

Country/entity	Sri Lanka
Region	Asia and Pacific
Agreement name	Agreed Statement on behalf of the Parties
Date	21 Mar 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	Government of Sri Lanka, Liberation Tigers of Tamil Eelam
Third parties	Royal Government of Norway
Description	Re-affirmation agreement attempting to get the security situation under control with skirmishes between the LTTE and Sri Lankan Government.
Agreement document	LK_030321_Agreed Statement on behalf of the Parties.pdf (opens in new tab) Download PDF

Groups

Children/youth	<p>Groups→Children/youth→Substantive</p> <p>Page 3, Paragraph 12, Following up on the discussion in Berlin in February on human rights, the parties asked their international human rights adviser, Mr. Ian Martin, to develop three aspects of the proposed roadmap for adoption at the seventh session of talks:</p> <p>... 2) The planning of a programme of human rights training for LTTE cadres and government officials, police and prison officials, which would contribute to the respect of these principles in practice, and of human rights education and awareness for other sections of the population. This programme would include specialized training offered by UNICEF in relation to the rights of the child, UNHCR in relation to the rights of internally displaced persons and refugees, and ICRC in relation to international humanitarian law. The office of the UN High Commissioner for Human Rights would be invited to coordinate this programme.</p> <p>3) Proposals for the strengthening of the Human Rights Commission of Sri Lanka to enable it to develop the capacity for increasingly effective monitoring throughout the country. These proposals would involve international advice and assistance to the HRC from the Office of the UN High Commissioner for Human Rights and other sources, and close coordination with the role of UNICEF in relation to child protection, UNHCR in relation to the protection of returning internally displaced persons and refugees, and SLMM in relation to acts against the civilian population.</p>
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 2, Paragraph 10, It was agreed that the rescheduled meeting between the LTTE and the Muslim representatives in Batticaloa be convened on 27 April 2003. Furthermore, the LTTE and Mr. Rauf Hakeem agreed to arrange a separate meeting between Muslim leaders and the leadership of the LTTE in Kilinochchi to discuss political matters and the participation of a Muslim delegation in negotiation at plenary sessions.
Indigenous people	No specific mention.
Other groups	No specific mention.
Refugees/displaced persons	Groups→Refugees/displaced persons→Rhetorical Page 3, Paragraph 12, Following up on the discussion in Berlin in February on human rights, the parties asked their international human rights adviser, Mr. Ian Martin, to develop three aspects of the proposed roadmap for adoption at the seventh session of talks: ... 2) The planning of a programme of human rights training for LTTE cadres and government officials, police and prison officials, which would contribute to the respect of these principles in practice, and of human rights education and awareness for other sections of the population. This programme would include specialized training offered by UNICEF in relation to the rights of the child, UNHCR in relation to the rights of internally displaced persons and refugees, and ICRC in relation to international humanitarian law. The office of the UN High Commissioner for Human Rights would be invited to coordinate this programme.
Social class	No specific mention.

Gender

Women, girls and gender	Page 2, Paragraph 11, The parties approved the proposal submitted by the Sub-Committee on Gender Issues to establish secretariats in Kilinochchi and Colombo.
Men and boys	No specific mention.
LGBTI	No specific mention.
Family	No specific mention.

State definition

Nature of state (general) Page 1, Paragraph 6, In their political discussions, the parties reiterated their commitment to develop a federal system based on internal self-determination within a united Sri Lanka. As the point of departure for planning how to give effect to the general principles of federalism in a settlement of the ethnic conflict, the parties discussed the essential elements of fiscal federalism.

State configuration Page 1, Paragraph 6, In their political discussions, the parties reiterated their commitment to develop a federal system based on internal self-determination within a united Sri Lanka. As the point of departure for planning how to give effect to the general principles of federalism in a settlement of the ethnic conflict, the parties discussed the essential elements of fiscal federalism.

Self determination Page 1, Paragraph 6, In their political discussions, the parties reiterated their commitment to develop a federal system based on internal self-determination within a united Sri Lanka. As the point of departure for planning how to give effect to the general principles of federalism in a settlement of the ethnic conflict, the parties discussed the essential elements of fiscal federalism.

Page 2, Paragraph 8, The LTTE reported on the formation of a Political Affairs Committee consisting of twenty-one leading members of the organization. This committee will undertake an intensive study of federalism over the course of the next three months to build the LTTE's capacity for political transformation. The committee will study federal systems in other parts of the world, arrange seminars for LTTE cadres, consult Tamil parliamentarians and academics and seek advice from lawyers and constitutional experts, to prepare the ground for the process of establishing internal self-determination within a united, federal Sri Lanka.

