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# THE DYNAMICS OF LTTE'S COMMERCIAL MARITIME INFRASTRUCTURE

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## THE DYNAMICS OF LTTE'S COMMERCIAL MARITIME INFRASTRUCTURE

This paper examines the maritime infrastructure of the Liberation Tigers of Tamil Eelam (LTTE)—tracing the history of the development of its maritime organisation, infrastructure and strategy. The paper focuses on the salience of sea power as perceived by a violent non-state actor and provides a perspective on how non-state actors employ sea power in asymmetric conflicts.

The paper also highlights the LTTE's understanding of the sea as an instrument of power in the strategic thinking of its leaders. The paper focuses on the impact of the post 9/11 maritime security regimes, including the Proliferation Security Initiative (PSI), the International Ship and Port Facility Security (ISPS) code and impact of the Flag of Convenience (FOC) registry on the LTTE's fleet of ships.

### EARLY DEVELOPMENT

From very humble beginnings, the LTTE's maritime infrastructure has come a long way and today boasts of a sophisticated network. Its maritime assets and organisation are quite capable and can well compete with the maritime facilities of a small island state. The present-day LTTE commercial maritime infrastructure includes a fleet of merchant ships, a large number of fishing trawlers, high-speed motor launches, and professionally trained crew to steer these vessels. The LTTE may also have some vessels capable of carrying one to two shipping containers.

In the early stages, the LTTE had at its disposal a large fleet of locally made small fishing boats, trawlers and motor launches. These were used to transport domestic cargo such as food grain, building material and other general necessities of daily life. These vessels were also used to ferry LTTE personnel and military hardware, including arms and ammunition. The LTTE had also established a shipping lane from Tamil Nadu in southern India to Jaffna in northern Sri Lanka through

the Palk Strait.

The 1983 anti-Tamil riots in Sri Lanka had a major impact on the Tamil community. Tamils living in Colombo and the Jaffna area began to flee the country and moved towards Tamil Nadu. Consequently, Tamil Nadu emerged as a safe haven for the Tamil refugees and the LTTE. There were strong anti-Sri Lanka feelings among the refugees. A sympathetic state government in Tamil Nadu provided the LTTE with money and land to set up training camps.

Domestic conditions were also favourable to establish a network among the Indian and Sri Lankan Tamil fishermen who became an important source of strength for the LTTE. The LTTE conducted operations with the assistance of the local fishing community and enjoyed total impunity. The understanding between Indian and Tamil fishermen was such that it resulted in the Sri Lanka government sending a note of concern to the Indian government.<sup>1</sup>

A Sri Lankan report highlighted that Tamil Nadu was the hub of LTTE's maritime activity.<sup>2</sup> The report unambiguously pointed out that the LTTE's activities were flourishing with the knowledge of the political establishment of Tamil Nadu. M.G. Ramachandran, then the Chief Minister. There were 25 LTTE training camps in Tamil Nadu in the districts of Anna, Chengalpattu, Madurai, Puddukkotai, South Arcot, Salem, Thanjavur, Tiruchi and Ramanathapuram. The LTTE supply bases were in the districts of Tiruchi, Coimbatore, Dharampuri, Madurai, Periyar, Pudukkotai, Thanjavur and Rameshwaram. Coimbatore served as a source for ammunition and explosives; Dharampuri for explosives, and Periyar for uniforms. While Tuticorin was a sanctuary for smugglers, hospitals in Tiruchi provided the medical facilities for the wounded LTTE cadres and operatives. Thanjavur was the communication base for LTTE operations. Nagapattinam was the hub of professional smugglers who ferried arms and ammunition across the Palk Strait to

Jaffna in Sri Lanka.<sup>3</sup>

The LTTE's maritime infrastructure was till then centered on small but fast vessels for operations across the Palk Bay, off Trincomalee and Batticaloa sea areas. At the same time, it had begun to explore the possibility of acquiring larger vessels too. Reportedly, the first large vessel purchased by the LTTE in 1984 was named MV Cholan.<sup>4</sup> This second-hand cargo vessel was purchased from a Mumbai-based shipping magnate. The LTTE also obtained permission from the Myanmar government to establish a modest shipping base in the island of Twante located off the Irrawady delta. MV Cholan was essentially used for smuggling arms and other military requirements as chartered ships had become risky. To cover this activity, the vessel was also used for the legitimate transportation of general cargo. At about the same time, the LTTE is also known to have placed orders for construction of another vessel from a shipbuilding yard on the Kerala coast that was later identified as Kadalpura.<sup>5</sup>

The sudden urge to acquire its own vessels was partly driven by the fact that the LTTE wanted to have its own shipping vessels to facilitate both arms procurement as well as run its legitimate maritime commercial activity. The fleet thus increased to five or six small freighters, which were registered under the ownership of several dummy companies having their offices in Bangladesh, Thailand, Malaysia, Singapore and Hong Kong.<sup>6</sup> These vessels carried timber and grain from Myanmar and during the return voyage, brought back fertilizer, cement and other bulky goods. By the early 1990s, Phuket in southern Thailand also emerged as a port for LTTE's commercial maritime activity.

David alias Captain Piraisudi started the Tigers Shipping Corporation.<sup>7</sup> In February 1991, David was arrested in Madras and was interrogated by the Indian Intelligence Bureau. In his confessional statement he disclosed:

“‘KP’ [KP alias T.S. Kumaran] has been dealing not only with the financial transactions of the LTTE but also in procuring arms and ammunition, communication equipments, fibreglass boats/engines and other essential electronic gadgets for his organisation. Most of the arms and ammunition required by the Tigers are purchased through the underworld arms dealers operating in various European countries such as the UK, West Germany, Yugoslavia, Belgium, France, Austria and Cyprus. ‘KP’ has been in this line since August 1986. Earlier Shankar alias Sornalingam of the LTTE had been dealing in purchase of arms from the underworld arms dealers. ... The LTTE has been purchasing arms and ammunition worth three to four million US dollars per annum through the contacts of ‘KP’ since 1986...”<sup>8</sup>

The assassination of Rajiv Gandhi in 1991 was a dramatic reversal of fortunes for the LTTE. There was a major decline

in general public support for the LTTE in Tamil Nadu and this forced the LTTE to dismantle much of its infrastructure and logistics in India. Much of this was shifted to northern Sri Lanka. The LTTE could no longer rely on Tamil Nadu and Kerala for logistic support. The ruthless combing operations of Indian intelligence agencies and security forces resulted in adversarial conditions for the LTTE. The loss of Indian logistical support was the primary reason for the LTTE to augment its ocean-bound maritime fleet that could provide a reliable logistical support for transporting arms and ammunition from distant markets.

What emerged was a fleet of about a dozen vessels that were 1,000 to 1,500 tons dead weight tonnage (dwt). The LTTE also acquired some smaller vessels that could engage in coastal trade and also began its indigenous shipbuilding at extensive and camouflaged boatyards located along the Vanni coastline. Reportedly, in an operation codenamed ‘Yal Devi’ on September 28, 1993 the Sri Lankan Navy destroyed the LTTE's Kilali boatyard and captured some 500 boats. Kilali had emerged as a primary shipbuilding yard of the LTTE and also a vital transit point by sea having access to Jaffna. This was quite evident in 1994, when the two land routes, namely the Elephant Pass and Pooneryn, which link Jaffna peninsula to the northern province were closed. The Sea Tigers held on to the Kilali sea route (Kilali lagoon) that linked to the Jaffna peninsula. According to a terrorism expert, Rohan Gunaratna:

“By 1995, Sea Tiger dockyards had manufactured four types of fibreglass craft: the 45kt *Thrikka*, with four crew, a single machine-gun and used for deploying frogmen; the 10kt *Sudai*, manned by a crew of six, armed with a single machine-gun and used for attacks against naval craft; the 45kt *Muraj*, with 10 crew and three machine-guns, used for attacks against naval craft, logistics and for landing attack teams; and the two-man *Idayan*, a 45kt suicide craft fitted with explosives that detonate on impact with the target.”<sup>9</sup>

The LTTE changed its operations towards the late 1990s and in early 2000 in the apprehension that LTTE-owned ships would be monitored. The LTTE began to charter a number of vessels to transport military goods. Although LTTE procurement officers have been active in Africa and in South and Central America, there is very little intelligence of the LTTE procurement and shipping activities in these regions. With arms transport spanning across the globe, LTTE ships cross both the Atlantic and the Pacific Ocean.

