

WHOSE RIGHT OF WAY?

Development Induced Displacement

Sanjana Kuruppu

&

Varuni Ganepola

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Sanjana Kuruppu has studied Humanities. She is currently attached to the Poverty Impact Monitoring Programme, Centre for Poverty Analysis. Her research work has focused on youth and development, project monitoring, poverty impact monitoring and health.

Varuni Ganepola has studied Psychology, Sociology, and Refugee Studies. She teaches Psychology at the Department of Sociology, University of Colombo. Her research interests include forced migration, conflict-related distress, and psychosocial work.

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The **Centre for Poverty Analysis (CEPA)** is an independent professional service provider promoting a better understanding of poverty related issues in Sri Lanka. CEPA's service orientation is concentrated on the four areas of applied research, advisory services, training and dialogue and exchange, which is extended to organisations and professionals working towards the reduction of poverty.

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Abbreviations

ADB	Asian Development Bank
AMDP	Accelerated Mahaweli Development Project
BOT	Build Operate Transfer
CBO	Community Based Organisation
CEA	Central Environment Authority
CKE	Colombo Katunayake Expressway
CRP	Compliance Review Panel
CT	Combined Trace
EOI	Expression of Interest
DS	Divisional Secretariat
EIA	Environment Impact Assessment
FAO	Food and Agricultural Organisation
FT	Final Trace
GoSL	Government of Sri Lanka
GRC	Grievance Redress Committee
IDP	Internally Displaced Person
IFI	International Finance Institution
I/NGO	International / Non governmental organisation
IRMP	Integrated Resource Management Project
JBIC	Japan Bank for International Cooperation
LAA	Land Acquisition Act
LARC	Land Acquisition and Resettlement Committee
LTTE	Liberation Tamil Tigers of Eelam
RDA	Road Development Authority
NEA	National Environmental Act
NIRP	National Involuntary Resettlement Policy
OT	Original Trace
SIA	Social Impact Assessment
SIDA	Swedish International Development Agency
SEIA	Summary Environment Impact Assessment
SHC	Southern Highway Component
STDP	Southern Transport Development Project
UNDP	United Nations Development Programme
UNHCR	United Nations High Commissioner for Refugees
WSA	Wilbur Smith Associates

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Executive Summary

Development induced displacement and resettlement is not a new phenomenon in Sri Lanka. Pockets of population have been relocated from colonial times owing to political decisions and large-scale anchor projects that sought to diversify and resite agricultural production from a few concentrated areas.

This research looks at development-induced displacement. The paper provides an overview of the country situation with regard to displacement resulting from development interventions. It looks firstly at the Accelerated Mahaweli Development Project (AMDP) and then narrows the focus to the Colombo Katunayake Expressway (CKE) and the Southern Transport Development Project (STDP), two in-process transport interventions. It looks at development driven displacement in the two projects in terms of scale, state measures such as the national policy on involuntary resettlement, institutional mechanisms such as specific displacement plans and allied processes such as stakeholder discussion, public awareness raising, project implementation, public participation, activism and response.

The study is qualitative in approach and employed a purposive sampling technique to identify respondents who were persons affected both directly and indirectly by the projects. Interviews were directed at three levels: two categories of key informants and affected persons. Instruments used included a literature review, structured and semi-structured questionnaires and focus group discussions.

The CKE is an access controlled four-lane dual carriageway, which has as its broad objective the provision of *“easy transport between the Bandaranaike International Airport and the capital of the country while reducing travel time with enhanced safety”*. The STDP is a six to four lane access controlled expressway with possible future extensions.

Impacts of displacement were multifaceted and not limited to physical relocation, they included other factors such as vulnerability and impoverishment risk. The loss and/or disruption of livelihoods was also identified. All STDP respondents, and some CKE respondents, cited the threat to food security resulting from loss of land. Many respondents cited lack of access to community resources and spaces both natural and man-made as macro impacts which affected both the larger community and individual households. Social disintegration is another deleterious result of the development projects. The dismantling of joint production systems, for example, joint labour in paddy cultivation, severance of generational residential communities and informal social networks was highlighted. Respondents also identified many environmental impacts: sand mining, noise and air pollution from heavy machinery emissions, destruction of crops from soil erosion are some examples.

Limitations in implementation included the lack of Social Impact Assessment (SIA) mechanisms at national and policy level, lack of comprehensive consultative baseline research and limited involvement and participation by financiers in the areas of displacement and resettlement. The involvement of a chain of government bodies has resulted in the affected persons having to go through many bureaucratic procedures in order to receive compensation. Irregularities in assessment and disbursement were raised constantly. The lack of clarity on calculation of compensation scales and deficits in compensation for income generating assets and sources such as paddy lands, arable lands and home gardens were two reiterated assertions of the affected persons.

The discussion concludes with the provision of recommendations for areas that need improvement ranging from policy and institutional arrangements to components of service provision that need to be rethought, expanded or better implemented.

Introduction

Development induced displacement and resettlement is not a new phenomenon in Sri Lanka. Pockets of population have been relocated from colonial times owing to political decisions and large-scale anchor projects that sought to diversify and resite agricultural production from a few concentrated areas. In the current context, however, displacement and resettlement is often seen as applicable to / viewed within the framework of the separatist conflict.¹ This protracted conflict has led to the mass scale displacement and relocation of a considerable number of people. The focus on the war-induced displacees, owing to sheer numbers and high political and international profile has meant that those who have been displaced due to development interventions are not a priority for policy planners, decisions makers and practitioners in the field of displacement. The orientation of the Ministry for Relief, Resettlement and Rehabilitation is conflict-driven as it was set up to address the needs of those displaced by the conflict. Therefore, structures for decision-making and welfare of those who are displaced as a result of development-induced interventions are weak.

This research looks at specific aspects of development-induced displacement. The paper provides an overview of the country situation with regard to displacement resulting from development interventions and highlights the Accelerated Mahaweli Development Project (AMDP). It narrows the focus to the Colombo Katunayake Expressway (CKE) and the Southern Transport Development Project (STDP), two in-process transport interventions, and looks at development driven displacement in the two projects in terms of scale, state measures such as the national policy on involuntary resettlement, institutional mechanisms such as specific displacement plans and allied processes such as stakeholder discussion, public awareness raising, project implementation, public participation, activism and response.

These large-scale interventions are mostly financed by International Financial Institutions (IFIs) with government agencies serving as implementing partners. There has been widespread politicisation of these interventions from the awarding of tenders for contracts to grass-root level decision making of 'who will be displaced' and the communication of information to those affected. Implementation of these two projects has been sporadic. They have been influenced by a variety of factors such as changes in governments, protests by the public and Community Based Organisations (CBOs), agitation by environmentalists, etc. This creates the need for an identification of the various actors, their roles and resultant impacts.

Study Objective, Methodology and Limitations

Study objective

The objective of this research was to appraise the framework of development induced displacement (DID) in Sri Lanka. It first looks at past interventions and then narrows the focus to understanding project specific displacement issues of the STDP and CKE. Displacement resulting from development is an issue that has not received significant attention. It is treated as a project component in terms of management and is not viewed as an area that requires specialised knowledge, expertise and even funding. In this milieu this study aims to understand DID in the context of the STDP and CKE to look at issues that are of critical importance.

Apart from the direct impact of physical relocation the study intends examining the land acquisition and displacement process, public awareness, response, reaction and participation of affected persons, impacts at both community and household level. The study identifies awareness

¹ Armed conflict which commenced in 1983 between the state and the Liberation Tamil Tigers of Elam (LTTE) a separatist group, demanding a separate homeland.

levels of the affected communities on the respective projects and examines public awareness mechanisms and their implementation. It also looks at resettlement plans and procedures from an institutional and project perspective. The study looks at direct and indirect impacts of the projects on affected households and communities.

The paper focuses first on Sri Lanka's history in development-induced displacement. It briefly outlines the situation during the colonial period. The section on the CKE and STDP first contextualises development-induced displacement, provides a framework for displacement and gives an overview of the two projects and processes. It also looks at the response of people affected by the project. It then focuses on displacement whilst the fourth section analyses the impacts of both interventions. It looks briefly at resettlement and reparation, where the projects are currently placed, provides recommendations and concludes the discussion.

Methodology

The study is qualitative in approach and employed a purposive sampling technique to identify people² who were both directly and indirectly affected by the projects. Interviews were directed at three levels:

- Key informant category 1
- Key informant category 2
- People affected by the projects

Instruments used included a

- Literature review
- Structured and semi-structured questionnaires
- Focus-group discussions

Key informant interviews disaggregated at two levels were held with respondents from the Colombo based offices and field offices. At the first key informant level, interviews were held with senior and middle level personnel from the project and stakeholder institutions such as the Divisional Secretariats (DS divisions).³ The objective of these interviews was to gain a comprehension of the state's / projects' resettlement framework, to identify the mechanisms used to implement land acquisition and project impacts.

The second level of key informant interviews was conducted with Resettlement Officers and Community Leaders. These interviews sought to assess the ground situation in terms of acquisition, resettlement and compensation procedures. The interviews conducted with the affected persons sought to analyse the displacement and resettlement framework from the understanding and experience of the respondents.

The field visits spanned August to December 2004; interviews were held with 20 affected persons and 10 key informants from both projects. A stringent sampling frame was not applied but care was taken to ensure that the sample captured a representation of those who were directly and indirectly affected, that is those who had lost physical properties such as houses and lands (generally classified as directly affected persons) and those whose livelihoods were impacted (indirectly affected persons).

² Names, specific locations and other identity markers have been left out in order to maintain anonymity of respondents at all levels

³ Decentralised administrative sub-division

The field research component originally contained one site for each of the expressways but was expanded on the development of the researchers' understanding of the wider scope of the issues involved. The sites are Bandaragama and Kurundhugahahatakma for the STDP and Katunayake for the CKE. The field research included institutional discussions with CBOs and public interest groups. In general, the respondents showed a good level of receptivity, many hope that studies of this nature would help to enlighten the relevant authorities.

Limitations to the study

The media has given extensive coverage to controversies surrounding the projects. These controversies include the changing of project traces and the bypassing of tender procedures. Project personnel that the study team interviewed had been given instructions not to divulge sensitive information. This meant that they were very circumspect about what information they gave to the study team; some personnel were not available for interview. The lack of aggregated base data and background studies, especially on the CKE, proved to be another considerable constraint.

Access to some project documents has been restricted and meetings with certain key decisions makers and implementers were not possible despite repeated attempts by the research team to do so. A second round of field visits to the resettlement sites in Diyagama and Kurundhugahahatakma were scheduled for early January 2005. Circumstances after the tsunami in December 2004 spurred a decision to cancel this component and work with field data that was generated prior to December 2004 thus limiting the discussion on resettlement related issues.

History of Forced Displacements

Development-induced displacement – an inevitable pathology?

