord. This provided for the following:

- A complete cessation of hostilities and the surrender of all weapons by the Tamil militants.
- The amalgamation of the north and eastern Sri Lankan provinces into one, Tamil dominated, administrative unit with its own elected provincial council (subject to a referendum to be held at a date chosen by the Sri Lankan government).
- The repatriation of all Tamil refugees from India back to Sri Lanka.
- The prevention of the use of Indian territory by Tamil militants for military or propaganda purposes.
- The provision that Tamil and English should have co-equal status with Sinhalese as official languages.
- The dispatch of an Indian Peacekeeping Force (IPKF) to oversee the implementation of the Accord. Between July and August 1987, 7,000 Indian troops were sent to Sri Lanka to this effect.<sup>15</sup>

### *Developments since 1987*

The peace process got off to a promising start with all the main Tamil militants agreeing to surrender their arms to the IPKF. However, by October the LTTE had effectively stopped its surrender of munitions, declaring its formal opposition to the Accord on the grounds that it did not provide independence. The group resumed its attacks, targeting not only Sinhalese civilians but also members of the IPKF as well as the other, more moderate, militant Tamil groups, which continued to abide by the agreement. Between 1987 and 1989 a virtual war erupted in the northeast between the LTTE on the one hand and the IPKF and an Indian-sponsored group known as the Tamil National Army (TNA—an anti-LTTE organisation essentially dominated by the EPRLF) on the other.<sup>16</sup>

Concerned by these developments, and reacting to growing violence perpetrated by the left-wing *Janatha Vimukthi Peramuna* (JVP), which was also radically opposed to the 1987 Accord,<sup>17</sup> the Sri Lankan Government started pressing for the withdrawal of the IPKF from the northeast.<sup>18</sup> The Indians at first refused, stating that they would remain in the

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country until they were satisfied that the security of the Tamils had been achieved through the devolution of real power to an elected government in the north-east of the country (as provided by the 1987 Accord). However, the increase in casualties and a growing realisation that it was essentially fighting a losing war against the LTTE eventually forced India to change its policy. Following limited withdrawals between January and April 1989, New Delhi entered into formal negotiations with Colombo for the complete departure of all IPKF forces. By March 24th 1990, all Indian troops had left Sri Lanka.<sup>19</sup>

### *The conflict in the 1990s*

Although a substantial degree of autonomy has since been devolved to the north east provinces of Sri Lanka, and despite sporadic peace negotiations with the government, the LTTE has continued with its violent struggle for independence well into the 1990s. Colombo has responded with equal force, in what has become an increasingly bloody counter-insurgency campaign for control of the northern and eastern part of the country as well as the Jaffna peninsula (captured by the military in late 1995). At present there is certainly no indication that the current Sri Lankan Government, which was elected on a supposed "peace platform," is willing to engage the LTTE in creative peace negotiations.<sup>20</sup>

The civil war has come to involve major human rights abuses, perpetrated by both the Sri Lankan military and Tamil rebels. There have been repeated cases of deliberate mutilation and torture following raids on army/rebel camps, with government troops and guerrillas each seeking to demonstrate the contempt they hold for one another's basic rights and dignity, in a brutal attempt to destroy fighting morale and resilience.<sup>21</sup> Even according to conservative estimates, no less than 19,208 members of the security forces and 21,911 suspected Tamil militants lost their lives in fighting and guerrilla attacks between 1992 and November 1998, with more than 19,457 people killed in the last four years alone.<sup>22</sup>

Civilians and politicians have inevitably been caught in the crossfire. The military reoccupation of Jaffna in 1995 was particularly violent, with LTTE activists slamming what they described as a de-facto policy of government-sanctioned ethnic genocide. On-going claims of security force excess in Jaffna have continued to plague the Colombo Government, with Amnesty International (AI) and other human rights groups repeatedly expressing their concern for the safety of Tamil civilians in this part of the

country.<sup>23</sup> Attention has recently focused on the possible existence of a mass grave beneath the Chenmani salt flats four miles from Jaffna town, which a Sri Lankan soldier, Krishanthi Kumaraswamy, claims contains the bodies of at least 400 civilians killed by the military. The allegation, which was made in 1998 after Kumaraswamy was arrested and convicted for the rape and murder of a local Tamil schoolgirl, has sparked a major international controversy that has since led to investigative intervention both by AI and the United Nations High Commissioner for Human Rights.<sup>24</sup>

Nevertheless, it is the LTTE that has been subject to most international criticism in relation to violence against non-combatant victims, particularly in recent years. The group's willingness to launch major terrorist attacks in heavily populated urban areas has been especially condemned and is one of the main reasons for the group's declining support amongst civil society groups and the Tamil diaspora in Western states such as Canada, the US and UK.<sup>25</sup> Some of the more devastating and politically significant attacks the group has carried out in this regard include:

- The 1991 car bomb assassination then Deputy Defence Minister, Ranjan Wijerante.
- The May 1991 assassination by suicide bomber of Rajiv Gandhi, the Indian Prime Minister, and the architect of the 1987 Peace Accord. After Gandhi's assassination, the LTTE was formally proscribed as a terrorist organisation in India.
- The 1992 massacre of 166 Muslims in Palliyagodella.
- The April 1993 assassination (again by a suicide bomber) of the (then) Sri Lankan President, Ranasinghe Premadasa. An additional 23 civilians were also killed in this attack.
- The 1995 massacre of 42 Sinhalese villagers at Kallarawa, near Trincomalee.
- A 1995 suicide bomb attack in Colombo, which left 24 civilians dead and 40 others wounded.
- Twin suicide bomb attacks in Colombo in November 1995, which killed 18 people and left another 50 seriously injured.
- A suicide bomb attack against the Colombo Central Bank in January 1996, which left 100 people dead and another 1,400 injured.
- A bomb attack against a crowded suburban train near Colombo in July 1996, which killed 80 and injured another 450.
- Synchronised bombings in Colombo in July 1997, which left 20 dead and at least another 105 injured.
- A bus bomb attack in Colombo in March 1998, which killed 32 people and wounded another 250.

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- A 1998 bomb attack in Jaffna, which killed the Mayor and 20 other civilians.<sup>26</sup>
- The car-bomb assassination in July 1999 of Dr. Neelan Tiruchelvan, a Tamil scholar, parliamentarian, and human rights activist, who was a key contributor to recent peace negotiations.

#### The death of a peace-builder

On 29 July 1999, the Vice-President of the Tamil United Liberation Front (TULF) – Neelan Tiruchelvan – was killed in his car in Colombo by a suicide bomber. The LTTE is thought to have carried out the assassination. Neelan was a central figure in the peace process, and a strong supporter of peaceful negotiations between the Tamil community in the North and the Sri Lankan regime. The LTTE are hostile to any arrangement that would threaten their aspiration of total independence for their claimed territory, and therefore were hostile to Neelan and other leading moderate Tamils.

The Indian publication *Frontline* described Neelan's death as "a serious blow to the cause of democracy, peace, federalism, healing of ethnic rifts, and political decentralisation – not just in [Sri Lanka], but in all of South Asia." As a parliamentarian, constitutional lawyer, academic, and Sri Lanka's best known human rights activist, Neelan bridged the ethnic Tamil and Sinhala communities. It was his support for pluralist and democratic ideas that inspired the enmity of the LTTE.

The Commonwealth Human Rights Initiative drafted a resolution condemning this act and its perpetrators and honouring Neelan's memory in August 1999. The resolution has already been endorsed by over 200 eminent persons and organisations in South Asia.

Human rights groups have also been critical of the overall lack of progress made with regard to "re-normalising" life in Jaffna since 1995.<sup>27</sup> While acknowledging development in terms of basic infrastructural needs, such as providing piped water, electricity and shelter, many other, deeper, concerns are consistently raised, including:

- Torture and disappearances, which allegedly continue almost on a daily basis.
- On-going violations of human rights, including basic fundamentals such as freedom of expression, movement and assembly as well as more important provisions such as freedom from arbitrary arrest, terror and want.
- The continuing low rate of returnees to Jaffna. AI and the International Committee



for the Red Cross (ICRC), for instance, maintain that most of those that do return to the Peninsula simply tie up their affairs, and soon depart again. Overall it is estimated that for every Tamil that permanently returns to Jaffna, one leaves.

- The fact that the Peninsula remains largely cut off from the rest of Sri Lanka, with access to sea transport or via airforce transport planes limited, both of which are time consuming and expensive when accessible.<sup>28</sup> In particular, it is asserted that the Sri Lankan military continues to act very much as an army of occupation in Jaffna, with one soldier for every ten civilians, checkpoints virtually every 50 metres and the imposition of daily curfews between dusk and dawn.<sup>29</sup>

The LTTE has also been widely condemned for its use of children as frontline combatants. According to informed sources, boys and girls as young as nine years old are now being dispatched to active conflict zones. Sri Lanka's Directorate of Military Intelligence estimates that as many as 60% of LTTE cadres are below the age of 18.<sup>30</sup> Even if the figure is exaggerated, concerted assessments of LTTE fighters killed in action reveal that at least 40% are between the ages of 9 and 18. Graca Machel, the former First Lady of Mozambique who has made a special study of child soldiers for the UN, asserts that 20% of LTTE injured personnel were between the ages of 10 and 14 during recruitment.<sup>31</sup> While the LTTE have denied such accusations as a deliberate campaign of government-manipulated misinformation, dedications to the group's "war dead," shown every month in propaganda videos, invariably include images of combatants well below the age of 18.<sup>32</sup>

The UN and international human rights groups have repeatedly expressed their concern over the misuse of children in combat, stressing that it completely violates the Geneva Convention and the moral, ethical and natural laws upon which it is based. The UN Special Rapporteur on Violence Against Women, Radhika Coomaraswamy, a Sri Lankan Tamil, has especially criticised the LTTE for its use of women and children in warfare, castigating what she sees as the spread of violence to society's very youngest and most vulnerable members. The Sri Lankan Foreign Minister, Lakshman Kadirgamar, has been just as vocal, claiming that an entire generation of Tamil children are being

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*By the early 1980s, it was apparent that the trappings of responsible governance were beginning to break down in Colombo.*

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systematically destroyed by the LTTE.<sup>33</sup> Despite this criticism, it is unlikely that the LTTE will succumb to what it terms as partisan international pressure, particularly given that the ideological experiment<sup>34</sup> of motivating children as combatants has, to date, been a highly “successful” one.