### THE SEA PIGEONS: THE MARITIME WING

The force structure of the LTTE has been multi-dimensional, tasked according to combat and logistic requirements. Peter Chalk, a noted scholar on LTTE activities, has described the

‘Sea Pigeons’ as follows:

“Except for the Provisional Irish Republican Army and the Palestine Liberation Organisation, the LTTE is the only insurgent organisation that is known to have at its own disposal a fleet of deep sea going vessels. The LTTE started building its 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 communications technology. The vessels mostly travel under Panamanian, Honduran or Liberian flags, ...known as Pan-Ho-Lib... and are typically owned by various front companies located in Asia... ninety five per cent of the time the vessels transport legitimate commercial goods...for the remaining five per cent they play a vital role in supplying explosives, arms, ammunition and other war-related materiel to the LTTE theatre of war.”<sup>10</sup>

The LTTE fleet of ocean-going merchant ships operates independently of the Sea Tigers. The command, control and communication of the commercial fleets is different from that of the Sea Tigers. But the Sea Tigers are transferred on occasion to serve in the commercial fleet. These vessels engage in transporting a variety of general cargo like timber, cement, flour, sugar, salt, steel, etc. The LTTE vessels also engage in drug smuggling, gunrunning, human smuggling and transporting LTTE cadres. According to Thyagrajan, the CBI Superintendent of Police, Tharmalingam Shanmugam Kumaran alias Kumaran Pathmanathan or ‘KP’, is the head of LTTE shipping operations. Thyagrajan further noted:

“‘KP’ was very rich, but not rich enough to finance the LTTE as well as give it arms and ammunition. So, to generate extra money he took to smuggling drugs in a big way and used his shipping company as cover for drug and arms trans-shipments.”

In November 1991, the Indian Navy intercepted a LTTE trawler called Tong Nova in Indian waters. The charge sheet filed by Tamil Nadu Police (Ex. TN 39) explains the LTTE’s modus operandi for procurement of arms and the transportation strategy. The Charge Sheet in this case (Madras City M1 Harbour PS Cr. No 350/91) reads as follows:

“... ‘KP’ alias T.S. Kumaran is a Sri Lankan and one of the leaders of the LTTE organisation who is in-charge of procurement of arms and ammunitions clandestinely from Bangkok and other places and to transport them in the trawler MV Tong Nova for use by the LTTE in their illegal activities. ... ‘KP’ @ T.S. Kumaran alongwith A.S. Shanthakumar @ Rajan, ...

Easan @ Easwaran and ... Sigirthakumar, established a dairy farm in the year 1988 at Perumugai, Vellore for ostensible purpose of dealing in milk products. But wireless receiver sets were installed in these premises for contacting the leaders of the LTTE organisation at Jaffna and getting instructions regarding concealment of arms and ammunitions in Tamil Nadu surreptitiously brought in by ship for commission of terrorist acts... at Maniantheevu near Kodiakkarai during June 1991, ... Balendran received a consignment of four boxes containing a wireless receiver set, 9 mm pistols, live cartridges of AK-47 and 9 mm from Balan brought in the trawler MV Tong Nova in which arms and ammunitions procured illegally from Bangkok were transported and part of the arms and ammunitions unloaded at Mullaitheevu for use by LTTE in Sri Lanka. ... Balendran concealed the above said as consignment at Maniancheevu and later handed them over to persons entrusted

with the work of committing terrorist acts in Tamil Nadu.”

In another instance, on January 14, 1993, *MV Ahat*, another LTTE ship, was intercepted by the Indian Navy.<sup>11</sup> Reportedly, the ship had onboard a huge consignment of arms. When challenged, Sadasivam Krishnakumar, alias ‘Kittu’ (the then head of the London-based LTTE International Secretariat), informed the Indian Navy that the vessel was on a peace mission and requested that Amnesty International or LTTE’s Indian supporter Pazha Nedumaran to mediate. The vessel was towed to Madras Port but sank after catching fire. Earlier, ‘Kittu’ told the Indian Navy not to board the vessel. When an attempt was made to board the vessel in the territorial waters, Kittu ordered the civilian crew to jump overboard and then destroyed

the ship, killing himself and the LTTE cadres. This and other such instances show that the LTTE fleet does not engage or participate in active combat. The ocean-going fleet of the LTTE are fitted with explosives and wired just before starting their voyage to prevent being captured by the enemy.

At the same time, it is important to keep in mind that drug couriers with links to the LTTE have been arrested worldwide, but no LTTE ships transporting narcotics have been intercepted or searched. This could be attributed to the lack of intrusive intelligence on the LTTE shipping lines.

It is difficult to determine the precise number of ships, trawlers, and smaller vessels in the inventory of the LTTE fleet, but some estimates are possible. The fleet strength varies from twelve to fifteen ships that are 1000 to 1500 tons dwt. Yet another aspect of the LTTE’s maritime operations is the optimal

deployment of its maritime personnel in varying capacities and training them in different positions of responsibility and integrating them into a architecture of role and operations. To cite one such instance: the interrogations of Captain V. Jayachandra, Master of *MV Ahat*, who jumped overboard before the vessel sank and was picked up as a survivor, reveal that at that time, the LTTE fleet comprised of at least nine vessels. In his TADA statement, recorded by the CBI, V. Jayachandra stated:

“Sugumarán .... was in-charge of the jetty belonging to Tigers at Vedaranyam sea shore during the year 1984. In July 1984, Sugumar met me and said that LTTE arranged for running a ship and asked me whether I was willing to work there. I agreed ... Then I was brought to Singapore. In October 1984, initially I joined as a 2nd officer in the *Cholan*, the ship belongs to the Liberation movement. Then I worked in many ships belonging to the Liberation movement.”<sup>12</sup>

During the investigations it emerged that Captain V. Jayachandra, Master of *MV Ahat* had served onboard a large number of LTTE vessels.<sup>13</sup> He began his career in the LTTE fleet as the Second Officer onboard the *MV Cholan* from 1984 to 1986 and grew in rank to become the Master of *MV Ahat* (Yahata). He obtained training during December 1986 to January 1987 at Mallipattinam, the training base of Sea Tigers. Before and after the training, Jayachandra had stayed at Thiruvanniyur in Madras from September 1986 to March 1987 and at Karaikal from September 1989 to December 1989. The above interrogation also revealed the name of the vessels owned by the LTTE at that point in time. The number of ships onboard which Vairamuthu Jayachandra served in various capacities, best, explains this. These included:

- *Cholan* – 2nd officer, October 1984 to September 1986.
- *Iliyana* – Chief Officer, July 1987 to November 1987.
- *Sea Horse* – Captain, November 1987 to March 1988.
- *Sun Bird* – Chief Officer, March 1988 to September 1989.
- *Yelicia* – Chief Officer, September 1988 to September 1989.
- *Golden Bird* – Chief Officer, September 1990 to January 1991.
- *Ali Joshing* – Master January 91 to March 1991.
- *Tong Nova* – Master, March 1991 to July 1991.
- *Yahata* (Ahat) – Master, September 8, 1992 onwards.<sup>14</sup>

According to Rohan Gunaratna, the Sri Lankan military has destroyed up to three LTTE merchant vessels.<sup>15</sup> The Sri Lankan Air Force destroyed *MV Horizon* and *MV Comex Jules* in February 1996. The vessel was believed to have onboard a huge consignment of arms that originated in Cambodia and was loaded at Phuket. Similarly, another unknown vessel was destroyed in November 1997. The Indian Navy too has had its share, interdicting three vessels. These were: *MV Ahat* (Yahata) in February 1996, *Tong Nova* in November 1991 and *Mari-*

*amma* in 1999. Likewise, Malaysia too had seized the cargo of *MV Sun Bird* in December 1990. Reportedly, *MV Cholakeri*, another LTTE vessel capsized off the coast of Thailand in November 1992.