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

Page 2, Paragraph 9, Following a proposal by the GOSL to prepare for local government election in the North and East, the LTTE will favorably consider supporting the holding of such elections.

Electoral commission

No specific mention.

Political parties reform

No specific mention.

Civil society

Page 2, Paragraph 7, The parties discussed preliminary issues and a framework for political matters and agreed to expand this into a complete plan at the seventh session of talks. The plan will outline the next steps to be taken by the parties and the topics that must be addressed in order to negotiate a federal solution for Sri Lanka. The parties recognise that a considerable amount of time will be required to address this wide range of topics, which will include geographical regions and the division of powers between the center and regions. In this context, the parties decided to invite the Forum of Federations, a Canadian-based international organization, to participate as consultants at the seventh session of talks.

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3) Proposals for the strengthening of the Human Rights Commission of Sri Lanka to enable it to develop the capacity for increasingly effective monitoring throughout the country. These proposals would involve international advice and assistance to the HRC from the Office of the UN High Commissioner for Human Rights and other sources, and close coordination with the role of UNICEF in relation to child protection, UNHCR in relation to the protection of returning internally displaced persons and refugees, and SLMM in relation to acts against the civilian population.

Traditional/religious leaders

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**Public
administration**

No specific mention.

Constitution

Governance→Constitution→Constitutional reform/making

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1) The drafting of a Declaration of Human Rights and Humanitarian Principles. This would reflect aspects of fundamental international human rights and humanitarian standards, which both parties would undertake to ensure are respected in practice by their personnel, pending the full entrenchment of human rights standards in the eventual constitutional arrangements and in federal and local law.

Power sharing

Political power sharing

No specific mention.

Territorial power sharing

Power sharing→Territorial power sharing→Federal or similar sub-divided government
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Economic power sharing

No specific mention.

Military power sharing

No specific mention.

Human rights and equality

Human rights/RoL general	<p>Page 2, Paragraph 12, Following up on the discussion in Berlin in February on human rights, the parties asked their international human rights adviser, Mr. Ian Martin, to develop three aspects of the proposed roadmap for adoption at the seventh session of talks:</p> <p>1) The drafting of a Declaration of Human Rights and Humanitarian Principles. This would reflect aspects of fundamental international human rights and humanitarian standards, which both parties would undertake to ensure are respected in practice by their personnel, pending the full entrenchment of human rights standards in the eventual constitutional arrangements and in federal and local law.</p> <p>2) The planning of a programme of human rights training for LTTE cadres and government officials, police and prison officials, which would contribute to the respect of these principles in practice, and of human rights education and awareness for other sections of the population. This programme would include specialized training offered by UNICEF in relation to the rights of the child, UNHCR in relation to the rights of internally displaced persons and refugees, and ICRC in relation to international humanitarian law. The office of the UN High Commissioner for Human Rights would be invited to coordinate this programme.</p> <p>3) Proposals for the strengthening of the Human Rights Commission of Sri Lanka to enable it to develop the capacity for increasingly effective monitoring throughout the country. These proposals would involve international advice and assistance to the HRC from the Office of the UN High Commissioner for Human Rights and other sources, and close coordination with the role of UNICEF in relation to child protection, UNHCR in relation to the protection of returning internally displaced persons and refugees, and SLMM in relation to acts against the civilian population.</p>
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Bill of rights/similar No specific mention.

Treaty incorporation No specific mention.

Civil and political rights No specific mention.

Socio-economic rights No specific mention.

Rights related issues

Citizenship No specific mention.

Democracy No specific mention.

Detention procedures No specific mention.

Media and communication	No specific mention.
Mobility/access	No specific mention.
Protection measures	<p>Rights related issues→Protection measures→Protection of civilians</p> <p>Page 3, Paragraph 12, Following up on the discussion in Berlin in February on human rights, the parties asked their international human rights adviser, Mr. Ian Martin, to develop three aspects of the proposed roadmap for adoption at the seventh session of talks:</p> <p>... 3) Proposals for the strengthening of the Human Rights Commission of Sri Lanka to enable it to develop the capacity for increasingly effective monitoring throughout the country. These proposals would involve international advice and assistance to the HRC from the Office of the UN High Commissioner for Human Rights and other sources, and close coordination with the role of UNICEF in relation to child protection, UNHCR in relation to the protection of returning internally displaced persons and refugees, and SLMM in relation to acts against the civilian population.</p>
Other	No specific mention.