At this point, the insurgency in Sri Lanka appears to be at a stalemate. The Sri Lankan military does not have the capacity to inflict a fatal blow against the LTTE and the Government remains adamantly opposed to any question of acceding to the secessionist demands of the group. Although the present Administration was elected to power on a pledge to end the war against the LTTE, there has been no real progress in engaging the group in constructive peace negotiations or encouraging militants back to the mainstream of legitimate political discourse. For its part, the LTTE has not shown any sign of giving up the armed struggle or modifying its demands, insisting that it will not even consider entering into negotiations with Colombo until the Sri Lankan military is out of Jaffna (the armed forces show no sign of leaving). Moreover, the group continues to benefit from a highly sophisticated international arms and financial support network (see below) and there appear to be no shortages of willing recruits to the movement. LTTE leader, Velupillai Prabhakaran, further exacerbates the situation by continuing to espouse a highly militant line of unrelenting martyrdom for the Tamil nationalist cause.<sup>35</sup> As Tony Davis observes, such a hard-line, extremist stance is hardly conducive to negotiated settlement:

*The LTTE's dilemma may lie in a more fundamental paradox. It may well be that its greatest asset in the past – the unbending, militant vision of Velupillai Prabhakaran – is today its greatest liability. Whether the autocrat at the centre of an almost religious cult of [extremism] can function as a man of peace in any democratic dispensation remains uncertain. To date, the record is hardly encouraging.<sup>36</sup>*

The stage thus appears set for the guerrilla and terrorist war to continue along what has already been a bloody and violent path, one that has left an estimated 55,000 dead and more than one million displaced.<sup>37</sup> Most analysts agree that the principal element contributing to the on-going deterioration and militarisation of ethnic politics in Sri Lanka is now the LTTE. It is the only Tamil group that continues to engage in violence on the island and, as noted above, remains completely unwilling to compromise on its ultimate goal of independence. For this reason, the remainder of this chapter will be

devoted to an in-depth analysis of the LTTE, paying particular attention to the international arms and finance support network that has played such a crucial role in sustaining the group's separatist-based insurgency.

## II. LTTE methods

### *Structure*

As noted above, the LTTE is one of 35 groups formed by Tamil militants in the 1970s. It is led by Velupillai Prabhakaran and seeks the establishment of an independent Tamil or Eelam state comprising the northern and eastern provinces in Sri Lanka and under the control of a one-party Socialist government. Although sporadic actions in pursuit of this objective were carried out during the 1970s and early 1980s, most of the group's concerted guerrilla activity dates from the ethnic riots of 1983.

Ethnically, nearly all members of the LTTE are Sri Lankan Tamils (as opposed to Indian Tamils). In terms of religion, the majority of the group's members are Hindus, although there is some evidence of involvement of a significant number of Christian Tamils in the movement. Most members of the LTTE are between 9 and 29 years old, with only a few fighting cadres in their 30s. Demographically, most LTTE tigers come from the northern and eastern Sri Lankan provinces while, socially, the majority belong to the lower middle class castes.<sup>38</sup>

The Tamil Tigers are organised along a two-tier structure: a dominant military wing reminiscent of many professional armies; and a subordinate political wing. Overseeing both is a Central Governing Committee. Headed by LTTE supreme leader Prabhakaran, this body has the responsibility for directing and controlling several specific subdivisions, including:

- An amphibious group, known as the Sea Tigers.
- An airborne group, known as the Air Tigers.
- An elite Commando wing.
- A suicide squad known as the Black Tigers.
- A highly secretive intelligence group, known as the Tigers Organisation of Security Intelligence Service (TOSIS).
- A Political Office, headed by Thamil Chevlam (Political Leader) and Anton Balasingham (Political Advisor and ideologue).

- An International Secretariat, headed by V. Manoharan.<sup>39</sup> This is the most important non-military section of the LTTE, having the responsibility for ensuring the smooth running of the organisation's global support network.<sup>40</sup>

### *Tactics*

The guerrilla and urban terrorist theories of Mao Tse Tung, Che Guevera and Carlos Marighela heavily influence the insurgent strategy of the LTTE. The essential aim (according to the LTTE) is to carry out an unrelenting campaign of rural and urban guerrilla warfare to mobilise the general populace for a war of national liberation and socialist revolution. The essential components of this strategy are twofold:

- Armed guerrilla confrontation against the Sri Lankan security forces.
- Terrorism directed against so-called symbols of state repression, including Tamil collaborators.<sup>41</sup>

The LTTE has proven itself to be an extremely proficient guerrilla fighting force. The group has repeatedly demonstrated its operational effectiveness, challenging and, indeed, frequently overcoming far larger military forces from both Sri Lanka and India. Some attacks have been especially costly. In September 1998, for instance, the LTTE launched a massive combined assault against the Sri Lankan Paranthan-Kilinochchi defence complex, which left over 1500 members of the security forces dead.<sup>42</sup> The group has also acquired a sophisticated stand-off weapon capability using rocket propelled grenade launchers, light anti-tank weapons, mortars, surface to air missiles as well as the Pasilan 2000, its own indigenously produced missile.<sup>43</sup> This ability has been put to good use in the on-going battle for control of the north of the country, particularly in relation to the strategically important A9 and A34 Highways.<sup>44</sup>

For the LTTE, the guerrilla war has benefited enormously from the extremely well trained, well equipped and dedicated nature of the group's fighters. Regular cadres undergo an intensive three month basic training program, receiving instruction in guerrilla warfare tactics, intelligence and counter-intelligence, weapons handling, ambush and camouflage methods and escape and evasion techniques. This is followed by three months of advanced training, where cadres are chosen for specialist divisions such as TOSIS, the Sea Tigers, the Commandos and the Black Tigers. During basic and advanced training, all LTTE cadres are continually assessed and monitored with information on their performance and personal strengths and weaknesses stored in the central Tiger computer database, known as "Zero Zero Station." This data is referenced

and cross-referenced, enabling the political and military leadership to quickly pick the most suitable recruit(s) for particular operations. The LTTE is probably the only insurgent organisation in the world operating such a sophisticated personnel records scheme, reflecting the highly professional and structured nature of the group.<sup>45</sup> Supplementing the LTTE conventional guerrilla war has been an extremely bloody terrorist campaign waged against Muslims, Sinhalese, moderate Tamils and other LTTE-defined enemies of the Tiger struggle. At the heart of this “dirty” war have been the Black Tigers, the LTTE suicide commandos, all of whom are assigned for training with this unit are young and single (as such, they are likely to have few life responsibilities) and mostly female. All prospective suicide bombers are subjected to a highly demanding training course, involving endless physical endurance and indoctrination sessions. Suicide bombers are also taught where to place themselves and their bombs to cause the most destruction and how best to avoid detection. Those who successfully pass the “death course” are subjected to the tightest security, their identity generally only known by the highest echelons of the LTTE. Each suicide bomber, prior to his/her mission, is invited to Prabhakaran's headquarters for a “farewell dinner” where they are also equipped with a “suicide body suit.”<sup>46</sup> According to Western intelligence and security agencies, these suits are far more sophisticated and harder to detect than the more rudimentary suits worn by their Asian and Middle Eastern counter-parts.<sup>47</sup>

Now in its 25<sup>th</sup> year of existence and 15<sup>th</sup> year of concerted combat, the LTTE is assessed by most of the international security and intelligence community as one of the most deadly, proficient and ruthless insurgent terrorist groups in the world. It has built up a tradition of combat efficiency and leading (some would say “cutting edge”) offensive innovation with a rapid turnover of new units. While the group's strategic “success” owes much to the highly organised, structured and dedicated nature of its cadres, it also stems from the extremely efficient international arms and finance procurement network that the organisation has consistently been able to call on. It is to this issue that the remainder of the chapter turns.

### **III. The LTTE's international arms procurement and finance generation network**

In early 1997, the Sri Lankan Government concluded an arms contract with Zimbabwe Defence Industries (ZDI) for the purchase of 32,000 mortar bombs. The US\$3 million deal had been arranged to facilitate the army's on-going campaign for control of Highway

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A9. On 23 May 1997, Colombo was informed that the munitions had left the Mozambiquean port of Beira as scheduled and were en-route to Sri Lanka. The weapons never arrived. On 11 July 1997, a fax was sent to the US embassy in Colombo stating:

*We, the Tamil Tigers, inform you by the present that on 11 July 1997 we have hijacked a vessel carrying arms...destined for Colombo. We know that the manufacturer and the supplier of the mortar bombs is ZDI from Harare...The cargo [has been] confiscated. We make known and warn that we will take action against all persons participating in the supply of military equipment used against the legitimate rights of Tamil people and we will severely punish those concerned.<sup>48</sup>*

Subsequent investigations uncovered a complex and convoluted paper trail. This eventually led to Ben Tsoi, the Israeli arms sub-contractor who had arranged the original mortar deal and who had apparently been bribed by the Tigers to let one of the group's own freighters, the *Stillus Limassul*, pick up the consignment directly from the Croatian port of Rijeki. Western intelligence agencies now believe that Tsoi's company, L.B.G. Military Supplies, had persuaded Zimbabwe Defence Industries (ZDI) to acquiesce in the "sting" by providing false information to Colombo, confirming that the shipment had been loaded, as scheduled, at the Mozambican port of Beira on 21 May.<sup>49</sup> L.B.G. Military Supplies apparently then informed the Sri Lankan Government that the munitions were en route via Madagascar. By the time Colombo learned the full extent of what had happened, the mortars had been off-loaded and shipped via smaller vessels to LTTE jungle bases off the Mullaitivu coast. A month later, the weapons were being used by the Tigers with devastating effect in the continuing battle for control of the A9 highway in northern Sri Lanka.<sup>50</sup>

The ZDI incident graphically illustrates the sophistication, influence and global reach of the LTTE international procurement network. Over fifteen years in the making, this particular aspect of the Tamil Tiger insurgency draws on the resources of companies and other related small businesses, informal banking channels, a fleet of ocean-going merchant ships (known as the "Sea Pigeons"), munitions dealers and foreign mercenaries. Sustaining an insurgent force that is now thought to number at least 14,000, LTTE international arms procurement activity best reflects the quasi-corporate structure of the group. As one former Tamil militant put it: "...LTTE functions like a multinational corporation with resources all over the world. Prabhakaran's acumen is as much that of a CEO as of a military commander. He knows whom to use for what".<sup>51</sup>

### *Arms procurement*

Prior to 1987, the LTTE procured most of its weaponry from four main sources:

- Afghanistan, via the Indo-Pakistani border.<sup>52</sup>
- Directly from the Indian external intelligence service, the Research and Analysis Wing (RAW).
- Indigenous production.
- Munitions captured from the Sri Lankan military.<sup>53</sup>

Following the signing of the Indo-Sri Lankan Peace Accord of 1987, the LTTE lost the benefit of external Indian support. In response, the group started carrying out increasingly daring strikes against Sri Lankan military camps and weapons depots, acquiring most of its long-range artillery directly from Colombo's armed forces.<sup>54</sup> In addition, the LTTE started manufacturing more of its weapons indigenously, developing the ability to produce its own short-range missiles by 1990. Most importantly, the organisation expanded its international arms procurement network beyond the suppliers in Afghanistan and Pakistan.