Recently, the Sri Lankan Navy was involved in engagements with LTTE ships. The first incident involved *MV Shoshin*, a merchant ship used by the LTTE to transport arms, ammunition and diesel from South-East Asian countries to the Sri Lankan coast off Mullaittivu. On June 14, 2003 the ship sank after an engagement with the navy.<sup>16</sup> According to the LTTE, *MV Shoshin* was an oil tanker and was sailing in international waters, 266 nautical miles off the east coast, flying two flags at mast, one LTTE flag and one “specific flag for international waters”. The crew consisted of twelve Sea Tigers; the vessel was solely owned by the LTTE.

The second incident involved *MV Koimar*. This vessel was sunk around 240 nautical miles off the east coast of Sri Lanka by the Sri Lankan navy.<sup>17</sup> The vessel did not have a national flag or a visible name on the ship and it did not follow the warnings by the Sri Lankan Navy to stop. The vessel was a merchant tanker of approximately 700 tons, 8 meters wide and 61 meters long and had 11 crew members, all Sea Tigers, and was operated by an independent shipping company supporting the LTTE financially. According to the LTTE, the ship had a legal cargo of diesel and was sailing in the direction of India; the ship was identified as *MV Koimar*.

There are several other ships too in the inventory of the LTTE.<sup>18</sup> These are registered in Malta, Honduras, Cyprus, Liberia, Panama and New Zealand. They sail on different routes and carry a variety of cargo. For instance, *MV Baris* is used for transportation of high explosives from Ukraine for the LTTE. In 1994, the ship was sailing under the name of *MV Swanee*. She operates in Romania, Ukraine, Bulgaria, Turkey and is known to do business in the ports of the Black Sea. It was last seen at the Ukrainian Port of Marupol. Reportedly, the registered owner is based in Turkey. In August 1995, *MV Swanee* carried 50 tons of TNT and 10 tons of RDX over the long and circuitous voyage from the Ukrainian port of Nikolayev to be off loaded off the coast of Sri Lanka to Tiger speedboats.<sup>19</sup> *MV Venus* was first sighted in 1990 in Malaysia. Its cargo included military equipment and was sailing under the name of *MV Sun Bird*. Like *MV Baris*, the ship operated in ports in the Black Sea and African ports in the Mediterranean Sea and the North African countries. The ship had been registered in Honduras. *MV Emerald* operates in South East Asia, in the Bay of Bengal, particularly in Malaysian ports. The ship is owned by an LTTE front shipping company based in Greece. *MV City of London*, a general cargo vessel, is managed by an LTTE shipping company, based at London. The ship was last sighted at Port of Marseilles in France. *MV Star Sapphire*, a tanker, is owned

by a Swedish businessman and is known to operate across the globe. *MV Montana* (earlier *Star Sapphire*) is a tanker operated by the Montana Star shipping Limited located in Monrovia in Liberia. *MV City of Liverpool* operates in the Indian Ocean Region between the ports of Male and Tuticorin in South India. *MV Tara I* (earlier *Vebus*) has since been scrapped.

The LTTE has also engaged in human smuggling operations. One such vessel *MV Rud Pink Fow* (registered by LTTE shell company Vida, Thailand) left Phuket for Mosselbaai in South Africa with 163 passengers on 22 July, 1992.<sup>20</sup> The ships have also been used to transport leaders and cadres of the LTTE.

The LTTE shipping network has progressed fairly well. Despite setbacks, it has flourished and clearly shows that the LTTE leadership has continued to support it and use it to build its capabilities. According to a Lloyds estimate, the LTTE fleet had 11 vessels, by March 2000, 'most of which are said to be well equipped and capable of trans-oceanic long distance sailing.'<sup>21</sup> These vessels have engaged in both legal and illegal maritime activities.

#### HIJACKED VESSELS

In order to augment its fleet, the LTTE had also resorted to hijacking of vessels and changed names and physical characteristics. The LTTE is known to have created a phantom shipping fleet that has effectively evaded monitoring and detection. According to Gunaratna:

Some South-east Asian intelligence agencies believe that the LTTE has hijacked foreign vessels, but the affected governments have failed to present conclusive evidence implicating the LTTE. Since the LTTE has demonstrated quite regularly its mastery of phantom shipping - changing the ship's name and appearance - it is likely that it is also engaged in maritime crime even outside Sri Lankan waters.<sup>22</sup>

For instance, *MV Sik Yang*, a 2,818-ton, Malaysian-flag cargo ship, was reported missing. The ship sailed from Tuticorin, India on May 25, 1999 with a cargo of bagged salt and was due on May 31, 1999 at the Malaysian port of Malacca. The ship, however, disappeared and the fate of the ship's crew of 15 is still unknown. The vessel was apparently hijacked by the LTTE and may be engaged as a phantom vessel. A subsequent report on June 30, 1999 confirmed that the vessel had been hijacked by the LTTE.<sup>23</sup>

In yet another case, a ship with a cargo of 32,000 mortar shells from Zimbabwe Defence Industries (ZDI) left the Mozambican port of Beira on May 23, 1997 supposedly en-route to Colombo, Sri Lanka. The consignment belonged to the Sri Lankan government. The ship did not reach its destination. ZDI assumed that the Sri Lankan government had sent a ship

to collect the munitions, but the company alleged that the consignment was loaded onto a ship called the *Limassol*, which was one of the LTTE freighters and the cargo transferred to the LTTE.<sup>24</sup>

In some cases, the LTTE has not been so successful. A case in point is the ship that anchored off Cochin port in south India in 1993. The vessel was carrying a consignment of AK-47 rifles from a Russian company for the Ministry of Defence (MOD) of the Government of India.<sup>25</sup> The Captain had informed the port authorities of the cargo and the consignee. The MOD denied having ordered any such consignment. Enquiries revealed that a person, who had visited the company's headquarters in Moscow posing as a senior official of the MOD with forged identity papers, had ordered the consignment. He had the payment for the consignment made by a bank remittance from New York. Nobody claimed the consignment and it was confiscated. The Indian authorities strongly suspected the LTTE had ordered the consignment and its plans to effect a mid-sea transfer from the ship to one of its own smaller vessels failed.

In the past, the LTTE has hijacked several vessels. Some of the reported cases relate to the hijacking of *Irish Mona* (August 1995), *Princess Wave* (August 1996), *Athena* (May 1997), *Misen* (July 1997), *Morong Bong* (July 1997), *Cordiality* (Sept 1997) and *Princess Kash* (August 1998).<sup>26</sup>

#### SHIPPING ROUTES

An attritional long-drawn asymmetrical conflict demands huge and sustained resources. The LTTE has used various ways and protracted means to garner funds for its sustenance. It is a fact that bank robberies and kidnappings are money-spinning means. By far the most lucrative means have been gunrunning and drug trafficking that have fuelled funds for the procurement of arms and fuelling operations. It is quite natural for terrorist organisations to undertake their trading activities in areas where lax laws exist, coupled with easy availability of materials like arms and ammunition, and supportive suppliers.

