

Bridging the Gap: People Centered Policy Guidelines to Minimize Relocation Failures: Case of Sri Lanka

Nishara Fernando¹

Abstract

Restoring livelihoods of the people who were involuntarily relocated due to various reasons (through private and public development projects or as a strategy to reduce exposure to natural hazards) is critically important (also the most difficult task) if development is to be just and truly sustainable.

This paper presents a set of people-centered policy guidelines that were developed considering the three stages of the relocation process, namely pre-relocation, immediately after relocation and two years after relocation. These guidelines can be adhered to, in order to minimize involuntary relocation failures in Sri Lanka. Published and unpublished work of international scholars was pursued in addition to interviews conducted with various government, semi-government, non-governmental organizations and relevant researchers.

Key words: People centered relocation policy guidelines; Planned relocation; Relocation failures.

1. PhD, Senior Lecturer, Department of Sociology, University of Colombo and Director, Social Policy Analysis and Research Centre (SPARC), Faculty of Arts, University of Colombo, Sri Lanka. email:- nishara.fernando@gmail.com

Introduction

Displacement of people from their homes and lands due to private and public development projects (high ways, dams and reservoirs, ports, roads, urban renewal, etc.) or as a way to reduce people's exposure to natural hazards (floods, earth slips) or disasters (tsunami) for instance, imposition of a buffer zone regulation after tsunami, has become a common occurrence. Although the relocation of such displaced people in unfamiliar new settlements situated far from their previous places of residence without their consent seemed to be the sole option at the given time and circumstances, such interventions have not always been very successful in Sri Lanka (Muggah, 2008). This has been mainly the result of increased impoverishment of families after relocation due to their inability to cope with multiple risks (Cernea, 2000) (landlessness, homelessness, joblessness, food insecurity, marginalization, increased morbidity, mortality, lack of access to common property resources and disruption to existing social capital) and multi-dimensional stresses (physiological, psychological and social-cultural) generated by "relocation shock" that may persist through the different stages of relocation (prior to, immediately after and two years after) (Scudder, 1981; 2005). Relocation also impacts the cultural landscape and the identity of communities (Sorensen, 1996). In this context, available international and local literature on involuntary (forced) relocation emphasizes the need to reduce various relocation related risks and stresses (from landlessness to land based relocation, from joblessness to re-employment, from homelessness to reconstruction, from marginalization to social inclusion, from loss of access to common property resources to rerestitution of community assets and services, from social disarticulation to networks and community building) (Oliver-Smith, 2009; 2010, Modi, 2009). In the planning stage, careful implementation and management of the relocation process by adhering to the national and international frameworks and policies, better funding, political will, predisplacement research and long term monitoring as interrelated vital factors to make relocated communities secure and sustainable after involuntary (forced) relocation (Fernando, 2012; Fernando and Punchihewa, 2013; Fernando et.al, 2010; Hettige et.al, 2004; Birkmann & Fernando, 2007; Birkmann et.al 2007). These factors will assist the relocated people to at least reconstruct the social, economic and cultural lives in the new location by not only providing adequate protection from relocation related risks but also through opening up a wide range of new opportunities.

No sound relocation program would forcibly relocate any community by uprooting them from their original settlement. However, in a real world, involuntary relocation becomes inevitable owing to unavoidable circumstances. In this context, it is vitally important to identify ways of minimizing stresses and risky situations that could arise as a result of involuntary (forced) relocation

that makes the prospective beneficiaries insecure and vulnerable to poverty or chronic poverty (Fernando, 2012; Fernando, 2006).

Against the above backdrop, this article proposes some guidelines for involuntary relocation that involves three key stakeholders, namely the state, the development partners and the displaced people or the beneficiaries. The past experiences in Sri Lanka suggest that relocation projects have not been guided by common guidelines other than project specific guidelines which resulted in some successes and failures. These outcomes, no doubt, point to the need for having proper guidelines. The guidelines discussed in this article attempt to respond to the emerging need for proper guidelines on the one hand and to fill a persisting gap at policy level on the other.

The author intends to publish these guidelines not only in English language but also in Sinhala and Tamil languages with the intention of reaching out to a wider range of stakeholders including planners, policy makers, implementers, politicians, academia, students, donors, displaced people, relocatees and most importantly the general public of the country. Accordingly we would be able to raise awareness regarding various aspects of the relocation process while at the same time proposing a sustainable programme for relocation and a planned process of relocation of affected communities. Published and unpublished documents have been perused in addition to interviews conducted with various officials of government, semi government, non-governmental organizations and researchers in the process of developing the guidelines. The draft guidelines were further reviewed by some experts in the relevant field and their comments have also been incorporated into the final guidelines.

