

Country/entity	Sri Lanka
Region	Asia and Pacific
Agreement name	Accelerated Action on Resettlement and Humanitarian Action, Progress on Human Rights
Date	9 Jan 2003
Agreement status	Multiparty signed/agreed
Interim arrangement	Yes
Agreement/conflict level	Intrastate/intrastate conflict

Sri Lankan Civil War (1983 - 2009)

The roots of the Sri Lanka conflict lay in British colonial policy which controlled the island from 1802 until 1948. During the early 1800s, the British brought Tamils from mainland India to work on the various plantations for tea, coffee and rubber, changing Sri Lanka's the demographic make-up. Upon independence, Sinhalese nationalism dominated the political sphere and introduced discriminatory policies against the Tamil minority straining relations and sparking protests. Armed Tamil resistance first came in the form of assassinations of moderate Tamils and opposition politicians in the mid-1970s. However, it was the Liberation Tigers of Tamil Eelam's (LTTE) attack on checkpoint Four Four Bravo, which marked the turning point, sparking pogroms against Tamils in Sinhalese majority areas. This incident, known as Black July, is widely considered to the beginning of the civil war.

The first round of peace talks were backed by India, which had deployed the Indian Peace Keeping Force (IPKF) in 1987, and led to the 1987 Indo-Sri Lanka Accord. The Accord was successful in persuading the majority of insurgency groups to lay down arms. However, the strongest Tamil insurgency group, the LTTE, was not party to the talks and refused to disarm, sparking direct conflict between the IPKF and the LTTE until IPKF withdrawal 1990. Following the withdrawal, the LTTE consolidated their power in the North and East sparking another intense and bloody war with the central government that lasted until 2002 when another peace process was launched under the auspices of Norwegian negotiators. The second round of peace talks, however, only continued until April 2003 and in March 2004, a large faction of LTTE cadres split from the main organization damaging LTTE unity. The LTTE were defeated militarily by a large-scale government assault in 2009, however, the conditions for peace remain uncertain.

Close
Sri Lankan Civil War (1983 - 2009)

Stage	Pre-negotiation/process
Conflict nature	Government/territory
Peace process	Sri Lanka LTTE 2002 onward process

Parties	The Government of Sri Lanka (GOSL) and the Liberation Tigers of Tamil Eelam (LTTE)
Third parties	Royal Government of Norway
Description	Short meeting summary, congratulating on the success of the third session. This meeting emphasised the need to ensure implementation of urgent humanitarian priorities, including the resettlement of IDPs, and the transportation of prisoners through Vanni. Other aspects include updates on the Action Plan of Resettlement of IDPs, the developments in the Sub-Committee for Immediate and Humanitarian and Rehabilitation Needs (SIHRN), among other aspects.

Agreement document	LK_030109_Accelerated Action on Resettlement and Humanitarian Action, Progress on Human Rights.pdf (opens in new tab) Download PDF
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Groups

Children/youth	No specific mention.
Disabled persons	No specific mention.
Elderly/age	No specific mention.
Migrant workers	No specific mention.
Racial/ethnic/ national group	No specific mention.
Religious groups	Groups→Religious groups→Substantive Page 1, Members of the Sub-Committee for Immediate Humanitarian and Rehabilitation Needs (SIHRN), representing both the GOSL and the LTTE, will meet with the United Nations High Commissioner for Refugees (UNHCR) shortly to discuss UNHCR participation in effectuating this plan. The particular needs of the displaced Muslim population will be duly accommodated in the resettlement process.
Indigenous people	No specific mention.
Other groups	No specific mention.

Refugees/displaced persons	<p>Groups→Refugees/displaced persons→Rhetorical</p> <p>Page 1, Notwithstanding the disagreement on this particular issues, the parties emphasized the need for progress in resettling the hundreds of thousands of displaced persons. To this effect, the parties agreed on an “Action Plan for an Accelerated Resettlement Programme for the Jaffna District.” As the clear majority of resettlement cases relate to areas outside the High Security Zones, the first phase of the Action Plan will focus on such areas.</p> <p>Groups→Refugees/displaced persons→Substantive</p> <p>Page 1, Members of the Sub-Committee for Immediate Humanitarian and Rehabilitation Needs (SIHRN), representing both the GOSL and the LTTE, will meet with the United Nations High Commissioner for Refugees (UNHCR) shortly to discuss UNHCR participation in effectuating this plan. The particular needs of the displaced Muslim population will be duly accommodated in the resettlement process.</p> <p>Page 1, The second phase of the Action plan will focus on resettlement of IDPs and refugees in areas within the High Security Zones, as and when they are released by the Security Forces for resettlement. For this purpose, the GOSL will carry out a review with the assistance of an internationally recognized military expert, taking into account relevant humanitarian and security needs.</p>
Social class	No specific mention.

