SAARC REGIONAL CONVENTION ON SUPPRESSION OF TERRORISM

THE MEMBER STATES OF THE SOUTH ASIAN ASSOCIATION FOR REGIONAL COOPERATION (SAARC)

MINDFUL of the principles of cooperation enshrined in the SAARC Charter;

RECALLING that at the Dhaka Summit on December 7-8, 1985, the Heads of State or Government of the Member States of the SAARC recognized the seriousness of the problem of terrorism as it affects the security and stability of the region;

ALSO RECALLING the Bangalore Summit Declaration of 17 November 1986, in which the Heads of state or Government of SAARC agreed that cooperation among SAARC States was vital if terrorism was to be prevented and eliminated from the region; unequivocally condemned all acts, methods and practices of terrorism as criminal and deplored their impact on life and property, socio-economic development, political stability, regional and international peace and cooperation, and recognized the importance of the principles laid down in UN Resolution 2625 (XXV) which among others required that each state should refrain from organizing, instigating, assisting or participating in acts of civil strife or terrorist acts in another state or acquiescing in organized activities within its territory directed towards the commission of such acts;

AWARE of the danger posed by the spread of terrorism and its harmful effect on peace, cooperation, friendship and good neighbourly relations and which could also jeopardize the sovereignty and territorial integrity of states;

HAVE RESOLVED to take effective measures to ensure that perpetrators of terroristic acts do not escape prosecution and punishment by providing for their extradition or prosecution, and to this end,

HAVE AGREED as follows:

Article 1

Subject to the overall requirements of the law of extradition, conduct constituting any of the following offences, according to the law of the Contracting State, shall be regarded as terroristic and for the purpose of extradition shall not be regarded as political offence or as an offence connected with a political offence or as an offence inspired by political motives:
a) An offence within the scope of the Convention for the Suppression of Unlawful seizure of Aircraft, signed at the Hague on December 16, 1970;

b) An offence within the scope of the Convention for the Suppression of Unlawful acts against the safety of Civil Aviation, signed at Montreal on September 23, 1971;

c) An offence within the scope of the convention on the Prevention and Punishment of Crimes against internationally Protected persons, including Diplomatic Agents, signed at New York on December 14, 1973;

d) An offence within the scope of any Convention to which SAARC Member States concerned are parties and which obliges the parties to prosecute or grant extradition;

e) Murder, manslaughter, assault causing bodily harm, kidnapping, hostage-taking and offences relating to firearms, weapons, explosives and dangerous substances when used as a means to perpetrate indiscriminate violence involving death or serious bodily injury to persons or serious damage to property;

f) An attempt or conspiracy to commit an offence described in sub paragraphs (a) to (e), aiding, abetting or counseling the commission of such an offence or participating as an accomplice in the offences so described.

Article II

For the purpose of extradition between SAARC Member States, any two or more Contracting States may, by agreement, decide to include any other serious offence involving violence, which shall not be regarded as a political offence or an offence connected with a political offence or an offence inspired by political motives.

Article III

1. The provisions of all extradition treaties and arrangements applicable between Contracting States are hereby amended as between Contracting States to the extent that they are incompatible with this Convention.

2. For the purpose of this Convention and to the extent that any offence referred to in Article I or agreed to in terms of Article II is not listed as an extraditable offence in any extradition treaty existing between Contracting States, it shall be deemed to be included as such therein.

3. Contracting States undertake to include these offences as extraditable offences in any future extradition treaty to be concluded between them.

4. If a Contracting State which makes extradition conditional on the existence of treaty receives a request for extradition from another Contracting State with which it has no extradition treaty, the requested State may, as its option, consider this Convention as the basis for extradition in respect of the offences set forth in Article I or agreed to in terms of Article II. Extradition shall be subject to the law of the requested State.

5. Contracting states, which do not make extradition conditional on the existence of a treaty, shall recognize the offences set forth in Article I or agreed to in terms of Article II as extraditable offences between themselves, subject to the law of the requested State.
Article IV

A contracting State in whose territory a person suspected of having committed an offence referred to in Article I or agreed to in terms of Article II is found and which has received a request for extradition from another Contracting State, shall, if it does not extradite that person, submit the case without exception and without delay, to its competent authorities shall take their decisions in the same manner as in the case of any offence of a serious nature under the law of the State.