The LTTE arms network is headed by Tharmalingam Shanmugham, alias Kumaran Pathmanathan and colloquially known simply as "KP." Second to Prabhakaran and with a US\$500,000 bounty on his head, Pathmanathan is currently the second most wanted man in Sri Lanka. With more than twenty passports to his name, and the ability to pass himself off as any middle class Tamil, Kumaran travels widely. However, Sri Lankan intelligence sources believe his main bases have been Singapore, Rangoon, Bangkok and, more recently, Johannesburg. He is additionally known to have held various bank accounts in London, Frankfurt, Denmark, Athens, Canada and Australia.<sup>55</sup>

Most members of the LTTE global weapons' procurement team, known as the "KP Department," have received no formal military training, including Kumaran himself. This ensures that there are no records of its members on the files of overseas security and intelligence services. While not specifically trained in military skills, however, those inducted into the KP Department receive intensive instruction in a number of other areas including document forgery, gun running, communication, international freight shipping and investing.<sup>56</sup>

Kumaran establishes his members around the world through a sophisticated human export ring. Tamil expatriates already resident in states such as Australia, Canada and the

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US typically obtain visas for overseas countries (where such applications are less likely to arouse suspicion). Potential agents with somewhat similar facial features to the original applicants are then chosen and travel, with a LTTE representative, to the selected states. The impersonators are left to apply for refugee status (either in the chosen state or an adjacent country), while the LTTE “chaperone” returns with the original passports, handing them back to their rightful owners. This method can be repeated time and time again (with different original visa applicants), taking KP agents to virtually any country in the western world.<sup>57</sup>

At the heart of the KP Department’s operations is a highly active merchant shipping network known as the “Sea Pigeons.” Except for the Provisional Irish Republican Army (PIRA) and Palestine Liberation Organisation (PLO), the LTTE is the only insurgent organisation that is known to have a fleet of deep sea going vessels at its disposal. The LTTE started building their maritime network with the help of a Bombay shipping magnate in the mid 1980s. Today the fleet numbers at least eleven freighters, all of which are equipped with sophisticated radar and inmarsat communication technology. The vessels travel mostly under Panamanian, Honduran or Liberian flags of convenience<sup>58</sup> (colloquially known as “Pan-Ho-Lib,” these maritime states are all characterised by notoriously lax registration requirements), tend to be crewed by Tamils originating from the Jaffna sea port of Velvettiturai and are typically owned by various front companies located in Asia. The ships frequently visit Japan, Indonesia, Singapore, South Africa, Burma, Turkey, France, Italy and Ukraine. 95% of the time the vessels transport legitimate commercial goods such as hardwood, tea, rice paddy, cement and fertiliser. However, for the remainder five percent they play a vital role in supplying explosives, arms, ammunitions and other war related material to the LTTE theatre of war.<sup>59</sup>

Singapore and Hong Kong, strategically situated on key shipping lanes and with highly developed banking structures, form the communications hub of the LTTE weapons procurement network.<sup>60</sup> These two “city states” orchestrate cells located in Thailand,<sup>61</sup> Pakistan and Burma,<sup>62</sup> effectively plugging the LTTE into the booming arms bazaars of Southeast and Southwest Asia. However the group is also known to have used front companies and sub-contractors in Africa and Europe for deals involving the states of the former Soviet Union, the Middle East and sub-Saharan Africa.

The group is currently focusing on using South Africa as an alternative arms centre. The country lies adjacent to two of the most prolific munitions sources on the African



continent, Mozambique and Angola<sup>63</sup> and, thanks to sanctions imposed during the Apartheid era, has a long tradition of covert arms dealing. In addition, there is a relatively advanced communication and transportation infrastructure in place as well as the existence of several organisations that are openly supportive of the Tamil liberation struggle in Sri Lanka.<sup>64</sup> Moreover, the African National Congress' (ANC) "culture of liberation" sits very well with the LTTE's own propaganda of struggle against oppression, with the group often drawing strong parallels between Prabhakaran and Mandela. These factors, together with the deteriorating political and security environment, have made South Africa particularly conducive for the establishment of a thriving organised arms trade, creating a potential opening that the LTTE is likely to exploit.<sup>65</sup>

Explosives have consistently been emphasised in Kumaran's global weapons procurement efforts. In the early days of insurgency these appear to have been supplied directly to the LTTE by RAW. However, the curtailment of Indian support from 1987 onwards forced the group to seek new outlets further afield. Since the collapse of the Soviet Union in the early 1990s, the new favoured source has been Ukraine. One of the largest single consignments took place in August 1994 when an LTTE freighter, the *MV Swanee*, left the Port of Nikoleyev laden with 60 tons of RDX and TNT explosive acquired from the Rubezone Chemicals plant. The transaction had been arranged by Carlton Trading, a LTTE front company located in Dhaka, through a forged user-end certificate showing the Bangladeshi military as the approved recipient. The explosives were transported to the north-eastern Sri Lankan coast and, protected by special Sea Tiger speed boats, off-loaded and transferred to several secret LTTE jungle bases. Some of these explosives (300-400kg) were subsequently used in the massive January 1996 truck-bomb attack against the Central Bank building in Colombo - widely recognised as one of the most devastating terrorist assaults in history.<sup>66</sup>

Providing the LTTE with war materiel that cannot be indigenously produced has also been a main goal of Kumaran. The success of the KP Department in this regard can be judged from the quality of various war-materiel that the division has been able to procure for the Tigers. To counter strikes from the Sri Lankan airforce (long a major threat to the LTTE), for instance, the KP department has been instrumental in building up a sophisticated surface to air missile capacity for the group. Mostly based on Soviet-made SAM-7s purchased from corrupt government officials and insurgent forces in Cambodia, there is also speculation that it now includes far more deadly and accurate US-made Stinger-class missiles acquired from Kurdish traders<sup>67</sup> operating out of

Afghanistan.<sup>68</sup> In addition, the KP Department has provided the LTTE with specially designed infantry combat equipment, inflatable attack craft to augment its indigenously produced amphibious arsenal, advanced night aid vision devices and the very latest in long range sniper and assault weapons.<sup>69</sup>

### *Finance generation*

“Nourishing” the LTTE’s arms procurement effort is an equally active “income” generating operation. Overall, the LTTE global finance network is currently thought to collect between US\$4 and US\$6 million a month. A significant proportion of this comes from the overseas Tamil Diaspora. Six main areas have proven to be especially important:

- Switzerland, where an estimated US\$800,000 a month is collected.
- Canada, where an estimated US\$600,000 a month is collected.
- Australia, where an estimated US\$250,000 a month is collected.
- The UK, where an estimated US\$390,000 a month is collected.
- The US, where an estimated US\$200,000 a month is collected (prior to designation of the LTTE as a terrorist group).
- The Scandinavian countries, where an estimated US\$500,000 is raised every month.<sup>70</sup>

Motivations for contributing to the LTTE cause vary. Many of the older, more established members of expatriate communities fully believe in the LTTE struggle and its quest for a separate Tamil state, seeing this as the only long term solution to the ethnic crisis in Sri Lanka.<sup>71</sup> Some, often illegal migrants or asylum seekers living on the fringes of an alien community, rely on the LTTE to facilitate their integration into society, paying the organisation to help them find jobs, acquire forged identity papers and access housing. In other situations, Tamils contribute to the cause as a result of blackmail, extortion, fear or a combination of all three. Often members of the expatriate community are directly threatened with violence if they don’t contribute; sometimes it is implied that relatives living in LTTE controlled areas might come to harm if payments are not made: “We know where your mother lives on the Jaffna peninsula, so pay up.”<sup>72</sup>

In the US, funds essentially come from contributions given by wealthy individuals, a number of whom have pledged huge sums of money to the Tamil cause. According to some reports one such person, Dr. Shan K. Sunder, a prominent medical practitioner living in California, has given as much as US\$100,000 at any given time, depending on

the individual collector and the intended purpose of the money. On a global scale and as a single individual, Dr. Shan remains the LTTE's most important contributor, with some estimates of total donations pledged over the last decade as much as US\$4 million. As one former LTTE US representative has remarked: "We ask and he gives. Dr Shan is our God."<sup>73</sup>

Funds are not always procured directly from the Tamil Diaspora. Often the LTTE will siphon off donations that are given to non-profit cultural bodies to finance Tamil social service, medical and rehabilitation programs in Sri Lanka. The great advantage of this form of financial procurement is the extreme difficulty in proving that funds raised for humanitarian purposes are being diverted to propagate terrorism or other forms of illegal activity elsewhere.<sup>74</sup> This is particularly true in states such as Norway, where there is not even a legal requirement for individuals to register as an organisation before engaging in fund raising.<sup>75</sup>

In addition to direct and indirect donations, the LTTE has also raised money by investing in small, Tamil-run businesses. In many cases, these schemes operate on a system of "ownership by proxy," where initial capital investments are made by the LTTE with the profits subsequently split between the group and the business' ostensible owner.<sup>76</sup> This type of operation has been used extensively in Canada, where the LTTE is thought to be a major investor in at least two prominent enterprises. It has been suggested that Cann Imports, a major company dealing in vegetables, tinned food and dried fish imported from Thailand, Mexico and India, and Ambigas Jewellers, which operates branches throughout Toronto and its suburbs of Mississauga and Scarborough, are two such businesses.<sup>77</sup> Sri Lankan officials believe that this form of fund raising may be indicative of an attempt by the LTTE to become less reliant on the diaspora by concentrating more on trade and investments.

There have also been suggestions that the LTTE raises money through drug running, particularly heroin from

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Southeast and Southwest Asia. According to a 1995 report by the Mackenzie Institute, a non-profit research group based in Toronto, the most profitable LTTE activities have been in the form of heroin trafficking. Sri Lankan officials concur, with one senior diplomat asserting that “collection of money from Tamil expatriate sources is insignificant compared to money from narcotics.”<sup>78</sup>

A fair amount of circumstantial evidence exists which suggests at least some sort of nexus between the LTTE and narcotics operations. The Mackenzie Institute has documented the arrests, world-wide, of several Tamils with links to the LTTE for drug running since the early 1980s, including V. Manoharan, the group’s present International Chief.<sup>79</sup> Indeed after Manoharan signed a petition challenging the US designation of the LTTE as a terrorist group in 1997, INTERPOL disclosed that he had been imprisoned in France for two years for possession of heroin. Suspicions that the narcotics had been traded on behalf of the Tigers were subsequently raised after it was discovered that Prabhakaran had authorised LTTE France to pay a monthly salary to his family while he was in jail. In addition, the Canadian Security Intelligence Service (CSIS) and Royal Mounted Police (RCMP) both claim to have evidence that the group is actively sponsoring at least two drug gangs currently operating in the greater Toronto metropolitan area: VVT and AK Kannan. It is alleged that the LTTE supplies these groups with automatic weapons and narcotics with the gangs, in turn, acting as local drug pushers and henchmen.<sup>80</sup> The RCMP’s Asian Crime Task Force believes these “Tiger gangsters” have been instrumental in raising millions of dollars every year through extortion and heroin trafficking.<sup>81</sup>

Funds raised overseas are used extensively to finance legitimate Tamil medical and rehabilitation programs. However, they also form an integral component of the LTTE’s so-called National Defence Fund and overseas weapons procurement efforts. Sri Lankan agencies are aware, for instance, that one LTTE member, Dharmakulaseelan, played a key role in a multi-national operation that was active in the early 1990s in which money raised in North America was forwarded to the Philippines and used to purchase weapons from Southeast Asian arms dealers. Moreover, it was funds procured in Canada that were used to purchase the Ukrainian plastic explosives, which destroyed the Colombo Central Bank building in January 1996.<sup>82</sup> In general, it is estimated that since losing effective control of the Jaffna peninsula in 1995, as much as 90 to 95% of the LTTE war budget is raised overseas.<sup>83</sup>

## Conclusion

The LTTE represents a particularly violent manifestation of the ethnic conflict in Sri Lanka. **At the time of writing, there was little sign of an early end to the Tamil secessionist war.** The government remains open to negotiations, but not for secession and the LTTE is unwilling to compromise this aim. This suggests a continuation, and possible growth of the global financial and arms procurement support network upon which the LTTE depends for its military operations.

