ANNEXURE- VIII

TEXTS OF LETTERS EXCHANGED BETWEEN PREMADASA AND RAJIV GANDHI LETTER DATED JUNE 2, 1989 FROM PREMADASA TO RAJIV GANDHI

My dear Prime Minister, I am writing to you on some matters of urgent importance. The most important matter relates to the presence of Indian forces in Sri Lanka. After I assumed the Presidency of Sri Lanka, the government of India initiated the withdrawal of troops. We are grateful for your prompt action in this regard.

One of the important campaign pledges made by me at both the Presidential and Parliamentary elections was the withdrawal of the IPKF on being elected to office. I assumed the office of President of Sri Lanka on the 2nd of January, 1989. Five months have elapsed since then. The complete withdrawal of the IPKF will hopefully contribute to stabilizing the situation in Sri Lanka, where the presence of the IPKF has become a deeply divisive and resentful issue. It is also in keeping with your often expressed sentiments that the IPKF will be withdrawn when requested by the President of Sri Lanka.

I am thankful for the efforts of the IPKF during the time it has been in our country. I have often paid tribute to the bravery of the many officers and men who lost life and limb in the discharge of their duties. The tragedy of violence has not only affected your soldiers, it has also destroyed many Sri Lankans as well as our Armed Forces and large numbers of civilians, innocent and uninvolved, have suffered beyond description. Their sacrifices must not be in vain. I am confident that a complete withdrawal of the IPKF will enable me to secure the trust and confidence of my people. Therefore, I would like all IPKF personnel to be withdrawn by July 31st, 1989.

The withdrawal of the IPKF will also enable Sri Lanka to host the SAARC Summit in November this year in a climate of tranquility. As you are aware, we could not undertake our obligation to do this in 1988. You will appreciate how difficult it is to a regional gathering of this nature with foreign force on our soil. Our people are most enthusiastic about welcoming leaders of our own region, particularly our closest neighbours. However, their anxieties must also be
satisfied especially in relation to their deep patriotic and nationalism sensitivities.

In this context, we have submitted several proposals regarding an Indo-Sri Lanka Friendship Treaty. I believe that, in the long term, such an agreement will further strengthen relations between India and Sri Lanka. I await your response to our proposals in this regard.

We have always appreciated your sincere interest in the unity and the territorial integrity of our country. Our own efforts to this end need the understanding and goodwill of our neighbours. I believe that your people and you yourself share these objectives and will contribute to their realisation.

I have just seen the Aide Memoire which was handed over by your High Commissioner this evening. As the Aide Memoire refers to the need for consultations between the Governments, I am designating my Foreign Secretary to personally clarify our position on these matters.

With the assurance of my highest consideration and esteem.

Letter of Rajiv Gandhi to Premadasa on June 20, 1989

Dear Mr. President, I have your letter of the 2 June, which was handed over to me by your special Envoy, Foreign Secretary Tilakaratne.

India is committed to preserving the unity and integrity of Sri Lanka, under the terms of the Indo-Sri Lanka Agreement. It was a result of this commitment and our responsibility as a guarantor for the implementation of the Indo-Sri Lanka Agreement that we responded to the request of the Government of Sri Lanka to send the IPKF. This was at a time when the situation seemed headed inexorably towards the break-up of Sri Lanka. During its presence, the IPKF has striven with considerable success but at heavy cost to itself, to prevent such an outcome and safeguard the unity and integrity of Sri Lanka. There successive elections have been held peacefully despite threats of terrorist violence in the North-East and all Tamil groups barring one, had given up the demand for Eleam. If the process of devolution of powers to the Provincial Council had been implemented in time and had the deliberate attempt by the Sri Lankan Government to later the population balance in the Tamil areas by the continued state sponsored colonization of Tamil areas been stopped, the extremists would have been further isolated and marginalized, and the violence ended.

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You have yourself stated that we had started the withdrawal of the IPKF even before you requested for it. A broad time-frame for the IPKF withdrawal was also discussed at our initiative, based on which your Foreign Minister had made a statement in your Parliament on the 31st March, 1989. All this was being done on the basis of assurances given by the Sri Lankan Government and on assumption that the implementation of the Indo-Sri Lanka Agreement—especially the devolution of powers to the Provincial Councils—would proceed simultaneously, so that the legitimate aspirations of the Tamils could be met within the framework of the unity and integrity of Sri Lanka. It is pertinent to recall that it was precisely because these aspirations were not being met that a situation was created which threatened the unity and integrity of Sri Lanka.