Article V

For the purpose of Article IV, each Contracting State may take such measures as it deems appropriate, consistent with its national laws, subject to reciprocity, to exercise its jurisdiction in the case of an offence under Article I or agreed in terms of Article II.

Article VI

A Contracting State in whose territory an alleged offender is found, shall, upon receiving a request for extradition from another Contracting State, take appropriate measures, subject to its national laws, so as to ensure his presence for purposes of extradition or prosecution. Such measures shall immediately be notified to the requesting State.

Article VII

Contracting States shall not be obliged to extradite, if it appears to the requested State that by reason of the trivial nature of the case or by reason of the request for the surrender or return of a fugitive offender not being made in good faith or in the interest of justice or for any other reason it is unjust or inexpedient to surrender or return the fugitive offender.

Article VIII

1. Contracting States shall, subject to their national laws, afford one another the greatest measure of mutual assistance in connection with proceedings brought in respect of the offences referred to in Article I or agree to in terms of Article II, including the supply of all evidence at their disposal necessary for the proceedings.

2. Contracting States shall cooperate among themselves, to the extent permitted by their national laws, through consultations between appropriate agencies, exchange of information, intelligence and expertise and such other cooperative measures as may be appropriate, with a view to prevention terroristic activities through precautionary measures.

Article IX

1. The Convention shall be open for signature by the Member States of SAARC at the SAARC Secretariat in Kathamandu.
2. It shall be subject to ratification. Instruments of ratification shall be deposited with the Secretary General of SAARC.

Article X

The Convention shall enter into force on the fifteenth day following the date of the deposit of the seventh Instrument of Ratification with Secretary-General of SAARC.

Article XI

The Secretary-General of SAARC shall be the depositary of this Convention and shall notify Member States of signatures to this Convention and all deposits of Instruments of Ratification. The Secretary-General shall transmit certified copies of such instruments to each Member State. The Secretary-General shall also inform Member States of the date on which this Convention will have entered into force in accordance with Article X.

IN WITNESS WHEREOF the undersigned, being duly authorized thereto by their respective Governments have signed this Convention.

DONE at Kathmandu on this Fourth Day of November One Thousand Nine Hundred and Eighty Seven in eight Originals in the English language all texts being equally authentic.

HUMAYUN RASHEED CHOWDHURY
Minister of Foreign Affairs
People’s Republic of Bangladesh

DAWA TSERING
Minister of Foreign Affairs
Kingdom of Bhutan

K. NATWAR SINGH
Minister of State for External Affairs
Republic of India.

FATHULLA JAMEEL
Minister of Foreign Affairs
Republic of Maldives

SHAILENDRA KUMAR UPADHYAYA
Minister for Foreign Affairs and Land Reforms
His Majesty’s Government of Nepal

ZAIN NOORANI
Minister of State for Foreign Affairs
Islamic Republic of Pakistan

A.C. SHAHUL HAMEED
Minister of Foreign Affairs
Democratic Socialist Republic of Sri Lanka.
The following are the two joint statements issued by the Prime Minister and representatives of the Federal Party on 26 July 1957.

Statement of the general principles of the agreement between the Prime Minister and the Federal Party.

"Representatives of the Federal Party have had a series 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 point of view of the Government he was not in a position to discuss the setting up of a federal constitution of regional autonomy or any step 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 provision 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 point 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 discussions it was agreed that 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 the problem would receive early consideration.

"In view of these conclusions the Federal Party stated that they were withdrawing their proposed satyagraha.

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 purpose of common interest.

DIRECT ELECTIONS

"(D) Provision is to be made for direct election of regional councilors. Provision is to be made for a delimitation commission or commissions for carving out electorates. The question of MP’s representing districts falling within regional areas to be eligible to function as chairmen is to be considered. The question of 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, cooperatives, lands and land development, colonization, education, health, industries and fisheries, housing and social services, electricity, weather schemes and roads. Requisite definition of powers will be made in the Bill.