The activities of the LTTE octopus have serious implications for Sri Lanka and the international community as a whole. So long as the group is permitted to raise funds, procure weapons and ship supplies to Sri Lanka, its guerrilla and terrorist campaign will continue. This will generate more violence as well as feed into what is an already serious refugee problem, both of which carry significant implications for stability in what is an already highly combustible part of the world. Compounding this has been the far-reaching, insidious and corrosive impact of the LTTE network itself, a global support structure that has undermined and corrupted legitimate law enforcement, judicial, financial and political structures from Australia to Norway.

It is true that the LTTE has suffered from a number of recent setbacks in its international arms procurement and finance generation activities. Improved intelligence and increased coastal naval patrols by Colombo and New Delhi have complicated Kumaran's smuggling operations, costing him several vessels that have either been seized or destroyed off Sri Lanka's north and east coasts.<sup>84</sup> In October 1996, the LTTE suffered an enormous blow with the assassination of Kandiah Perimbantham, the deputy head of the group's International Secretariat and the mastermind behind a major 1994 Ukrainian explosives shipment.<sup>85</sup> Finally, international tolerance of the LTTE appears to be waning, reflected by legislative changes concerning the status of the group in the US, Canada and UK (see endnote 25).

However, one should not overstate the obstacles associated with these difficulties. The LTTE's brown, blue and green water capabilities continue to frustrate and undermine Indian and Sri Lankan naval coastal operations. The group retains unlimited access to many states and has a variety of front organisations through which to raise war-related funds, legislative changes in the US, Canada and the UK notwithstanding. And

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Kumaran, the main player in the LTTE international munitions nexus, remains very much at large. All this is compounded by the fact that, unlike the trade in heavy weapons, the movement of small arms is extremely difficult to control.

So long as these factors hold, and in the absence of a political settlement to the ethnic conflict in Sri Lanka - of which there is presently no sign - there is little prospect of a cessation in LTTE arms procurement and finance generating activities. Indeed as Mike Winchester observes, the ZDI episode not only reflects a KP department that continues to act with impunity; it is also indicative of a section of the Tamil Tiger insurgency that remains very much in business.<sup>86</sup> This is important, because so long as Prabhakaran is able to gain access to munitions to support the LTTE insurgency, his will remain very much a military fight to the death.

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*Between 1983 and 1987, the Research and Analysis Wing (RAW), the agency charged with India's clandestine foreign policy goals, provided extensive arms, training and sanctuary to a variety of Tamil insurgent groups. . .*

<sup>1</sup> Ministry of Finance and Planning, *Statistical Pocketbook of the Democratic Socialist Republic of Sri Lanka – 1998* (Colombo: Department of Census and Statistics, 1998), 9-26; The *Macmillan World Almanac* (London: Pan Books, 1994), 508.

<sup>2</sup> Ceylon became a full British possession in 1802.

<sup>3</sup> Gamini Samaranyake, "Political Violence in Sri Lanka: A Diagnostic Approach," *Terrorism and Political Violence* 9/2 (1997): 99.

<sup>4</sup> The Sinhalese claimed that under colonial rule, the British had practised an explicit pro-Tamil policy in an attempt to marginalise Sinhala independence designs and aspirations.

<sup>5</sup> Manoj Joshi, "On the Razor's Edge: The Liberation Tigers of Tamil Eelam," *Studies in Conflict and Terrorism* 19 (1996): 20; John Thackrah, *Terrorism and Political Violence* (London: Routledge, 1987), 246; *Europa World Year Book* (London: Europa Publications, 1998), 3039.

<sup>6</sup> Raju Thomas, "Secessionist Movements in South Asia," *Survival* 36/2 (1994): 107; Thackrah, *Terrorism and Political Violence*, 246; *Europa World Year Book*, 3039.

<sup>7</sup> Samaranyake, "Political Violence in Sri Lanka," 108-109; Thackrah, *Terrorism and Political Violence*, 246-7.

<sup>8</sup> WI Siriweera, "Recent Developments in Sinhala-Tamil Relations," *Asian Survey* (September 1980), 903-13; Samaranyake, "Political Violence in Sri Lanka," 115; Thackrah, *Terrorism and Political Violence*, 247. Ironically most of the violence at this time was directed against Tamils, a course of action justified by the various insurgent groups on the grounds that they were traitors to the nationalist cause.

<sup>9</sup> *Europa World Year Book*, 3039-40; Thackrah, *Terrorism and Political Violence*, 247; Kalpana Isaac, "Sri Lanka's Ethnic Divide," *Current History* 95/600 (1996): 179.

<sup>10</sup> Rohan Gunaratna, *Sri Lanka's Ethnic Crisis and National Security* (Colombo: South Asian Network on Conflict Research, 1998), 112.

<sup>11</sup> This refers to India's desire to maintain Sri Lanka as an ally in the Cold War climate.

<sup>12</sup> Rohan Gunaratna, "The Illicit Transfer of Conventional Weapons: The Role of State and Non-State Actors in South Asia," paper delivered before the Third Intersessional Workshop of the Panel of Governmental Experts on Small Arms, Kathmandu, May 22-23, 1997, 9, 12; Rohan Gunaratna, *International and Regional Security Implications of the Sri Lankan Tamil Insurgency* (Colombo: Bandaranaike Centre for International Studies, 1997), 11, 17-19; Joshi, "On the Razor's Edge," 21, 23; M.R. Narayanswamy, *Tigers of Lanka: From Boys to Guerrillas* (New Delhi: Konarak, 1994), 106-114. For a detailed analysis of the covert activities of the Indian intelligence services see Asoka Raina, *Inside RAW: The Story of India's Secret Service* (New Delhi: Vikas, 1981), 114.

<sup>13</sup> Joshi, "On the Razor's Edge," 24; Samaranyake, "Political Violence in Sri Lanka," 115. Between 1983 and 1987 some particularly serious terrorist incidents took place, including:

- A bomb blast at Madras Airport (meant for Colombo Airport) in 1985, killing 30.

- The massacre of 200 civilians in Anuradhapura, the historical capital of Sri Lanka, in 1985.

- The killing of 65 civilians in the Mullaitivu District in 1985.

- The blowing up of an Air Lanka jet in 1986, killing 16 passengers.

- The mass murder of 175 bus passengers in Trincomalee in 1987.

- A bomb attack in central Colombo in 1987, killing 200 civilians.

<sup>14</sup> *Europa World Year Book*, 3040.

<sup>15</sup> *Europa World Year Book*, 3040; Joshi, "On the Razor's Edge," 24-5; Samaranyake, "Political Violence in Sri Lanka," 115.

<sup>16</sup> Samaranyake, "Political Violence in Sri Lanka," 115-16; Joshi, "On the Razor's Edge," 25-6; *Europa World Year Book*, 3040.

<sup>17</sup> The JVP was a radical left wing nationalist group composed of Sinhalese youths that were committed to greater social justice and worker equity. The organisation launched an armed rebellion in 1971, which was viciously put down by Colombo at an estimated cost of 20,000 militants and supporters. A number of commentators have suggested that this episode in Sri Lanka's history has special significance with regard to the conflict against the LTTE in that it marked the emergence of an Administration prepared to fight against its own people. The JVP re-emerged as a major threat to Sri Lankan stability during the 1980s and was especially opposed to the 1987 Accord for two main reasons. Firstly, because it sanctioned a foreign military presence in Sri Lanka. Secondly, because it was seen as granting too many concessions and devolved too much power to the Tamils. Although the JVP did carry out sporadic attacks in an attempt to derail the Indo-Sri Lankan Agreement, the group was effectively eliminated as a viable insurgent force by the late 1980s. Today it exists as a mainstream workers' political party committed to national unity (which essentially makes it anti-LTTE due to the Tigers' push for Tamil independence).

<sup>18</sup> The Colombo Government was so keen to evict the Indians from Sri Lanka that it went to the extraordinary length of supplying weapons to the LTTE to assist the group in its struggle against the IPKF and TNA.

Private communication with Rohan Gunaratna, St Andrews, February 1998.

<sup>19</sup> Joshi, "On the Razor's Edge," 25-6; *The Europa World Year Book*, 3040-1; Samaranyake, "Political Violence in Sri Lanka," 116. New Delhi's intervention cost the lives of over 1,155 Indian soldiers and officers, with a further 2,987 injured.

<sup>20</sup> While the Government has expressed a willingness to initiate constitutional reforms that are aimed at devolving power to regional Tamil councils in the northeast, Sinhala radicals within the Administration continue to oppose granting further concessions. This is obviously serving to

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substantially narrow the political landscape in which meaningful peace negotiations can take place.

<sup>21</sup> Personal correspondence between author and Rohan Gunaratna, St Andrews University, February 1998.

<sup>22</sup> Samaranyake, "Political Violence in Sri Lanka," 116-117; *Lanka Daily News*, 19/06/93; "Sri Lanka Counts Dead," *The Australian*, 10/12/98.

<sup>23</sup> At the time of writing, Amnesty International had announced the launch of an official investigation into claims concerning the possible existence of mass graves in Jaffna, allegedly containing the bodies of youths killed by the security forces. See "Sri Lanka Mass Grave Probe Delayed, Amnesty Says," *CNN Interactive World News*, 30/10/98.

<sup>24</sup> Information relayed to author during a visit to Jaffna, May 1999. See also "Sri Lanka Mass Grave Probe Delayed, Amnesty Calls," *CNN Interactive World News*, 30/10/98; "More Skeletons Found in Stadium in Northern Sri Lanka," *CNN Interactive World News*, 09/04/99; "Sri Lanka's War Horror Unearthed," *The Sunday Times* (UK), 11/04/99.

<sup>25</sup> This declining support has been reflected in a number of decisions recently taken by the US, Canada and UK since 1997 concerning the legal status of the LTTE:

- In 1997, the US State Department included the LTTE on its list of international terrorist organisations for the first time.

- In 1998, the Canadian Security Intelligence Service (CSIS) specifically identified the LTTE among international terrorist groups raising funds in Canada.

- In 1998, the British Government announced legislative reforms aimed at curbing any Tamil fund-raising activities in the UK that were deemed to be contributing to terrorism or otherwise facilitating the LTTE insurgency in Sri Lanka.

See "Canada Security Chief Nails LTTE," *The Sunday Times* (Sri Lanka), 07/12/98; "Canada Declares LTTE a Terrorist Organisation," *The Hindustan Times*, 07/12/98; "Foreign 'Terrorist' Groups Designated," *The Bangkok Post*, 10/10/97; "To Catch a Tiger – Tamil Separatists' Overseas Network is Under Pressure," *The Island*, 25/05/98.

<sup>26</sup> Joshi, "On the Razor's Edge," 29-31; "Colombo Fears Suicide Bombers," *The Courier-Mail*, 07/10/96; "Colombo Railway Bomb Kills at Least 40," *The Australian*, 25/07/96; "Tamils Take Carnage to Heart of Colombo," *The Courier-Mail*, 16/10/97; "Tamil Attacks," *The Australian*, 16/10/97; "Bomb Blast in Jaffna Kills 20," *The Sydney Morning Herald*, 12/09/98.

