

# NSA NOT A SOVEREIGN BODY!

## Colvin Contests Validity of Free Trade Zone Bill



Registered as a Newspaper in Sri Lanka.

VOL 3 NO. 2

WEDNESDAY 11th JANUARY, 1978

Price: 50 Cts

"The passage of the Greater Colombo Economic Commission Bill into law was not within the power of the N. S. A. even with a two-thirds majority." So argued Dr. Colvin R de Silva when the petitions of the Ceylon Federation of Labour and Mr. Bernard Sosya, Acting Secretary of the LSSP, were taken by the Constitutional Court last Tuesday for consideration. Dr. de Silva said that:

The people in their sovereignty had given the N.S.A. certain powers under certain conditions to make certain laws. If there were any infringements of those powers then it was an infringement of the sovereignty of the people.

Dr. de Silva said that the Economic Commission Bill was inconsistent with the Constitution and therefore it infringed on the sovereignty of the people. The Bill struck at the very root of the Constitution itself. The Constitution

itself has not given power to the N.S.A. to pass such Bill.

Continuing his submissions, Dr. de Silva said the Greater Colombo Economic Commission was an "IMPERIUM IN IMPERIO" (a Government within a Government).

Referring to Chapter 1 of the Constitution, he said that the National State Assembly was the supreme instrument of State power. The legislative power of the N.S.A. was

supreme provided that such power did not include the power (1) to suspend the operation of the Constitution as a whole or any part thereof and (2) to repeal the Constitution as a whole without first replacing it by another Constitution. Dr. de Silva said that of the 35 sections of the Bill, one-third was inconsistent, in one way or another, with the Constitution.

Dealing with Section 25 (2) (c) first, he said the Minister was empowered to make regulations to punish any one violating the secrecy of a bank account. This was power to create a multitude of offences. Secret bank accounts were to be absolutely inviolate to any Court in the country—not even a Government could obtain any information for any purpose under any circumstances. The account was to be made so secret that even a Government could not seek any information. A major fraud could be committed and the account holder will be protected.

Mr. Justice Wijesundera: Does this law preclude the Commission getting information?

Dr. de Silva Yes. Nobody can get any information of the constituent's accounts. He said the idea of the Bill was apparently to attract foreign capital into the country and create an atmosphere of comfort and safety for investors.

The Minister of Finance had mentioned in speeches that he would give more benefits to investors than other Free Trade Zones in the world. Dr. de Silva said the section provided absolute protection for Constituents of bank accounts in the area. That provision was a violation of the Constitution regarding the sovereignty of the people.

The Constitution safeguarded the sovereignty of the people and provided that sovereignty should not be vested or divested in any other authority.

The Finance Act of 1961 prohibited non-Ceylonese from opening accounts without due sanction under the provisions of the law of the country. The new Bill made it possible for anyone not limited to only foreigners, from opening accounts at a bank in the area and depositing pounds and dollars without question. This could be used by the Mafia of even finance subversive activities in the country which could be very dangerous.

The National State Assembly was not a sovereign body. It was the people who were sovereign. Therefore the NSA could not have any special powers other than that expressed in the provisions of the Constitution.

In the United Kingdom, the monarchy was sovereign. In 1972 the sovereignty of Sri Lanka passed from the monarchy to the people with the Constitution of the Republic being established.

Arguments were still proceeding at the time of going to press.

## DHARMISTIC VICTIMISATION!

"I do not agree with victimisation of non-UNP Government servants. But what is required is to move those who are dangerous to the administration and are in key jobs in development and production fields such as agriculture and industries, in socially sensitive fields such as in health, education and food distribution, and in economic control fields such as national budgeting and licensing, to innocuous administrative jobs. There are also the many square pegs given appointments by the previous Government in every way unsuited to the posts held. They must be moved to activities suited to their skills and experience. There were others who were placed in important posts contrary to all recruiting criteria and have caused resentment, frustration and denied legitimate opportunities for these already in these respective services. Such interlopers need to be moved back to where they belong in order to revive morale and obtain cooperation from such disgruntled ranks"

— Special Correspondent in  
"The Journal (UNP organ)"

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## Communications

### Mudalali Buddhism and A Bhikku

Some people are in a great huff over an application made by a Bhikku to be sworn in as an Attorney-at-Law. We have also seen the poor maligned Bhikku raising some pertinent questions in defence of his impending act.