Over the past two decades, development-induced displacement saw the magnitude of forced displacement reaching global figures of some 200 million people (Cernea 2000). The frequency, size, and dire consequences of development-induced displacement, have made it a concern of worldwide proportions. Forced displacement is a result of the necessity to build infrastructure for diverse industries such as irrigation and transportation or for urban development projects such as hospitals and schools. Many would agree that such programmes are indisputably needed and that they improve people's lives, provide employment, and supply better services (ibid).

On the other hand, involuntary displacement triggered by such development programmes, create major impositions on some communities. Their rights are threatened and some end up worse off. This raises major issues of social justice and equity. Worse still, most of these affected communities tend to be economically poor, socially marginalised, or politically weak. *"The principle of greater good for the larger numbers routinely invoked to rationalise forced displacements, is, in fact, often abused and turned into an unwarranted justification for tolerating ills that are avoidable. The outcome is an unjustifiable repartition of development's costs and benefits: some people enjoy the gains of development, while others bear its pains"* (Cernea 2000:12). Development does require land and creates changes. Hence, at times, relocation of communities becomes unavoidable but does this also mean that the unequal distribution of costs and benefits of development, profoundly contrary to promises of development, is also inevitable and ethically justified? Should those who do not receive benefits of development projects be made to sacrifice and suffer for the sake of others? This is a question that permeated throughout the current study, and which the study attempts to understand.

Development and forced displacement - a historical game

This section looks at development and forced migration from a historical perspective. Sri Lanka has a history of over four centuries of colonisation by foreign nations. The Portuguese (1505-1656) and Dutch (1656-1796) brought labourers from India to work in cinnamon plantations. These

Indian migrants were settled mainly in the central hill areas. The British (1796-1948) systematically pushed people out of their lands in the hill country by means of the Crown Land Encroachment Ordinance (1840), Temple Lands Ordinance (1856), and Waste Lands Ordinance (1897).

During the 19th century, the remarkable growth in the coffee, tea and rubber industries influenced prospective investors to depend on land purchases from private sources (Werellagama et al 2004). Private land transactions became widespread. The British government, however, frowned upon such transactions, claiming that they were illegitimate, since the land being sold was Crown property. The need to control the sale of private land was coupled with the intention of preventing unrestricted *chena* (slash and burn) cultivation, which was considered a harmful practice. The Waste Lands Ordinance was an attempt to curb private land sale and *chena* cultivation, despite numerous protests from Sri Lankan planting communities. This draconian legislation brought 80% of the total land area of the country under the British Crown. This laid the foundation for a plantation system of agriculture, and was instrumental in bringing an even larger labour force from India.

Sri Lanka gained independence in 1948. From the 1930s, agricultural development through irrigation development and land settlement has been one of the key aims of successive governments (Perera 1992). The main logic of these initiatives was to increase food production to meet growing demands and to ease population congestion in the western region of the country (ibid). These objectives have been interpreted along ethnic lines by both the Sinhala and Tamils. The difficulties of post-colonial adjustment were exacerbated by development projects. Large-scale irrigation schemes in the Eastern province led to the establishment of Sinhala settlements in areas that had traditionally been Tamil. This resulted in communal tension because Tamils perceived these irrigation schemes as a deliberate strategy to marginalise the Tamil minority although these projects also displaced Sinhala populations (Sorenson 1997).

In the late 1970s, dry zone colonisation policies of the government revolved around the Mahaweli Development Project. Also known as the Mahaweli River Diversion Project, it included the construction of a cascade of large dams along the Mahaweli, the longest river in the country. The following section examines the effects on people by the river-dam project.

The Mahaweli Project

The Mahaweli Development Programme is the most extensive physical and human resource development programme implemented in postcolonial Sri Lanka. The master plan was prepared during the 1950s and 1960s, with the help of the United Nations (UNDP) and the Food and Agricultural Organisation (FAO). The Mahaweli river basin had the largest potential in the dry zone of Sri Lanka for both hydropower generation and irrigated agriculture. The project was to be implemented over 30-year period, starting from 1970. The Mahaweli Development Programme has brought about the birth of new settlements, hydropower generation, and provided employment. Other important consequences are control of floodwater, development of agriculture and livestock resources, and the establishment of industries based on agricultural products.

In 1977, the Accelerated Mahaweli Development Project (AMDP) was established. The Mahaweli Authority Act No 23 of 1979 formed the Mahaweli Authority of Sri Lanka and this accelerated programme aimed to complete the major dams of Victoria, Kotmale, Randenigala and Rantembe, and four principle trans-basin diversions within a short period of five years (Werellagama et al 2004). AMDP was to provide irrigation to 128,000 hectares of land and to generate 470 MW of hydro-power (ibid).

Resultant risks and threats

Displaced people and the environment have borne the costs of development projects and this section outlines some of these impacts. The reservoirs of Mahaweli inundated many villages in central hill areas and North Central province (about 60%) and some areas in the Eastern province (approximately 40%). These areas contained ancient villages that had been economically viable for more than 2000 years. Land rich with fruits and cocoa and other mixed crops were destroyed by this project. No comprehensive study has been done on the cost of biological resources lost or on the impact of the project on biodiversity of the area. AMDP has caused environmental degradation in many ways. Various agricultural activities have been carried on without appropriate soil conservation measures or forest protection on sloping lands. Subsequently, small village reservoirs have become silted. *Chena* cultivation on steep slopes, clearing of forests for agriculture, and settlements in central highlands and sloping lands have exposed the soil to rain water, causing extensive soil erosion. Eroded soils are brought by storm water to natural waterways. Construction of new road systems and transportation of machinery needed for the project have also resulted in soil degradation. These road systems were constructed through natural forests and sometimes in steeply graded lands.

Communities that were affected were offered either a financial compensation package or land in downstream resettlement schemes. The Government of Sri Lanka (GoSL) wanted the first generation of resettled farmers to be sustainable, and the second generation to become export farmers (Werellagama et al 2004). The number of displaced families was approximately 12,000. In addition to financial compensation, affected families were given a small plot of land in the same vicinity, or 1.2 hectares of land in newly irrigated areas. From this allotment, 1 hectare was irrigated land and 0.2 hectares was home garden-land. There were accusations of irregularities in provision of land and financial compensation by the government.

Many people who had previously made their living by cultivating rice opted to migrate to Mahaweli systems. Some of the risks these migrant communities faced included being settled in under-developed and poorly planned areas with threats to health and well-being. People were seriously affected by malaria in some areas. Drinking water, houses, roads and hospitals were in short supply. At the beginning even the Mahaweli town centres had no schools, post offices, hospitals or other service centres to cater to the displaced villagers. These facilities were gradually provided, but a proper infrastructure should have been established before the farmers were moved in.

Resettled communities faced hardships adapting to new livelihood methods and new environments. Wild animals were a problem. There were health concerns, such as respiratory and skin complaints. *Chena* cultivation and forest degradation have led to loss of natural habitats for animals such as elephants. Some communities, who opted to remain near their lost villages, were offered marginal tea land, which generated no income at all. Most farmers were used to Kandyan home gardens which provided food and cash crops throughout the year.

Kandyan home gardens contain several kinds of cash crops, such as coconut, pepper, and cocoa. The income from these crops was supplementary to their main source of income, rice cultivation. People who lived in these areas were not poor. People became poor because cultivated land was flooded by reservoirs. (Werellagama et al 2004). Moreover, fruits, vegetables and old rice varieties that were cultivated in surrounding villages, were not successful in new areas. The traditional knowledge the farmers had of these methods of cultivation was also lost.

Off Road: Displacement in the Colombo Katunayake Expressway and Southern Transport Development Project

The context of development induced displacement

As elaborated in the preceding section development induced displacement and resettlement in Sri Lanka in the past three decades was first seen in the AMDP in the 1980s. The entire target populace consisted of rural agricultural workers. Though some were resettled owing to displacement as a result of their lands being acquired a majority were those who were relocated from other areas. Participation of the target population in decision-making was almost non-existent and compliance with government procedures was accepted.

The twenty-year-old conflict in the North and East saw the establishment of the Ministry for Relief, Rehabilitation and Resettlement. The focus of this designated Ministry is on war-induced Internally Displaced Persons (IDPs). The strong conflict orientation has meant that displacement outside the conflict context has not received the attention of policy makers. The reasons for this are many. In terms of magnitude and level of affectedness conflict induced displaced persons suffer greater impacts and are a universally recognised entity with established support structures.⁴

The long duration of the conflict has meant that interventions that address the issue of conflict related displacement have had time to study the impacts and provide necessary preventive /counter measures. As evinced in the preceding discussion on the AMDP, displacement and relocation resulting from development interventions is a not a new phenomenon. Highland settlement schemes, youth settlement schemes, rain-fed farming settlement schemes, etc. are schemes of a smaller scale that involved displacement and relocation. Displacement and resettlement were not recognised as project components that needed specific expertise, planning and implementation. Hence even today, mechanisms to address the issue are at a conceptualisation stage and are in need of further development.

In a global context although there has been a sharp increase in the numbers of internally displaced people over the past few decades, international protocols are not binding. In 1998, the United Nations recognised internally displaced people as:

“Persons or groups who have been forced to flee or leave their home or places of habitual residence, in particular, as a result of or in order to avoid effects of armed conflict, situations of generalised violence, violations of human rights or natural or human-made disasters, and who have not crossed an internationally recognised state border” (Hampton 1998: xv).

This definition recognises development-induced displacement as an area requiring intervention but the mandate does not go beyond the provision of promoting solutions for displacees. Although the United Nations High Commissioner for Refugees (UNHCR) has been involved in internal displacement internationally since the 1950s, its work has focused mainly on the war-displaced.

The following discussion uses the lens of development-induced displacement to look at the Colombo Katunayake Expressway (CKE) and the Southern Transport Development Project (STDP). The objective of this applied research is to present a case study of displacement in the context of the two expressways under review. It is by no means an exhaustive and complete analysis of the phenomenon. The purposive sample was selected to provide a grassroots level understanding of issues pertaining to displacement and related processes and subsequently contribute to policy development and implementation. The CKE and STDP are in process and the issues highlighted could inform the formulation and design of relevant policies and structures. Secondly it could also serve as an entry point for a more in depth and substantive research.

⁴ The government and non-governmental sectors have established projects / units for conflict related displacement, other agencies working with the conflict affected

Background of the CKE and STDP

In Sri Lanka, large-scale displacement and resettlement was last seen as part of the Accelerated Mahaweli Development Project (AMDP). The CKE and STDP, which are currently in process, have entailed a relatively significant amount of displacement and are the most recent large-scale development interventions that involve land expropriation. Resettlement is marginal in the CKE whilst it is greater in scale in the STDP. In comparison to the AMDP, the people affected by the CKE and STDP are better informed and also engage in agitation against the projects. The displaced populations are not wholly rural and also consist of those in the urban and semi urban sectors. Both projects connect the respective expressways to Colombo, which is the country's economic and political hub. In addition civil consciousness and public agitation against policies and interventions which impact affected persons have increased in the recent years especially in the light of privatisation strategies suggested by multi lateral lending institutions. Protests levelled at the Development Forum concluded in June 2005 also spoke out against "superhighways" as being driven by financiers and not in line with the country's interest.

