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APPENDICES
APPENDIX - I

THE BANDARANAIKE - CHELVANAYAKAM PACT, 26 JULY 1957

Statement on the general principles of the Agreement

Representatives of the Federal Party had a serious of discussions with the Prime Minister in an effort to resolve the differences of opinion that had been growing and creating tension.

At an early stage of these conversations it became evident that it was not possible for the Prime Minister to accede to some of the demands of the Federal Party.

The Prime Minister stated that from the view of the Government he was not in a position to discuss the setting up of a federal constitution or regional autonomy or any steps which would abrogate the official language Act. The question then arose whether it was possible to explore the possibility of an adjustment without the Federal Party abandoning or surrendering any of its fundamental principles and objectives.

At this stage the Prime Minister suggested an examination of the government's draft Regional Councils Bill to see whether provisions could be made under it to meet reasonably some of the matters in this regard which the Federal Party had in view.

The agreements so reached are embodied in a separate document. Regarding the language issue the Federal Party reiterated its stand for parity, but in view of the position of the Prime Minister in this matter they came to an agreement by way of an adjustment. They pointed out that it was important for them that there should be a recognition of Tamil as a national language and that the administrative work in the Northern and Eastern provinces should be done in Tamil.
The Prime Minister stated that as mentioned by him earlier it was not possible for him to take any step which would abrogate the official language act.

Use of Tamil

After discussion it was agreed that the proposed legislation should contain recognition of Tamil as the language of a national minority of Ceylon, and that four points mentioned by the Prime Minister should include provision that, without infringing on the position of the official language Act, the language of administration in the Northern and Eastern provinces should be Tamil and that any necessary provision be made for the non-Tamil speaking minorities in the Northern and Eastern provinces.

Regarding the question of Ceylon citizenship for people of Indian descent and revision of the Citizenship Act, the representatives of the Federal Party put forward their views to the Prime Minister and pressed for an early settlement.

The Prime Minister indicated that this problem would receive early consideration.

In view of these conclusion the Federal party stated that they were withdrawing their proposed satyagraha.

Joint statement by the Prime Minister and Representatives of the Federal Party on Regional Councils

(A) Regional areas to be defined in the Bill itself by embodying them in a schedule thereto.

(B) That the Northern province is to form one Regional area whilst the Eastern province is to be divided into two or more Regional areas.
(C) Provision is to be made in the Bill to enable two or more regions to amalgamate even beyond provincial limits, and for one Region to divide itself subject to ratification by Parliament. Further provision is to be made in the Bill for two or more Regions to collaborate for specific purposes of common interest.

Direct Elections.

(D) Provision is to be made for direct election of Regional Councillors. Provision is to be made for a delimitation Commission or Commissions for carving out electorates. The question of M.P.S representing District falling within regional areas to be eligible to function as chairman is to be considered. The question of the Government Agents being regional commissioners is to be considered. The question of supervisory functions over larger towns, strategic towns and municipalities is to be looked into.

Special Powers

(E) Parliament is to delegate powers and to specify them in the Act. It was agreed that Regional Councils should have powers over specified subjects including agriculture, co-operatives, lands and land development, colonisation, education, health, industries and fisheries, housing and social services, electricity, water schemes and roads. Requisite definition of powers will be made in the Bill.

Colonisation Schemes:

(F) It was agreed that in the matter of colonisation schemes, the powers of the Regional Councils shall include the powers to select allottees to who lands within the areas of authority shall be alienated and also power to select personnel to be employed for work on such schemes. The
position regarding the area at present administered by the Gal Oya Board in this matter requires consideration

Taxation and Borrowing.