All the protests have not been from double-talkers and hypocrites. Some individuals are apparently anxious about the repercussions on a Bhikku becoming a Lawyer. The Vinaya makes no specific mention of practising the Law. But if the purpose and the over-all spirit of the Vinaya code is considered, then it is doubtful whether the purpose of becoming a Bhikku will be served by practising at the Bar, even if he gets justice done to his clients and saves people from death. But it is worse to be a Physician, or a Demagogue (Yakadura) or an astrologer. Even as a teacher (paid or not), I suppose teaching any subject outside the Dhamma would be questionable. Therefore, in a society which allows Bhikkus to do other jobs and enter other professions, I do not see why

a Bhikku should not be allowed to take his Legal Oaths and practise. It would not be a bad idea to have, not only a panel of Bhikku Lawyers, but a Bhikku Judge also to deal with the land, property and business cases involving Bhikkus.

It is a crying shame, yes, a crying shame how all these Navaka Theras, YMBAs and ACBCs could have closed their eyes and ears to the shameful conduct of some of the Bhikkus who preached VIOLENCE AND BLOOD LUST from U. N. P. platforms during the last General Election campaign. Not a hum did they utter! How could they, when those stooge Bhikkus were performing for the victory of their Class?

What is the campaign the ACBCs and YMBAs have carried on against Vinaya-breakers among some of these Navaka Theras themselves? Are these organisations not aware that there are men in Yellow Robes who do not observe even the Five Precepts? What have they done about the hundreds of Bhikkus who

are fleecing superstitious people through all kinds of frauds? There are hundreds of Astrologer Bhikkus; and Astrology is sheer superstitious rubbish. Did Lord Buddha license that? He fought against superstitions. Did he not advise Bhikkus against engaging in Trade? Yet the ACBCs and YMBAs do not see the Mudalali Bhikkus.

There are so many Bhikkus who are Vedamahattayas and Kattadiyas and brokers in Yellow Robes. These people who have got worked up over the application of this particular Bhikku to be enrolled as an Advocate, never yelled about the Malevana Gnanissaras and their Rasayanagarayas or their Rubber Trade. They never talk about those blustering Bhikkus travelling or lounging about in flamboyant comfort. Uchcha Sayana—Maha Sayana, my foot!

The biggest 'hell-raising' seems to be from that House of Vice on Mihindu Mawatha which tried to make Maha Nayakas out of gutter rats like Meetiyagoda Gunaratana. Those are the villains who corrupted the entire present generation of Bhikkus and Laymen alike. And they talk of Vinaya! When Meetiyagodaya plastered the walls of Colombo streets on December 28th (1977) the ACBCs and YMBAs did not see them. Not even did our Prime Minister, that paragon of righteousness and justice, see the Communal slogans on the walls. Or, did he?

This Bhikku's intention to take his oaths as an Attorney-at-Law, surely, was not provided for in the Vinaya code. This is a new problem and it has to be sorted out and not shouted out. In the face of the vicious attack by the sensation-seeking press, the Bhikku involved has somewhat retreated saying that he would not practice in Courts although he seeks enrolment. That is beside the point. The fact is that he cannot break a code that does not exist. Therefore, those who stand exposed today are those 'shocked' gentlemen, Navaka Theras and organisations that showed little concern all these years while a coterie of Bhikkus went about desecrating the Vinaya, grinding it into the mud before the eyes of the whole country. Now, suddenly, the Paragons have awakened with sanguinary yells.

Why? Yes, Why?