The implementing authorities who are development implementers find themselves in the contentious position of having to maintain a balance of interests. The expressways are seen as vanguard development initiatives that are expected to create rapid economic expansion and advancement and provide a long term solution to issues of traffic congestion. Many of the project personnel acknowledged the range of problems related to displacement and resettlement from public awareness strategies to impacts on the affected persons. However they reiterated the need for the interventions for the country's development and increase in competitiveness with regard to attracting foreign investors. The concept of 'greater good' and 'benefit to a majority' were used to rationalise the interventions, implementation and allied decision making processes.

Stakeholders for both projects include the GoSL as the implementer and overseer of state initiated infrastructure development; its decentralised agencies such as the Divisional Secretariats, who are responsible for certain project components and monitoring and regularisation of procedures; and the Central Environmental Authority (CEA) for approval of project design and trace. It is also responsible for monitoring adherence to stipulated environmental guidelines and standards in project implementation. Consultants for project design and *ex ante* impact assessment, i.e. – Environmental Impact Assessments (EIAs) and SIAs included outsourced international consultants and local bodies. In the case of the STDP work has commenced on the Asian Development Bank (ADB) financed section. The bank was responsible for generation and mobilisation of funds and ensuring compliance to ADB regulations for loans. This involves guidelines to avoid / minimise impacts on affected persons and the environment. Construction companies were Daewoo – Keagmam for the CKE and Kumagai Gumi for the STDP. The projects are the direct responsibility of the Ministry of Transport and Highways of which the Road Development Authority (RDA) is the implementing agency. Project offices of both expressways function as sub units in the RDA.

This statutory body serves as a liaison point for other stakeholders and is responsible for the functioning and coordination of all project components such as planning, design, construction, public awareness, land acquisition and resettlement. The Department of Survey and Valuation is involved in land assessment and take over. Land acquisitions for the projects are governed by edicts in the Land Acquisition Act (LAA).

As per the country's legislation an EIA is a mandatory part of initial feasibility studies prior to commencement of large-scale development projects. Sri Lanka has no policies and guidelines for Social Impact Assessment, a sub section of the EIA outlines directives for this. This limitation is acutely felt especially in the areas of displacement and resettlement. The lack of centralised imperatives means that displacement and resettlement are addressed on a project-by-project basis, which as evinced in the CKE and STDP leaves room for manipulation and non compliance. In the light of increases in the number of macro level projects involving development-induced displacement the Cabinet

of Ministers ratified the National Involuntary Resettlement Policy (NIRP) in 2001. All development projects are expected to abide by this policy which delineates the rationale, scope, policy principles and institutional responsibilities pertaining to involuntary resettlement.

The projects are expected to conform to conventions such as the National Environmental Act (NEA), the NIRP and in the case of the STDP the RDA Resettlement Implementation Plan (RIP), October 2002 and a 17-point RDA guiding document outlining the rights and dividends of those affected by the project.⁵ The STDP is also supposed to abide by the stipulations of the ADB guidelines on Involuntary Resettlement. Land acquisition for the projects is governed by edicts in the LAA.

Colombo Katunayake Expressway

The Colombo Katunayake Expressway was first thought of in the early 80s with the aim of providing a fast transport link from the country's only international airport to Colombo city. The expressway links Colombo to Katunayake and has five interchanges. Several alternative routes were studied before finalising the current trace a large extent of which runs through marshland. The venture for which construction commenced in 2000 was a solely state funded initiative. In terms of progress 35.2% of work was completed by May 2003 when the project was put on hold owing to financial constraints. After a failed search for financiers, the government is now considering an annuity model to fund the project.⁶ A public-private partnership is also under consideration with a request for qualification called for in April 2005. Approximately another US\$155 million is needed to complete the project. Consultants to the project included Snowy Mountain Engineering Corporation, Australia and Price Waterhouse Coopers. A Daewoo- Keagnam Korean partnership was responsible for construction but has terminated their contract.

The CKE is an access controlled four-lane dual carriageway, which has as its broad objective the provision of *"easy transport between the Bandaranaike International Airport and the capital of the country while reducing travel time with enhanced safety."*⁷ Two EIAs were conducted by University of Sri Jayawardenapura, for the project trace and for dredging respectively. The CKE trace is located in the Western province and runs parallel to the coast. It involves the dredging of sea sand and filling of the lagoon. The project trace consists of 75% marshland and lagoon. The expressway goes through five Divisional Secretariats, Kelaniya, Wattala, Mahara, Katana and Ja Ela all of which are situated in urban areas. A considerable number of affected persons engage in fishing (sea and lagoon) and allied industries.

Southern Transport Development Project

The core component of the STDP, the Southern Highway Component (SHC) or the Colombo Matara Expressway, as it is known in common parlance was conceptualised by the RDA in the early 1980s. The expressway links Colombo (Kottawa) to Matara and has eleven interchanges. The original trace (OT), which was to be the final, was designed by the RDA in 1992. Two NGOs together with civil society groups went to courts against the construction which commenced in 1994 on the basis that the project did not conduct the mandatory EIA. In 1999 the government obtained approval for loans from the ADB and the Japan Bank for International Cooperation (JBIC)⁸ who are the main funders.

The Nordic Development Fund (NDF) has also provided a loan whilst Swedish International Development Agency (SIDA) has provided a grant. In 1998 ADB's consultant Wilbur Smith Associates (WSA) recommended a different trace closer to the coastal road. The RDA did

⁵ Accessible in Sinhala at <http://ww.rda.lk>

⁶ The government is now looking for a public private partnership / BOT option

⁷ Invest in our infrastructure, Highway Development Plan: Projects in the pipeline, Ministry of Highways, 2003

⁸ Construction is yet to commence on the JBIC section

not agree with this, one of the reasons being that it cut through too many developed areas. Penultimately what is known as the “Combined Trace” (CT) consisting of 60% RDA trace and 40% WSA trace was approved by the government. All reviews and assessments such as the EIA and SIA were done for this trace.

Construction has commenced on the ADB section and is being carried out on the Final Trace (FT)⁹, which is a deviation from the CT. Kumagai Gumi Ltd; a Japan based construction company is responsible for construction (ADB section) whilst Finnroad Pvt. Ltd (in association with Sarath Wickremeratne Associates) serves in the capacity of project management consultant. A statement by a respondent: ‘*Meka duwana parak*’ (this is a running road) encapsulated the affected persons’ bewilderment of the many changes to the trace. The project timeline as identified by public documents / notices spans 2000 – 2005 but now has been extended to 2008/9.

The STDP is a six to four¹⁰ (ADB has funded 2 lanes with the government currently attempting to secure funding for the remainder) lane access controlled expressway with possible future extensions. Its broad objective is “to improve transport facilities for future development and provide a highway to act as a catalyst in encouraging and attracting industries and services for the economic and social development of the Southern region”. The University of Moratuwa did an EIA for a selected corridor. The ADB¹¹ also conducted a Development Impact Study¹² and a summary EIA. A team of the University of Colombo did a Social Impact Assessment in 1999 for the CT.

The STDP trace traverses two provinces, namely the Western and Southern provinces and is located in the flood plains of four river basins and over one hundred wetlands. The trace covers a low peneplain. This terrain is rich in both natural vegetation and cultivation such as home gardens, paddy cultivations (small holdings), tea, rubber, coconut and cash crops such as cinnamon and pepper. The placement of fill in lowlands makes up a large part of the project trace. The land use pattern along the trace consists mainly of rural and semi rural settlements.¹³ The agriculture sector, which is an aggregation of fishing, forestry and plantation, forms the core of the local economy.

Table 1: Project details

Project title	Project period	Funders	Implementers	Estimated cost	Physical Progress ¹⁴
CKE	2000 - 2003	GoSL	RDA, CEA	US\$51 million	35.2%
STDP	2000 – 2005 2002– 2008/9	ADB / JBIC (main funders)	RDA, CEA	US\$295 million	47%

Source: various

As shown in Table 1 the CKE and STDP are large-scale capital-intensive infrastructure projects that involve a variety of actors. It is alleged that these projects have been steeped in controversy from the design stage to date. Successive governments have used the projects, as tools to gain political mileage. Accusations of malpractice, non-conformity to procedure and corruption at all stages of the projects from conceptualisation to compensation, are rife. The resettlement component of both projects falls under the purview of a rather *ad hoc* unit of the respective RDA project offices that were set up for this purpose.

⁹ 5 traces are identified in the trace map - <http://www.rda.lk/stdp>

¹⁰ The Colombo to Galle section is to have six lanes which will narrow to four on the Galle to Matara stretch.

¹¹ Co-funder

¹² Not a public document

¹³ 35% - home gardens, 31% - paddy & lowlands, 20% - rubber estates, SEIA, 1999 (NB - percentages not for final trace)

¹⁴ As of October 2004

The displacement and resettlement components and allied procedures of both projects have been questioned on the bases of poor public consultation and information delivery, irregularities in implementation and erratic provision of services in relation to acquisition, displacement and disbursement of compensation. Both projects have experienced stoppages in construction owing to a variety of reasons such as financial constraints, public protests and ensuing litigation and construction delays.

As mentioned previously, state agencies for both projects include the Ministry of Transport and Highways, RDA, Ministry of Lands and the Survey and Valuation Department. Implementing agencies for both projects are the Ministry of Transport and Highways, RDA (nodal agency), and the offices of the central government via the District and Divisional Secretariats. Project design and construction is in collaboration with outsourced international firms.

Political influence continues to play a pivotal negative role in both projects. At the design stage there were many allegations that politicians and those who were well connected managed to change the trace so that they would not be affected. Respondents alleged that the CKE trace was supposedly changed three times in order to, firstly avoid the residence of a director of a government body and secondly to avoid a five star hotel. The third and final trace now runs across the Negombo lagoon.

The use of official positions to influence tender and contracting procedures, illegal procurements and corruption were cited frequently by both the officials and the affected persons. Influence of the financing IFIs on project processes sometimes in contravention of their own agency guidelines, was evident. Media coverage and other sources pointed out that both the construction company and consulting firm for the STDP was contracted on the specific request of the ADB.

Land acquisition and compensation

Technically, public notification of land acquisition is supposed to precede the survey, and valuation for the projects is supposed to commence following notification to the public. The acquisition of land for state purposes follows stipulations in the LAA. Land survey and assessment by the Survey and Valuation Department is followed by monumenting by the RDA. Those whose land or houses are to be acquired have to prove ownership by providing copies of the deed, house plan and land registry certification. Once the Survey and Valuation Department forwards the appropriate documents to the Ministry of Highways, the RDA arranges for compensation through the office of the relevant Divisional Secretariat. If the affected persons are dissatisfied with the compensation there is provision for them to request a review by the Land Acquisition and Resettlement Committee (LARC) and or super LARC, which comprises the Divisional Secretary, the complainant, the Valuer, and a RDA representative. Petitions on construction disturbances such as noise pollution, soil erosion are taken to the Grievance Redress Committee.¹⁵

Land survey, compensation for land acquisition, public awareness creation and resettlement activities such as provision of infrastructure in resettlement sites are exclusively state funded and disbursement is contingent on availability of funds in the treasury. This is compounded by the fact that the monies are disbursed in instalments.