COLONIZATION SCHEMES

"(F) It was agreed that in the matter of colonization schemes the powers of the Regional Councils should include the power of select allottees to whom lands within their
area 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 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 in Parliament wherever 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.
Mr. Dudley Senanayake and Mr. S.J.V. Chelvanayagam met on the March 24th 1965 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 Tamil as the Language of administration and of record in the Northern and Eastern provinces.

Mr. Senanayake also explained that it was the policy of his 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 be amended to provide that all citizens of Ceylon be entitled to the allotment of land under the Ordinance. Mr. Senanayake further agreed that in the granting of land under colonization schemes the following priorities 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 other citizens in Ceylon, preference being given to Tamil citizens in the rest of the Island.

Dudley Senanayake
S.J.V. Chelvanayagam
March 24th 1965
ANNEXURE IV

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

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

Attaching utmost importance of nurturing, intensifying and strengthening of traditional friendship of Sri Lanka and India 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.

Have this day entered into the following Agreement to fulfil this objective. In this context,

1.1 desiring to preserve the unit 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 live in equality, safety and harmony and prosper and fulfil 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 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 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.

2.4 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.

2.5 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.

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 of the country will be allowed before the referendum.

2.8 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.

2.9 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 25th 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 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 into the mainstream of national life. India will co-operate 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 the proposals negotiated from 4-5-1986 to 19-12-1986. Residual matters not finalized 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 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 groups operating in Sri Lanka 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 unit, 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 Indian Citizens to India who are resident here, concurrently with the repatriation of Sri Lankan refugees from Tamil Nadu.

(e) The Governments of Sri Lanka and India 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 the 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.

RAJIV GANDHI
Prime Minister of the Republic of India

JUNIUS RICHARD JAYEWARDENE
President of the Democratic Socialist Republic of Sri Lanka

ANNEXURE TO THE AGREEMENT

1. His Excellency the President of Sri Lanka and the Prime Minister of India agree that the referendum mentioned in paragraph 2 and its sub-paragraphs 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.

2. Similarly, both Heads of Government agree that the elections to the Provincial Council mentioned in paragraph 2.8 of the Agreement will be observed by a representative of the Government of India to be invited by the President of Sri Lanka.

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 President of Sri Lanka and the Prime Minister of India 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.

5. The President of Sri Lanka and the Prime Minister of India agree that a joint Indo-Sri Lanka observer group consisting of qualified representatives of the Government of Sri Lanka and the Government of India would monitor the cessation of hostilities from 31 July 1987.

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

Conscious of the friendship between our two countries stretching over two millennia and more, and recognizing the importance of nurturing this traditional friendship, it is imperative that both Sri Lanka and India reaffirm the decision not to allow our respective territories to be used for activities prejudicial to each other’s unity, territorial integrity and security.

2. In this spirit, you had, during the course of our discussions, agreed to meet some of India’s concerns as follows:

(i) Your Excellency and myself will reach an early understanding about the relevance and employment of foreign military and intelligence personnel with a view to ensuring that such presence will not prejudice Indo-Sri Lankan relations.

(ii) Trincomalee or any other ports in Sri Lanka will not be made available for military use by any country in a manner prejudicial to India’s interests;

(iii) The work of restoring and operating the Trincomalee Oil Tank Farm will be undertaken as a joint venture between India and Sri Lanka.

(iv) Sri Lanka’s agreement with foreign broadcasting organizations will be reviewed to ensure that any facilities set up by them in Sri Lanka are used solely as public broadcasting facilities and not for any military or intelligence purposes.

3. The same spirit, India will:

(i) Deport all Sri Lankan citizens who are found to be engaging in terrorist activities or advocating separatism or secessionism;

(ii) Provide training facilities and military supplies for Sri Lankan security forces.

4. India and Sri Lanka have agreed to set up a joint consultative mechanism to continuously review matters of common concern in the light of the objectives stated in para 1 and specifically to monitor the implementation of other matters contained in this letter.
4. Kindly confirm, Excellency, that the above correctly sets out the agreement reached between us.

Please accept, Excellency, the assurances of my highest consideration.

