

# ISAS Brief

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## India's Diaspora Vote

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### Abstract

*A comprehensive calculus of ethnic, political, and strategic factors has shaped India's firm vote against Sri Lanka at the United Nations Human Rights Council on 22 March 2012. In a broad sense, India has cast a Diaspora Vote, which is compatible with the so-called 'Indira Doctrine' of the 1980s. However, New Delhi, by casting its lot with the United States and by being the lone Asian voice against Sri Lanka on this occasion, has charted a newly interesting and uncharted course in foreign policy.*

### Introduction: 'Indira Doctrine'

By the logic of the long-forgotten 'Indira Doctrine', India's latest decisive vote against Sri Lanka at the United Nations Human Rights Council (UNHRC) makes a lot of sense.

In the early 1980s, the then Indian Prime Minister, Indira Gandhi, frequently expressed proactive concern over developments in the country's neighbourhood. She was concerned that those developments might hurt the interests of India or the sensitivities of its ethnic groups.

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No definitive foreign policy pronouncement on those lines was made, although her first comments were directed at Pakistan which was facing a gathering storm of political protest by the Movement for Restoration of Democracy (MRD). Led by Benazir Bhutto, the MRD was at the time campaigning against the then Pakistani military dictator Zia ul Haq.

Regardless of whether or not Indira Gandhi's comments catalysed the MRD's campaign, her statements came to be categorised as 'Indira Doctrine' in some quarters (and not in her political circles). The so-called 'Indira Doctrine' was not the Indian equivalent or version of Washington's old Monroe Doctrine of hegemony. In today's political idiom, the 'Indira Doctrine' or at least some aspects of it can perhaps be described as a 'Diaspora Doctrine'.

Surely, New Delhi's latest vote against Colombo in the UNHCR has not been portrayed by the present Indian Government as a revival or reaffirmation of the 'Indira Doctrine'. But India's championing of the "rights" of the minority group of Sri Lankan Tamils in the current situation in that island-republic can be characterised as a Diaspora Vote. It is too early to judge whether a Diaspora Vote in general and, more specifically, this particular one will enhance India's enlightened national self-interest.

Viewed from another angle, New Delhi's latest vote, which tilted the political scales (not the voting trend) against Colombo on 22 March 2012, smacks of a double standard in India's own human-rights diplomacy. The vote against Sri Lanka was adopted by a majority of 24-15, with eight countries abstaining. With a total of 23 countries not having placed Colombo in the dock, as it were, there was a difference of just one extra vote against Sri Lanka in purely political (not numerical) terms. In this situation, the anti-Colombo vote by India, Sri Lanka's closest neighbour in terms of both civilisation and geography, acquires unusual political importance.

### **'Double-Standard Diplomacy'**

Contrary to the calibrated enthusiasm with which New Delhi has now voted against Sri Lanka in the UNHRC, India had in the past successfully opposed being pushed into the UN dock on a human rights issue at home. Surely, the current Sri Lankan case and a past Pakistani move against India on the human rights front are not comparable in humanitarian and political terms.

A walk down the memory lane is, therefore, necessary to understand the argument about India's current 'double-standard diplomacy'. In 1994, Benazir Bhutto, by then Pakistan's Prime Minister, moved heaven and earth (metaphorically) to try and get a vote passed against India in the UN Human Rights Commission (the current UNHRC's predecessor). Her government's campaign was rooted in the allegations that India was violating the human rights of Muslim "freedom fighters" in the Kashmir valley.

Opposing the Pakistani move, India launched a diplomatic counter-offensive. During that battle of wits, Pakistani and Western diplomats told this writer, then in Islamabad as an Indian journalist, that China and Iran were still keeping Pakistan guessing whether they would at all vote against India.

In the end, China and Iran influenced Pakistan into abandoning its quest for an anti-India vote. Benazir Bhutto was stopped in her tracks. Significantly, the Pakistani move against India had coincided with the efforts by Beijing and New Delhi to think out of the box and think of peace and tranquillity along their disputed border. Unsurprisingly, therefore, China's willingness to give India the benefit of the doubt was partially traceable to a new spring in their relationship at that time. As for Iran, India found it necessary to try hard before succeeding.

### **A Strategic Calculus and a Risk**

Human rights diplomacy and strategic diplomacy may not always go together. However, it is evident that India has now jockeyed for possible but not guaranteed 'strategic gains' from the United States (US) in the regional and global arenas. This explains, at least partially, India's agonised but firm choice of joining the beeline behind the US in its single-minded targeting of Sri Lanka on this occasion.