The proposed guidelines are generally applicable for people who are displaced as a result of development projects or disasters. Therefore, a detailed Resettlement Action plan is necessary to successfully relocate displaced families. This should be tailored to suit the local requirements and ensure social justice. These guidelines should be applied at the planning stage of the relocation process. The proposed guidelines are presented in three stages of the relocation process namely, prior to displacement (Pre-relocation), immediately after relocation and two years after relocation.

Objectives of the policy guidelines

To devise a mechanism that would enable communities to successfully cope with various risks and stresses generated by the shock of involuntary relocation.

To make the prospective relocatees aware of the relocation process (or stages of relocation) with a time frame agreed upon to complete the successful relocation process of affected persons and implementing agencies.

To make the relocation process participatory, transparent and accountable.

To assist relocatees particularly the most vulnerable groups (female headed households, hidden female headed households, households with disabled, chronically ill members, poor households) to successfully adapt to the new location and restore their livelihoods in order to improve their living standards. The programme should ensure that the displaced people improve or at least their previous standard of living is restored (Cernea, 2000).

To ensure that the people affected due to involuntary relocation are promptly compensated and made aware of the process for redressing their grievances to facilitate easy access and quick response to resolve issues.

The Conceptual Foundations of the Guidelines

The main conceptual foundations for the guidelines identified as: the concept of forced relocation, including two theoretical models, namely (1). Thayer Scudder's (1981; 2005) Stress and Settlement Process and (2). Michael Cernea's (2000) Impoverishment Risks and Reconstruction Model, for resettling displaced people and the concept of vulnerability, focusing on both the external (exposure) and the internal sides (coping). The elements of the constructed analytical framework are discussed below.

In an attempt to explain the analytical framework in Figure 1, it is appropriate to begin with a discussion of the external shocks. This is in two forms; Destruction of various common properties at the regional level (roads, railways, schools, hospitals, etc.) due to natural or man-made disasters or development projects on one hand and destruction of lives and various types of assets at the household level; (2) the forced relocation of affected communities into new settlements, mainly in a location far from their previous place of residence.

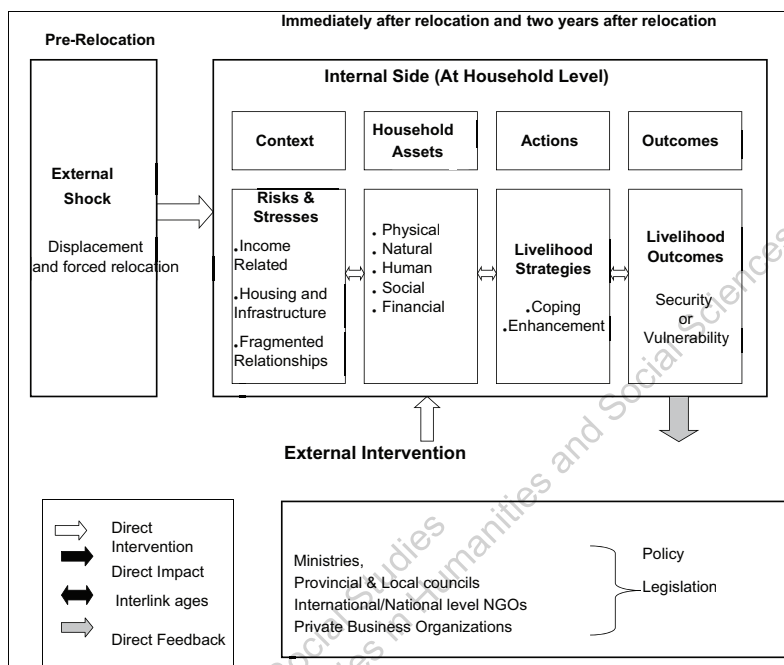
As a result of forced relocation, the displaced people do not have any option but settling down in the new settlements outside the original place of residence. The relocated people are exposed to various risks and stresses, which are further discussed under the context (difficulty in accessing the common property resources (sea, city etc.) to earn an income, lack of employment opportunities in new settlement areas, lacks of proper infrastructure, poor-quality of housing and fragmented relationships with the host community, which sometimes even lead to physical conflicts). In this context, forced relocation is believed to have a direct impact on five types of household assets (social, financial, human, physical and natural) which are

vital to adopt successful livelihood strategies (enhancement and coping) to secure household livelihoods.