(G) The powers in regard to the Regional Councils vested in the Minister of Local Government in the draft Bill to be revised with a view to vesting control of parliament where necessary

(H) The Central Government will provide block grants to the Regional councils. The principles on which the grants will be computed will be gone into. The Regional Councils shall have powers of taxation and borrowing

Source: House of Representatives, Parliamentary Debates (Hansard) Vol. 30, Col 1309-1311
THE SENANAYAKE – CHELVANAYAKAM PACT, MARCH 1965

AGREEMENT:

Mr. Dudley Senanayake and Mr. S J V. Chelvanayakam met on the 24th day of March and discussed matters relating to some problems over which the Tamil speaking people were concerned, and Mr. Senanayake agreed that action on the following lines would be taken by him to ensure a stable government.

1. Action will be taken early under the Tamil Language Special provisions Act to make provision for the Tamil language to be the language of administration and of record in the Northern and Eastern provinces. Mr. Senanayake also explained that it was the policy of the party that a Tamil speaking person should be entitled to transact business in Tamil throughout the island.

2. Mr. Senanayake stated that it was the policy of his party to amend the language of the courts Act to provide for legal proceedings in the Northern and Eastern provinces to be conducted and recorded in Tamil.

3. Action will be taken to establish District Councils, in Ceylon vested with powers over subjects to be mutually agreed upon between the two leaders. It was agreed however that the Government should have power under the law to give directions to such councils in the national interest.

4. The Land Development Ordinance will amended to provide that citizens of Ceylon be entitled to the allotment of land under the Ordinance. Mr. Senanayake further agreed that in the granting of land under colonisation schemes the following priorities to be observed in the Northern and Eastern provinces:
a) Land in the Northern and Eastern provinces should in the first instance be granted to landless persons in the district

b) Secondly, to Tamil-speaking persons resident in the Northern and eastern provinces; and

c) Thirdly, to other citizens of Ceylon, preference being given to Tamil residents in the rest of the island.

Sd/- Dudley Senanayake
24.3 1965

Sd/- S.J.V. Chelvanayakam
24.3 1965
APPENDIX - II

THE BANDARANAIKE - SHASTRI FACT, 1964

The agreement consisted of an exchange of letters between the two Prime Ministers. Any one of these letters gives the Agreement in full. The Indian Prime Minister's letter is given below to give a correct picture of the whole agreement.

PRIME MINISTER OF INDIA

No. 446/PMO/64

New Delhi,
30th October 1964.

Your Excellency,

I have the honour to acknowledge receipt of your letter No. CIT/ICP/62 of date, which reads as follows:

I have the honour to refer to the dissensions which we had from the 24th to the 30th October 1964 regarding the status and future of persons of Indian Origin in Ceylon and to refer to the main heads of agreement between us which are as follows:

(1) The declared objective of this agreement is that all persons of Indian origin in Ceylon who have not been recognised either as citizen of Ceylon or as citizens of India should become citizens either of India or of Ceylon.

(2) The number of such persons is approximately 975,000 as of date. This figure does not include illicit immigrants and Indian passport holders.

(3) 300,000 of these persons together with the natural increase in that number will be granted Ceylon citizenship by the Government of Ceylon. The Government of India will accept repatriates to India of 525,000 of those persons, together with the natural
Increase in that number, the Government of India will confer citizenship on these persons.

(4) The status and future of the remaining 150,000 of these persons will be in subject matter of a separate agreement between the two governments.

(5) The Government of India will accept repatriation of the persons to be patriated within a period of fifteen years from the date of this agreement according to a programme as early phased as possible.

(6) The grant of citizenship under paragraph three and the process of repatriation under paragraph five shall be phased over a period of fifteen years and shall as far as possible, keep pace with each other in proportion to the repatriated respectively.

(7) The Government of Ceylon will grant to these persons to be repatriated to India during the period of their residence in Ceylon the same facilities as enjoyed by the citizens of these states (except facilities for remittances) and normal facilities for their continued residence including free visas. The Government of Ceylon agrees that such of these persons as are gainfully employed on the date of this agreement shall continue in their repatriations in accordance with the requirements of the phased programmes or until they attain the age of fifty five years, whichever is earlier.