<sup>27</sup> The military maintains that substantial progress has been made in their normalization efforts over the past three years, which has been instrumental in winning over the support of the local Tamil population. During what appeared to be a standard briefing to visiting journalists and officials to Jaffna, the following were stressed as being particularly important in winning over the hearts and minds of the Jaffna Tamils:

- Reconstruction of basic infrastructure.
- Provision of basic welfare, educational and social services.

- De-mining.
- Resupply.
- Resettlement and the tracing of missing persons.

<sup>28</sup> A one-way flight between Pallaly, Jaffna's principal air base, and Colombo, for instance, costs in the region of 5000 Sri Lankan Rupees, substantially more than the average monthly income for most Tamils on the Peninsula. The sea trip, while less costly, takes substantially longer (the flight is little over an hour). Ships travel from either Point Pedro or Kankasanturai, the two main ports in Jaffna (both roughly an hour drive from Jaffna City), to Trincomalee, which equates to a total journey time of roughly 20 hours.

<sup>29</sup> Information relayed to author by representatives of non-governmental organisations during interviews conducted in Jaffna, May 1999.

<sup>30</sup> Known aptly as the "Baby Brigade," LTTE child cadres are deployed for a variety of purposes. In addition to participating in intelligence missions and ambushes, they are often used as "human shields" to clear the way for older and more experienced Tiger guerrillas, assaulting across minefields and the razor wire that typically surround Sri Lankan military installations. The recovery of small-sized suicide body suits – denim jackets with concealed explosives – have led a number of security analysts to speculate that the LTTE may now also consider using children as suicide bombers to target politicians and VIPs. A number of factors have encouraged the LTTE's use of child soldiers. Modern automatic weapons are extremely light, simple to fire and require minimum training. Conventionally trained security forces are less likely to identify boys and girls as threats. Children are also particularly easy to recruit, being especially vulnerable to indoctrination, subordination and exploitation. Finally, adolescents can provide a particularly savage soldier, lacking adult restraint.

For further details see Rohan Gunaratna, "LTTE Child Combatants," *Jane's Intelligence Review* (July 1998); Guy Goodwin-Gill and Ilene Cohn, *Child Soldiers: The Role of Children in Armed Conflict* (Oxford: Clarendon Press, 1994), 31, 40; "Without Codes of Conduct, War is No More Than Slaughter," *The Globe and Mail*, 17/01/98.

<sup>31</sup> Graca Machel, *Impact of Armed Conflict on Children* (New York: United Nations, 1997). See also, "LTTE Child Combatants," 2; "Without Codes of Conduct, War is No More Than Slaughter," *The Globe and Mail*, 17/01/98.

<sup>32</sup> Personal correspondence between author and Dushy Ranetunge, Editor, *Lanka Outlook*, London, November 1998. Such images were personally observed by the author while viewing LTTE propaganda videos.

<sup>33</sup> Gunaratna, "LTTE Child Combatants," 15; "UN to Crack Down on LTTE Conscription of Children," *Daily News*, 26/08/97.

<sup>34</sup> See note 29, above.

<sup>35</sup> "Sinhalese Seek Peace: LTTE Wants War," *Die Welt*,



25/04/98.

<sup>36</sup> Tony Davis, "Tiger International," *Asiaweek* (July 26, 1996): 38.

<sup>37</sup> *Associated Press*, 27/10/98.

<sup>38</sup> Personal correspondence between author and Rohan Gunaratna, St Andrews University, February 1998. See also Samaranyake, "Political Violence in Sri Lanka," 111; Dagmar Hellmann-Rajanayagam, *The Tamil Tigers: The Struggle for Identity* (Stuttgart: Frank Steiner Verlag, 1994), 91; R.N. Kearney, "Youth Protest in Sri Lanka," *Sociological Focus* 13 (1980): 306.

<sup>39</sup> Manoharan replaced Lawrence Thiligar as head of the LTTE International Secretariat in early 1997. He is currently overseeing the Tiger effort to challenge the US State Department's 1997 designation of the LTTE as a terrorist organisation.

<sup>40</sup> Gunaratna, *International and Regional Implications of the Sri Lankan Tamil Insurgency*, 47-52.

<sup>41</sup> Samaranyake, "Political Violence in Sri Lanka," 113; D.S.B. Jayaraj, "How Strong are Boys," *Frontline* 23 (1985): 65; A.C. Balasingham, "Liberation Tigers and Tamil Eelam Freedom Struggle," *LTTE Publication* 4 (1983), 42; Dagmer Hellmann-Rajanayagam, "The Tamil Tigers in Northern Sri Lanka: Origin, Factions, Programmes," *Internationales Asienforum* 17/1-2 (1985): 70-77.

<sup>42</sup> Iqbal Athas, "1,500 Dead in LTTE Attack," *Jane's Intelligence Review Pointer* (November 1998): 11; "700 Killed in Battle for Ghost Town," *The Sydney Morning Herald*, 01/10/98.

<sup>43</sup> Gunaratna, *The International and Regional Security Implications of the Sri Lankan Tamil Insurgency*, 82, 91.

The Pasilan 2000 is the LTTE's most advanced indigenously produced weapon. A tractor mounted missile, it is capable of accurately delivering a 25kg gelignite warhead over a distance of 1 to 5 km. The LTTE have boasted that no other armed sub-state group will have the capacity to develop such a weapon before the year 2000, hence the missile's name – the "Pasilan 2000."

<sup>44</sup> The military is presently engaged in a two-pronged offensive in the northeast. The first and main objective is to open up the northern sections of the A9, Sri Lanka's principal arterial highway, in order to establish a main route of supply (MRS) to Jaffna. This is seen as absolutely essential in obviating the need to continue with the extremely expensive, hazardous and time-consuming task of re-supplying the Peninsula by air and sea. Complementing this is a secondary offensive that is aimed at establishing full control of the eastern stretches of Highway A34, between Odussan and the main LTTE maritime base at Mullaitivu. Achieving this objective is seen as important for two reasons: Firstly, it would deprive the Tigers of a crucial shipping access point that has been used extensively for the movement of armed cadres and war-related equipment overseas. Secondly, it would provide the army with a secure land-based corridor

between Highway A9 and the coast. Despite launching repeated offensives in pursuit of these twin objectives, however, the Sri Lankan military have so far failed to gain control of either Highway, suffering devastating casualties at the hands of the LTTE.

<sup>45</sup> Personal correspondence between author and intelligence personnel, Colombo, May 1999.

<sup>46</sup> Personal correspondence between author and Dushy Ranetunge, Editor, *Lanka Outlook*, London, November 1998.

<sup>47</sup> Personal correspondence between author and Rohan Gunaratna, St Andrews University, February 1998.

Once assigned to a mission, there is virtually no way back for the LTTE suicide bomber. Either they are killed by successfully carrying out their attack; or, should they fail to detonate their bomb or be detected, they are expected to immediately swallow a potassium cyanide capsule. Male bombers reportedly carry these around their necks; females in their vaginas. If the prospective suicide bomber loses his/her nerve at the last minute, an LTTE death sentence is immediately invoked and given highest priority.

<sup>48</sup> Personal correspondence with US Embassy officials, Colombo, July 1997.

<sup>49</sup> Personal correspondence with Zimbabwe Defence Industries (ZDI), Colombo, August 1997.

<sup>50</sup> See Mike Winchester, "Ship of Fools: Tamil Tiger's Heist of the Century," *Soldier of Fortune* 23/8 (August 1998): 36; "The Arms Trade," *The New York Times*, 07/03/98; "Mortar Ship Mystery Still Baffles Defence Officials," *The Sunday Times*, 27/06/97; "What Happened To Ship Carrying 32,400 Mortar Bombs?, The Mystery Letter That Deals a Death Blow to Intelligence Setup Reveals All," *The Sunday Times*, 20/07/97; "Arms Ship Mystery Deepens, Possibility of LTTE Ploy: Zimbabwe Official Here for Probe," *The Sunday Times*, 03/08/97; "A Tamil Tiger Primer on International Arms Bazaar," *International Herald Tribune*, 10/03/98.

<sup>51</sup> Winchester, "Ship of Fools," 37-8; Davis, "Tiger International," 30.

<sup>52</sup> Many of the weapons acquired from Afghanistan had initially been supplied by the US Government in support of the *Mujahideen* insurgency against the Soviet-backed regime of Babrak Karmal. One study estimates that, by 1987, some 65,000 tons of munitions were being transferred each year to the Afghan rebels via Pakistan. See Peter Chalk, *Grey Area Phenomena in Southeast Asia: Piracy, Drug Trafficking and Political Terrorism* (Canberra: SDSC, 1997), 13; "The Covert Arms Trade," *The Economist*, 12/02/94 Chris Smith, *The Diffusion of Small Arms and Light Weapons in Pakistan and North India* (London: Centre for Defence Studies, 1993), 3-13.

<sup>53</sup> Gunaratna, "The Illicit Transfer of Conventional Weapons: The Role of State and Non-State Actors in South Asia," 19-20.

<sup>54</sup> One of the most audacious raids in this regard was the 1996 attack on the Mullaitivu base-complex, in which the

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LTTE captured some US\$70 million worth of arms.

<sup>55</sup> See Davis, "Tiger International" 30-33; "A Tamil Tiger Primer on International Arms Bazaar," *The International Herald Tribune*, 10/03/98; Winchester, "Ship of Fools," 38-39; "Tigers Eye SA for Base," *The Sunday Times* (Sri Lanka), 25/10/98.

<sup>56</sup> Gunaratna, *International and Regional Security Implications of the Sri Lankan Tamil Insurgency*, 26-7.

<sup>57</sup> Personal correspondence between author and Sri Lankan intelligence operative, May 1998.

<sup>58</sup> It should be noted that LTTE ships additionally sail under other flags. The *Sun Bird*, also known as *Illyana*, *Francis* and *Ichulite*, for instance, is registered under a Cypriot flag; the *Amazon*, under a New Zealand flag; and the *Golden Bird*, also known as the *Baris*, *St. Anthony*, *Sophia* and *Parban* under a Maltese flag.

<sup>59</sup> Personal correspondence with Douglas Ranmuthuga, Senior Analyst with the Australian Federal Police's International Operations Support Team, Canberra, September 1998. See also Winchester, "Ship of Fools," 39; Gunaratna, *International and Regional Security Implications of the Sri Lankan Tamil Insurgency*, 27.

<sup>60</sup> Singapore has also emerged as the LTTE favoured market for the purchase of dual-use items such as computers, electronics, out-board motors and diving gear.

<sup>61</sup> Particularly Phuket and Trang, a coastal town on the Andaman Sea that also serves as an important LTTE naval base used to train the group's Sea Tiger Wing. It is alleged that Norwegian ex-special forces instruct LTTE frogmen at this base, providing particularly useful lessons in the techniques and tactics of underwater demolition.

<sup>62</sup> Particularly Twantay in the Irrawady Delta south of Rangoon.

<sup>63</sup> Arms dealers can purchase an AK 47 assault rifle, together with a couple of clips of ammunition, for as little as R50 (approximately US\$14) in Mozambique, or simply exchange a bag of maize for one. It has been estimated that as many as six million AK 47s remain at large in the country. Angola imports more arms than it exports, and Mozambique is a net source: the arms exported from both these countries, it must be noted, are surplus light weapons. For further details see Chris Smith, "The International Trade in Small Arms," *Jane's Intelligence Review* 7/9 (September 1995): 429; "Guns Threaten Our Hard Won Freedom," *The Sunday Times* (South Africa), 30/04/95.