The Capitalist and Imperialist elements are wide awake and on the march. Don't you hear the words 'Discipline', 'Discipline' everywhere? The working class is to be disciplined. The independent and progressive sections of the Student and Bhikku population must be disciplined. This is the signal to give the works to the Bhikkus. The attack starts always with the educated ones. They are the ones who give trouble. So when the "Daily News" editor writes (with tongue in cheek) about Bhikku Vinaya, he is only proposing to apply the capitalists' Big Stick to crush the independent Bhikku.

That is why.

—Nandi Samaranayaka

### BACKSLIDING BALA

The Sun of 3rd January carries a denial by Mr. P. B. Tampoe, General Secretary of the CMU, that he mentioned that the "overthrow of the capitalist UNP Government will be possible only through the united action of workers", in the course of his speech at the Joint Rally of Trade Unions held under the auspices of the JCTUO at Hyde Park recently.

It is of course a truism that the overthrow of even a blatantly capitalist government as that of the present UNP Government cannot be accomplished by workers' action alone, through, say, a general strike. In the specific context of our country a much wider mobilisation and action embracing the mass of the people, both in town and country, are necessary to successfully begin the process towards displacing the UNP Government. Only puerile syndicalists would take a General Strike as the be all and the end all of the struggle for workers' power.

But what is interesting in the statement issued by Tampoe is his open attempt to soothe the feelings of his rank and file (which is predominantly white-collar with a penchant for UNP politics) and, through them, the Government, that his speech was "only directed towards the mobilisation of mass action in protest against the UNP Govt's decision to deny to the overwhelming majority of the working people of this country the right to the guaranteed supply of food rations including rice and sugar...."

As far as we know the CMU subscribed fully to the campaign sponsored by the JCTUO in order not only to make the Govt withdraw the cut in the rations hitherto given, but also

- \* to secure a wage increase commensurate with the devaluation of the rupee;
- \* to demand that the prices of essential commodities be kept down; and
- \* to defeat the Govt's attack on mass rights.

The CMU's revised draft of the original JCTUO document on which the broad front of unions was formed, omitted only the reference to the Free Trade Zone and the JCTUO understandingly agreed to its exclusion in order to preserve the much needed unity. The CMU boss's haste in rushing to the press to assure that his purpose is only to register protest against the withdrawal of rations to the working people provides food for thought to others. Is the retail agent of the Paris-based 4th International, who is wont to breathing fire and brimstone at public meetings, trying to do a volte face? Is Bala trying to repeat his performance of the 1962-1970 period? This time will the trade union movement put up with those who run with the hare and hunt with the hound? We hope not.

—Militant

### BONN'S SUPPORT FOR PINOCHET'S JUNTA

by Dr. jur. Julius Mader

Defying world-wide protest, example were used as barracks against the existence and cruel for the guard battalion of Bonn, and where now the raging of the Pinochet-dictatorship, the Federal Republic of Germany continues to render to the junta manifold military assistance. So only recently it was learned: The FRG "in del-farm" COLONIA DIGNIDAD in the Chilean province of

#### Weapons For the Terror Regime

To an ever growing extent enterprises of the FRG's military-industrial-complex are participating in the equipment of mass-terror-serving Chilean armed forces. Let us take just four out of the bulk of latest respective news:

The firm of Heckler & Koch Ltd. at Oberndorf/Neckar, the FRG's biggest producer of rifles and NATO supplier of small-arms, supplied Chile with 4,000 automatic rifles of the most modern HK 43 type. This was also confirmed in the 10/1975 edition of the Bonn journal "Wehrtechnik". The delivery was carried out through a licensee of the above mentioned arms-factory in Thailand. To this added the Spanish-language-journal "Puentes" in its February 1977 edition that these automatic rifles are mainly applied in arrest-campaigns, anti-guerrilla missions and mass-executions.

The SARTORIUS WERKE Ltd. Goettingen, directed by Horst Sartorius, equip the Pinochet-army with control- and micro-measuring-instruments. This was revealed recently by the "Anti-Imperialist Solidarity-Committee" (ASK) of the FRG.