Gender

Women, girls and gender	<p>Page 2, Following an agreement made at the third session of talks, a committee was established to ensure the effective inclusion of gender issues in the peace process. The terms of reference for the committee will be formulated by the members at their first meeting. The committee will be facilitated by the Royal Norwegian Government, which will seek to provide a senior Norwegian resource person and necessary financial resources. The committee will consist of the following five representatives of each party:</p> <ul style="list-style-type: none"> - LTTE: Ms. Sivahimi Subramaniam, Ms. Renuga Sanmugaraja, Ms. Mathimalar Balasingam, Ms. Sridevy Sinnathampi, Ms. Vasanthapireminy Samasundaram. - GOSL: Dr. Kumari Jayawardena, Dr. Deepika Udagama, Ms. Kumuduni Samuel, Ms. Faizoon Zakariya, Dr. Fazeela Riyas.
Men and boys	No specific mention.
LGBTI	No specific mention.
Family	No specific mention.

State definition

Nature of state (general) No specific mention.

State configuration No specific mention.

Self determination No specific mention.

Referendum No specific mention.

State symbols No specific mention.

Independence/secession No specific mention.

Accession/unification No specific mention.

Border delimitation No specific mention.

Cross-border provision No specific mention.

Governance

Political institutions (new or reformed) No specific mention.

Elections No specific mention.

Electoral commission No specific mention.

Political parties reform No specific mention.

Civil society	<p>Page 2, In line with the agreement on basic principles for a political settlement, in which a number of issues were identified for discussion, the parties will commence a process for discussion of human rights issues. Human rights will constitute an important element of a Final Declaration. As first steps in furthering human rights issues in the process, the parties agreed on the following:</p> <ul style="list-style-type: none"> - A schedule on human rights issues will be worked out following discussion at the next session of peace talks. For this purpose, the assistance of the agreed human rights adviser to the parties will be sought. - An independent verification mechanism will be established for persons Mission in Action (MIA) and Involuntary Disappearances, with the assistance of the International Committee of the Red Cross (ICRC).
Traditional/ religious leaders	No specific mention.
Public administration	No specific mention.
Constitution	No specific mention.

Power sharing

Political power sharing	No specific mention.
Territorial power sharing	No specific mention.
Economic power sharing	No specific mention.
Military power sharing	No specific mention.

Human rights and equality

Human rights/RoL general	<p>Page 2, In line with the agreement on basic principles for a political settlement, in which a number of issues were identified for discussion, the parties will commence a process for discussion of human rights issues. Human rights will constitute an important element of a Final Declaration. As first steps in furthering human rights issues in the process, the parties agreed on the following:</p> <ul style="list-style-type: none"> - A schedule on human rights issues will be worked out following discussion at the next session of peace talks. For this purpose, the assistance of the agreed human rights adviser to the parties will be sought.
Bill of rights/similar	No specific mention.

Treaty incorporation	No specific mention.
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Civil and political rights	No specific mention.
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Socio-economic rights	No specific mention.
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Rights related issues

Citizenship	No specific mention.
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Democracy	No specific mention.
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Detention procedures	No specific mention.
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Media and communication	No specific mention.
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Mobility/access	No specific mention.
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Protection measures	No specific mention.
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Other	No specific mention.
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Rights institutions

NHRI	No specific mention.
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Regional or international human rights institutions	No specific mention.
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Justice sector reform

Criminal justice and emergency law	No specific mention.
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State of emergency provisions	No specific mention.
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Judiciary and courts

No specific mention.

Prisons and detention

Page 2, The government expressed serious concerns related to the recent incident involving transportation of prisoners through Vanni. The LTTE gave assurances that the case will be examined and that appropriate action will be taken as a matter of urgency. More generally, the parties agreed to ask the facilitator to propose procedures to ensure rapid corrective action by the parties in cases of incidents that are or can be perceived as disrupting the peace process.

Traditional Laws

No specific mention.

Socio-economic reconstruction

Development or socio-economic reconstruction

Socio-economic reconstruction→Development or socio-economic reconstruction→Socio-economic development

Page 1-2, Following the strong political and financial support pledged by the international community at the Sri Lanka Support Meeting held in Oslo on 25 November 2002, the parties stressed the need for moving from planning to implementation of humanitarian and rehabilitation programmes. The rapid establishment of the North East Reconstruction Fund (NERF) will be decisive for the speedy disbursement of international assistance. The parties welcomed a decision by the Sub-Committee on Immediate Humanitarian and Rehabilitation Needs (SIHRN) to select the World Bank as the custodian of the NERF. Furthermore, the parties confirmed the SIHRN as the prime decision-making body for meeting immediate humanitarian and rehabilitation needs in the north and east. The GOSL in particular undertook to ensure that the respective roles of government institutions engaged in the north and east are properly clarified and co-ordinated with the SIHRN.

Socio-economic reconstruction→Development or socio-economic reconstruction→Humanitarian assistance

Page 1, The parties recognized that the situation with regard to the High Security Zone involves major humanitarian and security concerns for both parties. Recent controversies surrounding this matter were discussed in depth. ...