Washington's current calculations against Colombo are a different story altogether. In sailing along with the US, New Delhi has, therefore, reckoned with or simply discounted the hazards of isolating itself in the South Asian Association for Regional Cooperation (SAARC) and also in India's extended neighbourhood.

In the light of such a range of insightful standards, the domestic compulsion of coalition politics, which is generally believed to have influenced India's Prime Minister Manmohan Singh, cannot fully explain its latest vote at the UNHRC.

Widespread is the perception that Singh has had to dance to the tunes of a crescendo of pro-Sri Lankan Tamil sentiment in the southern Indian state of Tamil Nadu. Conspicuous in this context is the parliamentary support that Singh's coalition government at the pan-India level receives from the Dravida Munnetra Kazhagam (DMK) party of Tamil Nadu. Moreover, the ruling party in Tamil Nadu, led by J Jayalalithaa of the All India Anna DMK, did urge the Singh coalition, which does not include her party, to support the US-sponsored resolution against Sri Lanka. Such political peer-pressure on Singh can partially explain India's voting choice – but only partially so.

More significantly, the other India-relevant factors rooted in the politics of this resolution are too weighty to be missed. It will, therefore, be a superficial exercise to see the Indian vote entirely under the prism of Singh's domestic political compulsion.

The relevant UNHRC Resolution is believed to be aimed at promoting reconciliation between Sri Lanka's majority Sinhala population and the island-country's minorities, including the Sri Lankan Tamils. South Indians – the people of Tamil Nadu in particular but also those of Andhra Pradesh, Kerala, and Karnataka – share the Dravidian ethnic identity with the Sri Lankan Tamils. While Sri Lanka's Sinhala majority, too, has deep links of history and civilisation with India, this aspect has not had commensurate salience in the contemporary narrative of the relations between the two countries.

It is noteworthy in this sub-context that the relevant UNHRC Resolution makes no direct mention at all of the minority rights of Sri Lankan Tamils by name. Nor is the resolution explicit about another key issue: the alleged extra-judicial killings of the Liberation Tigers of Tamil Eelam (LTTE) activists during Sri Lanka's recent military triumph in an anti-terror war.

This particular micro-aspect can be explained by the fact that the wider international community saw, and continues to see, the LTTE as a notorious terrorist outfit. The LTTE's colours are no different in Official India's view. Interestingly, the now-slain LTTE leader, Velupillai Prabhakaran, had told me in the 1980s that he would not become a slave of India in any situation (quoted in *The Peace Trap* authored by this writer at that time).

### **UNHRC's Concerns and Call**

The three essential elements of the relevant UNHRC Resolution are: (1) the Council's "concern that the report of the Lessons Learnt and Reconciliation Commission of Sri Lanka [LLRC] does not adequately address serious allegations of violations of international law" by the victor, Colombo; (2) the Council's "*call*" that the Sri Lankan Government "implement the constructive recommendations made in the report of the [LLRC] and ... take all necessary additional steps to fulfil [Colombo's] relevant legal obligations and commitment *to initiate credible and independent actions to ensure justice, equity, accountability and reconciliation for all Sri Lankans*; and (3) *the move by the UNHRC to "encourage the Office of the United Nations High Commissioner for Human Rights and relevant special procedures mandate holders to provide, in consultation with and with the concurrence of the Government of Sri Lanka, advice and technical assistance on implementing the above-mentioned steps"*.

Inherent in this long-winded language of the UNHRC are two defining interpretations of this resolution.

First, the Sri Lankan Government, often seen outside as an overwhelmingly Sinhala-dominant executive, has been censured for not having moved towards ensuring post-conflict reconciliation among all communities in that country. The second and no less important interpretation flows from India's strategic calculations in having succeeded in amending the original draft to make it more balanced with reference to Colombo's sovereign rights.

It is true that India's intervention has not diluted the originally intended censure of the Sri Lankan Government. *The absence of a direct reference to the Sri Lankan Tamils as the group in dire need of a healing touch from Colombo can only be seen by the Sri Lankan authorities as a matter of cold comfort.* However, such an explicit omission by the UNHRC does not lend decisive credence to the commonplace theory that Singh has pursued a purely domestic political agenda. The reasoning on these lines helps open up the window on New Delhi's strategic calculations, which override the political irony of India being the lone Asian voice against Colombo in the UNHRC at this time.