(8) Subject to exchange control regulations for the time being in force which will not be discriminating against the persons to be repatriated to India, the Government of Ceylon agrees to permit these persons to repatriate, at the time of the final departure to India all their aspects including their provident fund and gratuity amounts. The Government of Ceylon agrees
that the maximum amount of assets which any family shall be permitted to repatriate shall not be reduced to less than Rs.4,000/-.

(9) Two registers will be prepared as early as possible on one containing the names of persons who will be granted Ceylon citizenship, the other containing the names of persons to be registered in India. The completion of these registers however, is not a condition precedent to the commencement of the grant of Ceylon citizenship and the process of repatriation.

(10) This agreement shall come into force with effect from the date hereof and the governments shall proceed with all despatch to implement this agreement, and in the end, the officials of the two Governments shall meet as soon as possible to establish joint machinery and to formulate the approximate procedure for the implementation of this agreement.

I have the honour to propose that the above sets out correctly the agreement reached between us. My letter and your reply thereto shall constitute our agreement between the Government of India and the Government of Ceylon.

Accept your Excellency, the assurance of my highest consideration.

Yours sincerely,

Sd/- Lal Bahadur
Prime Minister of India

Her Excellency
Sirimavo R.D.Bandaranaike
Prime Minister of Ceylon
Colombo
APPENDIX - III

THE BANDARANAIKE - INDIRA GANDHI PACT, 1974

PRIME MINISTER OF INDIA

New Delhi
January, 1974

Your Excellency,

I have the honour to acknowledge receipt of your letter which reads as follows:

(1) Of the remaining persons in Srilanka, Government will grant citizenship to fifty percent, that is, 75,000 with natural increase in that number, and the Government of India will accept repatriation to India fifty per cent, that is, 75,000 together with natural increase in that number. The Government of India will confer citizenship on these persons.

(2) The repatriation of the 75,000 persons to India will commence after the repatriation of the 525,000 persons referred to in clause 3 of the original agreement has been completed and will be phased over a period of two years.

(3) The grant of the Srilankan citizenship to the 75,000 persons after the repatriation the 525,000 persons preferred to in clause 3 of the original agreement has been completed and will be phased over a period of two years.

(4) The Government of Srilanka will grant to the persons to be repatriated to India, during the period of their residence in Srilanka, the same facilities as enjoyed by the citizens of
the other states (except facilities for remittance) and normal families for their continued residence, including free visas. The Government of Sri Lanka agrees that such of these persons as are gainfully employed on the date of this agreement shall continue in their employment until the date of their repatriation in accordance with their requirements of the phased programmes or until they attain the age of 55 years whichever is earlier.

(5) Subject to the exchange control regulation for the time being in force which will not be discriminatory against the persons to be related to India, the Government of Sri Lanka agrees to permit these persons to repatriate at that final departure for India all their assets including their provident fund and gratuity amounts. The Government of Sri Lanka agrees that the maximum amount of assets which any family shall be permitted to repatriate shall not be reduced to less than Rs. 4,000/-. 

(b) All benefits which have been extended to the persons who are covered by the original agreement will be extended to the persons covered by this agreement.

I am sure it is a matter of satisfaction to our Governments that with the full implementation of the 1964 agreement and the present agreement, the problem of all persons of Indian origin in Sri Lanka who have not been recognised as citizens of Sri Lanka, or as citizens of India, will have been finally settled.

I have the honour to confirm that the above correctly sets out the agreement reached between us. Your letter and my reply thereto shall constitute an agreement between the Government of India and the Government of Sri Lanka.
Accept your Excellency, the assurances of my highest consideration.

