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Country/ entity	Sri Lanka
Region	Asia and Pacific
Agreement name	Government of Sri Lanka's Proposal to the LTTE Regarding a Provisional Administrative Council
Date	20 Jul 2003
Agreement status	Unilateral document
Interim arrangement	Yes
Agreement/ conflict level	Intrastate/intrastate conflict (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	-
Description	Framework for the establishment of a Provisional Administrative Council for the LTTE, drafted by the government at the request of the LTTE.

Agreement document [LK_030720_Sri Lanka Proposal for Interim Administration.pdf](#) | [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

Groups→Racial/ethnic/national group→Rhetorical

Page 1, Introduction, Therefore - being an integral part of the process towards a negotiated settlement of the ethnic conflict - the establishment and continued operation of this interim administrative arrangement will depend on a continued dialogue between the parties both in the context of this administrative structure as well in the negotiations towards a final solution of the conflict.

Groups→Racial/ethnic/national group→Substantive

Page 1, Provisional Administrative Structure for the Northern and Eastern Province - Proposal for Discussion,
Provisional Administrative Council,

It is proposed that a body called the Provisional Administrative Council for the Northern and Eastern Provinces (Council) will be set up for the administration of this region.

... 3. The number of members will be determined to ensure:

... b. Subject to (a) above, the Muslim and Sinhala Communities will have weighted representation.

Page 2, Provisional Administrative Structure for the Northern and Eastern Province - Proposal for Discussion,
Provisional Administrative Council,

... 4. Chairperson

Two alternatives are presented concerning chairpersons for the Council:

Alt. 1 There shall be two chairpersons, one representing the LTTE and the other the GOSL elected by, and from amongst the members of the Council.

Each chairperson shall have the right to veto any proposal brought before the Council.

Alt. 2 There shall be one Chairperson elected from amongst the members of the Council.

If alternative 2 is selected the following para shall be included concerning decisions of the Council. Any decision of the Council, which affects either the Muslim, or the Sinhala Community, can only be made valid if the decision is supported by:

a. A majority of the Members of the Council, and

b. A majority of the representatives of the Muslim or the Sinhala communities as the case may be.

Page 4, Provisional Administrative Structure for the Northern and Eastern Province - Proposal for Discussion,

The District Committees

It is also proposed to institute a District Committee for each of the eight Districts in the Northern and Eastern Provinces.

1) Chairperson, Composition and Relationship to the Council

... b. The other members will also be appointed by the Council. In appointing such members, due consideration will be given to ensure adequate representation of the ethnic composition of the District in question.

Religious groups

Groups→Religious groups→Rhetorical
Page 1, Introduction

... Given the understanding between the Parties during plenary sessions of negotiations that a Muslim delegation should be accommodated when issues of concern to the Muslim population is being deliberated, it is the view of GOSL that:

- A Muslim delegation must participate in the discussions relating to establishment of a provisional administrative structure for the Northern and Eastern Provinces; and
- That it should be open to the SLMC to submit separate proposal pertaining to the establishment of the above mentioned structure.

Groups→Religious groups→Substantive

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... 2. The composition of the Council shall consist of the following:

... c. Members nominated by Sri Lanka Muslim Congress (SLMC)

3. The number of members will be determined to ensure:

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b. A majority of the representatives of the Muslim or the Sinhala communities as the case may be.

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)

Governance→Political institutions (new or reformed)→Temporary new institutions

Page 1, Introduction, Based on a request from the Liberation Tigers of Tamil Eelam the Government of Sri Lanka (GOSL) has developed the below framework for establishing a provisional administrative arrangement which will enable the LTTE to participate significantly in decision making and delivery related to administration, and rebuilding of the war damage infrastructure and economy, in the Northern and Eastern Provinces.

Page 1, Introduction, Given the importance attached to a continued dialogue at all levels the proposal for an administrative arrangement is presented as framework - not a final document - which in it self must be subject for dialogue between the parties.

Page 1, Provisional Administrative Structure for the Northern and Eastern Province - Proposal for Discussion, Provisional Administrative Council, It is proposed that a body called the Provisional Administrative Council for the Northern and Eastern Provinces (Council) will be set up for the administration of this region.