¹⁵ Based on field research, as per the RIP the GRC serves an appeal body to those who do not find recourse from LARC

Public Response to the Projects

The STDP vs. CKE

There have been wide variations in the extent of public involvement in the CKE and STDP. In the case of the CKE there was substantial discussion at a macro level at the onset which gradually lessened. Apart from a few sporadic protests that were easily resolved, the CKE has not been hindered by the concerned public or other interest groups. This situation was ascribed to a lack of awareness by the affected persons of the CKE who cite a lack of transparency and gaps in information dissemination by the officials concerned. The CKE is also smaller in scale, 25.6 kms in comparison to the 128 km STDP and affects fewer people.

Another possible contributory factor is that the CKE, unlike the STDP, is an exclusively state initiated venture and did not involve external “foreign donors” which meant that it was seen as prioritising the country’s interest. Work on the CKE was stopped in May 2003 owing to funding constraints, which has meant that allied land and property acquisition has also lessened. Agitation by the affected persons could revive once construction restarts. Construction in the STDP has continued even though it has been erratic and delayed.

The STDP has been criticised and supported by many factions on many counts. Allegations range from the unfeasibility of a project of this magnitude, to the constant shifts in trace alignments to suggestions that the government bent to ADB pressure.¹⁶ The involvement of IFIs has been viewed in a negative light, as the general opinion is that IFIs have their own agendas. Land surveys (for acquisition) in some areas were conducted under police surveillance. Protests against the project have also involved many actors from affected persons, community based organisations (CBOs), international/non governmental organisations (I/NGOs), civil activists, politicians in the opposition and environment interest groups. A lack of consistency in land valuations and compensation was another common criticism.

Three CBOs have been set up at three affected sites with the aim of representing the concerned affected persons and to seek legal redress. Those who support the project argue in favour of the intervention as a much needed infrastructure milestone that would subsequently support the development of allied development indicators such as access and expansion of services and markets and acceleration of growth in the regions as an outcome of ripple effect development.

Activism

Agitation against the projects, even when construction had started, was higher against the STDP than against the CKE. Affected people created and joined CBOs, so they could engage in dialogue with the stakeholders, present their concerns and complaints, make representations to politicians, government officers and IFI representatives at all levels and take follow up action. Some affected persons had even taken the initiative of meeting and making representations to the project and IFI offices located in Colombo. Respondents in both sampled locations of the STDP had visited the ADB’s resident mission. In general, there was a high level of awareness of the project, the stakeholders and the procedures, with affected persons having explored options of “whom to contact”. The report to the Board by the ADB’s Compliance Review Panel (CRP) is proof of activism in that despite a denial to a previous request for inspection to the Board Inspection Committee the requesters persisted and approached the CRP to review the project against the ADB’s own guidelines for loan provision. In comparison the affected persons of the CKE seemed more resigned to the situation. A few stated that they had protested against the expressway, the implementation of procedures and compensation but their concerns had not received redress.

¹⁶ In response to an exposé by a Sunday newspaper which alleged malpractices in tender procedures the Attorney General stated that the construction company was chosen on the specific request of the Bank

Some of the most proactive opposition to the STDP in the form of requests for redesign and even stoppage of construction has been led by the Sri Lanka Working Group on ADB, Green Movement of Sri Lanka, Environmental Foundation, Public Interest Law Foundation, Joint Organisation of Affected Communities on Colombo Matara Highway.¹⁷ In the case of the CKE, the sampled affected persons garnered support from the Negombo Lagoon Fisheries Committee, Catholic Church, Integrated Resource Management Project (IRMP) for informal awareness creation and consultation.

The print and electronic media have also supported these efforts with investigative features, editorials, interviews, exposés and documentaries to highlight issues. The projects have in turn used the media as an information dissemination tool to educate the public on the intervention and related processes. Activism had led to the filing of three cases in the Supreme Court. Final verdicts have acknowledged the illegality and flouting of certain procedures and have even led to the temporary suspension of construction with the RDA being ordered to pay compensation. However, no court has suspended construction completely. Public protest has also been levelled against other stakeholder institutions and financing IFIs. Immunity of IFIs has hampered legal action against them. In November 2004 the STDP went before the UNHCR for alleged violation of human rights on a petition filed by a group of 40 residents affected by the project who were backed by a local civil rights group.

“The Chairman of the Provincial Council and village heads formed a committee. They managed to obtain a good rate for houses that were acquired, Rs.1 to 2 lakhs for the structure. Houses that were built well received compensation of upto 12 lakhs.”¹⁸ – Affected person, STDP

Activism has also yielded positive results at a micro level, for example an affected person of the STDP cited an instance where a joint mechanism was employed by the leadership of various affected stakeholders to address the issue of compensation.

Displacement

Table 2: Displacement

Project	Trace Length	Coverage	No. of acquired households*
CKE	25.6 kms	5 DS divisions	250
STDP	128 kms 65.2kms – ADB 66.55kms - JBIC	22 DS divisions	1300

* - acquisition is in-process Source: various

What does displacement entail?

This discussion views displacement as multidimensional; it does not confine displacement to the loss of a house or land and subsequent relocation. This wider look at displacement takes into account severance from life networks, production systems and other tangible and intangible assets. It also draws on Cernea’s Impoverishment Risk and Rehabilitation Model (Cernea 2000). The current discourse on DID views it as *“a model of development that enforces certain technical and economic choices without giving any serious consideration to those options that would involve the least social and environmental costs”*.¹⁹

¹⁷ An alliance of the Unified Society for the Protection of Akmeemana (southern point) and Gama Surekeema Sanvidhanaya, Bandaragama (northern point)
¹⁸ Compensation was weighted on location and structure of houses, amounts stated are unverified
¹⁹ Working paper, World Commission on Dams, Thematic Review: 1.3, March 2000

Displacement as perceived and expressed by the affected persons of both projects was based primarily on expropriation of land (house or cultivation) which translated into the loss of a way of life for them. Displacement was not concentrated on physical dislocation; loss of house or land meant more than the loss of shelter. The affected persons felt that they stood to lose a way of life, their connections with neighbours and villagers, access to communal resources and the micro culture particular to their habitat. Their sense of ownership extended beyond personal properties and lands. Some community structures for which collective ownership and responsibility was cited were the village temple/church, waterways such as small tanks and irrigation canals, pasture lands, cemeteries and village based organisations. Intangible and unquantifiable benefits included support systems such as neighbours and villagers, joint beliefs and traditions such as *shramadana*²⁰ and religious observances with involve communal participation.

The processes preceding and following displacement has aggravated the already difficult life changes that the affected persons have to contend with. Land survey, valuation and assessment procedures prior to acquisition and relocation / reestablishment of homes, and livelihoods following acquisition have left many affected persons in severely constrained circumstances. Many felt ousted and did not feel that they were sufficiently informed or consulted. Lack of access to institutions or to responsible persons to seek information and redress was a frequently highlighted service limitation.

In terms of scale, the STDP involves and impacts a greater number of persons, households and commercial establishments both directly and indirectly. Poor compensation, 'unfair' land assessment, delays in disbursement and political favouritism led the affected persons 90% of whom are average to low income earners, to feel that, apart from the displacement driven disruptions, they face additional burdens of vulnerability and impoverishment risk. Not all affected persons have been provided with alternate land for housing, which means that, some of them had to move away and build houses in other unfamiliar surroundings.

Some affected persons had been offered land in far off areas, for example in the CKE those in Katunayake were offered land in Anamaduwā which is 30 kilometres from Katunayake, in the STDP those in Galanigama were offered land in Galgama (an interior area), refusal of this offer was explained by: "*Land was offered in Galgama, the soil is infertile, no one wants to go there.*" (Affected Person – STDP). Many displaced persons continued to stay on in the same location even if this meant living in cramped and sometimes makeshift homes as the alternative areas were infrastructurally weak and this the affected persons felt would affect factors such as children's schooling.

In the case of the STDP many respondents interviewed in both locations highlighted spatial issues. Land prices increased because of the planned expressway; this has meant that affected persons buying land in surrounding areas could not afford to purchase the same extent of land. Compensation (which is higher than other government valuation rates) still did not match current market rates. Affected persons expressed a sense of confinement as a result of this lessening of land and the limitation in access to natural and social capital. It has also adversely affected small-scale income generating activity.

"When I was in my old house I had four cows, I had to sell them after I got displaced, I used to sell milk to the MILCO factory and I earned a lot. Now my livelihood is affected very badly." – Affected person, STDP

The loss and/or disruption of livelihoods were the foremost impacts associated with displacement. Land acquisition has had greater impacts on livelihoods and income generation, which are closely linked to land and related assets than on the takeover of houses.

²⁰ *Shrama*= labour, *dana* = alms, free contribution of labour for a common cause

The impacts on livelihoods were wide ranging. These included loss, change or disruption to livelihood sources; increase in poverty levels because of reduction in income-generation opportunities and creation of impoverishment in areas where there was no poverty previously. The loss of paddy lands had a two-fold impact in that it meant the loss of a source of income and food security, as many were dependent on subsistence agriculture. Some affected persons who were Samurdhi recipients have lost their entitlement because of their eligibility for compensation. They contested this on the basis that compensation was for the loss of immobile assets, whereas Samurdhi²¹ was awarded on the basis of monthly income.

Many stated that one off reparation for paddy land did not compensate for the long term losses they would incur. Persons affected by the STDP cited enforced changes in farming patterns, poor harvests, and destruction of crops caused by soil erosion from landfill, as ways in which their livelihoods were impacted by the project.

Many of the respondents affected by the two projects showed a high level of dependence on natural resources for income-generation. Where respondents were engaged in water-intensive rice cultivation, the reduction in water supply and restriction of access to their fields has led to poorer harvests. Those affected by the CKE project cited a number of serious impediments to fishing. These included: blocking of access to the lagoon; filling up of vital feeder zones and reduction in the quantity of fish caused by adverse impacts on aquatic ecology. Respondents also mentioned environmental impacts and damage to the production potential of surrounding, non-appropriated areas.

Cultivators of smallholdings of tea, rubber and cash crops were also affected; in many instances ownership and cultivation was in the hands of extended families that employed occasional hired external labour. The acquisition of lands, which provided a source of income to many people at various levels, was identified as creating a chain of livelihood impacts. Change of residence affected those in salaried employment in each project, as they had to commute long distances to places of work.

One of the sub objectives of both projects is the creation and expansion of employment opportunities, and access to markets for those in the regions. When questioned on this, respondents stated two factors that led to the perception that these objectives were mutually exclusive. One was that the negative impact of the expressways on the means of production (cultivation, fishing) meant that their outputs would be low. Secondly many were engaged in these occupations / industries on a small scale basis and did not see a need to access markets outside their towns.