In its July 1977 issue the journal for diving and underwater technology "POSEIDON" reported: "IBAK, the producer of underwater-electronics, of Kiel 14, 122, Wehdenweg, supplies the navy of the Pinochet-junta with underwater-television-devices." Furthermore the MBB air-arms-ment-concern of the FRG has delivered to the junta via Switzerland at least six combat-helicopters of the Bo-105 type, developed for the Bundeswehr. They are used in Chile as heavily-armoured police-helicopters. In late autumn of 1976 a reporter of the US news-agency Associated Press became aware of this outrageous arms-business in Geneva, where the helicopters received additional equipment. Meanwhile the Swiss customs-authorities in

Berne had to admit the arms-deal.

By the middle of 1977 in most cases the contractual partner had been Pinochet, military-attaché in Bonn, General-Staff-Colonel Christian Ackerknecht, a grandson of German-stock Chile-immigrants, who had been trained at the Hamburg Bundeswehr-Academy. When the high-ranking junta-officer in Bonn was found guilty by eyewitnesses and some of his victims of both having organized for years crimes against humanity in Chile and having personally participated in disgusting tortures, Ackerknecht had to leave his diplomatic post in the FRG following international public pressure. But now as before FRG-firms supply the internationally-banned Pinochet-regime with arms and military equipment. And in each case these firms receive the necessary legally-demanded export-approval-notices issued by the federal ministry of economy and the FRG foreign office.

—PANORAMA DDR—

# WHAT DO THEY EXPECT FROM THE FTZ?

## BILL PROMISES NOTHING AT ALL!

BY N. M. PERERA

Why is this Government so chary of calling a spade a spade? The Minister of Finance abstains using the direct word 'devaluation' and calls from it an 'Unified Exchange Rate'. He abolishes the Wealth Tax for the highest slab of Income Tax and calls it unification of the Income and Wealth Taxes. And now instead of the Free Trade Zone, we have the Greater Colombo Economic Commission. It is a pity that the Government has such a low estimation of the intelligence of the public. We do not think the people are so easily fooled or bamboozled.

The so-called Greater Colombo comprises an area roughly of 123 square miles. It starts with the Kelaniya Bridge in the North of Colombo, and goes as far as Maha Oya. It covers a number of constituencies and roughly the population cannot be less than half a million people. This area to all intents and purposes is a separate autonomous region. Though not geographically divided, this area will become a separate political and economic entity. No doubt, in due course, it will develop its peculiar social characteristic also.

The draft legislation sets out the objectives of the Commission in highly exaggerated terms. Once again, the Government is endeavouring to conceal its real intentions by

clothing the Commission with wider objectives. It provides for fostering and generating the economic development of the Republic and the widening and strengthening of the base of the economy. Why does the Government think that the economic development of the whole country is the function and an objective of a 123 square-mile Free Trade Area, euphemistically denoted as the Greater Colombo? Surely, the people of this whole island are deeply concerned about the development of the diverse resources of this country. This cannot be a monopoly of the concentrated few lakhs in the Free Trade Area. It is by no means clear that the economic activities of this exclusive area would percolate so easily to the rest of

the country, precisely because the citizens of this area will enjoy privileges that are not available to the citizens of the rest of the country. Is it more likely that the privileges conceded to this favoured area would generate envy and, therefore, antagonism and not co-operation.

### Naive Hopes

Even the most elastic imagination would boggle at the idea that the Free Trade Zone would widen and strengthen the base of the economy of the whole country. To widen and strengthen the base of the country's economy, one would have to scatter the industrial enterprises in various parts of the country utilizing the special facilities of raw material, water resources and manpower availability of these areas. If the concentration of industrial units is confined to the narrow space of the Free Trade Zone, it can intensify industrial activity in this area, but it will certainly not broaden or strengthen the economic base of the country. We are left with the choice of wondering whether the Government is naive beyond belief or optimistic beyond redemption. It seems to have simple faith in the altruism of foreign capi-

talists who, when and if they come, will establish industrial units, not to squeeze quick and substantial profits, but out of the goodness of their heart to foster the well-being of the people of this country. Is it not much more reasonable and much more realistic to expect the foreign tycoons to establish such industries as would give them quick and unaccountable profits? They must know, and they are sufficiently worldly-wise to know, that the advantages they now enjoy will vanish with the dethronement of this Government. They must, therefore, make a fast buck and gather the harvest while the sun shines.