Page 1, Members of the Sub-Committee for Immediate Humanitarian and Rehabilitation Needs (SIHRN), representing both the GOSL and the LTTE, will meet with the United Nations High Commissioner for Refugees (UNHCR) shortly to discuss UNHCR participation in effectuating this plan. The particular needs of the displaced Muslim population will be duly accommodated in the resettlement process.

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National economic plan

No specific mention.

Natural resources

No specific mention.

International funds Page 1, ... To this end, there is a need for more effective implementation by the parties as well as the speedy provision of funds by donor governments.

Page 1, The plan sets out four specific tasks and corresponding deadlines:
... - The identification of available resources from appropriate funds by 20 January 2003.

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Business No specific mention.

Taxation No specific mention.

Banks Socio-economic reconstruction→Banks→International finance
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Land, property and environment

Land reform/rights No specific mention.

**Pastoralist/
nomadism rights** No specific mention.

Cultural heritage No specific mention.

Environment No specific mention.

Water or riparian rights or access No specific mention.

Security sector

Security Guarantees Page 1, The parties recognized that the situation with regard to the High Security Zone involves major humanitarian and security concerns for both parties. Recent controversies surrounding this matter were discussed in depth. The parties did not reach agreement on the continuation of the work of the Sub-Committee on De-Escalation and Normalization (SDN).

Page 1, The plan sets out four specific tasks and corresponding deadlines:
...- A plan to release premises presently used by the Security Forces to the original owners of intended purposed, to be submitted by 31 January 2003.

Page 1, The second phase of the Action plan will focus on resettlement of IDPs and refugees in areas within the High Security Zones, as and when they are released by the Security Forces for resettlement. For this purpose, the GOSL will carry out a review with the assistance of an internationally recognized military expert, taking into account relevant humanitarian and security needs.

Ceasefire Security sector→Ceasefire→Ceasefire provision
Page 2, As a means to reinforce respect for the provisions of the Ceasefire Agreement, monthly meetings will be held between the GOSL, the LTTE and the Sri Lanka Monitoring Mission (SLMM) in order to discuss issues arising from the regular SLMM summary of total recorded complaints and violations of the Ceasefire Agreement. Mr. Fernando (GOSL) and Mr. Karuna (LTTE) will be responsible for organising these meetings and will report on progress made and any outstanding problems at each session of the peace talks.

Police No specific mention.

Armed forces Page 1, The second phase of the Action plan will focus on resettlement of IDPs and refugees in areas within the High Security Zones, as and when they are released by the Security Forces for resettlement. For this purpose, the GOSL will carry out a review with the assistance of an internationally recognized military expert, taking into account relevant humanitarian and security needs.

DDR No specific mention.

Intelligence services No specific mention.

Parastatal/rebel and opposition group forces No specific mention.

Withdrawal of foreign forces	No specific mention.
Corruption	No specific mention.
Crime/organised crime	No specific mention.
Drugs	No specific mention.
Terrorism	No specific mention.

Transitional justice

Transitional justice general	No specific mention.
Amnesty/pardon	No specific mention.
Courts	No specific mention.
Mechanism	No specific mention.
Prisoner release	No specific mention.
Vetting	No specific mention.
Victims	No specific mention.

Missing persons	Page 2, In line with the agreement on basic principles for a political settlement, in which a number of issues were identified for discussion, the parties will commence a process for discussion of human rights issues. Human rights will constitute an important element of a Final Declaration. As first steps in furthering human rights issues in the process, the parties agreed on the following: ... - An independent verification mechanism will be established for persons Missing in Action (MIA) and Involuntary Disappearances, with the assistance of the International Committee of the Red Cross (ICRC).
Reparations	No specific mention.
Reconciliation	No specific mention.

Implementation

UN signatory No specific mention.

Other international signatory No specific mention.

Referendum for agreement No specific mention.

International mission/force/similar Page 2, As a means to reinforce respect for the provisions of the Ceasefire Agreement, monthly meetings will be held between the GOSL, the LTTE and the Sri Lanka Monitoring Mission (SLMM) in order to discuss issues arising from the regular SLMM summary of total recorded complaints and violations of the Ceasefire Agreement. Mr. Fernando (GOSL) and Mr. Karuna (LTTE) will be responsible for organising these meetings and will report on progress made and any outstanding problems at each session of the peace talks.

Enforcement mechanism Page 2, The government expressed serious concerns related to the recent incident involving transportation of prisoners through Vanni. The LTTE gave assurances that the case will be examined and that appropriate action will be taken as a matter of urgency. More generally, the parties agreed to ask the facilitator to propose procedures to ensure rapid corrective action by the parties in cases of incidents that are or can be perceived as disrupting the peace process.

Related cases No specific mention.

Source Source: Archived hard copy from C. Bell, sourced from <http://www.peaceinsrilanka.org/insidepages/Pressrelease/RNG/PV/RNG09JanPV.htm> (accessed; 3 February 2003)
