

Sri Lankan chief justice backs Colombo evictions

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5 October 2013

Sri Lankan Chief Justice Mohan Peiris declared on September 28: “No one should obstruct ongoing development programs in Colombo.” He was presiding over a Supreme Court bench hearing of a petition relating to mass evictions in the capital.

Residents of Slave Island area filed the petition against the Urban Development Authority (UDA), which has ordered them to vacate their homes and businesses by the end of the year. Some 456 families and 90 small businesses are being evicted to clear 2.4 hectares of land for a project by the Indian-based TATA Housing Development Company.

Peiris’ statement clearly supports the plans of President Mahinda Rajapakse’s government to remove about 70,000 families from Colombo to release their land for local and foreign investors.

His declaration effectively denies constitutional rights to seek legal protection from the government’s undemocratic forced evictions. More broadly, it insists that those families must subordinate their basic right to housing to investors’ profit interests.

Peiris branded poor Colombo neighbourhoods as “breeding grounds for illegal activity.” He claimed that residents resort to crime because they have no proper housing facilities, and that such activities could be prevented by providing better accommodation.

The chief justice’s remarks echo the Rajapakse government’s propaganda efforts to justify its evictions. In reality, the government’s “development projects” in Colombo and several other cities aim to provide land and facilities for big business and developers.

Sri Lanka’s judiciary has been increasingly politicised. Peiris was appointed chief justice early this year. His predecessor, Shirani Bandaranayake, was impeached on cooked-up charges after she ruled that

the government’s seizure of economic powers from provincial councils was unconstitutional.

Rajapakse has repeatedly stated that the three wings of the state—the parliament, executive and the judiciary—must work together for “development.” This is nothing but a demand for authoritarian rule in the name of “development.” The government plans to transform Colombo into a “commercial hub in South Asia.” In order to suppress residents’ resistance, Rajapakse placed the UDA under the control of the defence ministry, headed by his brother, Gotabhaya Rajapakse.

Backed by the World Bank, the government’s Board of Investment has signed several agreements with investors. As well as TATA, they include Imperial Builders, a Pakistani company that is developing 1.4 hectares of land at Slave Island. Partial evictions have already occurred, and the company has commenced the project with UDA assurances that it will remove the remaining families. Chinese Avic International Corporation has also announced a project, worth \$300 million.

Since 2010, the UDA, backed by the army, has demolished hundreds of shanties in Slave Island, Demetogoda, Applewatte and Ibbawatta in Colombo and also Dambulla in the North Central Province. Most residents have not been provided with permanent houses. Instead, they have been forced to accept wooden huts without basic facilities in the Nagalagam Street camp at Totalanga, a Colombo suburb. Some families have been sent to similar huts at Weligodawatta, another suburb.

Opposition United National Party (UNP) parliamentarian and lawyer Sujeewa Senasinghe represented the Slave Island residents in the Supreme Court, but the case does not seek to stop the evictions,

only increase compensation. After the September 28 hearing, he told *Sirasa* television that about 80 to 90 percent of the land belonged to residents. “These are not government lands, these are private lands,” he said.

Senasinghe reported: “The court decided to provide housing facilities in a building being constructed in this seven acre plot of land in the Slave Island area itself. Until this building is built, these individuals will receive a rent.” However, the past record shows that there is no guarantee that the evicted people will be housed at Slave Island.

The UNP is not opposed to evictions, even though it is now trying to exploit the residents’ opposition. During the 1980s, a previous UNP government first made plans to remove shanties in Colombo and develop the capital as a commercial centre. Some shanties were demolished and government offices were also shifted out of the city.

Speaking to the WSWS, a Slave Island resident commented: “What is the meaning of this development, which evicts people from their inherited lands? What we want is housing facilities where we can live freely. We maintain that we are not leaving here without decent housing.”

An 85-year-old resident who has lived in the area from birth said: “Initially the government promised us to pay 4.3 million rupees (\$US33,000) per perch (25 square metres). After that, the government proposed to reduce it to 1.5 million rupees. When we opposed it, MP Sujeewa [Senasinghe] proposed to settle it at the courts. This court case is not whether we should vacate or not. We have to vacate definitely. What the court will decide is the amount to be paid.”

Many of the workers and oppressed people living in shanties have no illusion that the government will provide them with houses. It has built flats for a few hundred residents, but has no plans to settle tens of thousands of families in the city.

At the same time, Rajapakse is imposing austerity measures dictated by the International Monetary Fund. As a result, most poor people struggle to live day to day, while the government builds markets, hotels, pleasure gardens, jogging paths and condominiums for the business elite, the upper middle class and wealthy expatriates.

The contempt expressed by the country’s highest judge for the basic legal and democratic rights of the

poor and working people is another symptom of the autocratic methods being developed to deal with the growing social discontent.



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