I have always maintained that the IPKF will not stay in Sri Lanka a day longer than necessary. But we cannot be unmindful of the responsibilities and obligations of the two countries under the Indo-Sri Lanka Agreement and join the democratic process within the framework of a united Sri Lanka only on the basis of assurances that the Tamil majority in North-Eastern Province will be given substantial devolution of powers. Our two Governments are therefore morally and legally bound to ensure that the Tamils are given the autonomy they were promised, both in the Amendment to the Sri Lankan Constitution, as also in the additional areas promised in the Agreement signed between the former President Jayewardene the 7th November, 1987. Failure to do so will only lend credence to the claims made by Tamil groups that Tamils cannot expect justice within a united Sri Lanka. We have to be fully conscious of the dangers of a return to a situation which may be worse than prevailing prior to the Indo-Sri Lanka agreement. We believe that, in the spirit of traditional friendship between our two countries, we must jointly draw up a mutually agreed schedule for the fully conscious of the dangers of a return to a situation which may be worse than prevailing prior to the Indo-Sri Lanka Agreement. We believe that, in the spirit of traditional friendship between our two countries, we must jointly draw up a mutually agreed schedule for the full implementation of the Indo-Sri Lanka Agreement and the complete withdrawal of the IPKF. The two have to be joint, parallel exercises.
We have no objection to your proposal for a friendship treaty. I had told your Special Envoy that we could set dates for commencing discussions with a view of finalizing the text of the proposed treaty.

Letter from President Premadasa dated 29th June, 1989
Excellency, I am glad to inform you that the LTTE has announced a complete cessation of hostilities against the Sri Lanka Government with immediate effect.
The LTTE which is no longer a proscribed group has in the course of recent discussions with the Government of Sri Lanka agreed to settle whatever problems they have through the process of negotiation. Under the circumstances it will be appreciated if Your Excellency will ensure that the IPKF does not take any offensive action against the LTTE which will tend to prejudice the negotiations that are currently in progress.
Accept Excellency, the assurances of my highest consideration.
Dear Prime Minister, I am in receipt of your letter of 20th June in reply to my letter of 2nd June, 1989. I thank you for reiterating India's commitment of preserve the unity, sovereignty and territorial integrity of Sri Lanka as was stated in the Indo-Sri Lanka Agreement.
We appreciate the assurance given by the Indian Government in providing the personnel to assist in the acceptance of arms surrendered by the militants as envisaged by Article 2.9 of the Agreement. We are also thankful for the assistance provided at our request, in terms of Article 2.16 (c) of the Agreement and paragraph 6 of the Annexure in affording military assistance to ensure the cessation of hostilities.
I am unable however to accept the contention that the implementation of the Indo-Sri Lanka Agreement, including the devolution of withdrawal of the Indian Armed Forces. They had been invited to Sri Lanka for the specific purpose of guaranteeing and enforcing the cessation of hostilities. The Indo-Sri Lanka Agreement does not provide for continued military activities by the Indian armed forces in Sri Lanka after a request has been made by me to have them

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withdrawn. Continuation of such military activities would also be a violation of peremptory norms of international law.

The Indian Peace Keeping Force came to Sri Lanka at the request of the President of Sri Lanka. Due to the circumstances that arose thereafter the IPKF was requested by the President to afford military assistance to ensure the cessation of hostilities. The only condition that should be satisfied for the withdrawal of the Indian armed forces is a decision by the President of Sri Lanka that they should be withdrawn. The request made by me to withdraw the Indian armed forces has satisfied this condition. It is therefore incumbent on the Government of India to withdraw the Indian armed forces from Sri Lanka.

The proposals for the political settlement of the ethnic problem negotiated from 4.51986 to 19.121986 as well as the residual matters to be finalized between the government of Sri Lanka and the government of India have all been accepted and incorporated in the relevant amendments to our Constitution and the Provincial Councils Act. The delay in giving effect to certain proposals within the time frame envisaged by the agreement had been occasioned by the inability of the Indian armed forces to ensure cessation of hostilities and violence in the North and the East.

The actual functioning of the Provincial Councils in the new system of administration is applicable not only to the North and the East but to all the Provinces of Sri Lanka. This is entirely a political process in which the military has no role whatsoever. You will no doubt agree that it has been an experience common in many other jurisdictions that the establishment of an entirely new structure of administration based on devolution is essentially a long term process. There is neither a legal nor any other rational basis for the presence of any military force to ensure that the administrative structure is fully in place in any Province of Sri Lanka. I have, in consultation with the Ministers of the Cabinet and the Chief Ministers of the Provincial Councils, taken all steps to ensure that the administrative structure necessary for the effective exercise of devolved powers is in place as expeditiously as possible.

As I have already intimated to you in my letter of 2 June, 1989 one of the important pledges made by me both at the Presidential and at the Parliamentary elections was to ensure the withdrawal of the Indian forces. To
quote the manifesto: "We will seek a Friendship Treaty with India on the lines of the Indo-Soviet Friendship Treaty. If by the time our candidate is elected President, the Indian forces have not left, we will ensure that they are withdrawn." The main Opposition Party, the Sri Lanka Freedom Party, in their election manifesto had stated that the Indo-Sri Lanka Agreement would be abrogated and the Indian forces asked to leave. Thus, it will be seen that over 95 per cent of the voters clearly mandated the withdrawal of the Indian forces. The majority approved the UNP proposals for the conclusion of a Friendship Treaty with India.