Yours sincerely,

Sd/-

Rajiv Gandhi.

His Excellency Mr. J.R. Jayewardene  
President of the Democratic Socialist Republic of Sri Lanka,  
Colombo.

This is to confirm that the above correctly sets out the understanding reached between us.

Please accept, Excellency, the assurances of my highest consideration.

Sd/-

J.R. Jayewardene

His Excellency Mr. Rajiv Gandhi,  
Prime Minister of the Republic of India,  
New Delhi.
PROPOSALS FOR DEVOLUTION OF POWERS
ALMOST FINALISED AT THE ALL-PARTY
CONFERENCE TOWARDS THE END OF ITS
DELIBERATIONS IN 1984 AND KNOWN AS ANNEXURE C

In terms of paragraph six of the President's statement of December 1st, 1983, the following proposals which have emerged as a result of the discussions in Colombo and New Delhi are appended for consideration by the All-Party Conference. These proposals are in the context of the unity and integrity of Sri Lanka, and will form a basis for formulating the Agenda of the All-Party Conference.

(1) The District Development Councils in a Province be permitted to combine into one or more Regional Councils if they so agree, by decisions of the Councils and approved by referendum in that district.

(2) In the case of the District Councils in the Northern and Eastern Provinces respectively, as they are not functioning due to the resignation of the majority of Members, their union within each province to be accepted.

(3) Each Region will have a Regional Council if so decided. The convention will be established that the leader of the party which commands a majority in the Regional Council would be formally appointed by the President as the Chief Minister of the Region.

(4) The President and the Parliament will continue to have overall responsibility over all subjects not transferred to the regions and generally for all other matters relating to the maintenance of the sovereignty, integrity, unity, security and progress and development of the Republic as a whole.

(5) The legislative power of the Region would be vested in the regional councils which would be empowered to enact laws and exercise executive powers in relation thereto on certain specified listed subjects including the maintenance of Internal Law and Order in the Region, the Administration of Justice, Social and Economic Development, Cultural matters and Land Policy. The list of subjects which will be allocated to the Regions will be worked out in detail.

(6) The Regional Councils will also have the power to levy taxes, cess or fees and to mobilise resources through loans, the proceeds of which will be credited to a Consolidated Fund set up for that particular Region, to which also will be credited grants, allocations or subventions made by the Republic. Financial resources will be apportioned to the Regions on the recommendations of a representative Finance Commission appointed from time to time.
(7) Provision will be made for constituting High Court in each region. The Supreme Court of Sri Lanka will exercise appellate and constitutional jurisdiction.

(8) Each Region will have a Regional Service consisting of (a) officers and other public servants of the Region and (b) such other officers and public servants who may be seconded to the Region. Each Region will have a Regional Public Service Commission for recruitment and for exercising disciplinary powers relating to the members of the Regional Service.

(9) The armed forces of Sri Lanka will adequately reflect the national ethnic position. In the Northern and Eastern Region the police forces for internal security will also reflect the ethnic composition of these Regions.

(10) A Port Authority under the Central Government will be set up for administering Trincomalee Port and Harbour. The area which will come under the administrative jurisdiction of the Port Authority as well as the powers to be assigned to it will be further discussed.

(11) A national policy on land settlement and the basis on which the Government will undertake land colonisation will have to be worked out. All settlement schemes should be based on ethnic proportion so as not to alter the demographic balance subject to agreement being reached on major projects.

(12) The Constitution and other laws dealing with the official language Sinhala and the national language Tamil will be accepted and implemented as well as similar laws dealing with the National Flag and Anthem.

(13) The Conference should appoint a committee to work out constitutional and legal changes that may be necessary to implement these decisions. The Government would provide its Secretariat and necessary legal offices.

(14) The consensus of opinion of the All-Parties Conference will itself be considered by the United National Party Executive Committee and presumably by the executive bodies of the other parties as well, before being placed before Parliament for legislative action.
The Democratic Socialist Republic of Sri Lanka and the Republic of India:

- Recognising, the special relationship that exists between them based on the historic links and traditional ties,

- Desirous of strengthening, consolidating and expanding the existing friendly relations between them.