There was recognition of macro development objectives such as the promotion of tourism in the STDP and the link from the Airport to the Colombo in the CKE. These were perceived as being beneficial to an 'upper class' minority. The affected populace felt that they were bearing the development costs of interventions which would not only exclude them but also decrease their standard of living and quality of life. They were incredulous as to why the livelihoods, lands, houses and ancestral villages of a majority were being sacrificed for the sake of reduced travel time for a few. Their reactions echoed Cernea's observation – *"should the cost of reducing poverty for some be paid in the coin of impoverishment for others?"* (2002).

"We don't even know the price of rice, we grow all our vegetables, only salt and onions are bought."
"We cultivate mixed crops for household consumption, coconuts, jak bananas, breadfruit..."
"We told the RDA officer that the paddy fields are the heartland of the village."
 – Affected persons, STDP

All STDP respondents, and some CKE respondents, cited the threat to food security resulting from loss of land. Many engaged in subsistence agriculture in the form of home gardening and the concept of having to pay for food was seen as one of the factors contributing to the creation of poverty.

²¹ Samurdhi – The state sponsored social assistance scheme 'Samurdhi' (prosperity) initiated in 1995 is the frontline national poverty alleviation programme, one component provides beneficiaries with dry rations

Many respondents cited lack of access to community resources and spaces both natural and man-made as macro impacts which affected both the larger community and individual households. Apart from lack of access some of these resources had been affected by land demarcation, filling and construction. Waterways such as small tanks, channels and the lagoon, community properties such as temples and playgrounds were affected by the project. In the STDP, sections of the expressway had an impact on irrigation systems by blocking sources of water and or filling up of channels. In the case of the CKE, mangroves and marshes, which were used as natural fish hatcheries, were filled up. A recurrent complaint by affected persons of both interventions was that wells had dried up owing to the lessening of groundwater. This situation was ascribed to the excessive use of groundwater for construction and filling up of lands for the trace.

“The drinking wells have dried up, the lands get flooded and paddy fields are filled with a layer of earth – this makes cultivation very difficult. Potable water will become a problem in the future.” – Affected person, STDP

The concept of ‘*gama dekata bedenewa*’ (the village will be divided into two), ‘*gama dekata kedenewa*’ (the village will be broken into two) was constantly reiterated by the affected persons of the STDP. It is ironic that an intervention that seeks to better connectivity and access to one segment also results in restricted mobility of another. Fragmentation of social networks and kinship ties as a result of this division was also mentioned frequently. A loss of security was also envisioned, as urbanisation was an expected outcome of the expressway.

“Now we leave our houses open and children are safe; this situation will invariably change.” – Affected person, STDP

Social disintegration is another deleterious result of the development projects. In the case of the expressways the dismantling of joint production systems, for example joint labour in paddy cultivation, severance of generational residential communities and informal social networks was highlighted. People’s dependence on these networks was strong and respondents felt that fragmentation of communities owing to the projects would lead to a break down of these systems. Social structures and village level organisations were central to the life of the village / community and loss of these communal entities was viewed with a lot of pessimism.

On a psychological level the affected persons experienced a broad spectrum of feelings ranging from anger and frustration to bitterness, hopelessness and apathy. Many also felt a loss of identity as they defined themselves and who they were in relation to their communities and places of dwelling, this was elaborated in “*api yana ena man nethi minissu bavata path kara*” (it made us in to people with no where to go) which conveys the loss experienced by them.

Displacement related emotional affectedness

Displacement from traditional homelands removes the foundation of productive activities and also derails the functioning of community institutions. For development re-settlers, since return to their lands is not an option, alternative and sustainable land-based options are critical. Displacement, whether forced or voluntary, causes changes in people’s lives. For some, these changes can be difficult to adjust to, especially if change from the familiar has been involuntary. In the case of the STDP and CKE, the general feeling among the people who have had to move, was that they had little choice. Ironically, even those who supposedly left “by choice” said that they agreed to the compensation package because the option of staying behind was unappealing and fraught with difficulties. The pressure created by the threats of government officers to forcibly confiscate property, to bulldoze their houses and so on, if they did not leave has been a catalyst in people’s decisions to re-locate.

Although the details of the compensation package might have been alluring at the start, the reality has been quite different for many displaced people. Finding land close to areas that people were familiar with, close to schools and workplaces has been difficult. Generally the

land they have been able to afford with the initial round of compensation has not been in convenient or salubrious locations, and most certainly not as sizeable as what they have had to leave. Adjustments have been diverse ranging from having no electricity or easy access to water, to emotional distress. It is this last component that the study feels is a neglected aspect of development-induced displacement with limited or no literature available. Most impact studies have either been rights or economy based.

Material deprivation, poverty, and forced dependency generate feelings of humiliation, helplessness, hopelessness and powerlessness. Poverty as a factor that leads to subsequent psychosocial suffering and enforced dependency among people who may have been subject to sudden poverty is an aspect worthy of study. There is a difference in how people cope when confronted with sudden poverty as opposed to long-term poverty. Although both types create insecurity and material deprivation, long-term poverty generates a fatalistic acceptance, making people almost give up their efforts. In general, poverty induces social isolation and marginalisation, almost creating a category of its own (Ganepola and Thalaysingam 2003).

The study encountered grave concern and anxiety among people who faced a number of changes, which they perceived as leading them to poverty. This was among those who were refusing to abandon their land. Those who had left and had suffered material losses were grieving for a lost way of life. There was also anger and bitterness against a system that protected the politically powerful or well-connected. Even in the struggle to obtain their rightful compensation, those who were in higher socio-economic classes (for example, bankers, teachers and government officers) had greater access to their entitlements.

Interestingly, the study encountered more women who said they never gave up while their husbands were complacent and accepting of their 'fate'. Forced displacement and broken promises have left a number of people demoralized into fatalistic acceptance of their lot. The social and economic hardship that displaced people have had to endure in order to acquire the full compensation package, has led many people to give up.

The emotional suffering of having to move out from their homes was poignant in the story of one woman in Matara.

"I walked back to my house and sat and watched until they demolished the last brick. That day I sat and wept. My son dropped out of school. He was highly affected by the change of environment and had no motivation to go to school. He could not use the toilet in this house for months. He kept going back to the house we had left behind. Sometimes we don't speak about the suffering that this caused us. We are a broken people now." – Affected person, STDP

Excerpts such as this lead us to emphasise that any model of development has to take into account the needs and rights of the people. Can development projects safeguards rights of all? Whose interest should development projects serve and for whom is modernisation? Although many argue that people who suffer losses should not be worse off than what they were pre-development, in reality, systems are not always in place to achieve this.

Impacts of the CKE and STDP

The preceding discussion looked at displacement, which is the core focus area of the study and resultant impacts, this section analyses projects impacts. It overlaps the previous discussion at some points.

The disruption and loss of social networks that sustained them at times of crises and helped to give them a sense of identity, was a severe community level impact which respondents identified. Respondents spoke of loss of communal resources, such as places of religious worship, schools and community halls. In Galenigama, the trace of the STDP expressway cut across part of a

temple. Many said that the welfare of the temple, which was the responsibility of the community, would be neglected, as the houses in the vicinity of the temple would be lost. In this same village the trace also occupies part of the cemetery.

It has been over a year since construction on the CKE stopped. Residents in the vicinity of the partly constructed expressway stated that a lot of illegal activities take place on the construction site as the area is abandoned. For example, the expressway is used for the transport of 'moonshine'. It was also alleged that sex workers use the site.

"Sand was supposed to be mined 5km off the shore but was lessened to 1 km probably to cut costs. The reefs, which act as natural barriers, were damaged because of this; this in turn encourages erosion of the coast." – Affected person, CKE

Respondents identified many environmental impacts: sand mining, noise and air pollution from heavy machinery emissions, destruction of crops from soil erosion, siltation, increase in flood risk from in-fill of wetlands (CKE) and flood retention areas (STDP). Large-scale sand mining for the CKE has damaged the reefs and has disturbed the aquatic ecology. The Muthurajawela Wildlife Sanctuary was adversely affected by the CKE owing to the filling up of the marsh. Hydrologic and terrestrial impacts such as blocking and filling up waterways, denuding of forest cover, cutting down of trees and hills (STDP) were cited repeatedly by affected persons as environmental effects impacting them.

"The environment was adversely affected. Wells have dried up, the entire area has become arid like a desert." – Affected person, STDP

At a macro level environmental considerations have not been prioritised and addressed and in certain instances overlooked and justified:

"Animals living in disturbed habitats, such as those along the corridor, are accustomed to human presence and activities, and possess the capacity to adapt and change." – SEIA, STDP, July 1999

Livelihood impacts were not limited to displacement. Indirectly affected persons constituted those who had not been displaced but lost and stood to lose wage employment, access to leasehold and share cropping opportunities. Further it was stated that the acquisition and fragmentation of large coconut and rubber estates would be felt more acutely by the workers than the owners who would lose livelihoods, income and in case of resident labour, houses.

"This has taken up fertile paddy land and coconut estates. Compensation for a 'vee kurunyia' (ten perches of cultivated paddy land) is (SL) Rs 1,200. This is a one off payment but the loss of the land is felt over a longer period of time. There is no compensation for income for example, rubber tappers in estates that are acquired will lose their jobs." – Affected person, STDP

The research viewed poverty from a subjective rather than from an objective viewpoint. Whilst this approach places a premium on people's preferences and understanding, it defines poverty from the perspective of the affected person and views the phenomenon from a multidimensional lens. Variables contributing to increase in poverty levels were not limited to consumption indicators. Affected persons identified non monetary aspects such as changed access and control over productive resources, loss of valuable shared production bases, loss of support systems such as the village community and neighbours who engaged in joint production, bartering schemes and assistance such as provision of small loans. Marginalisation, downward mobility and disempowerment were projected impacts of the fragmentation of communities and allied networks. The lapse into newly created poverty was far greater than the aggravation of pre-existing poverty.

"We are not poor, we have fertile soil (lands) and a place to live. These have been handed down for generations. When we lose all this we will become chronic poor (antha duppath)."
– Affected person - STDP

Loss of land, homes, common property and services and social disarticulation were linked to long term increases in poverty levels. Loss of economic power and assets hampered their development and demoted them on the mobility scale. In rural areas some of those who were engaged in the informal sector as small scale cultivators and wage labourers felt that the lack of skills required for the formal labour market further compounded their losses in that possible redemptive measures that could be taken by them were limited.

Factors impacting asset bases included weak financial management skills and lack of risk minimisation strategies. This exacerbated poverty in the long term for affected persons who did not reinvest the monies awarded as compensation. A considerable number of affected persons were not familiar with managing large sums of money and were not sufficiently informed of banking and other financial service facilities owing to limited usage. This resulted in secondary impacts such as financial instability, loss of savings and a drastic drop in the living conditions of the household.