The most sinister aspect of this proposal is the virtual dismemberment of the country. The Free Trade Area will become a Kingdom within a Kingdom. Once this legislation is passed, it will be difficult to resist the claims of the Tamil people to enjoy similar treatment in the area which they maintain is their traditional home. If one portion of the country is to enjoy virtual autonomy, how can the claims of the Tamils for similar treatment be rejected, merely on the ground of their Tamilness?

### Commission's Powers

The Commission rules over the destinies of this area. Its jurisdiction is co-terminous

with the area of the Zone and its power within the Zone is unlimited. It has virtual legislative power in the area because it has the power to amend, alter and limit the operation of 18 Acts itemised in Schedule "B" of the draft which includes the Inland Revenue Act No. 4 of 1963, Customs Ordinance, Exchange Control Act, Immigrants and Emigrants Act, Company's Law Act, the Monetary Law Act, Merchant Shipping Act, the Wages Board Ordinance, Shop & Office Employees (Regulation of employment and Remuneration) Act, Finance Act No. 65 of 1961, the Factory's Ordinance, the Area Navigation Act, the Trade Union's Ordinance, the Rent Act, the Control of Prices Act, the Ceiling on House Property Act, Excise Ordinance, and the Maternity Benefits Ordinance.

Further under Schedule "C" of the draft legislation, the Commission is also given powers both to modify or make partially applicable, in addition to some of the items in Schedule "B", the following further Acts: the Town and Country Planning Ordinance, Housing and Town Improvement Ordinance, the Entertainment Tax Ordinance, Troughways Ordinance, Vehicle's Ordinance, Trade

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# ELEPHANTS MAY FORGET: BUT PEOPLE WILL NOT FORGET J. R.

by the Late V. SATCHITHANANDAM

1. In May 1944, Mr. J. R. Jayawardena moved the following motion in the State Council.

"That with the object of making Sinhalese the official language in Ceylon within a reasonable number of years, this council is of opinion:

- That Sinhalese should be made the medium of instruction in all schools.
- That Sinhalese be made a compulsory subject in all public examinations."

2. In 1948 the U. N. P. passed the Law depriving the Up-Country Tamils of their Votes and Citizenship.

3. The first Party that passed the motion that Sinhala only should be the official language of Ceylon was the U. N. P. It did not embody even the reasonable use of Tamil. This motion was moved by Mr. J. R. Jayawardena.

4. In 1975, the U. N. P. forced the Government to break the Bandaranayake-Chelvanayagam Pact. Mr. J. R. Jayawardena led the famous march to Kandy to break the Ft.

5. In 1958, the U. N. P. opposed the "Reasonable Use of Tamil" bill brought by Mr. Bandaranayake.

6. On 27th May, 1958, the Sinhalese-Tamil riots started in Ceylon.

Just before that, among the quotable quotes from the U. N. P. paper "SIYARATA" are: "Therefore the whole nation should rise up and demand in one voice that he (Bandaranayake) should liberate the country from the Tamils." Siyarata of January, 8th, 1958.

"The struggle should be waged by all Sinhalese to call upon Mr. Bandaranayake to resign with his henchmen in order to protect the country and save our freedom... If it is not we shall be subjugated by the Tamils and shall live as slaves. Sinhalese awaken, rise and march forward"

Siyarata of May 16th, 1958. "Sinhalese youth arise, do not permit it, for the sake of the nation let no one think of life; kill as many, when you cannot do so kill yourself. Sinhalese, let us

arise. Look and march in front. In the name of the nation hasten and do not idle, but kill"

Siyarata of May 16th, 1958

In July 1958, after the riots, Mr. Bandaranayake stated in Parliament:

"Probably my Honourable friend the member for Maturawa may be aware that his own leader Mr. Dudley Senanayake, two days before the Governor General's speech, addressed a group of youth leaders and he warned them to be ready—that instructions will be coming in a few days. They must be prepared for everything." Hansard of July 4th, 1958—Col. 914.