The LTTE has optimally deployed and engaged in both legitimate and illegal shipping in pursuit of these objectives. The legal trade activity involves transporting general cargo and the illegal activity involves gunrunning, drug smuggling and human smuggling. It has established and sustained contacts in several South-East Asian countries and as far as Japan and North Korea. The LTTE has front companies in these countries that take care of procurement and shipment.<sup>27</sup>

In its struggle against the Sri Lankan military and for a while against the Indian Peace Keeping Force (IPKF), the LTTE obtained arms supplies from the international market. With its operational bases in southern India closed it could no longer rely on supply routes from Tamil Nadu and hence began

to rely on longer logistic supply chains in distant shores. The LTTE had always perceived the threat of interdiction of its supply chains by the Indian Navy and Coast Guard whenever such transportation was through Indian waters. In some situations the LTTE did take risks and transport their arms and ammunition by depending on the remnant supporters in Tamil Nadu. Given the formidable presence of the Indian Navy in the Palk Bay, the LTTE has had to rely on smaller boats and fishing vessels to ship its arms supplies to Jaffna.

In terms of its regional access and source points in the Bay of Bengal-South-East Asia region, Cambodia in South-East Asia has been the main source of weapons for the LTTE. Apart from Cambodia, Thailand and Myanmar too have been important source of materials for the LTTE operations. The LTTE had established a very sophisticated network of gun. These activities are conducted using its fleet of ships. The gunrunning operations originate from the Cambodian ports of Sihanoukville and Koh Kong, moving along the coast to Thai ports at the northern end of the Gulf of Thailand such as Sattahip and Rayong and from there by land past Bangkok and south to the ports on Thailand's Andaman Sea coast, most notably Ranong and Phuket.<sup>28</sup> The gun trade route passes through the Bay of Bengal and Andaman Sea. The arms are loaded onboard small fishing trawlers and these vessels then transfer the consignment to larger vessels at sea for onward passage to Sri Lanka.

During Operation Pawan, the LTTE gun route was much different and followed a circuitous direction. For instance, *MV Illiana* (Black Crow) made several voyages transporting arms and ammunition from Thailand/Singapore/Cambodia transiting along their coast in the Andaman Sea. During one such voyage, it carried a consignment of 700 rifles and had entered Chittagong, in Bangladesh. The Indian Navy had waited for it outside Chittagong, much outside the territorial waters of Bangladesh. The crew of *MV Illiana* had information about the presence of the Indian naval ship waiting outside to interdict it. It is suspected that the vessel escaped under cover of darkness or with the connivance of the port authorities and may have found shelter in Thailand.

There is also an alternate route through which consignments are shipped directly across the Gulf of Thailand to the southern provinces of Chumporn and Songkhla and then moved by land across the Kra Isthmus to the Andaman Sea coast.<sup>29</sup> The LTTE is also reported to have hired the services of Arakanese smugglers operating across the Bay of Bengal be-

tween Ranong in Thailand and Cox's Bazaar and Chittagong in southern Bangladesh.<sup>30</sup> Once known as the Arakan Army, this is essentially a maritime mafia operation that is known to ship weapons as well as narcotics for various regional insurgent groups, including the LTTE and insurgent factions operating from Myanmar and the Indian north-east.<sup>31</sup> This necessitated the Sri Lankan Foreign Minister to undertake a dedicated tour of Laos, Cambodia, Vietnam and Thailand to seek their Governments' cooperation to stop illegal smuggling of arms by the LTTE. This further confirmed the existence of gunrunners in the Malacca Strait-Andaman Sea region.

The LTTE is majorly involved in drug trafficking. For this purpose, a significant number of its merchant ships are manned by its cadres/personnel.<sup>32</sup> The entire LTTE activity in Myanmar has been legitimized with the connivance of some leaders of the military junta, thus offering an important base for the LTTE's drug-trafficking network. According to an internal Indonesian military report, some Acehnese in the remote areas of the province are resorting to small-scale 'ganja' cultivation. Aceh rebels are known to engage in gun-running and drug smuggling to further finance their insurgency.

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#### MODUS OPERANDI FOR TRANSPORT TO SHORE

The LTTE's arms and ammunitions supplies are generally carried onboard larger vessels that operate on the high sea. In order to discharge their cargo, the vessels come close the shore and wait for the arrival of the smaller boats/launches. Gunboats escort these smaller vessels and explosive laden craft, manned by armed Sea Tigers. Thereafter, the cargo is transported to shore. In the event of detection by the Sri Lankan Navy, these vessels ram into the naval vessels. There have been several such incidents in the past. Sea areas off Mullait-

tivu are well known for such activity. The areas contiguous to Mullaitivu are known to be the strongholds of the LTTE and they are also the maritime approaches to the island. Besides, Mullaitivu, the Veruhal-Vaakharai coast has also been a safe 'harbour' for LTTE to transport its cadres, provisions, military hardware and supplies by boat from the northern coast of Mullaitheevu.

#### THE RISE OF A NEW NAVY

In the past, there have been several incidents involving the Sri

Lankan Navy and the LTTE gunboats. Both sides have lost vessels. In particular the Sri Lankan Navy has lost about half of its force to the high-speed gunboats of the LTTE. In the ensuing conflict dynamics, the “achievements” of the LTTE have resulted in the LTTE seeking a formal recognition of the Sea Tigers on par with the Sri Lankan Navy.

A proposal to this effect (a scheme of three proposals) was made by Colonel Soosai, Commander, Sea Tigers Force, to the Scandinavian-staffed Sri Lanka (Ceasefire) Monitoring Mission (SLMM) to prevent clashes at sea that have claimed more than fifty lives so far. The other two proposals include a prohibited zone for the Sri Lankan Navy and an embargo against the use of force against any LTTE vessel, military or civilian, in the absence of a monitor from the SLMM. The LTTE had complained that the Sri Lankan navy, as part of its “Operation Waruna Kirana”, was launching offensive attacks aimed at blocking its sea-lanes.

In essence, the above proposal implies: (a) formulation of an agreed set of Rules of Engagement (ROE); (b) maintenance of a distance of one nautical mile between the vessels of the LTTE and the Sri Lankan Navy; and (c) a sea lane for the LTTE for its non-military (or it could be military) shipping. The Sri Lankan government rejected these proposals on the ground that its Navy is the symbol of its sovereignty and integrity and the LTTE has no legitimacy. According to the 1982 United Nations Convention on Law of the Sea III (UNCLOS III) only state navies can board and inspect ships suspected to be indulging in illegal activities even in international waters. Any vessel could be asked to identify itself and furnish its name, registration and flag (nationality) including last and next port of call. The LTTE navy is not a state navy and not a signatory to the UNCLOS and, therefore, it cannot claim that right. Besides, the LTTE shipping flag, if any, cannot be accepted in legal terms.

#### MARITIME STRATEGIC THINKING OF THE LTTE

The Sea Tigers largely hail from the fishing communities in Tamil Nadu and are outstanding seamen with great maritime skills. They are familiar with the geography of the Palk Strait. Even in the absence of nautical charts, they can navigate with great accuracy. Velupillai Prabhakaran and the other founding leaders of the LTTE like Kittu are known for their familiarity with the seas as they originated from the coastal town of Velvettiturai (VVT).<sup>33</sup> VVT has traditionally been the hub of

LTTE activities. It has been argued that VVT:

“...in many ways, be regarded as the cradle of the LTTE. ...Among its special attractions was its cohesive community, held together by ties of kinship and caste. There were links between its smugglers, fisher folk, and ordinary tradesmen. It is said that there has usually been a spirit of mutual tolerance between its law enforcement officers and its criminals.”<sup>34</sup>

VVT’s socio-economic milieu has been portrayed by Hellmann-Rajanayagam as follows:

“Velvettiturai has since time immemorial been a fishing centre ... a harbour famous for smuggling and the audacity of the Karaiyar fishing caste; an area where the Karaiyars were particularly well able to hold their own against the high caste Vellalas. This gives one some clues to the caste base of the militant groups, and it can be said that the LTTE is not only one of the few militant groups with a mixed-caste Karaiyar dominated rank-and-file base, but also the only one where Karaiyars are the leaders of the movement. It was in VVT of the mid-1970s that the pioneers of Sri Lanka Tamil militancy met frequently to organise their cadres, plan their crimes and chart their political course. Velupillai Prabhakaran, the daredevil

‘kid brother’ (thambi) among the pioneers, already with a few murders and bank robberies to his credit, was a native Karaiyar of VVT. So was Selvadurai Yogachandran (alias Kuttimani) who, as far back as 1973, had been apprehended by the Sri Lankan Navy while conveying a boatload of explosives. Gopalasamy Mahendrarajah (alias Mahattaya), liquidated by Prabhakaran in 1994 in the course of a power struggle within the LTTE, was also a Karaiyar from VVT. Many others like Yogaratnam Yogi, Balakumar, Thangadurai, Sathasivam Krishnakumar (alias Kittu) and ‘KP’ Kumaran Padmanathan (alias Tharmalingam Shanmugam, best known for his highly successful international arms procurement operations), were all of the same caste, and

all, from Vadamaratchi, the area within which VVT is located. Quite clearly there was at this stage a confluence of the firepower and the will-o’-the-wisp skills of the VVT smugglers, and the ruthlessness and fanatical commitment of the militants. It is also easy to understand in retrospect the haughty defiance shown in later times by the Tiger leaders to other prominent Tamil militants and, indeed, towards the entire Vellala elite.”<sup>35</sup>

This inherent strength was well realized by Prabhakaran and he stressed on the need for the LTTE to build maritime capabilities and gain control over the Sri Lankan seas particularly in waters off Mullaittivu and Batticaloa. He is reported to

have stated:

“Geographically, the security of Tamil Eelam is interlinked with that of its seas. It is only when we are strong on the seas, and break the dominance the enemy now has, that we will be able to retain the land areas we liberated and drive our enemies from our homeland.”<sup>36</sup>

It is quite apparent that the concept of sea power reverberates in the mind of the LTTE leadership. Although there is no credible evidence or an articulation other than what is noted above, the leadership does have a good understanding of sea power and it is quite evident by the nature of the development of their maritime infrastructure.

The term sea power implies different meanings in different contexts. It is understood as narrowly as ‘navy’ for distant interventions or as broadly the ability of a state to use the sea to its optimum. In considering what sea power is, it is important to examine the answer given to this question by Rear Admiral Alfred Thayer Mahan, United States Navy. Mahan, through his most famous work, *The Influence of Sea Power Upon History 1660-1783*, introduced the concept of sea power. Mahan sought to explain sea power in its broadest context and inferred the offensive and defensive aspects of Sea Power. He pointed out that Sea Control was the British objective that led to the dominance of sea. British naval mastery was a major factor that allowed it to challenge its opponents.

Mahan explained Britain’s success by developing a simple deduction: greatness and strength are the products of wealth derived from trade: to protect this wealth, Britain possessed a powerful navy.<sup>37</sup> He described sea power as the ability of a country to use the oceans for national advantage and argued that nations seek sea power as ‘a great highway’ that provides a means of cheap transport. His thesis was that no nation could aspire to be a great power unless it effectively used the sea for both commercial and military purposes. Naval warfare, according to Mahan, was a contest for supremacy and the objective was to drive the enemy navy and mercantile marine off the oceans so as to keep the great highway open for oneself and deny it to the other.<sup>38</sup>

Given this understanding of sea power, the LTTE is well endowed with capabilities and capacities to be graded as a small non-state sea power. It has all attributes of a sea power, i.e. geography, ocean-going ships, ports/harbours, a fishing fleet, maritime trade, ship/boat building yards, an understanding of the seas among the political leadership, and now a navy.

The LTTE’s emergence as a formidable violent non-state actor with a maritime establishment is augured very well with its advantages of access to the sea, its quest to limited sea control, its formidable brown water and riverine capabilities and, above all, a dedicated sea-commando force that is trained to direct theatres of conflict at sea.

#### THE NEW MARITIME LANDSCAPE AND THE LTTE

Ever since the terrorist attacks of September 11, 2001 the subject of security has become a ubiquitous factor in day-to-day life. Whilst focus on security is not new, it has become more prominent and is now being dealt with more seriously at all levels. The result is that more and more countries are placing security issues as first priority in any development programme. At the same time, states are careful not to impose such security to impede economic growth resulting in a potential slowing down in the flow of commerce but at the same time they remain conscious of the fact that they must adopt stringent and comprehensive measures to secure and defend against a new array of threats in the post 9/11 world, ranging from nuclear/bio/chemical attacks to suicide boat attacks like the USS Cole and MV Limburg incidents.

The post 9/11 security environment has cast a new maritime security matrix. It has necessitated the creation of new proactive maritime initiatives with accent on interdiction preventive defence and preemption. The maritime initiatives are the Proliferation Security Initiative (PSI), Regional Maritime Security Initiative (RMSI) and Container Security Initiative (CSI).

The PSI aims at pre-emptive interdiction, detention, and search of ships and aircraft in PSI members’ territorial waters or national airspace. Under the Initiative, member countries can deny over flight rights, board and search ships flying PSI member nation flag or when operating under a ‘flag of convenience’. Interdiction of vehicles for transportation (aircraft, ships and land based transport) are considered as the most important means to counter proliferation thus giving interdiction a prominence over more traditional nonproliferation efforts.

The RMSI is a United States Navy initiative that envisions plans for the US military to deploy Marines and Special Forces troops on high-speed boats in the Malacca Strait to combat terrorism, proliferation, piracy, gunrunning, narcotics smuggling and human trafficking in the area. There are also plans to co-opt regional navies to build and coordinate international capacity to fight maritime threats.

The CSI has its genesis in the appreciation that the next attack on US soil is likely to be from the sea. The CSI aims to prevent un-scanned and unchecked shipping containers arriving at US ports. The CSI requires all containers to be scanned, preferably by technological and non-intrusive means, prior to shipment to the US. There is also a provision to position US Customs officials at non-CSI ports for scanning and clearing the containers prior to loading on vessels heading towards US ports.

The International Maritime Organisation (IMO) too has imposed upon the maritime community the International Ship and Port Facility Security (ISPS) Code and Automatic

Identification System (AIS) carriage requirements. The ISPS code was adopted in December 2002 to enable detection and develop deterrence against security threats within an international framework. Countries have to comply with the new code by July 2004. The Code establishes roles and responsibilities, enables collection and exchange of security information besides providing a methodology for assessing both ship and port security and ensures that adequate security measures are in place. It requires ship and port facility staff to gather and assess information, maintain communication protocols restrict access, prevent introduction of unauthorized weapons, etc. provide means to raise alarms, vessel and port security plans, and ensure training and drills are conducted.

The AIS is meant for the safety of all vessels around the world. The system is capable of providing information about a ship's ID, position, course, speed over ground, static data and voyage related data to all other ships and shore authorities on common VHF radio channels and to coastal authorities automatically.

The daunting challenge before the LTTE would therefore be how to address and counter these Initiatives in a comprehensive manner, yet not restraining its maritime activity that serves as the umbilical cord of the economy of the LTTE. Besides, the entire military infrastructure of the Tigers, the drug and human smuggling activities are all carried out in the maritime domain using its fleet of ships. There is no doubt that there is a growing concern among the LTTE leadership about the international security requirements that call for greater vigilance and an enhanced scrutiny of the commerce. It is also quite clear to all associated with the transportation of cargo across international boundaries that states have increased security and are concerned over the movement of contraband.

These initiatives inevitably lead to a need for increased inspection and slowing down in the flow of commerce. This certainly has major implications for the LTTE as it relies on legitimate and illegitimate maritime traffic for its trade and maritime activities.