The affected persons claimed that the conditions created by displacement worked against the objectives of the expressways. Some of them cited the creation and propagation of conditions that were not prevalent prior to the projects such as differences in power, violation of human rights and imbalances in local autonomy and control. As always, it is the poor who lack access, knowledge and connections to decision-making power bases and persons, and this was evident in the futile outcomes of those who had tried time and time again to present appeals and seek solutions or alternatives from the officials. They reiterated that there were increases in vulnerability, inequity and exclusion. The research showed that there were affected persons at both ends of the spectrum from those who had resorted to very vocal and action-based activism to those who had resigned themselves to the situation.

In contrast, illegal settlers and encroachers who are technically considered unintended beneficiaries have got the opportunity of owning land. Almost 90% of such settlers were very satisfied with the compensation package, as, for them, there was no replacement element but an unexpected cash flow. Those who raised objections to displacement and resettlement in this group were those who prioritised location of residence and income generation over monetary reparation.

“The country needs expressways for development but there has to be better planning.”

– Affected person, STDP.

Statements such as this reflect the acceptance by some affected persons of the positive impacts and potential for development from the expressways. Some of the positive impacts identified were increases in land value, employment opportunities e.g. on construction sites and the receipt of large amounts of money as compensation. The potential for development of local economies was also mentioned. Many stated that they could not comment on, or perceive benefits as both projects were in process.

Positive impacts identified by officials included efficient transportation and connectivity in terms of providing quick and easy access to the harbours in Galle and Colombo, employment opportunities and overall development of the country. As per the sub objectives of the project the STDP seeks to improve living standards and employment opportunities in the Southern region of the country. The officials also mentioned the promotion of tourism and expansion of trade opportunities. Project personnel of both interventions stated that those who had benefited the most from land acquisition were illegal encroachers who were not discriminated against in the awarding of compensation, when encroached lands were acquired.

Limitations in Implementation

Project procedures

The EIA for the STDP was done in 1999 which means that many of the issues captured in the assessment are dated or have undergone drastic change. The EIA in itself was questioned as it was limited to a selected corridor (“EIA study area is a band one kilometre of the original trace and one kilometre west of the combined trace.” - RIP, STDP, October 2002). The EIA did not capture the Final Trace (FT), which is the basis of construction.

Section 1.8.1 RIP, STDP on the Social Impact Assessment Report (SIA) states “The SIA Report was based on a household survey of 50% of households within a three kilometre band along the 128km Combined Trace alignment”. That this exercise was a socio-economic survey and not a social impact assessment per se is clearly visible in the findings, which are cited in the RIP and were corroborated by the responses of the affected persons who said:

“Some students from the university came and asked us very general questions about number of members in a household, income levels etc, they tricked us because there was no mention of an expressway at all.” – Affected person, STDP.

Similar sentiments were expressed on assessment work of the CKE:

“Officials from the Survey Department were seen engaging in survey work, we thought it was routine road construction and repair, there was no mention of something of this magnitude. We had to look for information ourselves.” - Affected person, CKE.

The lack of SIA mechanisms at national and sub national policy levels is a serious drawback that impacts adversely on those affected by development interventions. Although the required background research and conceptualisation for a formalised policy on SIA has been underway for sometime successive governments have fought shy of enacting binding legislation that requires SIA studies as prerequisites to large scale interventions for fear of losing out on key investment opportunities. This had had serious implications for displacement and resettlement issues of the expressways. At a policy level SIA is relegated to a component of the required EIA, which means that there is no space for an in-depth study of social impacts of the interventions under review.

The affected persons feel that the projects have been arbitrarily imposed on them without consideration for their rights as human beings and citizens of the country. The lack of comprehensive consultative baseline research on the needs, problems and challenges faced, is an obstacle that has to be overcome. As stated in preceding and following points of the discussion, the fact that both interventions are still in process means that it is still possible to bridge the knowledge and service gaps.

Involvement and participation of IFIs in the areas of displacement and resettlement have been limited. Whilst construction has not yet commenced in the JBIC section of the STDP, the ADB’s involvement has been concentrated on technical aspects of the intervention. The provision of loans for development interventions are supposed to be in compliance with guiding practices, which have been outlined by the Bank, in this instance the Bank itself, has failed to ensure adherence to these principles. Social impact assessments and consultation are deemed compulsory as evinced below:

“An initial social assessment (ISA) is required for every development project in order to identify the people who may be beneficially and adversely affected by the project. It should assess the stage of development of various subgroups, and their needs, demands, and absorptive capacity. It should also identify the institutions to be involved in the project and assess their capacities. The ISA should identify the key social dimensions aspects (such as involuntary resettlement, indigenous peoples, poverty reduction and women in development) that need to be addressed under the project.” – Initial Social Assessment, Involuntary Resettlement Policy, ADB

Other donors to the STDP such as the NDF and SIDA provide support to specific areas of the intervention, which do not include displacement and resettlement. The CKE has not involved IFIs/donors up to this point. Lessons learnt by the ADB through the review of its own conduct²² will provide a good learning base for other IFIs and for the projects in general.

In response to a request submitted by the Joint Organisation of the Affected Communities of the Colombo Matara Highway the CRP of the ADB conducted a review of the STDP. In its report forwarded to the Board in June 2005, the panel acknowledges violations to the Bank's operational procedures on resettlement, public consultation, environmental safeguards and project management. It has made recommendations for the review of procedures that are aligned to key areas affecting the displacees.

All levels of respondents consistently cited high levels of corruption in the agencies involved, from the inspection and assessment of tenders, to project design and fund allocation. They highlighted the RDA as an autocratic and corrupt body that operated on the whims and decisions of its officers. Since the RDA serves as the central agency in all aspects of project management the bases of these allegations needs to be looked into.

These issues are strongly linked to the absence of binding legislation and accountability. A case in point is Mrs. Y in X district, an aged widow, who owned 10 perches of paddy land but did not have proof of ownership. She was told by Mr. Z of the relevant DS office that she could not claim compensation. This is despite the fact that that Section 4 of the NIRP states, "*affected persons who do not have documented title to lands should receive fair and just treatment.*" The village activist took up her case and discovered that compensation had been claimed from the state and had been recorded as handed over but had not been disbursed to her.

A key causal factor impeding various stages of the projects was limitation in available personnel and deficits in staff capacities in key stakeholder institutions. Many high-level positions in state agencies were granted on the basis of political affiliations. Whenever a new government came into power, there were changes in key positions and changes in the management and structures of the projects. Where state bodies that oversee the interests and welfare of the affected people attempted to carry out their duties, they were hampered by the lack of financial and physical resources. An affected person articulated the situation:

"There is also a mismatch in expertise and resources between the project implementers and those who are supposed to guard the people's interest. For example the Provincial Council (PC) has only a technical officer; there are no engineers whilst there are many engineers on the project staff. The PC has only two tractors whilst the project has 500!" – Affected person, CKE

The lack of specialised expertise in key positions of the resettlement units was another challenge. Fig 1 of the RIP, STDP depicts the organisational chart of the project, which shows a position for 'resettlement specialist' at the third level, which was not filled at the time of the field research though the position was later advertised. Although the project commenced in 1999,²³ resettlement activities have not taken place at the expected pace, therefore the filling of this gap is crucial to the smooth, efficient and speedy progress of relocation. The lack of resettlement facilities has doubled the burdens of the displaced persons, as they have to purchase alternate land and construct houses. It is vital that a project which displaces such a large population, attributes significant attention in project planning and implementation, to resettlement and related procedures. The management of field level resettlement units also fall under the purview of the afore-mentioned position.

²² ADB Accountability Mechanism, Compliance Review Panel, Final Report to the Board of Directors on CRP Request No. 2004/10n the Southern Transport Development Project in Sri Lanka, June 2005

²³ Foundation stone was laid in 1996 but work stalled soon after

The protracted time span of the projects has rendered many of the feasibility assessments and planning procedures redundant. For example, the RIP of the STDP is dated October 2002; various components of the project have undergone changes, which are not reflected in this key guiding tool. Delays in the projects have also meant delays in valuation, acquisition and disbursement of compensation leading to the feeling of living suspended lives by the affected persons. Some stated that they had been officially notified of acquisition but chose to stay on until they were required to physically move. Some lived in half demolished houses whilst others continued to cultivate lands that had been taken over. Mounds of sand (which the affected persons claimed are being taken away) line the CKE project trace whilst some parts of the Negombo lagoon have been erratically filled.

Information delivery and knowledge levels

The RDA is responsible for public awareness, which is carried out through the office of the District Secretariats and the relevant GN²⁴ officers. This mechanism did not follow a predetermined structure and varied across the areas of the projects. It was dependent on staff capacities and motivation levels of both project officials and DS offices. Information dissemination was carried out through gazette notifications (a prerequisite outlined in the LAA), print media such as newspapers and posters and public gatherings.

Respondents affected by both projects pointed out two crucial limitations to the provision of information. One was the fact that high-level discussions took place in the English language; newspaper notifications inviting public comments were also placed only in the English papers, even though lands acquired under section 2 of the LAA are required to carry notifications in all three languages.²⁵ The other issue was that there was no central body responsible for public awareness creation. The officials of the Survey and Valuation Department had introduced the project in some areas, in other areas it was project officials in yet other locations it was the DS office.

Public consultation and joint decision making as outlined in the NIRP, RIP and ADB guidelines on involuntary resettlement were not implemented. It was more of a notification procedure that was followed. However, there were instances where the affected persons had managed to make changes owing to their activism and persistence. In the case of the CKE, the President of the Negombo Lagoon Fisheries Committee had motivated the Committee and obtained the assistance of the Catholic Church to limit the filling up of a feeder zone in the lagoon to 1.5 kms from the originally planned 4kms. A 1997 estimate states that the CKE jeopardised the livelihoods of over 3,000 fisher families as the Ministry of Fisheries and Aquatic Resources was not briefed or involved in consultations of the project design.

The approach of state officials was questioned on the basis of reprimands such as:

“If you don’t accept the compensation it will be sent to Colombo and you will have to go to courts to claim it” – Affected person, CKE

“Our official X said that the Matara Expressway is more important than people.” – Affected person, STDP

The affected persons of the CKE stated that they became aware of land acquisition in relation to the project when their lands were surveyed in 1996. After this the RDA had sent letters to the households informing them of the acquisition. They claimed that no public meetings were held in order to assess public opinion. The STDP received wide coverage because of its magnitude and affected persons were aware of the project per se but claimed that information channels regarding surveying, land acquisition and compensation procedures were weak. This contravenes stipulations set out in the LAA, RIP, NIRP and ADB’s guidelines on involuntary resettlement.

²⁴ GN – Grama Niladhari – officer in charge of an administrative sub division

²⁵ Chapter 295, page 343, Preliminary investigation & declaration of intended acquisition, LAA, March 1950

“In May 2000 the then Director of Lands Mr X of the RDA notified this village of this project. I was an official of the Farmers’ Society; in that position I was told that the expressway would traverse the two tanks (used by farmers for cultivation). I was told to make the members aware of this. I refused to take responsibility and requested him to do it.” – Affected person, STDP

As a population the affected persons of both projects are characterised by low to middle income earners. In the case of the CKE it mostly comprises daily fishermen who are reliant on traditional methods for their trade. In the STDP it mainly comprises agricultural wage labourers, owners of smallholdings and home gardens and plantation workers. Others engage in retail / small-scale commercial activity and salaried employment.