<sup>64</sup> Prominent among these are the Dravidians for Peace and Justice (DPIJ), the Tamil Eelam Support Movement (TESM), People Against Sri Lankan Oppression (PASLO) and the Movement Against Sri Lankan Oppression (MASLO).

<sup>65</sup> See "Tigers Eye SA for Base," *The Sunday Times* (Sri Lanka), 25/10/98; "Tigers Go House-Hunting," *Lanka Outlook*, 28/12/98; "Kadrigamar Warns South Africa Against LTTE," *The Hindu*, 23/11/98; "Mandela Govt. Announces Probe into LTTE Activities," *The Hindu*, 06/11/98; "Pretoria Ponders

Colombo's 'Concerns,'" *The Hindu*, 30/10/98; and Rohan Gunaratna, "LTTE in South Africa," *Frontline*, 13/12/98.

Although the Pretoria Government has given assurances to Sri Lanka that the LTTE would not be allowed to open any official offices in the country, it is not apparent how such a pledge can be enforced. South Africa has annulled all apartheid era legislation dealing with terrorism and has not adopted any new statutes in their place. This means that a group such as the LTTE, even if formally identified as a terrorist organisation, could not be prevented from openly and legitimately functioning in the country.

<sup>66</sup> Personal correspondence with DIA, Washington D.C., July 1998. See also Winchester, "Ship of Fools," 39-41; Gunaratna, "Illicit Transfer of Conventional Weapons: The Role of State and Non-State Actors in South Asia," 21-25.

<sup>67</sup> See Winchester, "Ship of Fools," 41; Davis "Tiger International," 34; "The Arms Trade," *The New York Times*, 07/03/98.

<sup>68</sup> Davis, "Tiger International," 34; "A Tamil Tiger Primer on International Arms Bazaar," *International Herald Tribune*, 10/03/98.

It is estimated that the US supplied as many as 900 Stinger missiles to the Afghan *Mujahideen* during the 1980s, the fate of as many as 560 is still unknown. See Chalk, *Grey Area Phenomena in Southeast Asia*, 19; Prashant Dikshit, "Proliferation of Small Arms and Minor Weapons," *Strategic Analysis* 17/2 (May 1994): 195-6; "The Arms Trade," *The New York Times*, 07/03/98.

<sup>69</sup> Personal correspondence between author and DIA, Washington D.C., July 1998.

<sup>70</sup> Davis, "Tiger International," 35; Rohan Gunaratna, "LTTE Fundraisers Still on the Offensive," *Jane's Intelligence Review* (December 1997): 657-68; "Tamil Expatriate Funds Finance LTTE Terror," *Daily News*, 08/06/98; "A Tamil Tiger Primer on International Arms Bazaar," *International Herald Tribune*, 10/03/98; Winchester, "A Ship of Fools," 36; "The LTTE Rides High in Norway," *Lanka Outlook* (Summer 1998): 24-25.

<sup>71</sup> Personal correspondence with Mohan Samarsinghe, Head of Public Information, Sri Lankan High Commission, Ottawa, July 1998.

<sup>72</sup> Personal correspondence with Anthony Davis, Asia Specialist Correspondent with *Jane's Intelligence Review*, Canberra, September 1998.

<sup>73</sup> Personal correspondence with N.S. Krishnan, first LTTE European Representative, London, January 1998.

<sup>74</sup> Personal correspondence with Douglas Ranmuthugala, Senior Analyst with the Australian Federal Police's International Operations Support Team, Canberra, September 1998.

<sup>75</sup> "The LTTE Rides High in Norway," 24.

<sup>76</sup> Davis, "Tiger International," 35.

<sup>77</sup> Interviews with senior diplomatic staff, Sri Lankan High Commission, Ottawa, July 1998.

<sup>78</sup> "To Catch a Tiger," *The Island*, 25/05/98; Davis, "Tiger

International,” 35; “Narco-Terrorism Alliance in India, Sri Lanka,” *The Hindu*, 17/05/98; “India, Now a Transit Point for Drug Smugglers,” *The Hindu*, 11/05/98.

<sup>79</sup> Personal correspondence with Douglas Ranmuthugala, Senior Analyst with the Australian Federal Police’s International Operations Support Team, Canberra, September 1998.

<sup>80</sup> Peter Chalk and Rohan Gunaratna, *The International Support Network of the Liberation Tigers of Tamil Eelam (LTTE)*. Report prepared for the Canadian Security Intelligence Service (CSIS) and forthcoming as a *Commentary* publication in 1999.

<sup>81</sup> “The Canadian Tiger - A Menacing Reality,” *Lankaweb News*, 17/03/98.

<sup>82</sup> Gunaratna, “Illicit Transfer of Conventional Weapons,” 29. See also “Tamil Expatriate Funds Finance LTTE Terror,” *Daily News*, 08/06/98; “A Tamil Tiger Primer on International

Arms Bazaar,” *The International Herald Tribune*, 10/03/98.

<sup>83</sup> Personal correspondence with senior diplomatic staff, Sri Lankan High Commission, Ottawa, July 1998. Similar figures were expressed by Douglas Ranmuthugala and Anthony Davis during interviews conducted in Canberra, September, 1998.

<sup>84</sup> Davis, “Tiger International,” 38.

<sup>85</sup> Perimbantham was allegedly assassinated by a free-lance hitmen known as “Elvis,” suspected by many Western intelligence agencies of being on the pay-roll of both India and Sri Lanka. France’s Directorate for the Surveillance of the Territory (DST) claims to have footage of the Perimbantham assassination, showing “Elvis” as the killer. For further details see Gunaratna, “LTTE Fundraisers Still on the Offensive,” 567-68.

<sup>86</sup> Winchester, “Ship of Fools,” 73.



Ayesha Siddiqua Agha

On 12 October 1999, General Pervez Musharraf led a military coup against the civilian regime of Prime Nawaz Sharif. Sharif's government was elected in a landslide victory in 1997, and held a majority in parliament. As this report was going to print, Musharraf's regime had suspended parliament and the constitution, and had not promised a quick restoration of democracy.

### **Arresting Light Weapons Proliferation in Pakistan: Is There a Way Ahead?**

Individual human rights, and by extension the security of the state and society, are threatened in many Commonwealth countries by the proliferation of light weapons. This proliferation is insidious. Groups beyond the control of the State, very often colluding with partisan or unscrupulous governmental authorities, are weakening the fabric of societies by perpetrating acts of violence and holding development hostage to their own particular demands. The increasing availability of weapons for militants, insurgents and criminal organizations enables grievances to be violently voiced. Pakistan provides a clear example of this situation, which is exacerbated by an environment of impunity. The use of light weapons by criminals and groups with ethnic and religious-sectarian agendas has contributed to Pakistan's political, economic and social destabilization. Indeed, the gradual militarisation of society, fuelled by light weapons proliferation, is serving to greatly undermine already weak democratic institutions.

Pakistan is witnessing an explosion of light weapons manufacturing and trade in parallel with unprecedented levels of armed violence. At the root of this crisis of human security are a lack of good governance, retarded socioeconomic development and the

inequitable distribution of resources – all issues to be addressed in this chapter. The causes of ethnic and sectarian violence in Pakistan reach back through the last 50 years into the colonial period. Various groups have long used light weapons as tools to impose their respective agendas on the rest of the population. Politically ambitious governments have victimized particular ethnic groups while favoring others, exacerbating divisions and violence between communities. Regional geopolitics, the corruption of government bureaucracy and the collapse of the judiciary system have also contributed to the institutionalisation of armed violence.

This paper reviews light weapons violence in Pakistan and proposes recommendations for long-term solutions. **Part I** illustrates various geopolitical and economic realities underlying the current crisis of light weapons proliferation. **Part II** maps the links between ethnic divisions, sectarianism, the dysfunctional judicial system and problems of governance. **Part III** provides recommendations designed to arrest the militarisation of Pakistan.

## I. Causes of light weapons proliferation

### *The Afghanistan factor*

In order to understand the recent increase of small arms proliferation, it is necessary to unpack the history of this phenomenon. The civil war in Afghanistan (1979-1989) was a threshold event for the entire South Asian region. Prior to this, light weapons manufacturing was primarily a cottage industry supplying Pakistan's tribal communities in the frontier provinces and the mountainous North. In the 1980s, the illicit light weapons industry in Pakistan, responding to demand located across the border in Afghanistan and in the Afghani diaspora in Pakistan, boomed. Among the many lasting impacts of the war in Afghanistan, the abundance of light weapons in Pakistan today is among the most relevant to the country's future development.

The Afghan *mujahideen*, with the help of foreign aid and an ample supply of light weapons, dealt a significant blow to occupying Soviet troops and their arsenal of major weapons. Like in the case of indigenous resistance to a major foreign power in the Vietnam War (1965-1973), the success of the Afghan militias proved that less sophisticated hardware could be effective against a modern military machine using sophisticated equipment. This convinced military planners, strategists and militant

movements of the efficacy of small-scale insurgency operations. Local 'ethnic' communities, such as the Muslim Kashmiris in India, were inspired by Afghan resistance to the military might of Soviet forces.\* Additionally, South Asian governments, sympathetic to militant movements beyond their borders, became willing providers of assistance in the form of small arms and training. Pakistan's support for the Kashmiri militant organisations operating in Indian territory, and India's support for certain factions in Pakistan, exemplify this strategy.† The support India furnished to the nascent LTTE in Sri Lanka in the mid-1980s and India's covert arming of the Burmese Chin National Army today are further examples. That these conflicts were either directly financed or supplied with hardware by external forces to fight their battles is an open secret.<sup>1</sup>

### *The human resources factor*

The end of the Afghan crisis released a large number of professional soldiers adept at fighting in low-intensity conflict situations, trained throughout the decade-long struggle against Soviet forces. Their services have become available to fight in any conflict for the right price and in defense of particular ideologies. The emergence of a professional and mobile *mujahideen* coincided with a growing sense that Islam was under siege and needed to be violently defended, and the typical soldier subscribed to the idea of a re-birth/re-creation of an Islamic empire. These people would form part of the network available to fight for any Islamic cause from Chechnya to Bosnia.<sup>2</sup> Moreover, groups waging insurgent struggles for such a cause required a constant supply of hardware, a market that light weapons manufacturers, particularly in Pakistan, would capitalize upon over the ensuing years.

The Iranian Revolution and the *Jihad* (holy war) in Afghanistan against the Soviet-backed regime were instrumental in providing direction to these religious groups and their loosely organised armies. The primary lesson learned related to the use of weapons and violence to achieve religious and political objectives. The Afghan *Jihad*, in particular, set the precedent for "Islamising" a society by military means. One effect has been the rise of religious schools (*deeni madrisas*). The products of the *madrisas* are young citizens extremely intolerant of dissenting orthodoxies, dedicated to establishing an ideal society and

\* See chapter on small arms in India in this report for a contrasting interpretation of this perspective on the Kashmiri conflict. (Ed.)