8. In July 1960, the U. N. P. displayed all over Ceylon the frightful map of Ceylon with Mrs. Bandaranayake's hand cutting Ceylon into two with a knife,

9. In June 1956, the U. N. P. exhibited maps in L. S. S. P. and C. P. constituencies—also a frightful map of Ceylon showing Leftists welcoming crowds of Indians coming from India across a bridge con-

We publish below the text of the last appeal to Tamil citizens in Colombo written by V. Satchithanandam who died in tragic circumstances at the end of November 1977. It was published as a leaflet in the course of the general election of 1977.

The appeal (and warning) is still timely, in view of the expectations once more kindled by interested people that the U. N. P. politician, J. R. Jayawardena, will "concede" the rights of the Tamil Minority in Sri Lanka

—EDITOR

tracted for the purpose, just because the Leftists supported the Tamil Language rights.

10. In 1964 June, the U. N. P. opposed the 14-point programme of the Coalition Government stating that the provision for Tamil Language contained therein would abrogate the Sinhala Only Act.

11. In 1965, the U. N. P. cheated the Federal Party with a secret pact, and never honoured it.

12. In 1968, the U. N. P. started two Sinhala-Buddhist schools in Achevely and Karaveddy—both places in Jaffna with one hundred per cent Tamil-Hindus.

13. In 1968, the U. N. P. objected and did not allow Koneswaram area in Trincomalee to be declared a sacred area.

14. The 1970 Manifesto of the U. N. P. made no mention of the Tamils or the Tamil Language.

15. In the 1977 U. N. P. manifesto, no mention is made about the present plight of the Up-Country Tamils. Regarding the Tamil Language it states that it would convene an all parties conference after the Elections. This Sambar kinflying has been going on for the last 30 years. But the

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# WHAT DO THEY EXPECT FROM THE FTZ?

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Marks Ordinance, Business Names Ordinance and the Merchandise Marks Ordinance. By regulation the Minister can enlarge these schedules to cover other existing legislation, and the Commission can make by-laws, regulations, orders or notifications under all such laws itemised in Schedule "C". In the implementation of these Acts in the Free Trade Zone, the Commission will be the authority vested with the carrying out of the powers and functions set out in these Acts.

The Powers of the Commission do not stop here. All the existing Local Authorities in this area are dissolved and the Commission becomes the sole local authority. It has all the powers of a Municipal Council and its officers and employees will be ipso facto enjoying all the powers and responsibilities accruing to the employees of Municipal Councils. The Minister in charge of Local Government will cease to have jurisdiction over the new Municipal Council of this Free Trade Zone. The Minister in Charge of this Zone will be the Minister presiding over the functions of this Municipal body.

The Commission will enter into agreements with foreign enterprises and foreign entrepreneurs. These agreements may involve rights and concessions in order to facilitate the completion and carrying out of their enterprises. They can ensure tax concessions, foreign exchange concessions, labour-legislation concessions etc. These are concessions that will not be available to the permanent residents of the rest of this island. If any dispute arises on these agreements, a special tribunal has been set up to determine these disputes and the Commission represents the Government of the country before the international tribunal inquiring into the dispute. These agreements with foreign enterprises will cover Banks as well.

## Secret Accounts

Foreign Banks will be invited to open branches in the Free Trade Zone. They will enjoy concessions that the other Banks in the rest of the country do not enjoy. Specific mention has been made in the draft legislation to permit secret Accounts which will be numbered so that the persons operating them would remain anonymous. It will be an excuse to disclose the Party to whom the Account belongs. Therefore, within the Free Trade Zone, we will be the happy-hunting-ground of the most nefarious speculators, international crooks and sharpers. Ceylon can well be the heaven of refuge of Mafia-type dope peddlers. What a reputa-

tation for the land with a glorious tradition of pure and serene Buddhism!