Reparation and Resettlement

Reparation

Payment of compensation followed the valuation of land and notification of acquisition. Compensation was made on two levels, those who received financial compensation and those who received land and money. The projects are responsible for the provision of infrastructure such as electricity and water for the lands allocated whilst the affected persons were responsible for construction. Reparation calculations included compensation for houses, lands, cultivable lands (inclusive of projected income), livelihood compensation, for example, some affected fishermen in the CKE had been awarded SLRs10, 000 as a one off payment for the loss of hatcheries. The STDP has currently allocated SLRs 60 million for an initiative that seeks to reconstitute livelihoods of the affected persons.

The involvement of a chain of government bodies has resulted in the affected persons having to go through many bureaucratic procedures in order to receive compensation. Irregularities in assessment and disbursement were raised constantly. The lack of transparency by officials and the lack of information have also contributed to dissension and feelings of bias. A lack of faith in state structures was blamed on corrupt systems. There were allegations of corruption in the Survey and Valuation Department by the affected persons of the CKE. Some persons had bribed officials to ensure that their houses / lands were not acquired for the project.

The arbitrariness of valuations is enforced by the exclusive economic values ascribed to what is acquired with assumptions about commensurability between different types of assets, some of which exceed economic value in the eyes of the affected persons. The lack of clarity on calculation of compensation scales and deficits in compensation for income generating assets and sources such as paddy lands, arable lands and home gardens were two reiterated assertions of the affected persons. On cultivated land affected persons of the CKE stated that compensation was promised for fruit bearing trees during the scoping for the EIA but they had not received monies for this. Compensation for paddy lands in the STDP included projected income for around four years.

Once again there are variations in amounts and calculation across different areas. Compensation rates vary depending on the location of the property and standard of facilities, for example, houses are graded depending on type of construction, floor, ceiling etc. There are allegations of political favouritism as adjacent plots of land have been valued at different rates. Residents of Komaladeniya (STDP) have made statements to the media against this. Both projects have been considered special cases in terms of land value and valuation had been above current market rates. Affected persons were also given incentives (financial) for moving out on time and received moving allowances in some instances.

On the issue of reparation from a service provision perspective, public awareness creation, cash transfers for compensation; land allocation and provision of infrastructure are the responsibility of the project offices. These activities are not centralised hence the project offices had to contend

with many bottlenecks which were aggravated by their own capacity constraints, in carrying out these activities. They had to work with the DS offices for awareness creation and disbursement of finances, the Ministry of Lands and the Survey and Valuation Department for land related matters and with contractors for the provision of infrastructure to the resettlement sites.

“There are 10,000 blocks (acquired land) which have to be gazetted individually, there is only one English typist, these are the kind of problems we have to face.”– Official, STDP

Resettlement

Resettlement was limited in the case of the CKE whilst it was more widespread in the STDP, which had completed 90% of its resettlement activity.²⁶ The RDA is responsible for the provision of land and basic infrastructure whilst the selected affected persons are responsible for construction. The STDP has set up 17 building societies in each of the resettlement sites which aim to serve as coordination bodies for the implementation and monitoring of resettlement. Many of the key informants stated that the lack of expertise and awareness was an impediment to resettlement implementation. The RDA, which is responsible for resettlement, is a road construction and maintenance agency and does not have the capacity to oversee resettlement which requires technical expertise in the fields of sociology/development.

From the point of view of the affected persons relocation was multifaceted and affected their lives at various levels. On an individual level, the loss of land and houses, handed down for generations, was a difficult situation that the respondents faced. A core problem with regard to relocation was having to seek alternate employment opportunities and schools for children. Many of the resettlement sites are located in interior areas and the affected persons who have got used to living in close proximity to facilities such as hospitals and transport systems were reluctant to move to interior, infrastructurally constrained areas. This was a problem faced particularly by the affected persons of the CKE, as they are mostly resident in urban areas with a high population density. They cited the lack of these facilities as contributing to their reluctance to move to these areas. Loss of community and social networks which formed part of their social capital, loss of access to community and natural resources and systems also served as deterrents to resettlement.

The Resettlement Implementation Plan (RIP) of the RDA is very ambitious in scope. For example, section 8.3.8 states: *“The following resettlement organisations will be in place before further land acquisition activities can proceed ... fully staffed and trained RU field office, Divisional Secretariat Level Land Resettlement Committees fully oriented about the Project, and Local Consultative Groups organised and fully oriented about the Projects”*. There was no evidence of these critical mechanisms. Guidelines set out in the RIP have not been followed. For example, section 8.3.7 states that affected persons are to be consulted in groups, one of the objectives of this is to *“Provide affected persons full updated (authors’ emphasis) information about the Project scope and schedule, Provide affected persons with full updated information about entitlements, compensation rates and income restoration measures”*.

“Resettlement officers came regularly two years ago, now they don’t sight the place.” Affected Person - STDP

Public awareness creation, which was very ad hoc in implementation, was the responsibility of the RDA, which was supposed to carry out related activities in conjunction with the Divisional Secretariats (DS office). Resettlement was the responsibility of the respective project offices whilst the DS office disbursed compensation. Personnel at the DS offices (interviewed) had a very limited knowledge of the projects and procedures. They saw themselves as a delivery mechanism for compensation.

²⁶ Communication with project office – July 2005

Both the first-level key informants and leaders of community groups and organisations underscored deficits in staff expertise in key stakeholder institutions. The lack of resettlement facilities has doubled the burdens of the displaced persons, as they have to purchase alternate land and construct houses. It is vital that projects, which displace such a large population, pay significant attention to project planning and implementation, resettlement and related procedures. The management of field level resettlement was overseen by personnel that were replaced often and lack of continuity meant that those who were part of the process and dealt with affected persons had no consistent and continued awareness of issues and measures. A recurrent recrimination was that staff in stakeholder institutions lacked capacities to work with the affected persons and implement resettlement procedures. The lack of organisational structures to assess needs and provide necessary support was a key limitation to the relocation process.

The GoSL is the sole funder of the resettlement and reparation components of both projects. Whilst this places a heavy burden on the state, actuals have more than doubled in both projects owing to the extension of the timeline. Under-financing of both elements was attributed to financial constraints of the state coffers as reflected by officials of the STDP:

“This is a huge strain for the government, yes compensation should be increased but then who will draw the line, there have been many revisions already”.

Also valuations for both interventions have been at a higher than normal rate. Exclusive state funding has translated into exclusive responsibility. On the hand this overburdens one stakeholder whilst also allowing for an almost autocratic implementation and decision making process.

At the time of the field research the CKE had completed very little resettlement related activity. Though plans for resettlement were in process at a macro level there was no awareness of such plans at secondary decentralised levels of project implementation. In the STDP, 90% of resettlement was said to have been completed with ancillary initiatives such as income restoration and livelihood training schemes also being implemented.

Future Direction

Where do all roads lead to?

The government is exploring an annuity based public-private partnership option to recommence the CKE. Although construction work was stalled, land acquisition and disbursement of compensation continued. The STDP and allied implementation have been subject to review owing to the number of complaints by the affected persons and public agitation for the government to review its management. The project has outlined new plans²⁷ for resettlement and expects to expand its outreach to provide ancillary services to affected persons apart from relocation and financial compensation. These schemes are to include infrastructure development and support for income generation. In October 2004 the Cabinet approved revisions to the compensation packages of those affected by expressways.

As mentioned earlier both projects are still ongoing, there is a chance to identify gaps in service provision and rethink implementation of procedures related to information delivery, disbursement of compensation and resettlement. On the identification of some gaps and limitations in project implementation the STDP has taken remedial measures to address these issues. A progressive initiative in this regard is the provision of opportunities for vocational training in driving, welding, computing, house wiring, steel fabrication, dress making etc, applications for which were called for via newspapers advertisements, for those affected by the STDP.

²⁷ Communication with project office – November 2004

The STDP is also restructuring certain project components in order to improve service provision to the affected persons; a preliminary measure in addressing environmental and social concerns is the employment of two environmental officers and two social impact monitoring officers.

The road development plan known by many names has been touted by succeeding governments and involves the development of the national highway network by the construction of five new expressways to ease congestion, reduce travel time and develop transport infrastructure that is vital to trade and commerce, provision and access to goods and services and the export industry; the rehabilitation of the existing network also forms a component of this plan. The five expressways are the Southern Transport Development Project, the Colombo Katunayake expressway, the Colombo–Kandy expressway, the Katunayake–Padeniya–Anuradhapura expressway and the Outer Circular Highway (OCH), all expressways will have exits to the OCH, which serves as a hub and provides an alternative route to Colombo. Construction has commenced on the STDP and CKE whilst a feasibility study has been completed for the Colombo – Kandy expressway. Projects that are currently at conceptual stage include extension of the southern highway to Hambantota, an inland arterial road in the southern region, Colombo – Trincomalee expressway, a northern link from Padeniya.

In light of these planned developments, the CKE and STDP could serve as pilot learning points in all aspects of project implementation especially for the RDA which will be the apex agency for future projects. Identification, analysis and incorporation of lessons learnt through the execution of the two projects is crucial in addressing issues of public discussion and consultation, collaboration with IFIs, land acquisition, structuring of mechanisms in stakeholder institutions and implementation of remedial measures such as resettlement and alternate livelihood support.

Recommendations

Currently there exists a significant body of knowledge and expertise on displacement and resettlement related to the separatist conflict. Harnessing of existent expertise and structures, i.e. – the Ministry of Relief, Reconstruction and Rehabilitation followed by further exploration and adaptation to localise them to a DIDR context, is a much-needed exercise. This knowledge sharing will help those who are dealing with DIDR to better understand issues faced by those who are involuntarily displaced and will enable the structuring of mechanisms and systems adopted by institutions and responsible individuals in this sector. Issues faced by displaced populations irrespective of the cause of displacement do have intrinsic similarities, for example, loss of houses, lands, livelihoods, and social capital. Also, having a specialist team comprising experts in various fields such as social, economic, psychosocial will improve not only the projects' service delivery but also working relations with the affected persons.

Centralisation of service provision by the appointment of an apex body to monitor resettlement and reparation would ensure accountability and streamline processes pertaining to valuation, acquisition and compensation. Formalisation of structures for public awareness, consultation and implementation and building of staff capacities in stakeholder institutions is crucial to the successful implementation of the projects and cooperation of the affected persons in subsequent relocation. A systemised and well informed public awareness mechanism relating to all procedures such as surveying, compensation scales, resettlement and ancillary support services is vital for universal transparency across all levels. The lack of information and access has resulted in misinformation, access of information from a variety of sometimes unreliable sources, and suspicion.

