

Country/entity	Sri Lanka
Region	Asia and Pacific
Agreement name	Status of Mission Agreement on the Establishment and Management of the Sri Lanka Monitoring Mission (SLMM)
Date	18 Mar 2002
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	Ceasefire/related
Conflict nature	Government/territory
Peace process	Sri Lanka LTTE 2002 onward process

Parties	Sri Lankan Government, Liberation Tigers of Tamil Eelam
Third parties	Norway
Description	This agreement provides the implementation modalities for the Ceasefire Agreement of 2002. It deals with the role, functions, structure and procedures of the Monitoring Mission known as the Sri Lankan Monitoring Mission (SLMM) established under the Ceasefire Agreement. The SLMM is comprised of citizens of the Nordic countries.
Agreement document	LK_020318_SOMA on the Sri Lanka Monitoring Mission.pdf (opens in new tab) Download PDF

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	No specific mention.
Indigenous people	No specific mention.
Other groups	No specific mention.
Refugees/displaced persons	No specific mention.
Social class	No specific mention.

Gender

Women, girls and gender	No specific mention.
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 No specific mention.

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	Page 2, Article 1: General provisions The RNG undertakes to coordinate, facilitate and lead the establishment of the SLMM. The members of the Mission will be recruited from among citizens of the Nordic countries. The Mission and its members shall have such status, privileges and immunities as are conferred on them by this SOMA and any other applicable instrument of international law.
-------------------------------------	--

Bill of rights/similar	No specific mention.
-------------------------------	----------------------

Treaty incorporation	Article 3: The individual members of the SLMM All members of the SLMM shall be accorded the same immunities and privileges as are accorded to diplomatic agents under the Vienna Convention on Diplomatic Relations of 18 April 1961. In particular they shall be accorded:
---------------------------------	---

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	<p>Rights related issues→Media and communication→Media logistics</p> <p>Page 3, Equipment</p> <p>8. As a basis for its reporting activities, the SLMM may use necessary equipment such as maps, compasses, GPS, binoculars, laser range finders, all kind of communications systems, the Internet, e-mail, cameras, videotape recorders, etc.</p> <p>9. The SLMM is authorized to set up and operate internal communications systems (including mobile-transceiver in all vehicles and to members of the SLMM) and external communication systems (satellite communication).</p> <p>Page 4, Article 3: The Individual Members of the SLMM</p> <p>... 4. For the purpose of internal and external communications, the SLMM and its members shall have the right to use codes and to receive papers or correspondence by courier or in sealed bags. No official communication directed to the SLMM or to any of its members, nor any outward official communication of the Mission, by whatever means or in whatever form transmitted, shall be detained in any way or suffer any interference with its confidentiality.</p>
Mobility/access	Page 4, Article 3, 3. Freedom of movement for the performance of their tasks, including traveling on board GOSL vessels and aircraft. The LTTE has agreed to grant the same access in respect of their vessels.
Protection measures	<p>Rights related issues→Protection measures→Protection of groups</p> <p>Page 5, Article 6: Security, safety and emergencies The GOSL is responsible for the protection and security arrangements of all SLMM personnel residing in Sri Lanka. The GOSL will, if necessary provide emergency medical aid and assist in providing emergency medical evacuation of SLMM personnel on Sri Lanka territory. The LTTE has agreed in writing to take upon itself the same responsibilities in the areas under its military dominance.</p>
Other	No specific mention.

Rights institutions

NHRI No specific mention.

Regional or international human rights institutions No specific mention.

Justice sector reform

Criminal justice and emergency law No specific mention.

State of emergency provisions No specific mention.

Judiciary and courts No specific mention.

Prisons and detention No specific mention.

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 Page 5, Article 7: Miscellaneous provisions
3. The Norwegian Government and the Participating Nations will bear all expenses of SLMM, except for those incurred under Article 6.

Business No specific mention.

Taxation

Socio-economic reconstruction→Taxation→Reform of taxation

Page 3, Taxes and duties In accordance with the Main Agreement, the following will apply to the SLMM:

5. The Mission has the right to import operational supplies and equipment free of import taxes and duties.

6. The SLMM will be reimbursed for Value Added Tax (VAT)/Goods and Services Tax on locally procured operational supplies and equipment, and will enjoy privileges concerning taxes on petrol.