The Commission will have independent financial resources. Its finances do not become part and parcel of the Consolidated Fund in the country. It has its own Fund. Since the Commission has power to levy rates and taxes, collect dues, levy charges and penalties, the resources accruing from these activities will be credited to this Fund. In other words, the Free Trade Zone will enjoy financial autonomy. The Commission itself does not pay any taxes to the Government of Sri Lanka. There is provision for the auditing of accounts. The auditor is not the Auditor-General of the country. The Commission will have its own separate auditor and these audited accounts will be submitted to the National State Assembly by the Minister in charge of the Free Trade Zone.

The Free Trade Zone seems to have an independent identity vis-a-vis foreign countries. The agreements it will draw up with foreign enterprises and individuals would not be agreements with the Government of Sri Lanka. They are agreements with the Commission of the Free Trade Zone. As we have already seen, any matters of dispute in the implementation of these agreements would be the subject of direct negotiations between the parties concerned and, in the last resort, be a matter for adjudication between the parties concerned and, in the last resort, be a matter for adjudication by an international tribunal before which the Commission will appear and not the Government of Sri Lanka. The Commission is also empowered to open branches or agencies outside Sri Lanka, which will be directly operating under the supervision of the Commission. The Commission has also the power to empower any foreigner to act for and on behalf of the Commission in any foreign country, without any reference to the Government. However, it is not at all clear whether the Commission has the power to raise foreign loans for the purpose of developing the area within its jurisdiction. Since it is entitled to have transactions with foreign Banks operating with secret accounts, one cannot visualise whether any limitation can be imposed on loans and other accommodation to meet the requirements of the Commission. There is provision for loans to be granted by the Government of Sri Lanka, but the draft legislation does not say that the Commission is debarred from utilizing financial resources of the Banks in the area.

## Relations with Country

The draft legislation does not explicitly deal with the relations between the Free Trade Zone and the rest of the country. It would be possible for an existing enterprise outside the Zone to enter into an agreement with the Free Trade Authority. Such a licensed enterprise will be subject to the terms and conditions imposed by the authority, not only with regard to the manufacturing process, but also with regard to the wholesale or retail trade conducted by the licensed enterprise. The Bill does not spell out the terms and conditions that would be imposed.

Nor does the Bill itemise the advantages and facilities such a licensed enterprise would be conceded. One can envisage such a licensed enterprise being located in various parts of the country as remote as Jaffna and Galle. How are these enterprises going to be supervised and serviced? Is it possible to conceive that leakages from these licensed enterprises can be plugged effectively? Authority will be granted under the agreement for the control of the wholesale and retail trade of these enterprises, but no person will seriously believe that blackmarkets will not sprout at all these points in a country like ours which is so notorious for limitless blackmarketing. How many foreign goods are available in Sri Lanka notwithstanding the ban on them? Today the purveyors of these goods are brazenly advertising in news papers the sales of all these prohibited articles. Far from being hampered, they seem to be flourishing famously.

Section 27 of the Bill provides for Customs Offices to be established in the area of authority. Are these Customs Offices under the jurisdiction of the Commission or of the Central Government, because Section 13 of the Bill gives the Commission power to appoint such officers and servants as the Commission may deem necessary? Are not Customs Officers part of the staff required for the carrying out of the functions of the Commission? But the manner in which section 27 is worded gives the impression that these Customs Officers are those appointed by the Central Government and carrying out Customs duties as envisaged by the Customs Department of the Central Government. Are they carrying out the orders of the Commission as the area authority or the orders of the Principal Collector of Customs? The Commission has the power to levy duties and, presumably, these Customs Officers will collect the duties imposed by the area authority, as the Free Trade Zone has neither export nor import duties.

## Sinister Aspect

The silence of the Bill on the financial relations between the Central Government and the Free Trade Zone is the most sinister aspect of this whole exercise. There is nothing in the Bill which indicates that any contribution will be made either foreign exchange-wise or revenue-wise to the Central Government of the country by the area authority.