Yours sincerely,

Sd/- Indira Gandhi
Prime Minister of India

Her Excellency
Mrs S R D Bandaranaike
Prime Minister of the
Republic of Sri Lanka
APPENDIX - IV

FULL TEXT OF ANTI-SECESSION LAW

Whereas Sri Lanka a free, Sovereign, Independent and Unitary state and it is the duty of the state to safeguard the independence, sovereignty, unity and the Territorial integrity of Sri Lanka

And whereas the independence, sovereignty, unity and the territorial integrity of Sri Lanka has been threatened by activities of certain persons, political purities and other associations and organisations

And whereas, it has become necessary to prohibit such activities and to provide punishments therefor.

Now be it therefore, enacted by the Parliament of the Democratic socialist Republic of Sri Lanka as follows:

1 This Act may be cited as the Sixth Amendment to the Constitution

2 The following Article is hereby inserted after Article 157 and shall have effect as article 157A of the constitution of the Democratic, Socialist Republic of Sri Lanka (Thereinafter referred to as 'the Constitution')

157A (1) No person shall, directly or indirectly, in or outside Sri Lanka, support, espouse, promote, finance, encourage or advocate the establishment of a separate state within the territory of Sri Lanka

2 No political party or other association or organisation shall have as one of its aims or objects the establishment of a separate state within the territory of Sri Lanka
Any person who acts in controvention of the provisions of paragraph (1) shall on conviction by the court of Appeal, on indictment and according to such procedures as may be prescribed by law

a) be subject to civil disability,
b) forfeit his immovable and movable property

c) not be entitled to civic rights for such period not exceeding 7 years as may be determined in such court.

d) if he is a Member of parliament or a person in such service or holding such office as is referred to in paragraph (10 of article 165, cease to be such member or to be in such service or to hold such office.

Where any political party or other association or organisation has as one of its aims or objects the establishment of a separate state within the territory of Sri Lanka, any person may make an application to the Supreme Court for a declaration that such political party or other association or organisation has as one of its aims or objects the establishment of a separate state within the territory of Sri Lanka. The Secretary or other officer of such political party or other association or organisation shall be made a response to such application

Where the Supreme court makes a declaration under paragraph (4) in relation to any political party or otherwise in relation to other association or organisation in pursuance of an application made to it under that paragraph.

a) that political party or other association or organisation shall be deemed, for all purposes to be prescribed.

b) any person who holds office or is a member of that political party or other association or organisation,
after the date of such declaration, shall be guilty of an offence and shall on conviction, by the court of Appeal

1) be subject to civic disability

2) forfeit his movable and immovable property

3) not be entitled to civic rights for such period not exceeding 7 years as may be determined by such court

4) If he is a member of parliament or in such services or holds such office as is referred to in paragraph (1) Article 165, cease to be in such member or to be in such service or hold such office.

6 The execution of any sentence imposed under paragraph (3) or sub-paragraph (b) of paragraph 5 shall not be stayed or suspended ending the determination of any appeal against such sentence or other conviction in consequence of which such sentence was imposed

7 Every officer or person who was or is required by Article 37 or Article 53 or Article 64 or Article 107 or Article 165, to make or subscribe or to take or subscribe an oath of affirmation shall:

a) If such an officer to person is holding office on the date of coming into force of this Article make or subscribe, or take or subscribe, an oath of affirmation substantially in the form set out in the seventh schedule, within one month of the date on which this Article comes into force

b) If such person or officer is appointed to such office after the coming into force of this Article make or subscribe or take or subscribe an oath of affirmation in the form set out in the seventh schedule, within one month of his appointment to such office.
The provisions of Article 165(1) and Article 169 (12) shall mutatis mutandis apply to and in relation to any person or officer who fails to take or subscribe, or make or subscribe, an oath of affirmation as required by this paragraph.

