



No. 268/2013

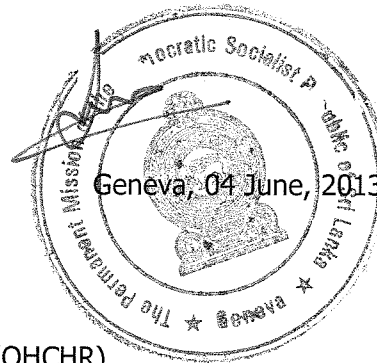
HR/3

The Permanent Mission of the Democratic Socialist Republic of Sri Lanka to the United Nations Office in Geneva and Other International Organizations in Switzerland presents its compliments to the Office of the High Commissioner for Human Rights (OHCHR) and has the honour to refer to a letter dated 22 March 2013 sent to the Permanent Mission of Sri Lanka regarding a Questionnaire on Security and Tenure by UN Special Rapporteur on Adequate Housing.

The Permanent Mission of Sri Lanka has the honour to transmit herewith the response received from the Ministry of Land and Land Development of the Government of Sri Lanka for the question Nos. 1 and 2 of the aforementioned Questionnaire.

The Permanent Mission Sri Lanka would appreciate acknowledgement of receipt of this communication by the Office of the High Commissioner for Human Rights.

The Permanent Mission of the Democratic Socialist Republic of Sri Lanka to the United Nations Office in Geneva and Other International Organizations in Switzerland avails itself of this opportunity to renew to the Office of the High Commissioner for Human Rights the assurances of its highest consideration.



Office of the High Commissioner for Human Rights (OHCHR)  
52, Palais Wilson  
Rue de Paquis  
CH-1201 Geneva

## Questionnaire on Security & Tenure by UN Special Rapporteur on Adequate Housing

### Response from the Government of Sri Lanka

#### Legal security of tenure, including protection from forced eviction:

1. Are there laws/regulations recognizing or ensuring legal security of tenure for all the population, and/or for specific individuals or groups?

Yes, there are four laws/regulations or ensuring legal security for all the population, and/or for specific individuals or groups. As follows,

- i. Land Development Ordinance
- ii. State Land Ordinance
- iii. Land Grant (Special Provision) Act
- iv. Land Acquisition Act

The laws stipulated above as i, ii and iii grant provisions to ensure the rights of the occupants who are residing in state land at present. Also the same laws grants provisions to evict the occupants from the land or to avoid the alienation of the land in an instance where the alienation of a particular land which are vulnerable to natural disasters and in an occasion where the occupants possesses some other state land.

When a particular private land is acquired to the government in terms of the Land Acquisition Act, most probably the property is acquired either after paying compensation or offering an alternative land. This has been ensured by implementing the National Involuntary Resettlement Policy.

2. Are there laws or regulations offering protection from forced eviction or involuntary resettlement? Describe briefly the content of the laws/regulations.

When a private land is acquired by a government institution or a Ministry for a development activity of the government, the applicant Institution/Ministry should take measures to make the general public aware on the relieves they intend to grant the groups affected by that particular acquisition. For this purpose a policy called "National Involuntary Resettlement Policy" has been formulated and implemented by the government of Sri Lanka from year 2001.

#### Acts and Regulation

- (1) Land Acquisition Act No. 9 of 1950

The entire process of acquiring land to the government is envisaged under the Land Acquisition Act, which stipulates provision for the entire process from identification

of a land proposed to be acquired, to the registration of ownership, vesting the land with the government after paying compensation to the land owners. Here the land owners may have the opportunity either to get the compensation for their land or the option to receive an alternative land.