† Recently, two people were arrested in Pakistan with alleged links to India's Research and Analysis Wing, India's intelligence agency. See, Urdu Daily *Din* Sept. 1999.

culture which conforms exactly to their dogmatic teachings, by force if necessary.<sup>3</sup>

### *The economic factor*

Like any other enterprise, the illicit weapons manufacturing industry is highly responsive to market demands. An established network of light weapons supply was created in response to the Afghan war, to be available thereafter to fuel low-intensity conflicts in other parts of the South Asian region. As regional conflicts arose, all that was required was to expand and customize the existing network to cater to weapons requirements on other fronts. Many large-scale weapons manufacturers came into existence. Perhaps the most famous of these is the *Darra Ademkhel* production unit in Pakistan's Northwestern Frontier Province, which alone has the capacity to produce over a hundred AK-47s per day.<sup>4</sup> This center was one of the many that grew during the 1980s to become major centres for the production and transfer of light weapons into the 1990s. The *Darra* manufacturers were adept at re-fitting used AK-47s brought from Afghanistan. This business complimented the indigenous manufacture of AK-47s and other infantry equipment. The main strength of manufacturers such as those of *Darra* is a low production cost. An AK-47 made of foreign components can be bought in Pakistan for about Rs.8,000-20,000 (US\$153-384). At the height of the Afghan crisis the same could be procured for approximately Rs.8,000-12,000 (US\$153-230).<sup>5</sup> A *Darra*-manufactured AK-47 is even cheaper. Today, the wide variety of semi-automatic and automatic infantry equipment, ammunition and other types of light weapons produced by a large number of illegal production units in the northern areas of Pakistan indicate a heavy demand in the regional market. Afghanistan, it must be noted, also has a large number of such manufacturing units. With the present state of political and financial instability in Afghanistan, the Taliban and many other local groups find the weapons trade a viable source of income.

## **II. Light weapons proliferation and problems of governance: the essential link**

The diffusion of light weapons into society has eroded internal security in Pakistan. Individual citizens suffer a direct violation of the right to life and security and face a bleak future as a consequence of economic underdevelopment. The present crisis requires an enquiry into the fundamental issues surrounding the violent use of light weapons in Pakistan. Although the Pakistan Government finds it convenient to blame



the increase in crime on the work of an “external hand,”<sup>6</sup> such an assessment ignores the internal dynamics of growing social fragmentation and the resulting violence. The misdirected policies of successive governments, illegitimate resource appropriation, the absence of the rule of law and the lack of social development have been the principal causes of violence in Pakistani society.

### ***Ethnic divisions and bad governance***

Ethnic violence has spread all over the country, but it is more pronounced in the Southern province of Sindh, and particularly in the provincial capital, Karachi. The annual death rate runs into the thousands, with the majority of killings linked to the use of light weapons.<sup>7</sup> From 1995 to 1998, the reported cases of kidnapping for ransom increased from eight to twenty. Curiously, reported murder cases seem to have declined from 1,500 in 1995 to less than 1,000 in 1997.<sup>8</sup> It must be noted that this data cannot be considered representative of the true situation, primarily because these figures denote *reported* crime and crimes are often not reported.

Casualty figures (as outlined in **Table I**) indicate the degree of ethnic violence which characterises the political situation in Karachi. The central government plays a direct role in fanning local sectarian tensions. The late ex-Prime Minister of Pakistan, General Zia-ul-Haq, was responsible for establishing the ethnic political party – *Mutahida Qaumi Mahaz* (*United National Front*) – popularly known as MQM, in order to counter Benazir Bhutto's *Pakistan People's Party* (PPP), which had a strong influence in Sindh province and Karachi. The MQM developed its own stronghold in Sindh and accumulated weapons with the tacit encouragement of the Zia Government. The Urdu-speaking population of Sindh, known as *muhajirs* (‘migrants,’ having come from the Muslim minority provinces in India) had genuine grievances against the established PPP, as they did not have governmental representation despite having a significant presence in the urban areas of Sindh. The MQM gave voice to this group, and became a platform from which actions against the establishment could be launched.

Presently, MQM has two factions: MQM *Altaf* group and MQM *Hakiki* group. Both these groups are known to maintain separate arsenals and torture cells, and have adopted violent means of confronting rivals and the establishment.<sup>9</sup> The *Altaf* and *Hakiki* wings are often in direct opposition to each other, and much of the sectarian violence of the 1980s arose out of this rivalry, a crisis which Islamabad did little to resolve. General Zia

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died in 1988 in a mysterious air crash and was succeeded by General Mirza Aslam Baig. This new Army Chief was from the *muhajir* community and adopted policies favoring this group.<sup>10</sup> However, this situation was not to last. The next Army Chief and Head of State, General Asif Nawaz Janjua, reversed his predecessor's policies, challenging the interests of the *muhajirs*, who then responded with violence.\* Consequently, ethnic tensions and violence in Karachi and other areas burgeoned. This development was attributable to the Establishment's policies, aimed at obtaining certain short-term dividends for the political and military leadership.

The current increase in tensions is obvious from the fact that in cities such as Karachi and Hyderabad the two MQM factions live in separate neighborhoods. The presence of "no-go areas" in Karachi and Hyderabad indicates the intensity of the situation.<sup>11</sup> Pakistani society is riven with power politics, giving birth to tense relations between competing interest groups. This contributes to the state's inability to control the

increased fragmentation of different population groups and spiraling violence. Successive governments have exhibited a political cynicism in dealing with this issue. Both former Prime Minister Benazir Bhutto and the current PM Mian Nawaz Sharif have developed political alliances with the MQM as a means of maintaining power.<sup>12</sup> At the same time, they both have accused external sources<sup>††</sup> of using the MQM to carry out terrorist activities. While it is true that most of the fundamentalist groups in Pakistan get assistance from abroad, this complicity at home remains a major factor of instability<sup>‡‡</sup>

\*Asif Nawaz was angered by the killing of some army officers who reportedly fell victim to MQM atrocities. Janjua was a Punjabi officer reputed to be highly professional and with no political ambitions. General Janjua had no reason to associate with the *muhajir* community and its political agenda, especially when his men were being victimized.

† Most of the immigrants settled in Karachi which was, at the time, Pakistan's main sea port, capital city and commercial center.

†† According to the official perception, these sources refer mainly to India and Iran.

‡‡ Support refers to financial help. It would be more feasible for any external source to provide the funds for procurement of light weapons that are readily available in Pakistan. Interview with a number of official sources. Islamabad: 07/01/99, 05/03/99 & 04/05/99.

#### *Sectarianism*

Successive Pakistani governments have adopted the 'divide and rule' policy, which has strengthened the central government's power while exacerbating local tensions. The religious ideology on which the modern Pakistani state was founded – Islam – has thus failed to act as a societal glue, and has rather provided a basis from which to fan the fires of sectarian division. Moreover, the centralization and regimentation of policy-making have tended to rule out all ideologies and beliefs competing with the interests of the elite.

By ignoring the crisis of religious fanaticism, the Pakistani government has encouraged it. Implicitly, fanaticism has been encouraged by the failure to curb extremist elements. Explicitly, fanaticism it has been encouraged by the aforementioned rise of 'religious schools' (*deeni madrisas*), which fall under governmental jurisdiction. According to a confidential report compiled by the divisional administration of Bahawalpur division, "poor parents leave their sons in *deeni madrisas* where they are thoroughly brain-washed, and the religious indoctrination of a particular sect makes them die-hard citizens who have little patience with the thoughts and teachings of other rival sects."<sup>13</sup> Furthermore, the report named the teachings of 42% of the 401 *madrisas* as a major cause of the rise in sectarianism in the district.<sup>14</sup> The rapid growth from 1976 to 1994 of these religious schools, most of which were and are funded by fundamentalist sectarian organizations, contributed to turning Bahawalpur District into one of the main centers of Sunni-Shia rivalry.<sup>15</sup>

The late General Zia-ul-Haq first initiated the policy of encouraging religious schools. In his view, they would help reinforce Islamic ideology at the grass-roots level. However, his policy came with an in-built contradiction: the General was trying to convert a society which already formed on the basis of Islamic religious ideology. The mushrooming of religious schools instead took *sectarian* ideology to the grass-roots level. Instead of propagating Islam for the betterment of humankind, these schools focused on the differences between the various orthodoxies. Rivalries between schools, each claiming religious and spiritual superiority over the rest in a zero-sum fashion, were typical. In the late 1980s, a newly sectarianised Pakistani society was faced with a deluge of light weapons and mercenary *mujabideen* released from the Afghan conflict, and pre-existing tensions were transformed into violent, low-intensity conflicts. Religious schools were often used as recruitment centres from which students were dispatched to Afghanistan to assist their Afghan brethren.<sup>16</sup> Trained followers, who by now had sufficient experience of guerilla warfare and possessed few non-military skills, were available to fight battles at home and abroad. Most of the time, it has been the battles at home which have absorbed these militants. The Government has failed to address this issue.

The lack of social development accompanying the fragmentation of Pakistan's Muslim society has been directly and indirectly supported by the State. The availability of light weapons has allowed groups to aggressively promote their respective orthodoxies. Every political party has a cache of weapons.<sup>17</sup> University campuses are full of weapons. The insecurity of civilian life has fuelled a private-initiative arms race, with

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individuals acquiring weapons as a guarantee of personal safety. The state of law enforcement in the country is poor. The police force is ill-trained and ill-equipped to combat violent crime and arrest light weapons proliferation. For instance, in Quetta the police force numbers about 2,500, with an inventory of roughly 2003 weapons (mostly pistols), serving a population of 1.3 million. It is worth noting that Quetta has about 60 *deeni madrisas*.\*

It has been suggested that the law and order situation, especially in Karachi, has deteriorated due to the involvement of government agencies and the introduction of a tacitly endorsed system of extra-judicial executions carried out by state security forces. Although no published evidence has been produced, it is believed that several intelligence agencies operating in Karachi are behind much of the violence and killings in the city. A source that the author spoke to suggested a link between disturbances in Karachi and the presence of ‘Rangers’ (a paramilitary force) in the city. This source claimed that whenever the idea of withdrawing Rangers was discussed, killings and overall disturbance would increase in Karachi. Curiously, in the past eight years about Rs.42 billion (US\$.84 billion) has been provided to intelligence agencies and the Army to fund efforts to curb terrorism and violence in Sindh.<sup>18</sup>

**Table I Comparative Casualty Figures - Karachi, 1995-1998**  
**Religious, Ethnic and Politically-related Groups**

	MQM-A	MQM-H	SHIA	SUNNI	POLICE	RANGERS	ARMY	OTHERS	TOTAL
1998	125	69	4	7	1	38	2	402	651
1997	64	53	15	13	24	0	0	227*	396
1996	0	9	1	12	18	3	2	121	166
1995	96	101	57	41	175	13	11	1,248	1,742

\*This includes 4 PML-N, 5 PPP /PSF, 1 PPP-SE and 4 American citizens  
 Source: Citizen-Police Liaison Committee, Karachi, until Nov. 1998

**Systemic judicial corruption**

One should be skeptical about the “disenchantment” of the present PM Nawaz Sharif with the MQM, a development more likely related to Pakistan’s power politics than the Government’s stated aim of eliminating regional terrorism and violence. The government has imposed Central (Governor’s) Rule over Sindh province (of which Karachi is the capital city) and has

\*The recent measures by the government, including an attempt to register legal weapons, surrender illegal equipment and allocate production quotas to weapons manufacturers have not brought positive results.

established military tribunals in the area.<sup>†</sup> These actions were obviously taken to reduce the MQM's influence over local politics and curb violence, nevertheless, such moves are focused on one party with the exclusion of all others. While introducing this system of surveillance, Sharif was vocal in proclaiming his intention to put an end to terrorism and violence by introducing an alternative system of "speedy justice." Yet this new system of speedy justice has been tainted with concerns over bias. Suspects are tried by military personnel with no expert legal knowledge, and there have been accusations of targeting only some ethnic groups under this 'justice', while promoting impunity for others. According to government officials, this new military system is replacing an expensive, slow and inefficient civilian justice system. *However, that the Government would rather impose a new system and bypass existing structures is indicative of its failure to improve local democratic machinery.* Anonymous sources have described the present system as being as corrupt as its predecessor.<sup>19</sup> For example, it is no secret that Sharif's *Muslim League* and its student wing maintain their own strongholds and cache of arms. This group has never been brought before a military tribunal.