I would like to mention a most significant development, which may not have been brought to your notice, namely that the majority of people of all three communities in North and the East demand the immediate withdrawal of the Indian forces.

In your letter you have mentioned that there has been a deliberate attempt by the Government of Sri Lanka to alter the population balance in the Tamil areas by continuing state-sponsored colonisation. I must emphatically refute this. There has been no colonisation whatsoever in these areas since the signing of the Indo-Sri Lanka Agreement.

The ground is now set for the Government to resolve any outstanding issues relating to the ethnic problem on the basis of consultation, compromise and consensus with all communities and group concerned. As I have already informed you, the LTTE has announced the cessation of hostilities against the Government of Sri Lanka. They have also resolved to settle any issues outstanding through negotiations and discussions. It is in this context that I have requested you to issue the necessary instructions to the Indian armed forces to refrain from any offensive operations against the LTTE. The LTTE has already expressed its willingness to put an end to such activities against the Indian armed forces on a reciprocal basis. The withdrawal of the Indian armed forces within the time frame visualised by me is an essential precondition for the Government to proceed with the consolidation of a political settlement.

Far from being of any assistance in the complete resolution of the ethnic problem, the presence of the Indian force is now a serious impediment. In this connection, I must bring to your notice an alarming development that has
been taking place in the Northern and Eastern Provinces. There are complaints that youths mostly of tenderage are being forcibly conscripted by certain political groups and are being trained at the hands of the Indian forces. I need not elaborate on the possible consequences that will follow if this is not checked forthwith.

Therefore, in consideration of all these circumstances, I again earnestly request the immediate recommencement of the withdrawal of the Indian armed forces and an acceleration of this process.

I am glad at your favourable response to my proposal for a Friendship Treaty with India. We have already given our draft to the Ministry of External Affairs in New Delhi. I would request that discussion should commence without delay, so that this Treaty could give concrete and expeditious to the traditional bonds of friendship between our two countries.

Letter dated July 11, 1989 from Rajeev Gandhi to Premadasa.

Dear Mr. President, I have your letter of 30th June and 5th July.

I do not want to enter into a debate on various interpretations of mutual obligations assumed by our sovereign nation. These are quite clear. I also do not wish to go into the validity of assertions like the LTTE having resumed violence on 2nd August 1987 whereas the arms surrender started and the amnesty letter was handed over by the Sri Lankan Government to the LTTE three days later. We should let fact speak for themselves.

There is an Agreement between the two countries. The Agreement is meant to preserve the unity and integrity of Sri Lanka and to ensure the safety, security and legitimate interests of the Tamils. Nearly a thousand Indian Soldiers have made the supreme sacrifice in fulfillment of India's obligation as a guarantor to this Agreement. Since the signing of the Agreement, not only have the Provincial council election been held, but also parliamentary and Presidential elections. The situation in the North-Eastern Province is far more settled and peaceful than elsewhere in Sri Lanka. Despite all this the devolution package promise to the Tamils has not been implemented. These are incontrovertible facts.

Both of us agree that the IPKF should be withdrawn. Both of us for it. A broad time-frame for IPKF withdrawal had in fact been discussed. Discussions on finalizing details were proposed by your foreign Minister at Harare only a few
days prior to your unilateral announcement of 11st June. I have repeatedly said that the IPKF's withdrawal schedule should be worked out through joint consultation along with a simultaneous schedule for the implementation of the Indo-Sri Lanka Agreement. We are willing to resume discussions on this subject at any time and place of your convenience. Your colleague the Honorable Mr. Thondaman, Who met me here, would have conveyed to you our desire for friendly relation and our willingness to resolve any misunderstanding through mutual consultations. If however, discussions for this purpose are not acceptable to you. We will have to decide the details of IPKF's withdrawal unilaterally consistent with our responsibilities and obligation under the Indo-Sri Lanka Agreement.

While I reiterate Government of India's willingness to cooperate with your government to resolve pending issues, I must emphasise to Your Excellency that India has traditionally been mindful of the sanctity of the agreements it signs with other countries and of commitments solemnly undertaken under such agreements. India will under no circumstances deviate from the policy of affecting our concerns.

It has been our practice to maintain the confidentiality of official correspondence particularly between Heads of State or Government, unless otherwise agreed upon. However, the gist of your messages to me was more often than not made available to the media before they reached me. Now I find that all our recent correspondence has been officially made public by the Sri Lankan Government. I may thus be constrained to depart from tradition by authorising this communication being made public, after you receive it.