- Re-affirming their commitment to the principles of the United Nations Charter, and also the Principles of International Law Concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations contained in UN Resolution 2625(XXV).

- Recalling their commitment to the fundamental principles of the Non-Aligned Movement of respect for sovereignty, territorial integrity and political independence, equal relations between States, non-interference in internal affairs of States, non-use of force or threat of force, peaceful co-existence and the peaceful settlement of disputes.

Have agreed as follows:

Article I

The Democratic Socialist Republic of Sri Lanka and the Republic of India (hereinafter referred to as the two countries) solemnly declared their respect for the independence,
sovereignty, territorial integrity and unity of the other and re-affirm their commitment to enduring peace and friendship between them.

Article II

In this spirit, the two countries agree, through the strengthening of good neighbourly relations between them, to consolidate their mutual trust and confidence and to remove any hindrances to achieving these objectives, through friendly cooperation.

Article III

The two countries, convinced that bilateral problems could only be resolved by discussion and dialogue—

(i) declare their commitment and adherence to solving bilateral problems through discussion and negotiation on the basis of their sovereign equality, and

(ii) declare that they will not either directly or indirectly interfere or intervene in the internal affairs of each other.

Article IV

The two countries further agree that

(i) The ports of one country shall not be used in any manner prejudicial to the interests of the other.

(ii) Each country will not permit its territory to be used by any person to commit terrorist activities or to advocate separatism in the other; and will deport such person if such person is a national of the other country, to that country.

Article V

The two countries affirm their commitment to the consolidation and extension of the friendly relations and mutual cooperation that have traditionally existed between them. Towards this end, they agree to promote active cooperation in the economic, social, cultural, educational, technical, scientific and other fields as mutually agreed.

Article VI

This Agreement shall be subject to ratification and shall enter into force upon the exchange of Instruments of Ratification.

Article VII

The Agreement shall remain in force until either country declares its intention to terminate it by giving the other six months’ written notice.
Article VIII

The two countries shall consult each other with regard to any amendments or modification of this Agreement and such amendments or modification shall be effected in writing as mutually agreed and shall be subject to ratification. Such amendment or modification shall enter into force upon exchange of Instruments of Ratification.

Article IX

This Agreement shall supersede the Agreement contained in the Exchange of Letters between the President of the Democratic Socialist Republic of Sri Lanka and the Prime Minister of the Republic of India dated 29 July 1987.

Article X

Any difference of interpretation or application of the Agreement that may arise between the two countries shall be settled between them in a spirit of mutual trust and understanding. Agreement to consolidate and extend friendly relations and cooperation between the Republic of India and the Democratic Socialist Republic of Sri Lanka.

The Government of the Republic of India and the Government of the Democratic Socialist Republic of Sri Lanka being the high contracting parties to this treaty.

The Indian Draft

Conscious of the special relationship and friendship that exists between the two countries over two millennia.

Desirous of consolidating, strengthening and expanding the traditional ties of friendship.

Inspired by the common ideals of peace, secularism and democracy.

Reaffirming their shared commitments to the aims and principles of the Non-Aligned Movement to peaceful co-existence and sovereign equality of states.

- Recognising the multi-ethnic, multi-lingual and multi-religious character of the societies in the two countries, and the need to foster conditions in their states in which all citizens can live in equality, safety and harmony and fulfil their aspirations, which in turn would contribute to the unity, sovereignty and territorial integrity of the two countries.

- Conscious of the facts that the process of democratic evolution and national consolidation in their respective countries, are affected by cross border links and sensitivities that have their origin in history.
Believing that the traditional friendship between the two counties can be strengthened by weaving a new pattern of cooperative relationship responsive to each other's concerns; Recalling the significant contribution made to these ends by the Indo-Sri Lankan Agreement to restore peace and normalcy in Sri Lanka of July 29, 1987.

Have agreed as follows:

Article I

The parties reaffirm their determination to implement in its totality, the Indo-Sri Lanka Agreement and the annexures thereto, concluded on 29 July, 1987.