8. Parliament may, by resolution, determine such other categories of persons or officers to whom the provision of paragraph (6) shall apply and thereupon, the provisions of such paragraph shall mutatis mutandis, apply to, and in relation to, officers or persons of that category

9 The jurisdiction of the court of appeal in respect of its powers under this article shall be exercised in the manner provided in such paragraph (iv) of the proviso of paragraph 2 of Article 146

10 in this Article, 'Civic rights' means:

a) the right to obtain a passport
b) the right to sit for any public examination
c) the right to own any movable property
d) the right to engage in any grade or profession which requires a licence, registration or other authorisation by or under any written law

3. Article (6) of the Constitution is hereby amended in paragraph (d) of that Article as follows:

(1) In sub-paragraph (iii) of that paragraph, by the substituting for the words to fill such vacancy, upon receipt of such nomination the commissioner, of the following to fill such vacancy. A nomination made by the secretary of such political party under this sub-paragraph shall be accompanied by an oath of affirmation as the case may be, in the form set out in the seventh schedule, taken or subscribed or made or subscribed, as the case may be, by the person nominated to fill such vacancy
Upon the receipt of such nomination, accompanied by such oath of affirmation, the commissioner

(2) In the proviso to sub-paragraph (iii) of that paragraph by the substitution for the words within thirty days of his being required to do so of the following within thirty days of his being required to do so and in the aforesaid manner

(3) by the insertion, immediately after sub-paragraph (iii) of that paragraph, of the following sub-paragraph.

(iv) where a member nominated or elected to fill any such vacancy as is referred to in sub-paragraph (i) of sub-paragraph (ii) being a member who has taken or subscribed or made or subscribed, on oath of affirmation substantially in the form set out in the seventh schedule directly or indirectly in or outside Srilanka, supports, espouses, promotes, finances, encourages or advocates the establishment of a separate state within the territory of the Republic of Srilanka, any person may make an application to the court of Appeal for a declaration that such member has directly or indirectly, in or outside Srilanka, supported, promoted, financed, encouraged or advocated the establishment of a separate state within the territory of the Republic of Srilanka.

In the Court of Appeal makes, on such application, a declaration that member has directly or indirectly, in or outside Srilanka, supported, espoused, promoted, financed, encouraged or advocated the establishment of a separate state within the territory of the Republic of Srilanka, the seat of such member shall be deemed to be vacant with effect from the date of such declaration and such member shall be disqualified from sitting and voting in parliament and from being elected or nominated to parliament for a period of seven years from the date of
such declaration. The vacancy occurring in the membership of parliament by reason of such declaration shall be filled in the manner provided in paragraph (iii)

The jurisdiction of the court of Appeal in respect of its power under this sub-paragraph shall be exercised in the manner provided in sub-paragraph (iv) of the proviso to paragraph (2) of Article 146

4 The constitution is hereby amended by the addition, at the end thereof, of the following schedule which shall have effect as the seven schedule to the constitution.

SEVENTH SCHEDULE
Article 161 (d) (iii)

I, do solemnly declare, affirm, swear that I will be hold and defend the constitution of the democratic socialist republic of Sri Lanka and that I will not directly, or indirectly, in or outside Sri Lanka, support, advocate or encourage, or advocate the establishment of a separate state within the territory of the Republic of Sri Lanka.

Source: 'MEADOWS' Special Supplement, Church speaks on Sri Lanka, Sept 1983
APPENDIX - V

INDO-SRILANKA AGREEMENT TO ESTABLISH PEACE AND NORMALCY IN SRILANKA

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

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

Have this day entered into the following Agreement to fulfil this objective

In this context

1.1 desiring to preserve the unity, sovereignty and territorial integrity of Srilanka,

1.2 acknowledging that Srilanka is a multi-ethnic and a multi-lingual plural society consisting, inter alia, of Sinhalese, Tamils, Muslims (Moors), and Burghers;

1.3 recognising that each ethnic group has a disjoline cultural and linguistic identity which has to be carefully nurtured;

1.4 also recognising that the Northern and the Eastern Provinces have been areas of historical habitation of Srilankan 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 Srilanka, and preserving its character as a multi-ethnic, multilingual and multi-religious plural society, in which all citizens can live in equality, safety and harmony, and prosper and fulfil their aspirations;

2 Resolve that:

2.1 Since the Government of Srilanka proposes to permit adjoining provinces to join to form one administrative unit and also by 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 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 direction, decide to postpone such a referendum.
All persons who have been displaced due to ethnic violence, or other reasons, will have the right to vote in such a referendum. Necessary conditions to enable them to return to areas from where they were displaced will be created.