*New Delhi has in fact sought to stamp its strategic authority on India's perceived sphere of influence – South Asia. In the process, New Delhi may have to pay a diplomatic price for being the solitary opponent of Colombo among the eight South Asian and East Asian members of the UNHRC. Of course, this scenario will become a reality only if India comes to be seen as an uncritical camp-follower of the US over the long term.*

### **Defining India's Diaspora Vote**

However, New Delhi cannot also afford to discount the line-up of the UNHRC members from South Asia and East Asia who chose to differ with India on the current human rights situation in Sri Lanka. Significantly, Bangladesh and Maldives – both SAARC members like India and Sri Lanka – voted against the US-sponsored resolution and, therefore, in favour of Colombo. Moreover, Indonesia, Philippines (quite often a supporter of the US), and Thailand – all three from the Association of Southeast Asian Nations (ASEAN) – favoured Sri Lanka. No less significantly, Malaysia, an ASEAN member with an ethnic-Indian minority, abstained from voting on this anti-Colombo resolution. Abstention was indeed an option which was open to India too.

*China from East Asia and Russia from Eurasia – both veto-empowered permanent members of the UN Security Council – turned their faces against the US, another unique power at the United Nations. In a sense, there is nothing very unusual about such an adversarial line-up of the US on one side and China as also Russia on the other, especially on the issue of state-sovereignty over human rights. Nevertheless, what is noticeable is that India stands isolated from, or stands alone among, the UNHRC members from the South Asia-East Asia-Eurasia arc.*

A logical question, therefore, is: Why has India chosen to vote against Sri Lanka, a fellow-democracy with some ethnic diversity? Two of India's strategic objectives, which define its latest Diaspora Vote, can be discerned behind the diplomatic scenes.

The first strategic objective, which India has achieved in this context, is to set a precedent of an explicit norm for any future international vote on the human rights situation in any country. *The US, in its original draft against Sri Lanka at this time, wanted the UNHRC to "encourage the Office of the United Nations High Commissioner for Human Rights [UNHCHR] ... to provide, and [encourage] the Government of Sri Lanka to accept advice and technical assistance".*

An uncontested version in the public domain is that it was at India's intervention that the substantive wording of this operative passage was altered to give Sri Lanka the elbow room to refuse to play ball with the UNHCHR. The relevant passage, as finally passed, reads as: ... to *"encourage the [UNHCHR] to provide, in consultation with and with the concurrence of the Government of Sri Lanka, advice and technical assistance"*.

Now, the UN High Commissioner for Human Rights cannot at all hope to 'set right' the situation in Sri Lanka without its government's explicit concurrence. By 'engineering' this, India has clearly sought to stamp its strategic authority as a norm-formulator in South Asia, at least in respect of some issues. However, a related question is: Why has the US winked at India's sleight of hand in enshrining this 'non-intrusive' provision? At one level, the elbow room, which Sri Lanka has been given now, is in any case available to all sovereign states under international law and the UN Charter. At another level, it is also evident that the US will, therefore, continue to "impose pressure" (China's words) on Sri Lanka for strategic purposes.

*Closely related to this aspect is India's second strategic objective in voting with the US now. For a variety of reasons outside the scope of this analysis, India has in recent times ceded considerable space to China, in terms of diplomatic and strategic influence, in Sri Lanka. And, in a recent ISAS Interview, India's External Affairs Minister S M Krishna steered clear of saying whether New Delhi would or would not seek commercial and naval access to the Sri Lankan coastline to match China's presence at Hambantota. In these circumstances, India's new closeness to the US on Sri Lankan affairs will be fully explored by both New Delhi and Washington for mutual gain, especially if the need arises.*

## **Conclusion: A Critical Moment**

Viewed differently, India's latest decision to vote against Sri Lanka, despite Colombo's closeness to China, is seen by some observers as a sign of New Delhi growing out of its Beijing-fixation in South Asia. Regardless of any such perspective, India cannot afford to

discount the current and potential roles of both China and the US as major players in South Asia.

Overall, it will be interesting to watch whether Sri Lankan President Mahinda Rajapaksa would make any new strategic move to contain the fallout of Colombo's latest setback at the UNHRC. What he needs most is to retain optimism as a politician. During his recent visit to Singapore, Rajapaksa did indicate that he saw himself as an optimist-politician who would be willing to weather political storms without getting disheartened.

While in Singapore, Rajapaksa made no secret of his belief that his administration's overtures to the Sri Lankan Tamils had not received a matching appreciation from the wider international community. He also appeared keen to let the world take a dispassionate look at his administration's ongoing efforts to reach out to the Sri Lankan Tamils, Muslims, and other minorities. It is now up to him to face this new challenge (or crisis, as some would say) as he deems fit.

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