Article II

The parties solemnly declare their respect for each other's independence, sovereignty, territorial integrity and unity and reaffirm their commitment to enduring peace and friendship between them.

In this spirit, the parties agree to consolidate their mutual trust and confidence and to remove any difficulties in the way of achieving these objectives through strengthening good neighbourly relations and friendly cooperation.

Article III

All problems between the States shall be settled bilaterally and amicably through consultations and negotiations on the basis of sovereign equality and mutual respect.

Article IV

Should the security or stability of either state be endangered by external aggression or other threat, the contracting parties shall immediately enter into consultations and take appropriate counter measures.

Article V

In conformity with the traditional friendship between the two States, neither party shall enter into or participate in any military alliance directed against the other.

Article VI

The parties undertake to refrain from any act of aggression against the other and not to permit the use of their territories for the commission of any act that might inflict military damage to the other party.

Article VII

The parties shall not permit their territories to be used by any person to commit terrorist activity directed against the other party. The parties shall consider requests for extradition of any person involved in terrorist activity in accordance with existing arrangements.
Article VIII
The high contracting parties undertake not to give to a third party, any use of their territory as a military base or for any other facility of a similar character.

Article IX
Each high contracting party shall ensure that any port in its territory will not be made available for military use by any third country in a manner prejudicial to the security interests of the other.

Article X
The parties undertake not to permit the presence on their territory of foreign mercenaries or military or intelligence personnel with a view to ensuring that such presence do not prejudice Into-Sri Lanka relations.

Article XI
The parties undertake to ensure that any facilities set up on their territory by foreign broadcasting organisations are used solely as public broadcasting facilities and not for any military or intelligence purposes.

Article XII
The high contracting parties affirm their commitment to the consolidation and extension of friendly relations and mutual cooperation that have traditionally existed between them. Towards this end they shall continue to strengthen and widen their cooperation in the economic, social, cultural, educational, technical, scientific and other fields on the basis of the principles of equality and mutual benefit. In this spirit the high contracting parties agree to develop the Trincomalee oil tank farm as a joint venture between them.

Article XIII
The parties shall establish a joint consultative mechanism to review matters of common concern in the light of the objectives of this treaty, which will meet at least once a year.

Article XIV
Any differences in interpretation and application of this treaty shall be settled through consultation and negotiation in a spirit of mutual trust and understanding. The present treaty shall replace the letters exchanged by the President of the Democratic Socialist Republic of Sri Lanka and the Prime Minister of India on July 29, 1987.

Article XV
This treaty is concluded for a period of twenty years and will be automatically extended for subsequent periods of five years at a time unless either of the parties declares its intention to terminate it by giving notice in writing to the other party, twelve months prior to the expiration of any such period.
Article XVI

Any amendment or modification to this treaty can be affected through mutual agreement in writing.
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 stabilising 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 tranquillity. 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 forces 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 nationalist 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 2nd 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. Three 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 of Eelam. 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 alter the population balance in the Tamil areas by the continued state sponsored colonisation of Tamil areas been stopped, the extremists would have been further isolated and marginalised, and the violence ended.

You have yourself stated that we had started he 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 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 to 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 13th Amendment to the Sri Lankan Constitution, as also in the additional areas promised in the Agreement signed between the former President Jayewardene and myself on 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 full implementation of the Indo-Sri Lankan 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 finalising 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 of 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 to 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 powers to the provincial Councils, is in any way linked with the 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 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 4-5-1986 to 19-12-1986 as well as the residual matters to be finalised 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 timeframe 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 groups 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 within the time-frame visualised by me is an essential pre-condition 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 forces are 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 tender age 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 re-commencement 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 had 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 expression to the traditional bonds of friendship between our two countries.


Dear Mr. President,

I have your message of 29th June sent through your High Commissioner.
The Indo Sri Lanka Agreement provides for a cessation of hostilities between the Tamil militant groups and the Sri Lankan forces, and also for the Sri Lankan Forces to stay in barracks in the North-East Province. Both these were achieved on 30th July 1987. Thus, there has already been an effective cessation of hostilities between the Sri Lankan forces and the LTTE. I am glad that the LTTE has now formally conceded this reality.

