



CENTRE FOR POLICY ALTERNATIVES
විකල්ප ප්‍රතිපත්ති මේ ඡේදය
மாற்றுக் கொள்கைகளுக்கான நிலையம்

Revoking the creation of the Special Zone for Heavy Industry in Sampur, Trincomalee

9th May 2015: The Centre for Policy Alternatives (CPA) welcomes President Maithripala Sirisena's move to revoke the creation of the Special Zone for Heavy Industry in Sampur, Trincomalee and the land alienated to the Board of Investment (BOI) by [gazette \(extraordinary\) No. 1913/19 dated 7th May 2015](#). The above gazette revokes [gazette \(extraordinary\) No 1758/26 issued on 17th May 2012](#) which was issued under Section 22A of the Board of Investment of Sri Lanka Law No.4 of 1978 (BOI Act). The present decision follows the decision by the Cabinet of Ministers in February 2015 to return land to original owners and is a timely move by the government in upholding constitutionally guaranteed rights and in the furtherance of reconciliation.

CPA notes this important step, having been involved in monitoring the humanitarian situation in the Eastern Province since 2006 with specific focus on the situation of thousands of internally displaced persons (IDPs) from the Sampur area who were unable to return to their lands due to various reasons including the establishment of a High Security Zone (HSZ) and economic zones. In 2007, a HSZ was created by [gazette \(extraordinary\) No.1499/25 dated 30 May 2007](#), preventing around 12,000 people from returning to their land. CPA and four land owners challenged the gazette in 2007 in the Supreme Court ([SC FR 218/2007](#)). The size of the HSZ was subsequently reduced, allowing some to return to their land but continuing the displacement of several others due to the existence of a smaller HSZ.

The establishment of the Special Zone for Heavy Industries in 2012 was the latest move by the previous regime to prevent IDPs to return to their land. CPA supported seven land owners to file a [fundamental rights application](#) challenging the gazette and in the process also raised the flawed basis for the creation of such a Special Zone for Heavy Industries which is outside the remit of Section 22A of the BOI Act. Several of CPA's policy briefs discuss the situation including the dire living conditions and security issues faced by those who lived in camps for nearly nine years.

With the present move, CPA reiterates its call for the government to re-examine the existence of arbitrary HSZs and the occupation of land by security forces and others without adherence to due process. This present move coupled with the government recently returning land in Valikamam North area in Jaffna should be initial steps in a long term strategy in upholding constitutional guarantees and legal safeguards. CPA has continuously raised concerns regarding the shortcomings of the Land Acquisitions Act No 09 of 1950 with recommendations for its reform. However CPA reiterates that any effort at acquiring land should at a minimum

adhere to the existing legal framework. These issues are integral to reconciliation in Sri Lanka and must be addressed without further delay.

Links to the Sinhala and Tamil gazettes

- Gazette (extraordinary) No.1499/25 dated 30 May 2007 ([S](#) / [T](#))
- Gazette (extraordinary) No. 1758/26 issued on 17th May 2012 ([S](#) / [T](#))
- Gazette (extraordinary) No. 1913/19 dated 7th May 2015 ([S](#) / [T](#))

Some of CPA's previous work on this issue

- [Bhavani Fonseka and Mirak Raheem, Trincomalee High Security Zone and Special Economic Zone, September 2009](#)
- [Bhavani Fonseka and Mirak Raheem, Land in the Eastern Province – Politics, Policy and Conflict, May 2010](#)
- [Bhavani Fonseka & Dharsha Jegatheeswaran, Politics, Policies and Practices with Land Acquisitions and Related Issues in the North and East of Sri Lanka, November 2013](#)