1. The Council shall consist of such number of members as many be determined by the parties.
2. The composition of the Council shall consist of the following:
 - a. Members nominated by GOSL, which will include the nominees of the Peoples Alliance.
 - b. Members nominated by the LTTE.
 - c. Members nominated by Sri Lanka Muslim Congress (SLMC)
3. The number of members will be determined to ensure:
 - a. A majority of the LTTE in the Council
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Page 2, Provisional Administrative Structure for the Northern and Eastern Province - Proposal for Discussion,

Powers and Functions of the Provisional Administrative Council,

1) This Council shall have the following functions of the Council will not be

Elections	No specific mention.
Electoral commission	No specific mention.
Political parties reform	No specific mention.
Civil society	<p>Page 3, Provisional Administrative Structure for the Northern and Eastern Province - Proposal for Discussion, Finances</p> <p>1. The Council will - giving due consideration to an equitable distribution - determine the use of funds placed at its disposal. The Council will further identify such utilization by State agencies, NGOs, international agencies, private sector agencies for administration, rehabilitation reconstruction and development in the North-East region. The funds made available to the work of the Council will include - but not necessarily be limited to - such funds as:</p> <ul style="list-style-type: none"> a. received from Donors to the North East Reconstruction Fund (NERF) b. allocated by GOSL to NERF; and c. such resources as are received for rehabilitation and reconstruction of the Northern and Eastern Provinces other than through NERF.
Traditional/ religious leaders	No specific mention.
Public administration	No specific mention.
Constitution	No specific mention.

Power sharing

Political
power
sharing

Power sharing→Political power sharing→General
Sub-state level

Page 1, Introduction

Based on a request from the Liberation Tigers of Tamil Eelam the Government of Sri Lanka (GOSL) has developed the below framework for establishing a provisional administrative arrangement which will enable the LTTE to participate significantly in decision making and delivery related to administration, and rebuilding of the war damage infrastructure and economy, in the Northern and Eastern Provinces.

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 - b. Members nominated by the LTTE.
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Page 4, Provisional Administrative Structure for the Northern and Eastern Province - Proposal for Discussion,
The District Committees

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1) Chairperson, Composition and Relationship to the Council

- a. The Chairperson of the District Committee will be appointed by and from

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 No specific mention.

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	No specific mention.
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 Socio-economic reconstruction→Development or socio-economic reconstruction→Socio-economic development
Page 1, Introduction, Based on a request from the Liberation Tigers of Tamil Eelam the Government of Sri Lanka (GOSL) has developed the below framework for establishing a provisional administrative arrangement which will enable the LTTE to participate significantly in decision making and delivery related to administration, and rebuilding of the war damage infrastructure and economy, in the Northern and Eastern Provinces.

... The objective of establishing such an arrangement is to ensure rapid improvement in the life of the population in the eight districts in the north and east, while LTTE and GOSL at the same time are actively engaged in a dialog to arrive at a negotiated settlement based on the agreement reached during the third session of the negotiations in Oslo in December 2002.

Page 2, Provisional Administrative Structure for the Northern and Eastern Province - Proposal for Discussion,
Powers and Functions of the Provisional Administrative Council,
1) It is proposed that the powers and functions of the Council will extend to: Adequate arrangements to enable the Council to participate effectively in the exercise and performance of such powers and functions as are at present being exercised and performed by the Government in respect of regional administration - except the area of police and security; land; and revenue - but including rehabilitation, reconstruction, and resettlement.

Page 3, Provisional Administrative Structure for the Northern and Eastern Province - Proposal for Discussion,
Finances
1. The Council will - giving due consideration to an equitable distribution - determine the use of funds placed at its disposal. The Council will further identify such utilization by State agencies, NGOs, international agencies, private sector agencies for administration, rehabilitation reconstruction and development in the North-East region. The funds made available to the work of the Council will include - but not necessarily be limited to - such funds as:
a. received from Donors to the North East Reconstruction Fund (NERF)
b. allocated by GOSL to NERF; and
c. such resources as are received for rehabilitation and reconstruction of the Northern and Eastern Provinces other than through NERF.

Socio-economic reconstruction→Development or socio-economic reconstruction→Infrastructure and reconstruction
Page 1, Introduction, Based on a request from the Liberation Tigers of Tamil Eelam the Government of Sri Lanka (GOSL) has developed the below framework for establishing a provisional administrative arrangement which will enable the LTTE to participate significantly in decision making and delivery related to administration, and rebuilding of the war damage infrastructure and economy, in the Northern and Eastern Provinces.