#### LTTE SHIPPING AND THE PSI

The LTTE's primary arsenal has been light and small weapons that are easily available in large quantities in relative costs. The reliance on light and small weapons has been the mainstay of its fighting capabilities in terms of agility, asymmetry and stealth. It is a fact that some terrorist groups now show interest in acquiring the capability to use Weapons of Mass Destruction (WMD) such as chemical, biological, radiological or nuclear weapons. The possession and deployment of WMD by a terrorist group is indeed quite complex and difficult to detect and interdict.

It is also difficult to predict the likelihood of use of such weapons but it is widely believed that most terrorist organisations are seeking to possess and acquire the ability to use such weapons to cause mass casualties.

Although, development of these kinds of weapons and materials present significant technical challenges to LTTE, its ability to possess and capability to use cannot be underestimated.

While chemicals can be procured from open markets and are easy to come by, getting large quantities for weapon purposes may be difficult. It is for this reason that only nation states have succeeded in doing so. Similarly, biological agents can be acquired in nature but important aspects of handling and dispersion are daunting. To date, only nation states have demonstrated the capability to build radiological and nuclear weapons.

But the threat is far from rare. In 1995, the Aum Shinrikyo group released a chemical agent in the Tokyo subway and demonstrated the capability to use weapons of mass destruction. Reportedly, the group used highly skilled technicians and spent tens of millions of dollars developing a chemical attack. Similarly, the post 9-11 anthrax scare in the US was linked to the terrorists. According to experts, it suits terrorist requirements of low technology war.<sup>39</sup> The Aum Shinrikyo incident has been the benchmark of the nature and scope of terrorist resort to use WMD and since then there has been a global concern over the possible acquisition and its use by terrorist organisations in a desperate move to achieve their political objective.

There is growing convergence amongst professional counter-terrorism experts that WMD terrorism has one or more of the following components: Use of or threat to use a WMD; use of or threat to use a weapon of mass disruption such as a computer virus or hacking to cause mass economic disruption; capture of or threat to capture an installation such as a nuclear power station in order to cause mass panic; and use of or threat to use conventional weapons or instruments in an unconventional manner to cause fatal human casualties of 1,000 or more.<sup>40</sup>

In order to counter the threat of WMD terrorism, the US has propagated the Proliferation Security Initiative. Today there are at least sixty countries that have joined this US led Initiative. The genesis of PSI is in the December 2002 US document, National Strategy to Combat Weapons of Mass Destruction. Under this strategy various 'counter-proliferation' strategies have been listed. Among these, interdiction of vehicles for transportation (aircraft, ships and land based transport) are considered as the most important means to counter proliferation thus giving interdiction a prominence over more traditional nonproliferation efforts. As noted, the initiative aims at pre-emptive interdiction, detention, and search of ships sus-

pected of transporting weapons of mass destruction.

The seizure of *M V Baltic Sky* by Greek commandos in Greek territorial waters and the earlier seizure of *M V So San* in December 2002 by Spanish forces (carrying North Korean missiles to Yemen) and the seizure of the ship *M V BBC China* reportedly carrying uranium enrichment equipment bound for Libya are clear manifestations of the PSI.

The *Baltic Sky* owned by Alpha Shipping and registered in the Marshall Islands in the South Pacific was carrying 680 tons of explosives (TNT) and 8,000 detonators for a company Integrated Chemicals and Development, Khartoum, Sudan. The ship's master and its five-crew members were charged with possessing and transporting explosives. Sudan was quick to respond and announced that the cargo was legitimate and it was against international law to seize such vessels. Incidentally, Sudan is on a US blacklist of nations that support terrorism and is home to terrorist-related activities. It is also believed that Osama bin Laden took sanctuary here.

In December 2002, a Spanish frigate, acting on information from US sources seized *So San*, a North Korean vessel, about 600 miles off the Horn of Africa in the Indian Ocean. The vessel was transporting fifteen Scud missiles for Yemen. According to Spain's Defense Ministry, *So San* sailed under the Cambodian flag, but had no identifying marks on it and therefore a fit case for being a pirate ship. Another interesting case relates to the seizure of the ship *BBC China*. The vessel was carrying uranium enrichment equipment bound for Libya. Similarly, a nerve-agent precursor destined for North Korea was confiscated in Taiwan.

Although there is no credible evidence that the LTTE is engaged in proliferation of WMDs, has WMDs or has even expressed a desire to acquire WMDs, it has been argued that such intentions cannot be dismissed. According to B. Raman, a noted expert on terrorism, there is a need to identify organisations from which WMD threats could emanate.<sup>41</sup> Raman has offered a typology in which different terrorist organisations can be categorized. These are:

- Those which advocate the use of WMD and already have the required capability. No terrorist organisation figures in this category so far.
- Those which advocate or are likely to use WMD, but do not

as yet have the capability and are trying to acquire it. Al Qaeda and other jihadi organisations allied to it come in this category.

- Those which already have a sort of WMD capability, but do not advocate its use. The Liberation Tigers of Tamil Eelam would fall in this category because of its un-estimated stockpile of potassium cyanide. Though the cyanide was acquired for suicide purposes, it could be used, by mixing it with a strong acid for creating fumes or vapours, for causing mass panic, if not mass casualty.

- Those, which neither advocate the use of WMD nor are trying to acquire a capability. The majority of the terrorist organisations of the world fall in this category.<sup>42</sup>

### The gunrunning operations originate from the Cambodian ports of Sihanoukville and Koh Kong, moving along the coast to Thai ports at the northern end of the Gulf of Thailand such as Sattahip and Rayong and from there by land past Bangkok and south to the ports on Thailand's Andaman Sea coast, most notably Ranong and Phuket.

In the context of the LTTE, it has exhibited its capability to carry out mass destruction much before the 9/11 incidents involving the al Qaeda attack on mainland US. On July 24, 2001 the LTTE attacked the Sri Lankan Air Force Base in Katunayake, Colombo and destroyed eight military aircraft, three empty Sri Lankan Airline airliners and a cargo plane. An Antonov cargo plane was also destroyed in the fighting, reportedly by a rocket propelled grenade. The Colombo international airport was closed with no flights taking off or landing. According to B. Raman, the LTTE may have used microlight aircraft, a capability that its cadres in West Europe and Canada had acquired in the 1990s, to facilitate the entry of suicide cadres.<sup>43</sup>

#### LTTE SHIPPING AND ISPS CODE

The IMO has now announced a new regime: International Ship and Port Facility Security (ISPS) code. The new rulebook, among other things, requires every ship to sail with a security plan and a security officer. These plans should conform to international standards. The ships will have to inform their port of call at least 96 hours before arrival to allow port security authorities to verify the last port of call, next port of call, cargo manifest and the crew list, including passengers. The agent is required to instruct the ship to send the information electronically. The US, on its part, has taken more stringent initiatives as regards the crew by not allowing the crew to disembark freely; they will now be checked for their antecedents. This is to ensure that vessels do not become a pathway for terrorists to enter the country. As

a result, the US terminated its use of crew list visas, and now requires each seafarer to obtain an individual visa from a US embassy or consulate.

According to the International Maritime Bureau (IMB), it is virtually impossible to verify the authenticity of the identity of the crew.<sup>44</sup> Besides, there is a major problem of counterfeit and improperly issued mariner documentation. The IMB has issued a warning to ship operators about the thousands of unqualified crew and masters working illegally with false papers, and has called for tighter security by authorities issuing certificates. The alert follows the release of statistics showing that of 54 maritime administrations surveyed, more than 12,000 cases of forged certificates of competency were reported.<sup>45</sup> These figures highlight the gravity of the situation. Crewmen with false passports and competency certificates man ships. The IMB also believes that at times the issuing authorities themselves are to blame. For instance, the Coast Guard office in Puerto Rico was reported to have issued nearly 500 suspicious certificates of competency.<sup>46</sup> Such cases usually escape detection by the port authorities.