External intervention, here refers to direct allocation of government land to build settlements or to give financial support to construct houses, buy land, give food rations and money to buy kitchen utensils, construction of common services, etc. and indirect (request private banks to give low-interest loans to start new income-earning activities, provide tax concessions for private organizations as a tool to encourage them to become involved in settlement construction, etc.), involvement of national government, provincial and local authorities in adopting various policies, legislation and institutions to strengthen the household-asset base as well as access to assets.

This is in addition to various types of assistance from international and national NGOs and from other private organizations to strengthen the household-asset base and assist with the relocation process. The assistance was mainly in the form of constructing houses and donating furniture, household electrical equipments and other capital equipments (fishing boats, nets, out-boat and inboat engines, bicycles etc.) to help improve the existing income-earning activities, or to start new forms of income generating activities.

The final outcome of various household-level strategies employed, as opposed to various forced relocation-related risks and stresses could be that the household becomes either more secure or more vulnerable. This, in turn, would be a direct feedback for households and for government, other international non-governmental organizations (INGOs)/NGOs and private organizations in relation to their external interventions. However, the purpose of the guidelines is to provide an effective strategy to minimize various risks and stresses faced by relocatees in the relocation process (pre-relocation, immediately after relocation and two years after) and make them secure.

Figure 1: Analytical Framework

Source: Fernando (2013).

Guidelines

As it is mentioned above, the policy guidelines can be listed as prior to relocation, immediately after relocation and two years after relocation.

Prior to relocation

The pre-relocation phase needs to concentrate on the aspects of removing or minimizing the risks to displacement. Considering the fact that displacements by disasters, either man-made or natural and development-induced are unavoidable in certain cases, pre-planning of contingencies for relocation should be available which would contribute to minimizing adverse impacts on the social, cultural and economic aspects of prospective relocatees.

Vulnerability Reduction and Early Warning

It is necessary to minimize the number of families to be relocated

by avoiding or minimizing the adverse impacts of causes of displacement, through developing proper early warning systems and other risk reduction strategies to prevent natural hazard related displacement and relocation. This would involve:

- a. well-conceived evacuation plans and programs
- b. an efficient planning process aimed at utilizing local resources to manage displacement and temporary internal migration.

What is equally important is to ensure availability of timely data. Such data could be built up as separate data bases to be tapped for different types of information necessary for planning and other purposes. These can be divided into the following:

- c. A resource database: This would facilitate an efficient relocation process that reduces harm to the concerned people and natural resources.
- d. Land database: A database of available lands to be acquired as alternative sites for relocation, for permanent housing and transitional housing would facilitate speedy relocation, thereby reducing the time taken for relocation.
- e. Socio-economic database: Affected people need to be relocated, wherever possible close to the location of the original settlement so that the affected people can have access to long established social networks, access to services and common property resources which would minimize the adverse impacts on their lives and the way of life. The data base should have demographic, socio-economic and cultural information. It should also have gender specific information. This data base will also assist in identifying the most vulnerable populations who need particular attention in the process of relocation.
- f. Socio-economic database on host communities: It is important to have such information on the host community in order to minimize conflicts, competition and to promote homogeneous coexistence. The quality of the physical environment of the relocation area is also an important matter to be considered.

Public Information and Consultation

- g. The State authorities should provide relevant information to the prospective relocatees and the general public about risks, and opportunities for future development and have continuous consultation

so that public concerns can be voiced at respective levels.

- h. Regular public information and consultations would complement the databases mentioned above.

Compensating Affected Communities

It is essential to assist the affected people to submit their claims for compensation due to acquisition of their land, structures, perennial crops and their economic losses. This can be implemented by either the implementing agency or by a reliable non-governmental organization. It is also important to assist the displaced people to properly manage their compensation. Establishing a Grievance Redress Committee under the chairmanship of the Divisional Secretary to find solutions for their grievances is also important.

Action needs to be taken by the implementing agency to establish an Inter-Ministerial committee comprising representatives of relevant Ministries for the project to expedite the completion of work.

Awareness programs for officers of implementing agencies should be conducted on existing policies (National Policy for Payment of Compensation, National Involuntary Resettlement policy etc.), Acts (Land Acquisition Act No.09 of 1950 with its subsequent amendments) Ordinances (Land Ordinance), rules, regulations (regulations 2008 for payments of compensation) and others (a guide for public officers on good practices on Land Acquisition and implementation of the National Involuntary Resettlement Policy published by the Ministry of Land and land Development in 2013 and Ex-gratia package for the people affected by Road Development Projects).