7. In meeting its logistical and operational needs, the SLMM may make use (by purchasing and hiring) of local resources, such as communications systems, housing, food, fuel, repairs, medical services, etc.

Equipment,

... 10. The Government of Sri Lanka will facilitate smooth custom clearance of the SLMM's operational supplies, goods and equipment, including smooth, entries and exits of the SLMM's international personnel.

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 4, Article 5: Clothing, identification and armament
... 2. The members of the SLMM will not carry side arms or any other kind of weapons.

Ceasefire Security sector→Ceasefire→Ceasefire provision
[Summary] The Status of Mission Agreement [SOMA] outlines the status, privileges and immunities of the Sri Lanka Monitoring Mission and its members, which are deployed to carry out monitoring of the ceasefire agreement. References to the ceasefire are throughout the agreement.

Police	No specific mention.
Armed forces	No specific mention.
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**

Page 1, Preamble

In accordance with the Ceasefire Agreement, the Government of the Democratic Socialist Republic of Sri Lanka (hereinafter referred to as the GOSL) and the Liberation Tigers of Tamil Eelam (hereinafter referred to as the LTTE) have requested the Royal Norwegian Government (hereinafter referred to as RNG) to organise, equip and establish an international mission, called the Sri Lanka Monitoring Mission (hereinafter referred to as the SLMM), to monitor the implementation of the Ceasefire Agreement.

The GOSL and the LTTE have stressed the importance of international monitoring of the ceasefire, expressed their willingness to facilitate and support the establishment and administration of the SLMM, and guaranteed their co-operation with the Mission.

The RNG has accepted this request with the understanding that the SLMM will conduct international verification through on-site monitoring in accordance with the Ceasefire Agreement. It is, however, understood that the effect of the SLMM will depend on the parties' willingness to abide with recommendations from SLMM.

Based on Ceasefire Agreement and the above, the GOSL and the RNG have concluded a Status of Mission Agreement (hereinafter referred to as the SOMA), in which the status, privileges and immunities of the Sri Lanka Monitoring Mission and its members are defined and set out. The LTTE has in writing declared its willingness to fully implement all parts of this SOMA

Page 2, Article 1: General provisions The RNG undertakes to coordinate, facilitate and lead the establishment of the SLMM. The members of the Mission will be recruited from among citizens of the Nordic countries. The Mission and its members shall have such status, privileges and immunities as are conferred on them by this SOMA and any other applicable instrument of international law.

Page 2, Article 2: The Mission The premises of the SLMM, its property and assets wherever located and by whomsoever held shall enjoy within Sri Lanka, the same inviolability, jurisdictional immunities and fiscal exemptions as are accorded to the Royal Norwegian Embassy in Sri Lanka and for this purpose shall be deemed to be part of the said Embassy. 1. The premises of the SLMM shall be inviolable. 2. The property and assets of the Mission, wherever located and by whomsoever held, shall be immune from search, requisition, confiscation and expropriation. 3. The archives of the SLMM and in general all its documents in paper or electronic form, including audio-and videotapes, shall be inviolable wherever located and by whomsoever held. 4. The SLMM's property and assets, wherever located and by whomsoever held, shall enjoy immunity from any form of legal process except: (a) In so far as in any particular case it has expressly waived its immunity in writing. It is, however, understood that such waiver of immunity does not extend to any measure of execution. (b) In the case of a civil action brought by a third party for damages arising from an accident caused by use of equipment, including a motor vehicle, belonging to or operated on behalf of the Mission.

Page 4, Article 5: Clothing, identification and armament

1. The members of the SLMM will wear plain clothes, and be visually recognized by armbands marked with the SLMM emblem.
2. The members of the SLMM will not carry side arms or any other kind of weapons.
3. All vehicles and premises at the disposal of the Mission will be marked with the SLMM emblem.

Page 5, Article 6: Security, safety and emergencies The GOSL is responsible for the protection and security arrangements of all SLMM personnel residing in Sri Lanka. The GOSL will, if necessary, provide emergency medical aid and assist in providing emergency

Enforcement mechanism	No specific mention.
Related cases	No specific mention.
Source	Sri Lanka Secretariat for Coordinating the Peace Process (SCOPP) (Official Website) [link has since corrupted]