As regards the LTTE, its shipping crew consists mostly of its own cadres. There is no authentic data available to determine the strength of the LTTE cadres capable of undertaking open ocean/high sea operations but it would be fair to conclude that they may be at least 125 personnel. They may also not be in possession of legitimate and internationally accepted mariners documentation. Therefore, their credentials as legitimate sailors holding an internationally accepted seafarers document are suspect.

It is also possible that the LTTE may be augmenting its fleet operations by hiring crew from the Philippines and Indonesia that are the largest suppliers of merchant ship crew. These states are home to radical groups like the Abu Sayyaf and the Free Aceh Movement (GAM).<sup>47</sup> There is at least one reported instance that the LTTE had expressed its willingness to place its capability at the disposal of terrorist organisations of other countries.<sup>48</sup> In 1995, a consignment of arms and ammunition donated by the Harkat-ul-Mujahideen [(HUM) then known as Harkat-ul-Ansar] from Pakistan was transported to the southern Philippines either for the Abu Sayyaf which has since become a founding-member of bin Laden's International Islamic Front (IIF) or the Moro Islamic Liberation Front.

The new ISPS code is bound to place certain restrictions on the operations of the LTTE but given the network and the easy availability of seafarers, it will still be possible for the LTTE to

continue its operations. On June 14, 2003 the LTTE oil tanker *Shoshin*, blew up and sank. In response the Tamil Tiger rebels warned of "grave consequences" and noted that the Sri Lankan Navy had no authority to open fire. The Sri Lankan government has played down the consequences of this sea clash in a bid to dispel fears that the rebels might go back to the ethnic war, which has plagued the country for two decades.

#### LTTE SHIPPING AND FLAG OF CONVENIENCE

The LTTE is known to change the name of its ships very frequently. This is not surprising because international shipping is known to change the identity of the ship (name, registration and paint scheme) when engaging in illegal activities. It is a well-known fact that the LTTE have a flotilla of ships that are engaged in maritime trade. For instance, LTTE vessels ship narcotics from Myanmar to Turkey. In order to give legitimacy to their fleet as also to generate revenue, LTTE ships move general cargo such as fertilizer, timber, rice, paddy, cement and other dry cargo.<sup>49</sup> Most of these are registered in FOC countries known as "pan-ho-lib" i.e. Panama, Honduras and Liberia.<sup>50</sup> The LTTE's ships are known to host registry from Cyprus, Greece, Malta and New Zealand too.

The LTTE ships are difficult to keep track of as they keep changing names and registry. Lloyds lists 11 merchant ships belonging to some Asian front companies but in fact are managed by the elusive Kumaran Pathmanathan (a businessman who is wanted in Colombo for half a million dollars).<sup>51</sup>

In yet another significant development in regard to the PSI is that the US has been able to convince Liberia to support the PSI. It is evident that Liberia, along with Panama is home to the largest shipping registrations. On February 11, 2004 the US and Liberia signed a ship interdiction agreement in support of the PSI. The agreement was meant to send a strong signal to proliferators that Liberia would not allow the use of vessels operating under its flag for the transport or transfer of items of proliferation. The Liberian International Ship and Corporate Registry has noted that the agreement with the US to support the PSI is a constructive initiative and would give ship-owners registered in Liberia a sense of comfort against their vessels being boarded/ used for transporting weapons of mass destruction.

Under the agreement, the US counter proliferation inspectors would first contact the Liberian Registry to determine

whether to board a particular vessel. The Agreement, however, does not authorize vessel boarding without prior consent and decisions would be made "on a case-by-case basis." But the Liberian International Ship and Corporate Registry believe that Liberia is getting safeguard at no cost from the US Navy.

Likewise, Panama, which registers more ships (13,000 merchant ships) than any nation in the world, signed an agreement on May 12, 2004 with the US to permit search of vessels suspected of carrying weapons of mass destruction or weapons technology. Panama and Liberia accrue tremendous advantages by the agreement in terms of status of the registry and more importantly the assurance to the shipping industry that Liberia and Panama are serious maritime nations and not tax havens, that ships under their flag are not being misused. According to John R. Bolton, the US Under Secretary of State, almost 50 per cent of commercial shipping is now subject to search and seizure. There was much more waiting to happen when 10 new members were added on May 1, 2004 to the European Union. Of the 10 new members, only Cyprus, Malta and Latvia have tankers bigger than 10,000 deadweight-tons in their registries and these three nations account for 24.8 million deadweight-tons of capacity, or about 8 per cent of the world tanker fleet.

The international concerns about 'Flag Of Convenience' (FOC) registry arise from the possibility of terrorists nesting among crews on ships flying FOC flags. The world's 'most wanted terrorist' Osama bin Laden and the Al Qaeda operatives are known to own or have chartered at least 20 merchant vessels that are capable of undertaking ocean passage. These vessels are suspected to possess FOC registry in Liberia, Panama and the Isle of Man. Reports suggest that Osama's secret shipping fleet, flying a variety of flags of convenience, allows him to hide the ownership of vessels, transport goods, arms, drugs and recruits with little official scrutiny. A shipbroker in Germany had admitted acting as a translator when Wahid al Hage, an Al Qaeda operative, sought to buy a merchant vessel. Wahid is sought in connection with the 1998 bombings of two US embassies in East Africa. Reportedly, one of bin Laden's cargo freighters unloaded supplies in Kenya for the suicide bombers who weeks later destroyed the US embassies in Kenya and Tanzania.

According to the International Transport Worker's Federation (ITF) Fair Practices Committee, a union of seafarers and dock workers campaigning against FOC, there are thirty countries that are known to offer FOC registry.<sup>52</sup> According to industry experts, flag hopping is a common practice and ship owners tend to switch registry at the first sign of a crackdown by authorities or when engaging in activities involving gun running, drug smuggling, transporting illegal cargo or human

beings.<sup>53</sup> The ITF believes that there should be a genuine link between the vessel and its flag. They believe that this practice would increase accountability and force ship owners to maintain international shipping standards, a practice that does not commonly occur with FOC ships. The question before the LTTE today is how does it manage its fleet of ships when most of its ships operate under flags of convenience.

#### CONCLUSION

With the passage of time, the LTTE has built up an impressive maritime infrastructure. It has also sharpened its skills at maritime practices. These involve undertaking ocean trade, coastal sailing and ferrying of materials and cargo to landing points in its area of interest in the face of the Sri Lankan Navy. The networks have kept pace with the changing technologies and have adapted themselves to counter the strategies of maritime forces.

Besides, the Sea Tigers have also sharpened their capability to attack enemy ships both in harbour and at sea. Dual use technologies such as GPS, satellite communication systems, and water sport and scuba diving equipment are part of their inventories. They are known to use a variety of weapons from knives to improvised explosive devices, submersibles, mini submarines and high-speed boats. LTTE have used rocket-propelled grenades, explosive-laden speedboats and even armour piercing weapons.

Although the new post 9/11 maritime security matrix being imposed upon states and maritime community is complex and somewhat baffling but the task before the LTTE is indeed demanding. The LTTE would be probing for strategies that would ensure the security of its maritime enterprise of its covert operations. It will rely on its network of suppliers, safe havens for its ships and reliable crew for steering its fleet. The requirements of security will therefore be carefully chosen by the LTTE so as not to impede its maritime trade, gun-running, drug and human smuggling. It will build suitable responses to prevent a slowing down of its flow of finances and materials that serve as its umbilical cord.

Finally, it is evident that the LTTE is a major non-state maritime force. It has tremendous capacity and vision with a strategic realisation that the seas are a medium of transport, communication and, more importantly, in helping leverage the political cause for a separate Eelam for the Tamils. The leadership is convinced that maritime infrastructure is crucial and it must also develop a navy capable of defending LTTE's maritime interests.