The referendum, when held, will 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.

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

Meetings and other forms of propaganda, permissible within the laws of the country, will be allowed before the referendum.

Elections to Provincial Councils will be held within the next three months, in any event before 31st December 1987. Indian observers will be invited for elections to the provincial council of the North and East.

The Emergency will be lifted in the Eastern and Northern provinces by August 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 25 May 1987. The process of surrendering of arms and the confining of 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 utilise for the purpose of law enforcement and maintenance of security in the Northern and Eastern provinces the same organisations 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 into 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 cooperate in the implementation of these proposals.

2.15 These proposals are conditional to an acceptance of the proposals negotiated from 4.5.1986 to 19.12.1986. Residual matters not finalised during the 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 cooperating directly with the Government of Sri Lanka in their implementation.
These proposals are also conditional to the Government of India taking the following actions if any militant groups operating in Srilanka do 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 Srilanka.

(b) The Indian Navy/Coast Guard will cooperate with the Srilanka Navy in preventing Tamil militant activities from affecting Srilanka.

(c) In the event that the Government of Srilanka requests the Government of India to afford military assistance to implement these proposals, the Government of India will cooperate by giving to the Government of Srilanka such military assistance as and when requested.

(d) The Government of India will expedite repatriation from Srilanka of Indian citizens to India who are resident there, concurrently with the repatriation of Srilankan refugees from Tamil Nadu.

(e) The Government of India and Srilanka will cooperate in ensuring the physical security and safety of all communities inhabiting the Northern and Eastern Provinces.

The Government of Srilanka 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 cooperation to the Government of Srilanka in this regard.
2 18 The official language of Srilanka shall be Sinhala Tamil and English will also be official languages

2 19 This agreement and the Annexure thereto shall come into force upon signature

IN WITNESS WHEREOF we have set our hands and also hereunto

DONE IN COLOMBO, SRILANKA, on this the Twenty ninth day of July of the year One thousand nine hundred and eighty seven, in duplicate, both texts being equally ethnic

Rajiv Gandhi  Junius Richard Jayewardene
Prime Minister of the  President of the Democratic
Republic of India  Socialist Republic of Srilanka
APPENDIX-VI

ANNEXURE TO THE INDO-SRILANKA AGREEMENT OF 1987

His Excellency the Prime Minister of India and His Excellency the President of Sri Lanka agree that the referendum mentioned in paragraph 2 and its subparagraphs of the Agreement will be observed by a representative of the Election Commission of India to be invited by His Excellency the President of Sri Lanka.

Similarly, both Heads of Government agree that the elections to the provincial Council mentioned in paragraph 28 of the Agreement will be observed by a representative of the Government of India to be invited by the President.

3. His Excellency the President of Sri Lanka agrees that the Home Guards would be disbanded and all para-military personnel will be withdrawn from the Eastern and Northern provinces with a view to creating conditions conducive to fair elections to the Council.

The President, in his discretion, shall absorb such para-military forces, which came into being due to ethnic violence, into the regular security forces of Sri Lanka.

4. The Prime Minister of India and the President of Sri Lanka agree that the Tamil militants shall surrender their arms to authorities agreed upon to be designated by the President of Sri Lanka. The surrender shall take place in the presence of one senior representative each of the Sri Lanka Red Cross and the Indian Red Cross.

The Prime Minister of India and the president of Sri Lanka also agree that in terms of paragraph 2.14 and paragraph 2.16 (c) of the Agreement an Indian Peace Keeping contingent may be invited by President of Sri Lanka to guarantee and enforce the cessation of hostilities if so required.