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Powers and Functions of the Provisional Administrative Council,
1) It is proposed that the powers and functions of the Council will extend to: Adequate arrangements to enable the Council to participate effectively in

National economic plan	No specific mention.
Natural resources	No specific mention.
International funds	<p>Page 3, Provisional Administrative Structure for the Northern and Eastern Province - Proposal for Discussion, Finances</p> <p>1. The Council will - giving due consideration to an equitable distribution - determine the use of funds placed at its disposal. The Council will further identify such utilization by State agencies, NGOs, international agencies, private sector agencies for administration, rehabilitation reconstruction and development in the North-East region. The funds made available to the work of the Council will include - but not necessarily be limited to - such funds as:</p> <p>a. received from Donors to the North East Reconstruction Fund (NERF)</p> <p>b. allocated by GOSL to NERF; and</p> <p>c. such resources as are received for rehabilitation and reconstruction of the Northern and Eastern Provinces other than through NERF.</p> <p>Page 3, Provisional Administrative Structure for the Northern and Eastern Province - Proposal for Discussion, Finances</p> <p>... 2. North East Reconstruction and Rehabilitation Fund (NERRF)</p> <p>It is recognised that NERF was established to cater for meeting the immediate needs of the population in the north and east. In order to enlarge the scope of this fund it is suggested that the funds should be modified to deal with both rehabilitation and reconstruction as well as cover medium term requirements. It is therefore suggested that the NERF is renamed NERRF.</p> <p>It is further proposed that the GOSL and the LTTE shall actively encourage contributions to NERRF. The Government will provide funding through NERRF wherever practical. Utilization of resources from NERRF will as mentioned above be directly determined and supervised by the Council.</p>
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 2, Provisional Administrative Structure for the Northern and Eastern Province - Proposal for Discussion, Powers and Functions of the Provisional Administrative Council,
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Ceasefire No specific mention.

Police	Page 2, Provisional Administrative Structure for the Northern and Eastern Province - Proposal for Discussion, Powers and Functions of the Provisional Administrative Council, 1) It is proposed that the powers and functions of the Council will extend to: Adequate arrangements to enable the Council to participate effectively in the exercise and performance of such powers and functions as are at present being exercised and performed by the Government in respect of regional administration - except the area of police and security; land; and revenue - but including rehabilitation, reconstruction, and resettlement.
Armed forces	No specific mention.
DDR	No specific mention.
Intelligence services	No specific mention.
Parastatal/ rebel and opposition group forces	Page 1, Provisional Administrative Structure for the Northern and Eastern Province - Proposal for Discussion, Provisional Administrative Council, It is proposed that a body called the Provisional Administrative Council for the Northern and Eastern Provinces (Council) will be set up for the administration of this region. ... 2. The composition of the Council shall consist of the following: ... b. Members nominated by the LTTE. ... 3. The number of members will be determined to ensure: a. A majority of the LTTE in the Council
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 Page 3, Provisional Administrative Structure for the Northern and Eastern Province - Proposal for Discussion, Finances

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It is recognised that NERF was established to cater for meeting the immediate needs of the population in the north and east. In order to enlarge the scope of this fund it is suggested that the funds should be modified to deal with both rehabilitation and reconstruction as well as cover medium term requirements. It is therefore suggested that the NERF is renamed NERRF.

It is further proposed that the GOSL and the LTTE shall actively encourage contributions to NERRF. The Government will provide funding through NERRF wherever practical. Utilization of resources from NERRF will as mentioned above be directly determined and supervised by the Council.

Implementation

UN signatory No specific mention.

Other international signatory No specific mention.

Referendum for agreement No specific mention.

International mission/force/similar No specific mention.

Enforcement mechanism No specific mention.

Related cases No specific mention.

Source <http://tamilnation.co/conflictresolution/tamileelam/cnfZU06/factsheets/factsheet5.html>

Edrisinha, Gomez, Thamilmaran, Welikala (Eds.) (2008), 'Power-sharing in Sri Lanka: Constitutional and Political Documents, 1926-2008' (Colombo: Centre for Policy Alternatives), pp. 654-657.