1. On October 3, 1985 President J.R. Jayewardene wrote to Prime Minister Rajiv Gandhi: "We have been receiving reports from reliable sources that there is regular movement of weapons, explosives and manpower from Tamil Nadu to Sri Lanka, particularly after the ceasefire became operative. It is between Rameshwaram and Point Calimere and also points north of Point Calimere including Vedaraniyam and Nagapattinam that much of this movement took place....If it is any way possible to increase your Coast Guard patrols in Indian waters to prevent these movements from taking place, it would be of great assistance to us; it will also help in a long way resolve the major problem of terrorism that faces us. We have to increase our defensive mechanism much more to make detections and ultimately to stop this illegal traffic. This requires large expenditure of capital in training personnel, which will take quite a long time. If you consider it useful I can send my Commander of the Navy or his representative to brief your relevant officials in this problem that faces us." For more details see T.D.S.A. Dissanayaka, War or Peace in Sri Lanka (Mumbai: Popular Prakashan, 2004), pp. 98-99.
2. Ibid.
3. Ibid.
4. G. H. Peiris, 'Secessionist War and Terrorism in Sri Lanka', in (ed.) KPS Gill and Ajai Sahni, The Global Threat of Terror: Ideological, Material and Political Linkages (New Delhi: Bulwark Books, 2002), p.98.
5. Atul Bhardwaj, 'Maritime Aspects of Sri Lankan Conflict', Journal of Indian Ocean Studies, Volume 8 No 3, December 2002, p. 243.
6. Peiris, n.4.
7. The Jain Commission Report, available at < http://www.india-today.com/jain/vol7/chap25.html>
8. Ibid.
9. Rohan Gunaratna, 'The Asymmetric Threat From Maritime Terrorism', Jane's Navy International, October 1, 2001.
10. Peter Chalk, 'The Tamil Tiger Insurgency in Sri Lanka', in Abdul Musa, ed., Over a Barrel: Light Weapons and Human Rights in the Commonwealth (Commonwealth Human Rights Initiative, New Delhi, 1999). Available at <http://www.nisat.org/publications/armsfixers/Chapter6.html>
11. Liberation Tigers of Tamil Eelam (LTTE), Jane's World Insurgency And Terrorism, December 10, 2004.
12. TADA Statement of Vairamuthu Jayachandra S/o Vairamuthu in, RC 1/(S)/93/CBI/VSP (MV Ahat case) on 16.3.93.
13. Ibid.
14. Ibid.
15. Gunaratna, n. 7. Also see Peiris, n. 3., p.112.
16. SLMM Report: The Sea Incident on the 14th of June 2003, available at <http://www.tamilnet.com/art.html?catid=13&artid=9313>
17. SLMM Determination: LTTE Merchant ship sunk by Sri Lanka Navy. Available at <http://www.tamilnet.com/art.html?catid=13&artid=8559>-
18. Rohan Gunaratna, 'Asia Pacific: Organised Crime & International Terrorist Network', (Ed.) K.P.S. Gill and Ajai Sahni, The Global Threat of Terror: Ideological, Material and Political Linkages (New Delhi: Bulwark Books, 2002), p.260.
19. Peiris, n. 4 .
20. Gunaratna, n.14.
21. Peiris, n. 4.
22. Gunaratna, n.14.
23. Reference Number: 1999-54, 1999 Anti- Shipping Activity Messages (ASAM). Available at <http://www.fas.org/irp/world/para/docs/ASAM-1999.htm>.
24. Peter Chalk, n .15.
25. B. Raman, 'Maritime Terrorism: An Indian Perspective', Paper no.1154, October 10, 2004. Available at <http://www.saag.org/papers12/paper1154.html>
26. Rohan Gunaratna, n.14.
27. R. Sridhar, 'Maritime Terrorism: Capabilities of the Sea Tigers of Sri Lanka', paper presented at the International Workshop on Maritime Counter Terrorism, November 29-30, 2004 held at the Observer Research Foundation, New Delhi, India.
28. Ibid.
29. Ibid.
30. Ibid.
31. Ibid. Also see Anthony Davis, 'Tamil Tigers Continue Procurement', Jane's Intelligence Review, May 1, 2002.
32. Rohan Gunaratna, 'Illicit Transfer of Conventional Weapons: The Role of State and Non-State actors in South Asia', in Small Arms Control Old Weapons: New Issues, Jayanth Dhanapala (Vermont: Ashgate Publishing Ltd, 1999), p. 266.
33. R. Sridhar, "Maritime Terrorism Capabilities of the Sea Tigers of Sri Lanka", paper presented at the international Workshop on Maritime Counter Terrorism, November 29-30, 2004 held at the Observer Research Foundation New Delhi, India.
34. G. H. Peiris, 'Secessionist War and Terrorism in Sri Lanka', in ed. K.P.S. Gill and Ajai Sahni, The Global Threat of Terror: Ideological, Material and Political Linkages (New Delhi: Bulwark Books, 2002), pp.85-126.
35. Peiris, n.4., p.89.
36. See V. Suryanarayan, 'Sea Tigers - Threat to Indian security', The Hindu, June 3, 2004.
37. Geoffrey Till, Maritime Strategy and The Nuclear Age (New York: St Martin Press, 1984), p.31.
38. Collin S. Gray and Roger W. Barnett, Sea Power and Strategy ( Maryland: Naval Institute Press, 1989), p.33.
39. Ajey Lele, 'Biological Weapons and the United States', Strategic Digest , Volume XXXI , Number 11, Novemberv2001, pp.1488-90. Anthrax is an acute infectious disease of spores forming bacterium Bacillus Anthracis. Given the appropriate weather, and wind, fifty kilogram of anthrax can create a cloud that would extend beyond 20 kilometers down wind. The spores are very stable and can withstand temperature, exceeding 100degree centigrade. At least three countries have, in the past, manufactured anthrax. It has been established by the UNSCOM that Iraq had developed significant quantities of Anthrax and Botulinum Toxin for military use during the 1991 campaign.
40. B. Raman, 'Terrorism: Past, Present & Future', Paper presented at a conference on terrorism, organised by the Institute For Peace and Conflict Studies, New Delhi, on December 16 and 17, 2002. Also available at <http://www.saag.org >
41. B. Raman, 'Maritime Terrorism: An Indian Perspective', Paper no.1154, October 10, 2004. Available at <http://www.saag.org/papers12/paper1154.html>
42. Ibid.
43. B. Raman, 'The Omens from Katunayake', Paper no.285, July26, 2001. Available at <http://www.saag.org/papers3/paper285.html.>
44. See 'IMB Calls For Clamp-Down on Fake Maritime Documents' at <http://www.iccwbo.org/index\_ccs.asp>.
45. Ibid.
46. Ibid.
47. See, 'The World's Oceans Could Be The Next Target In The War On Terrorism' at <http://www.emergency.com/cntrterr.htm>. The Philippines, which is home of the Abu Sayyaf militant group, is the world's biggest crew supplier, while Indonesia is home to numerous radical Muslim groups and is the world's second biggest crew supplier.
48. B.Raman, n.33.
49. Rohan Gunaratna, ' Illicit transfer of Conventional Weapons: The Role of State and Non-state Actors in South Asia', in (ed.) Jayantha Dhanapala, Mitsuro Donowaki, Swadesh Rana, Lora Lumpe Small Arms Control, Old Weapons, New Issues (Aldershot: Ashgate, 1999), p. 266.
50. 'The Armed Struggle of Tamil Eelam' available at <http://www.tamilnation.org/tamilelam/armedstruggle/00international.htm>
51. Ibid.
52. See 'What are FOCs', at < http://www.itf.org.uk/seafarer/foc/Body\_foc..html.>
53. Ibid

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