Rights institutions

NHRI	<p>Rights institutions→NHRI→Mentions of NHRI</p> <p>Page 3, Paragraph 12, Following up on the discussion in Berlin in February on human rights, the parties asked their international human rights adviser, Mr. Ian Martin, to develop three aspects of the proposed roadmap for adoption at the seventh session of talks:</p> <p>... 3) Proposals for the strengthening of the Human Rights Commission of Sri Lanka to enable it to develop the capacity for increasingly effective monitoring throughout the country. These proposals would involve international advice and assistance to the HRC from the Office of the UN High Commissioner for Human Rights and other sources, and close coordination with the role of UNICEF in relation to child protection, UNHCR in relation to the protection of returning internally displaced persons and refugees, and SLMM in relation to acts against the civilian population.</p>
Regional or international human rights institutions	No specific mention.

Justice sector reform

Criminal justice and emergency law Justice sector reform→Criminal justice and emergency law→Delimitation of powers in Criminal Justice System

Page 1, Paragraph 5, The parties also agreed to take steps to further strengthen the security situation on land, including the establishment of procedures with the cooperation of the SLMM for handling soldiers and cadres apprehended by the other party.

State of emergency provisions No specific mention.

Judiciary and courts No specific mention.

Prisons and detention Page 3, Paragraph 12, Following up on the discussion in Berlin in February on human rights, the parties asked their international human rights adviser, Mr. Ian Martin, to develop three aspects of the proposed roadmap for adoption at the seventh session of talks:
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Traditional Laws No specific mention.

Socio-economic reconstruction

Development or socio-economic reconstruction No specific mention.

National economic plan No specific mention.

Natural resources No specific mention.

International funds No specific mention.

Business No specific mention.

Taxation No specific mention.

Banks No specific mention.

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, Paragraph 2, The parties met amid growing security concerns following recent incidents on land and at sea. While they acknowledged that parallel progress is needed in negotiations on security, economic and political issues, the parties left no doubt that they much now give top priority to improving the security situation, in particular at sea. The parties undertook to enforce better compliance with the Ceasefire Agreement by their personnel.

Page 1, Paragraph 3, The Government of Sri Lanka and the LTTE are deeply concerned about the latest incidents at sea, including on 10 March. To prevent future incidents at sea that could threaten stability of the ceasefire, the parties have agreed to convene senior naval and political representatives from both sides within three weeks to work out effective arrangements for the operation of naval units in keeping with existing treaty obligations. The meeting will be convened by the Royal Norwegian Government and the Head of the Sri Lanka Monitoring Mission (SLMM) and will immediately start preparing the meeting with military leaders on both sides. The parties agreed to instruct their naval units to exercise restraint, as required by the Ceasefire Agreement, and to avoid provocative actions in the crucial period prior to the establishment of appropriate procedures.

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Ceasefire

Security sector→Ceasefire→Ceasefire provision

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Armed forces	<p>Page 1, Paragraph 3, The Government of Sri Lanka and the LTTE are deeply concerned about the latest incidents at sea, including on 10 March. To prevent future incidents at sea that could threaten stability of the ceasefire, the parties have agreed to convene senior naval and political representatives from both sides within three weeks to work out effective arrangements for the operation of naval units in keeping with existing treaty obligations. The meeting will be convened by the Royal Norwegian Government and the Head of the Sri Lanka Monitoring Mission (SLMM) and will immediately start preparing the meeting with military leaders on both sides. The parties agreed to instruct their naval units to exercise restraint, as required by the Ceasefire Agreement, and to avoid provocative actions in the crucial period prior to the establishment of appropriate procedures.</p>
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 No specific mention.

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 In this context, the parties agreed to strengthen the mandate and capacity of the SLMM [Sri Lanka Monitoring Mission] to undertake preventative measure to avoid serious incidents at sea and on land. As a fundamental precondition for the SLMM to take on a stronger role, the parties pledged to ensure full compliance with the rulings of the SLMM, guarantee the security of its personnel in all situations, and take disciplinary action against anyone endangering the lives of SLMM personnel.

Enforcement mechanism No specific mention.

Related cases No specific mention.

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