An additional feature of small arms violence in Pakistan is linked to the process of extra-judicial executions, first initiated during PM Benazir Bhutto's regime. By this practice, dissidents and criminals are killed while in police custody or in what is termed an "open police-criminal shoot out." A number of middle ranking police officers have voiced their concern over the instructions of senior officers and the political leadership to carry out extra-judicial killings.<sup>20</sup> The second Benazir Bhutto government used this strategy to counter MQM terrorists in Karachi. Its use was a major reason cited for her dismissal. It is also claimed that the President, who was responsible for dismissing her, knew about and condoned her tactics. With the change of governments, it is likely that Nawaz Sharif did not want to adopt his predecessor's approach to handling the law and order situation in Karachi – thus, the introduction of the alternative system of military tribunals.

### *The economic dimension*

According to the human development index of the Human Development Report 1994, Pakistan was ranked at 132. Its adult literacy rate was calculated as 36%. Also, as it was stated in the same report, 55 million people did not have access to safe drinking water or primary health care services; 95 million were deprived of sanitation services; 35 million were below absolute poverty line with limited access to even the basic needs for human survival.\*

\* See Haq, Mahbub ul. *Reflections on Human Development*. Oxford: Oxford University Press, 1995. pp. 101-102.

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The imbalance between security and development in the country is one of the reasons behind widespread poverty, the low literacy rate, increase in crime, and the general fragmentation of society. The imbalanced distribution of resources between various sectors is one of the prime reasons for the disenchantment of individuals and groups with the state system. The availability of light weapons provides tools to such individuals/groups to attain certain objectives that the state does not seem to deliver.

### III. Recommendations

There are no easy answers to Pakistan's insidious gun culture. Of paramount importance is the need for the government of Pakistan to recognize the proliferation of light weapons as an urgent problem. From 1992 to 1998, Karachi alone may have seen the death of 18,000 to 20,000 residents,<sup>21</sup> with ethnic and sectarian tension spurred by the continuing supply of weapons from across the border. Pakistan's economy has suffered severe stress. Karachi – its commercial capital – is estimated to have lost US\$1 billion in potential foreign investment in 1994,<sup>22</sup> while the present double-digit inflation has added to spiraling unemployment and violence. Escalating violence across the country has been politically disastrous for all leaders, regardless of party affiliations. *Political leaders have failed to realize that these trends are generating the international image of Pakistan as a failed state.*

An eradication of this problem would require action by the Pakistani Government on two levels: (a) intervention at the domestic level, and (b) cooperation with other regional states. It will be very difficult to alter the domestic conditions, since this would mean reducing the economic incentives to engage in illegal activity. Considering the self-serving priorities of the political leadership in Pakistan, a major re-engineering of state objectives and systems would be an uphill task. Nonetheless, any campaign must develop nation-wide initiatives to combat the proliferation of light weapons. In spite of a huge proliferation of weapons in Karachi, there is at present little or no awareness that these weapons themselves are a problem, with security forces mainly perceiving an insurgency/militancy/criminal problem.<sup>23</sup> In reality, without sophisticated weapons, sectarian or religious conflicts would remain at the level of stone-throwing and calls for *bartals* (mass demonstrations), well within the capability of the police to handle.

A public awareness campaign must be accompanied by a re-structuring of the law enforcement system and the development of a dependable prosecution system dealing

purely with curbing light weapons proliferation. This problem is of concern to all of South Asia; hence, there is a need to join regional states in collectively curbing light weapons trafficking. The pattern of regional cooperation could mimic the work of the Organization of American States, the Organization of African Unity, and the countries of the Asia Pacific region.\* It is vital that South Asian states, which collectively face a greater danger from light weapons proliferation than many other regions of the planet, come together to tackle this threat. Cooperation could entail exchanging information on reported terrorists and weapons seized and their disposal. Also, combined regional efforts at land and sea border patrolling are urgently required to check arms smuggling.

### Conclusion

States and societies cannot develop, and human rights cannot be guaranteed, when internal security is eroded to a point beyond the control of security forces. In Pakistan's case, the inability of the State to curb the free flow of light weapons or the activities of individuals and groups who use such equipment to further their political ambitions has proven to be extremely damaging to peace and security in the country. The roots of insurgent movements can be traced to misdirected policies at the government level. Ironically, Islamabad has persistently shied away from taking any steps to contain the flow and trade of light weapons. Weak political initiatives to check illicit arms smuggling and trading activities have not succeeded. The incapacity of the law enforcement agencies and the corruption of the state bureaucracy has further complicated the issue of containing light weapons. Nevertheless, if Pakistan is to be saved from transforming completely into a failed state, the political elite will have to consider strict yet accountable measures, including cooperation with neighboring states, in order to combat light weapons proliferation.

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\* See chapter on existing initiatives to combat small arms proliferation for more information on the work of other multilateral organizations.

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*The religious ideology on which the modern Pakistani state was founded – Islam – has failed to act as a societal glue, and has provided a basis from which to fan the fires of sectarian division.*

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“

*The emergence of a professional and mobile mujahideen coincided with a growing sense that Islam was under siege and needed to be violently defended, and the typical soldier subscribed to the idea of a re-birth/re-creation of an Islamic empire.*

*Although the Pakistan Government finds it convenient to blame the increase in crime on the work of an “external hand,”<sup>6</sup> such an assessment ignores the internal dynamics of growing social fragmentation and the resulting violence. The misdirected policies of successive governments, illegitimate resource appropriation, the absence of the rule of law and the lack of social development have been the principal causes of violence in Pakistani society.*



<sup>1</sup> Tellis, Ashley J. *Stability in South Asia*. Washington, D.C: Rand Report, 1997.

<sup>2</sup> Interview with Musa Khan Jalalzai. Islamabad: 10/11/98. Such a view was subscribed to by a number of other people as well.

<sup>3</sup> Interviews: 03/05/98, 06/05/98, 10/08/98, 11/10/98, 03/04/99 & 06/06/99. The author personally spoke to young members of various religious organizations regarding their objectives. In all cases the response depicted a passionate enthusiasm for their belief that must be propagated with others given no option to subscribe to different ideas.

<sup>4</sup> Siddiqi-Agha, Ayesha *Light Weapons Manufacture in the Public and Private Sectors: A View from Pakistan*. London: BASIC Working Paper #2, February 1996.

<sup>5</sup> This assessment was based on a number of interview conducted with light weapons sellers in the Punjab,

<sup>6</sup> Such statements were made by President Farooq Laghari and Prime Minister Nawaz Sharif which were reported in various newspapers at different times. Government officials do not say it openly in order not to tarnish bilateral relations but these external forces, referred to, are India and Iran.

<sup>7</sup> Source: Citizen-Police Liaison Committee, Karachi.

<sup>8</sup> This data was provided by the Citizen-Police Liaison Committee (CPLC), Karachi, 11/98

<sup>9</sup> Violence erupting from this confrontational politics was reported by a number of local newspapers.

<sup>10</sup> Such views were expressed by a number of journalists. On top of the positive policies was the decision taken by the General to assist the further migration of the *Biharis* from Bangladesh. These people stuck in refugee camps and with some connections in Pakistan, mainly Karachi, it was feared, would have concentrated in the city. This might have happened also because these people were Urdu speaking like the *muhajirs*. This influx would have reduced the Sindhi speaking population into a minority in what was deemed as their own province.

<sup>11</sup> *These are areas where government officials or non-MQM people cannot enter and vice-versa.*

<sup>12</sup> The two regimes of Benazir Bhutto and the two governments of Mian Nawaz Sharif formed alliances with the MQM in the center and Sindh province mainly to counter each other politically. Due to the increase in the population of migrants in a few cities of Sindh, MQM has managed to get majority of seats representing these areas in the parliament and in the Sindh assembly. A partnership with MQM was always deemed

necessary to control the flow of politics in Sindh. Therefore, political ties were established by both the aforementioned leaders to be broken later.

<sup>13</sup> "Comparative Study Regarding the Role of Deeni Madrisas in Fanning Sectarianism." Report compiled by the District Magistrate, Bahawalpur, 09/94. P4-7

<sup>14</sup> *Ibid*, pp. 1-12.

<sup>15</sup> Deobandi, Ahle-Tashee and Ahle-Hadith refer to the different religious schools of thought. Although believing in God and Mohammad as the last prophet of God, the rituals and other rules may differ.

<sup>16</sup> This view was formed after interviews with a number of parents in rural areas whose children, according to them, were lured with religious teachings and sent to fight religious wars.

<sup>17</sup> Interview with Musa Khan Jalalzai, 10/11/98.

<sup>18</sup> *Interview*, 20/11/98.

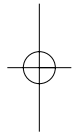
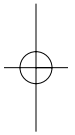
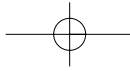
<sup>19</sup> *Interview*, 20/03/99 – anonymous sources

<sup>20</sup> Such a concern was expressed recently at a forum of civil servants in Lahore where police officers expressed their apprehensions at such a development. They were of the view that officers prior to being posted to districts were asked whether they would be willing to carry out extra-judicial killings. The ones that refuse are normally not sent to a district, while others succumb to the pressure due to attraction of perks attached to serving in a district. It was also clear from the discussion that the system of extra-judicial killings was more rampant in the provinces of Sindh and Punjab compared to Baluchistan and N.W.F.P. These issues were brought up during a discussion in the re-union of the 16<sup>th</sup> Common Training Program at the Civil Services Academy, Lahore, 14-15/03/99.

<sup>21</sup> Interview with members of the Citizen-Police Liaison Committee and the Police Force in Karachi, 10/11/98 & 11/11/98.

<sup>22</sup> The Pakistani English Daily "The *Nation*," (Karachi) 9 February 1995.

<sup>23</sup> This information was garnered from interviews of a number of officials. In some cases the people declined to admit that the weapons manufactured in tribal areas were illegal. In their view, an agreement between the British and the tribal people prior to independence of Pakistan gave these weapons a legal status. Also, it is amazing the limited coverage given to light weapons proliferation and its impact by the local press.



**Demobilised Kamajir Militia, Sierra Leone 1998 — Photo: Giacomo Pirozzi (Panos)**

