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Mr. Chairman, committee members, I would like to express my appreciation for the opportunity to appear before your committee to discuss future prospects for U.S.-Sri Lanka relations.

In 2009, six months after the military defeat of the Liberation Tigers of Tamil Eelam (LTTE) by government forces, the U.S. Senate Committee on Foreign Relations issued a report titled "Recharting U.S. Strategy After the War." It began with a sentence that is equally true today as it was then. "Sri Lanka stands at a critical juncture in its efforts to secure a lasting peace." What is different now, however, is that the odds for securing that lasting peace are somewhat improved.

The presidential and parliamentary elections of 2015 that brought President Maithripala Sirisena and Prime Minister Ranil Wickremesinghe into power have resulted in a paradigm shift away from the authoritarian and chauvinistic rule of former President Mahinda Rajapaksa to a reform-minded era focused on good governance and reconciliation. This shift also has effectively ended Sri Lanka's 10-year self-imposed exile from the international community. The new government has made a concerted effort to reach out to the West for support as it moves forward with its ambitious reform agenda. It is in this context that U.S.-Sri Lanka relations have not only improved over the last year and a half, but stand to broaden in ways that support key interests of both nations and continue to improve the odds for lasting peace.

Per your guidance, my testimony today will focus on U.S.-Sri Lanka relations and opportunities for improved relations under the Sirisena administration.

U.S.-Sri Lanka Relations – Recent Past and Present

Over the course of the last 15 years, the pendulum of U.S.-Sri Lanka relations has swung widely. During the first term of the George W. Bush administration, U.S. engagement with Sri Lanka increased dramatically with the start of a Norwegian-driven peace process in 2001. Factors that worked to further heighten the relationship included: the post-9/11 atmosphere in which there was a concerted interest in confronting terrorism worldwide, the election of a pro-West government led by then-Prime Minister Ranil Wickremesinghe, and the personal interest given Sri Lanka by then-Deputy Secretary of State Richard Armitage.

Through 2004, the U.S. worked to support the peace process and the ceasefire agreement it fostered, increased military and development assistance, and opened other avenues of support such as consideration of Sri Lanka's eligibility for the Millennium Challenge Account. Significantly, the U.S. also brought together the international community in support of a donor conference held in Tokyo in June 2003, during which donor countries and international organizations offered an amount in excess of \$4.5 billion USD for 2003 to 2006. A co-chairs process was also initiated in connection with the conference that instituted mechanisms for consultation and coordination of donor support that helped focus the international community's efforts in Sri Lanka at that time.

U.S. support, however, could not diminish the rancor of Sri Lankan politics, and the government of President Chandrika Kumaratunga and Prime Minister Wickremesinghe was voted out in 2004. The following year, then-Prime Minister Mahinda Rajapaksa won the presidential election, ushering in ten years of authoritarianism, corrupt family rule, and a tilt in foreign policy away from the West towards China. As fighting between government forces and the LTTE resumed in 2006, President Rajapaksa oversaw the final stages of the war pursuing a controversial military option to end conflict. Unapologetic for the death and carnage that resulted in the war's final days in 2009, the President viewed his legacy as having "won the war" and did little to reconcile the warring sides in its aftermath.

Between 2009 and 2015, U.S.-Sri Lanka relations focused largely on human rights abuses committed at the end of the civil war. The U.S. welcomed the April 2011 U.N. Panel of Experts Report on Sri Lanka and sponsored U.N. Human Rights Council (UNHRC) resolutions in 2012 and 2013, calling on Sri Lanka to address human rights concerns and foster reconciliation. These and other efforts were met with disdain by the Rajapaksa government, and U.S.-Sri Lanka relations deteriorated further.

By the time of the January 2015 presidential election, there was well-worn concern that the Rajapaksa regime would remain in place. It was especially heartening therefore that opposition candidate Sirisena won the election and did so with the support of a diverse coalition that included Tamil and Muslim minorities. The parliamentary elections in August further supported the mandate for good governance and reconciliation, allowing for a national unity government bringing together President Sirisena's Sri Lanka Freedom Party (SLFP) and Prime Minister Wickremesinghe's United National Party (UNP). Although a national unity government has and will make for difficult politics (especially with continued support by some in the SLFP for Mahinda Rajapaksa), it offers Sri Lanka an historic, if narrow, opportunity to address its many challenges.

Since the elections, progress has been made. The government has taken steps to stabilize the economy and begun to reassert good governance practices within the bureaucracy. The overt military presence in the North and East has been reduced and initial progress in releasing military-occupied land in those areas has been made. Press freedoms have returned, and civil society has gained space for dissent and activism. With the passage of the 19th Amendment, powers of the executive president have been reduced and

independent commissions established. The police and the judiciary have also begun to function more independently.

The tone of the government on ethnic issues has also improved. Symbolic gestures such as the singing of the national anthem in Tamil on Independence Day and marking May 19, the day the war ended in 2009, as “Remembrance Day” as opposed to “Victory Day” have received a welcome reception.

Further, the government has embarked on two ambitious endeavors to address the national question and the country’s painful war legacy. It has taken on the task of drafting a new constitution, which it hopes to put forward to Parliament by the end of the year and to hold a referendum on it shortly thereafter. It has also agreed to a far-reaching resolution at September’s UNHRC meeting, which mandates reconciliation and transitional justice mechanisms, including a special court with international participation. Work has continued since then to meet Sri Lanka’s commitments under the resolution, and the government has welcomed the visit of U.N. rapporteurs for torture and independence of judges and lawyers.

