APPENDIX- VI

INDO-SRI LANKA AGREEMENT TO ESTABLISH PEACE AND NORMALCY IN SRI LANKA

The Prime Minister of Republic of India, His Excellency Mr. Rajiv Gandhi and the President of the Democratic Socialist Republic of Sri Lanka, His Excellency Mr. J. R. Jayewardene, having met at Colombo on July 29th, 1987.

Attaching utmost importance to nurturing, intensifying and strengthening the traditional friendship of India and Sri Lanka, and acknowledging the imperative need of resolving the ethnic problem of Sri Lanka, and the consequent violence, and for the safety, well-being and prosperity of people belonging to all communities in Sri Lanka;

Having this day entered into the following Agreement to fulfill this objective.

In this context,

1. 1.1. Desiring to preserve the unity, sovereignty and territorial integrity of Sri Lanka;
1. 2. Acknowledging that Sri Lanka is a multi-ethnic and a multi-lingual plural society consisting, inter alia, of Sinhalese, Tamils, Muslims (Moors), and Burghers;
1. 3 recognizing that each ethnic group has a distinct cultural and linguistic identity which has to be carefully nurtured.
1. 4. also recognizing that the Northern and the Eastern Provinces have been areas of historical habitation of Sri Lankan Tamil speaking peoples, who have at all times hitherto lived together in this territory with other ethnic groups;
1. 5. conscious of the necessity of strengthening the forces contributing to the unity, sovereignty and territorial integrity of Sri Lanka, and preserving its character as a multi-ethnic, multi-lingual and multi-religious plural society, in which all citizens can be in equality, safety and harmony, and prospect and fulfillment their aspirations;

2. Resolve that:
2.1. Since the Government of Sri Lanka proposes to permit adjoining Provinces to join to form one administrative unit and also be a Referendum to separate as may be permitted to the Northern and Eastern Provinces as outlined below:

2.2. During the period, which shall be considered an interim period i.e. from the date of the elections to the Provincial Council, as specified in Para 2.8 to the date of the referendum as specified in Para 2.3, the Northern and Eastern Provinces as now constituted, will form one administrative unit, having one elected provincial Council. Such a unit will have one Governor, one Chief Minister and one Board of Ministers.

2.3. There will be a referendum on or before 31st December, 1988, to enable the people of the eastern Province to decide whether:

(A) The eastern Province should remain linked with the Northern Province as one administrative unit and continue to be governed together with the Northern Province as specified in Para 2.2, or

(B) The Eastern Province should constitute a separate administrative unit having its own distinct Provincial Council with a separate Governor, Chief Minister and Board of Ministers. The President may, at his discretion, decide to postpone such a referendum.

2.4. All persons who have been displaced due to ethnic violence, of other reasons, will have right to vote in such a referendum. Necessary conditions to enable them to return to areas from where they were displaced will be created.

2.5. The referendum, when held, weekly be monitored by a committee headed by the Chief Justice, a member appointed by the President, nominated by the Government of Sri Lanka, and a member appointed by the President, nominated by the representatives of the Tamil-speaking people of the Eastern Province.

2.6. A simple majority will be sufficient to determine the result of the referendum.

2.7 Meetings and other forms of propaganda, permissible within the laws 6
2.8 Elections to Provincial Councils will be held within the next three months, in any event before Dec 31, 1987. Indian observers will be invited for elections to the Provincial Council of the North and East.

2.9 The emergency will be lifted in the Eastern and Northern Provinces by Aug. 15, 1987. A cessation of hostilities will come into effect all over the island within 48 hours of the signing of this agreement. All arms presently held by militant groups will be surrendered in accordance with an agreed procedure to authorities to be designated by the Government of Sri Lanka. Consequent to the cessation of hostilities and the surrender of arms by militant groups, the army and other security personnel will be confined to barracks in camps as on May 25, 1987. The process of surrendering of arms and confining the security personnel moving back to barracks shall be completed within 72 hours of the cessation of hostilities coming into effect.

2.10 The Government of Sri Lanka will utilize for the purpose of law enforcement and maintenance of security in the Northern and Eastern Provinces the same organizations’ and mechanisms of Government as are used in the rest of the Country.

2.11 The President of Sri Lanka will grant a general amnesty to political and other prisoners now held in custody under the Prevention of Terrorism Act and other emergency laws, and to combatants, as well as to those persons accused, charged and or convicted under these laws. The Government of Sri Lanka will make special efforts to rehabilitate militant youth with a view to bringing them back to the mainstream of national life. India will cooperate in the process.

2.12 The Government of Sri Lanka will accept and abide by the above provisions and expect all others to do likewise.

2.13 If the framework for the resolutions is accepted, the Government of Sri Lanka will implement the relevant proposals forthwith.

2.14 The Government of India will underwrite and guarantee the resolutions, and co-operate in the implementation of these proposals.

2.15 These proposals are conditional to an acceptance of proposals negotiated from 4.5.1986 to above negotiations shall be resolved between India and Sri Lanka within a period of six weeks of signing
this agreement. These proposals are also conditional to the Government of India co-operating directly with the Government of Sri Lanka in their implementation.

2.16 These proposals are also conditional to the Government of India taking the following actions if any militant group operating in Sri Lanka does not accept this framework of proposals for a settlement, namely:

(A) India will take all necessary steps to ensure that Indian territory is not used for activities prejudicial to the unity, integrity and security of Sri Lanka.

(B) The Indian Navy/Coast Guard will co-operate with the Sri Lanka Navy in preventing Tamil militant activities from affecting Sri Lanka.

(C) In the event that the Government of Sri Lanka requests the Government of India to afford military assistance to implement these proposals the Government of India will co-operate by giving to the Government of Sri Lanka such military assistance as and when requested.

(D) The Government of India will expedite repatriation from Sri Lanka of India citizens to India who is resident there concurrently with the repatriation of Sri Lanka refugees from Tamil Nadu.

(E) The Governments of India and Sri Lanka will co-operate in ensuring the physical security and safety of all communities inhabiting the Northern and Eastern Provinces:

2.17 The Government of Sri Lanka shall ensure free, full and fair participation of voters from all communities in the Northern and Eastern Provinces in electoral processes envisaged in this agreement. The Government of India will extend full co-operation to Government of Sri Lanka in this regard.

2.18 The official language of Sri Lanka shall be Sinhala. Tamil and English will also be official languages.

3. This agreement and the annexure thereto shall come into force upon signature. In witness whereof we have set our hands and seals hereunto Done in Colombo, Sri Lanka, on this the twenty-ninth day of
July of the year one thousand nine hundred and eighty seven, in duplicate, both texts being equally authentic.

Sd/-
Rajiv Gandhi
Prime Minister of the Republic of India

Sd/-
Junius Richard Jayewardene
President of the Democratic Socialist Republic of Sri Lanka