Expansion of the outreach of compensation from financial reparation to other areas of support such as assistance in the form of training and grants for reconstitution of livelihoods, and a comprehensive resettlement plan that goes beyond physical relocation and looks at extension services such as transport and health services is crucial to buoy the negative impacts of land acquisition, displacement and resettlement. The introduction of generalised safety nets in

addition to (financial) compensation would certainly add an important lever for enabling resettlers to overcome the risks of impoverishment. An exercise of this scope certainly has in-built operational questions such as the design, implementation and monitoring of such measures and feasibility in relation to stakeholders such as the state and IFIs whose agenda might not contain space for such instruments. Importantly, money for compensation should be available with the state prior to land acquisition and displacement.

The study reveals that a lack of consultation and breakdown in information and communication tend to result in 'reverse participation', which essentially leads to negative development. Globally, dysfunctional information sharing has been a root cause for project failure. Weaknesses in the chains of communication and decision making, insufficient capacity and problems of coordination between agencies has led to local officials exercising considerable discretion in developing operational routines. Agencies and officials often justified withholding information instead of participation and transparency in order to prevent violent public opposition, panic, and riots. But this is deceptive and counter-productive. In light of evidence from the current study, a more socially responsible, planned displacement is encouraged in order to counteract victimisation and impoverishment.

The establishment of clear lines of communication was needed to make all affected people aware of processes available for the redress of grievances that are easily accessible and immediately responsive. It is extremely important to ensure that meetings are conducted in the working language of the affected persons. The research showed that the lack of information compounded by the provision of incorrect information had led to many misunderstandings, suspicion and protest. Hence, information delivery should follow predetermined channels and reach the target populace effectively. This access and provision of information is fundamental at two levels. Firstly, at the point of land valuation and take over and secondly, at the disbursement of compensation and resettlement. Information delivery has been decentralised, this facilitates the adoption of a participatory needs assessment and consultation. It also allows the affected persons to stay informed.

The affected persons cited the restructuring of some of the existent stakeholder agencies as a prerequisite for the progress of the projects. Weak, authoritarian and uncommitted implementing institutions lacking a clear mandate, organisational capacity and technical skills was a constantly highlighted service limitation. In addition the establishment of an independent body with the jurisdiction to monitor and review the projects is essential in the light of the fact that the gatekeepers themselves namely the GoSL and its agencies and the ADB stand accused of being the violators of the minimalist structures that have been put in place. Legislation that holds pertinent positions and agencies accountable for their decisions and actions is also essential. Rigorous implementation of the existent caveats such as the NIRP will enable monitoring mechanisms to draw from these statutes to ensure that proper procedures are followed.

Existent policies and structures need to be revisited especially in light of lessons learnt from the projects in order that these mechanisms serve as binding ultimatums. For example, the NIRP was ratified in 2001 thus there is no legal binding for interventions that commenced prior to 2001, this excludes both expressways as they technically commenced prior to 2001 though they are required to adhere to the NIRP's guidelines. Whilst the drafting of the NIRP is commendable it remains a set of preliminary guidelines that need to be further expanded to provide detailed binding edicts. Additionally, it needs to be given more weightage along with more stringent monitoring to ensure compliance.

Although there is provision for monitoring and evaluation in various documents, both project specific ones such as the RIP and general guidelines such as the NIRP, project specific conceptualisation and application are almost non-existent. An in-process monitoring and evaluation process which will inform especially the displacement and resettlement processes is a vital instrument that will provide an active learning base for those involved.

Projected long-term impacts of the projects such as commercialisation and trading of staples, expansion of micro economies, need to be studied and planned accordingly with buffers and counter measures to ensure minimal negative influences. Income restoration schemes and vocational training of affected persons are two initiatives currently implemented by the STDP.

At national level, policy frameworks on development induced displacement and resettlement require greater attention in project planning and implementation components. Substantive baseline research which is an acutely felt limitation will further inform this element. Further clarity in terms of a clear flow of valid information at all stages and a distinct set of operating rules that are understood and upheld by all stakeholders with enforcement of binding regulations will ensure better understanding and cooperation between project implementers and affected persons.

Summary and Conclusion

The paper has concentrated on two development interventions that are being implemented in Sri Lanka and the changes and impacts that have subsequently taken place. Prior to its definition as development-induced displacement, the phenomenon traces its history to the pre-independence era. Colonisation schemes, which commenced in the 1930s, displaced and resettled peasant farmers. As opposed to today's context, displacement was not a by-product of an intervention that had a wholly different objective which alienated the displacees. The AMDP was a large scale hydropower project which focused on the twin objectives of hydropower generation and agriculture. Those who were displaced as a result of their lands being taken over for reservoirs were resettled as part of the relocation programmes which were taking place as part of the agriculture colonisation scheme.

Mechanisms to address (physical) displacement and relocation resulting from development interventions are at a conceptualisation stage and are in need of further development. DIDR is very relevant in today's context in the light of both in process and planned initiatives such as the Colombo Kandy expressway, Upper Kotmale Hydro Project and the Menik Ganga diversion project. Looking back, the AMDP project displaced close to 12,000 families. Resettled communities faced many hardships adapting to new livelihood methods and environments. Some were moved into the schemes before the required basic infrastructure had been put in place. Despite the scale of the intervention, participation of the target population in decision-making was almost non-existent and compliance with government procedures was accepted. This scenario has changed today with a marked increase in civil consciousness of affected persons on interventions that impact them.

The study looked at CKE and the STDP in relation to displacement and allied impacts. In addition to physical relocation it looked at land acquisition, public awareness and response, participation in decision making and impacts (at varying levels). The CKE was first thought of in the early 1980s with the aim of providing a fast transport link from the country's only international airport to Colombo city. The project trace consists of 75 % marshland and lagoon. The expressway goes through five Divisional Secretariats, Kelaniya, Wattala, Mahara, Katana and Ja Ela all of which are situated in urban areas. A considerable number of affected persons engage in fishing (sea and lagoon) and allied industries. Construction commenced in 2000 and was put on hold in 2003 owing to financial constraints.

The (STDP) or the Colombo Matara Expressway, as it is popularly known, was conceptualised by the Road Development Authority (RDA) in the early 80s. In 1999 the government approached funders and obtained loans from the ADB and JBIC who are the main funders. Compensation and resettlement are exclusively state funded. The project timeline is 2000-2008/9. The STDP has been criticised and supported by many factions on many counts.

State agencies for both projects include the Ministry of Transport and Highways, RDA, Ministry of Lands and the Survey and Valuation Department. Implementing agencies for both projects are the Ministry of Transport and Highways RDA. Political influence continues to play a pivotal negative role in both projects.

Displacement impacts include expropriation of land (house/cultivation), vulnerability and impoverishment risk, loss and disruption to livelihoods, threats to food security, social disintegration, environmental impacts, increase in poverty levels, lack of access and opportunities (to present and seek redress for their grievances). Limitations of the projects include lack of comprehensive baseline research, high levels of corruption in the agencies involved, limitation in available service personnel and the protracted time span of the projects. Adherence to guidelines stipulated by the NIRP, RIP and the IFIs themselves was weak. The study also highlights that compensation given to affected communities is not sufficient to allow for restoration of livelihoods or re-rooting the uprooted. Empirical evidence shows that sometimes only a few people are properly compensated whilst the majority are victimised by disproportionate and arbitrary distribution policies. Within such policy and sometimes advocacy vacuums and lack of open public debate, social and personal injustices flourish and prevail.

The CKE and STDP are still in process but many communities have already experienced transitions and transformations. Since there is still no regime that protects development-induced displacees, affected people have to rely on ad hoc arrangements and coordination among agencies and groups for a response to their rights and needs. As there are no international legal mandates on the rights of development displacees or no single agency in charge of protection and support programmes, affected people tend to fall through the cracks. Worse still, there seems to be little psychosocial support offered to people who have endured losses and involuntary changes in their lives.

Development induced displacement is a complex issue. Although development needs to continue, the question, as raised at the start of this paper, is whether unequal delivery of the developmental gains and losses is inevitable or ethically justified. Such social injustice is profoundly contrary to the goals of development and insists that the challenge is to eliminate preventable adversities through enlightened practices and policies.

References

- ADB Accountability Mechanism, Compliance Review Panel, Final Report to the Board of Directors on CRP Request No. 2004/1 on the Southern Transport Development Project in Sri Lanka, June 2005
- CERNEA, M. "Risks, safeguards, and reconstruction: A model for population displacement and resettlement" in M. CERNEA and C. MCDOWELL (eds.), *Risks and Reconstruction: Experiences of Resettlers and Refugees* (11-55). Washington: World Bank. (2000).
- Colombo Katunayake Expressway forges ahead, media release, December 2003.
- GANEPOLA, V. & P. THALAYSINGAM. *Poverty and Conflict: A Review of Literature*. Colombo: CEPA. (2004).
- HAMPTON, J. "Introduction" in *Internally Displaced People: A Global Survey*. London: Earthscan. (1998).
- Invest in Our Infrastructure, Highway Development Plan: Projects in the pipeline, Road Development Authority, Ministry of Highways, November 2003
- Involuntary Resettlement Policy, Asian Development Bank : www.adb.org/resettlement
- Land Acquisition Act, GoSL, 1950.
- National Human Development Report, UNDP, 1998
- Newspaper articles including *The Island, Daily News, Sunday Times, Sunday Leader, Lankadeepa, Divaina* of various years.
- 'Obtaining compensation and other reparation for the proposed Expressways' (document in Sinhala), <http://www.rda.lk>
- PERERA, G.H. "Agrarian transformations under colonial rule" in *Development and Change in Sri Lanka*. Kandy: ICES. (1992).
- Report of the conflict management consultant, Southern Transport Development Project, Asian Development Bank, February 2005
- Resettlement Implementation Plan, Southern Transport Development Project in Sri Lanka, Road Development Authority, October 2002.
- SORENSEN, B. R. "The experience of displacement: Reconstructing places and identities in Sri Lanka" in K. OLWIG and K. HASTRUP (eds.), *Sitting culture: The shifting anthropological object* (142-166). London: Routledge. (1997).
- Summary Environmental Impact Assessment, Southern Transport Development Project in the Democratic Socialist Republic of Sri Lanka, Asian Development Bank, July 1999.
- Technical Assistance to the Democratic Socialist Republic of Sri Lanka for preparing a public private partnership expressway project, Asian Development Bank, September 2002.
- "The Southern Highway is a reality", Ministry of Highways, Media Release 2003.
- The Southern Transport Development Project in Sri Lanka, Hemantha Witanage, Sri Lanka Working Group on Trade and IFIs, (year not known).
- WERELLAGAMA, D.R.I.B., JEYAVIJITHAN, V., MANATUNGA, J. and M. NAKAYAMA. "Lessons learned from communities displaced by the Mahaweli multi-purpose development project in Sri Lanka". Department of Civil Engineering, University of Peradeniya, Kandy, Sri Lanka. (2004).