These dramatic changes have opened the door for increased engagement by the U.S., and the Obama administration was quick to take advantage of it. It initiated a series of high-level visits to Sri Lanka that included Secretary of State John Kerry, Under Secretary for Political Affairs Thomas Shannon, and Ambassador to the United Nations Samantha Power. In turn, the U.S. received the Sri Lankan Foreign Minister multiple times, perhaps most importantly to preside over the inaugural U.S.-Sri Lanka Partnership Dialogue in which the two countries discussed a wide range of topics that included international regional affairs, economic cooperation, governance and development, and security cooperation.

In other areas, the U.S. announced in May 2015 \$40 million USD in assistance to support a wide range of reform, reconciliation, and development efforts. The U.S. military has initiated outreach with visitors from the Pacific Command, as well as the symbolic ship visit to Colombo by the USS Blue Ridge. The U.S., together with international partners, played an important role at the September UNHRC meeting to develop and reach consensus on the resolution ultimately accepted by Sri Lanka. And, work continues on bilateral economic issues such as in the latest round of U.S.-Sri Lanka Trade and Investment Framework Agreement (TIFA) talks held in April this year.

These are only a few examples of the stepped up bilateral engagement that has occurred in the last year and a half, but their pace and broad reach reflect the recent pendulum swing for the better in U.S.-Sri Lanka relations.

U.S.-Sri Lanka Relations – Going Forward

Going forward, however, whatever increased U.S. engagement is afforded by better relations should not be allowed to mask the U.S.’s understanding of the many serious challenges the government faces as it tries to move forward on its broad agenda. While there appears to be consensus and trust building in Colombo among parties and on key

matters, including constitutional reform, the view from outside the capital is much different.

In the North and East, a common sentiment expressed is “everything has changed and yet nothing has changed.” The fanfare associated with the new government in Colombo has not translated into broad-based, concrete changes in the North and East, as yet.

While residents acknowledge the military’s reduced outward presence and the consequent reduction in “fear,” they are still keenly aware of the sheer number of military facilities and personnel that remain in place, and express concerns regarding the military’s continued involvement in the economic life of the region, their subtle but continued surveillance of communities, and their presence’s potential lasting impact on demographic and cultural erosion.

The slow pace of development in the North and East also has dampened peoples’ hope for real change. Land releases are believed to be inadequate (in terms of the speed of releases, the quality of land that is released, and the vast swaths of land that are intended to remain under military control), and funding for development projects, including the mechanisms for release, have been criticized. Lack of tangible, significant progress on the release of political prisoners, the Disappeared, and the Missing also has hardened attitudes toward the government.

These concerns, among others, have led to a growing polarization of civil society. Civil society had worked writ large for regime change. But while this feat was a major accomplishment, there is disagreement and concern about degrees of reform which the new government will be able of delivering. Failure to address a political solution results in some civil society actors not trusting the present structures and refusing to be seen as “colluding” with them (some of whom have been cast as “spoilers” and “separatists”); others are cooperating in good faith for outreach and change from within, believing in the new leadership.

On reconciliation and transitional justice, there is widespread sentiment in the North and East that the government’s efforts are solely for the benefit of the international community. Further, the many people and organizations with a role in the process have lead to confusion about who is in charge.

On constitutional reform, there is a strong view that the Prime Minister has moved too fast and established a process that lacks consensus and adequate representation. His public views on the extent of reform also have been conflicting, which has concerned many about whether it ultimately will be sufficient as a political solution.

From the perspective of those in the North and East, the change in government was made possible by the “numerical minority” (i.e., Tamils and Muslims). There is the explicit threat that the government should be more responsive to their needs if it is to retain their support.

With positions hardening outside of Colombo, time increasingly matters. The government must continue to show tangible and regular gains toward its commitments both in Geneva and at home if it is to retain popular and international support. The manifestation of a “peace dividend” for all Sri Lankans is crucial; as too is a national commitment to, and understanding of, the government’s broad-based agenda.

In this instance, leadership and confidence building must be priorities.

With regard to the former, the Government of Sri Lanka must find a way to communicate to the public more clearly and consistently about what it is trying to accomplish. The North and East must understand that their needs are being heard and acted upon, and the South must understand why it is in their interest to support the government’s efforts, particularly on the issue of constitutional reform. President Sirisena has begun to make statements to Southern audiences about the need for change. But greater outreach is required. Without gaining a national understanding of the government’s goals and objectives, the government stands to lose the public’s support and any hope of “winning the peace.”

Equally important is the need for near-term and concrete confidence building measures that builds trust sufficient to carry the nation through what is going to be a long, complex, and difficult process of peace and nation building. There is a growing loss of confidence today due to the slow pace of reforms. Step to stem this loss are needed. Among many others, these could include increased efforts on land release, the demilitarization of the North and East, and the release of political prisoners without charge.

In both instances, the U.S. is well-placed to encourage and support government efforts.

For the U.S. and the international community writ large, Sri Lanka would benefit from an expansion of its engagement. Presently, the international community is largely focused on the Geneva human rights process. While important, greater economic opportunity and development are both key pieces of any peace dividend and should be supported. Sri Lankan government officials have discussed the need for an international donor’s conference for development in the North and East akin to the 2003 Tokyo’s Donor Conference. Consideration should be given to such an effort.

I hope the Obama Administration and friends in Congress share this outlook. Thank you again, Mr. Chairman, for the opportunity to participate in your hearing today and to offer these thoughts.