This Kingdom within the Kingdom will function, to all intents and purposes, as a Government apart, unconnected with the rest of the country except for the very tenuous hold that the National State Assembly has through the Minister who is responsible to Parliament. The Bill provides for the Commission to function in accordance with any general or special contribution issued by the Minister. But this does not connote that any financial benefits will accrue to the Central Government.

After all this propaganda build-up, we are left wondering what precise benefits the Free Trade Zone will confer. The Prime Minister himself once talked of this country being free of dependence on foreign aid after the Free Trade Zone comes into operation. There is nothing in the set-up envisaged in the projected legislation which ensures a regular and massive flow of foreign exchange resources into the country as a whole. What resources the foreign Banks

will bring into the Zone will not be at the disposal of the rest of the country. Such an inter-twining of foreign Bank resources in the Zone and the economy in the rest of the country is not envisaged in legislation for this exclusive domain. Are we then to be content with the cheap labour that we provide to the Zone and be satisfied with the trickle of the foreign money that will flow by way of wages, if the labour decides to live outside the area of authority. Of one thing we can be sure, Sri Lanka will be a paradise for smugglers. We will be nurturing this special breed of greedy parasites, whose only equipment and competence will be the ability to evade and outwit the Law Enforcement Authorities. It is a sad day for this country when we have to fall so low, all in the name of achimerical future of economic development.

## Elephants May Forget...

(Contd. from Page 3)

United Left Front Manifesto categorically states: For the protection of Minorities the U. L. F. Govt. would:

- (a) Grant Regional Autonomy for the solution of the Tamil question.
- (b) Set up administration in Tamil in Tamil areas.
- (c) Decentralise administration through District Councils.
- (d) Amend the Constitution to include in the Constitution the rights already granted to the Tamil Language administratively.
- (e) Declare Tamil a National Language in the Constitution.
- (f) Registered Citizens to enjoy the same rights as the other citizens.
- (g) All estate schools to be taken into the National system of Education.
- (h) Establishment of creches to look after children when women go out for work.
- (i) Equal pay for men and women.
- (j) Improve living conditions of workers by abolishing the 'lines' in estates.
- (k) Appointments and promotions strictly on merit without any distinction of caste, creed or sex.
- (l) Establishment of University campuses in Eastern Province and Southern Province.
- (m) Provide opportunity for higher education for all those qualified.
- (n) Abolish Kachcheri system of administration and make it democratic through elected councils.

15. The 1977 U. N. P. Manifesto states that Buddhism would be given the pride of Place.

17. Mr. J. R. Jayawardena stated in Anuradhapura:

"The time has come for the whole Sinhalese race which had existed for 2,500 years jealously to safeguard their language and religion to fight without giving quarter to save their birthright... I will lead the disobedience campaign." *Tribune*, August 30th, 1977.

18. As late as June, 1977, Mr. J. R. Jayawardena proudly stated in Kegalle urging the Sinhalese to vote for the U. N. P.:

"I was the first to state that Sinhala only should be the State language in 1948. It was I who made the Lion Flag the State Banner of Sri Lanka." *Sun* June 8th, 1977.

19. Mr. M. Truchelvam stated: "Though the U. N. P. may say that we are all brothers, yet when the time comes to granting us our aspirations, they forget all about it." *Thinakaran*, November 15th, 1963.

20. Mr. R. Sampanthan, T. U. L. F. Candidate for Trincomalee stated:

"U. N. P. was solely responsible for the present plight of the Tamil Community. In 1974 the U. N. P. had made the Up-Country Tamils stateless in their own land. Later the same Government had launched systematic Sinhala Colonisation schemes in Tamil areas making the Tamils landless in their own traditional homelands. How can the Tamil speaking people trust the U. N. P. leader, Mr. J. R. Jayawardena, who opposed the implementation of S. W. R. D. - Chelva pact in 1957, and maintained the same stand in 1976, when he addressed a meeting in Jaffna." *Sun*, June 8th, 1977.