We hope that the formal agreement of the LTTE to cease hostilities clearly implies their commitment to the unity and integrity of Sri Lanka and to renounce violence and to respect democratic processes. We trust that, consequent to giving up violence, LTTE will resume surrender of arms through the Sri Lankan Government - a process which had started on the 5th August, 1987 and is not yet complete. Unless the LTTE have undertaken to hand over their arms and to renounce violence not only towards the Sri Lankan Government but towards the other citizens of the North-Eastern Province, their announcement of cessation of hostilities would be meaningless.

Since IPKF has a mandate in terms of India's role as a guarantor, for ensuring the physical safety and security of all communities of the North-Eastern Province, I would appreciate clarifications on the points I have mentioned above. These clarifications will facilitate an immediate decision on the IPKF's cessation of offensive action to disarm the LTTE. The earlier we receive your response, the quicker will be the process of initiating suitable action.

Letter dated July 4, 1989 from Premadasa to Rajiv Gandhi

Dear Prime Minister,

I have your message of 30th June sent through your High Commissioner, in response to my message requesting you to ensure that the Indian armed forces in Sri Lanka do not take any offensive action against the LTTE. Such action or any intensification of operations is liable to prejudice the negotiations currently in progress and prolong the armed conflict.

Your statement that the cessation of hostilities took place on 30th July 1987 does not accord with facts. The LTTE ceased hostilities against the Sri Lankan security forces only for a few days but resumed violence on 2nd August, 1987 and continued until they announced a cessation of hostilities in June 1989. During the interim 148 service and police personnel were killed and 80 were wounded; 481 civilians were killed and 115 injured.

The LTTE announced a cessation of hostilities only in June this year after the commencement of the dialogue with the Government. This cessation covers not only the Government but also the people in the North and the East and in fact the people in the whole of Sri Lanka. At the same time, the LTTE reiterated its commitment to resolve all outstanding problems through negotiations and discussion and indicated their readiness to enter the democratic process.
As stated in your message, you have been seeking to disarm the LTTE for the past two years and this process is not yet complete, nor have you been able to bring them to the negotiating table. I am confident that I will be able to ensure that the LTTE will give up their arms after the Indian armed forces have been withdrawn.

The political solution which I seek to provide will not only be within the framework of our Constitution but must also preserve the sovereignty of our people, the unitary character and the territorial integrity of our country.

The responsibility of providing safety and security for all citizens within Sri Lanka is solely the responsibility of the Government of Sri Lanka. The Indo-Sri Lanka Agreement does not and indeed cannot in international law provide a mandate for the Government of India or its armed forces to assume any responsibility for this function otherwise than at the express request of the Sri Lankan Government. In any event, during the past two years when the Indian armed forces were operating in the Northern and Eastern Provinces they were unable to prevent the killings of a number of civilians and the displacement of even a larger number from their homes besides the casualties referred to above.

Any interpretation of the agreement which seeks to provide a mandatory role for the Government of India or its armed forces within Sri Lanka otherwise than the express request of the Government of Sri Lanka would constitute a serious interference in the internal affairs of a friendly sovereign country and a gross violation of the peremptory norms of International Law. I am sure such is not your intention.

I trust these clarifications will enable you to ensure that the Indian armed forces do not continue any offensive operations against the LTTE.

Letter dated July 11, 1989 from Rajiv 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 your sovereign nations. 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 facts 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 fulfilment of India’s obligations as a guarantor to this Agreement. Since the signing of the Agreement, not only have the Provincial Council elections been held, but also the 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 promised to the Tamils has not been implemented. These are incontrovertible facts.
Both of us agree that the IPKF should be withdrawn. Both of us agree that we had commenced the withdrawal even before you asked for it. A broad time frame for IPKF withdrawal had in fact been discussed. Discussions on finalising details were proposed by your Foreign Minister at Harare only a few days prior to your unilateral announcement of 1st June. I have repeatedly said that the IPKF’s withdrawal schedule should be worked out through joint consultations 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. Our colleague the Honourable Mr. Thondaman, who met me here, would have conveyed to you our desire for friendly relations 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 obligations 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.