Immediately After Relocation

Considering the fact that displacements due to disasters, either man-made or natural or development induced are unavoidable in certain cases, pre-planning of contingencies for relocation should be made available which would cause least impact on the social, cultural and economic life of people. This section includes different approaches that can be adopted in relocating people in temporary, transitional and permanent settlements.

Standardization: Nationally accepted standards should be adopted when constructing temporary, transitional and permanent shelters. However, availability of resources such as material, land and labor depends on the location and therefore, some flexibility should be allowed to facilitate sound implementation of relocation programmes.

Affected persons should be provided with temporary and transitional shelters of an assured quality until they move into the new settlements and permanent shelters with necessary individual and common infrastructure facilities. The size of the house should be determined by taking into consideration the number of individuals in the respective households. The entitlements of tenants should also be clearly stated.

Participation: Participation in the decision making process of the prospective relocatees, both men and women should be a prerequisite as it is an essential provision for the prospective occupants of the house to make decisions on site selection, design, material, labor, etc. This would enhance the transparency and accountability of the process as well as the quality and acceptability of the shelter.

Provincial Councils and Local Authorities along with the Divisional and District Secretariats through their grassroots level Officers, the Grama Niladharis (Village level Administrative Officer), Social Service Officer, Samurdhi Officer etc. should play a proactive role in the relocation process from the very inception of the planning process in order to ensure their continuing engagement in follow up activities.

The host community should be involved in the relocation process as a strategy to ease any tensions and conflicts between host and relocated communities and this will enable the relocated communities to have smooth integration with the host community. Both relocated communities and host community should have access to common property resources and common infrastructure facilities used by host community prior to relocation and new common infrastructure facilities built in the new relocation settlements.

Infrastructure: If the affected persons are to be relocated in a donor built settlement, it is important to obtain consent for house designs and construction materials. The relocated people should be informed about common infrastructure facilities provided (access roads, street lights, community centers, religious places etc.), in addition to other necessary facilities in and around the settlement (bridges, transportation, garbage disposal, postal services, etc.). This information should be provided irrespective of whether houses are built by donors or by affected families using the monetary compensation they get from the organization.

All common infrastructure facilities should be provided before relocating the affected families to the new settlement.

Local councils should also be provided with required funds to improve their services to the relocated communities.

Land Titles: Land that is given up should be replaced by new land of comparable value. Deeds should be granted promptly to new land. In the absence of land, cash compensation should be paid for all affected persons. Compensation for all other lost assets (movable and immovable) should be based on full replacement cost and should be paid promptly. Project execution agencies should bear the cost of compensation. Families who do not have secure land titles should receive fair and just treatment in order to prevent marginalization.

Information: Prospective relocatees should be given information through a language they can understand, about the relocation process from the beginning so that it would enhance the overall outcome of the projects.

Full recovery from stress and risks arising as a result of relocation is a need of the affected person and it is also the duty of the project implementers to assist them to completely recover and improve their quality of life.

Funding: Proper financing for sound relocation is important. An underfunded relocation process adversely affects the relocatees. However, adequate financing also depends on political will. In other words, often resources can be mobilized when there is a strong political will. Money alone however would not solve all relocation related problems. On the other hand, absence of adequate financial compensation is likely to lead to relocation failures.

Participatory monitoring and evaluation and regular participatory progress review at every stage should be made mandatory in order to ensure the success of relocation.

Restoration of livelihoods: Any disruption to family and individual income and increased family expenses (transportation, electricity, gas etc.) that could occur due to relocation should also be considered. Local employment creation programmes to enhance family income need to be implemented.

Vulnerable groups: Particular attention should be paid to displaced women, children, the elderly and people with special needs.

Two Years After Relocation

Reviewing of socio-economic, demographic and other relevant data from each and every member of the relocated families is important and needs to be carried out regularly (preferably annually) up to five years after relocation. This can be useful in the future for project monitoring and impact evaluation purposes. Social Impact Assessment (SIA) and Environment Impact Assessment (EIA) should be conducted as part of the process. Such reports have to be examined by a multi-disciplinary expert group. Identification

of families at different levels of vulnerability (most, moderate and least) by conducting a vulnerability assessment (considering not only factors such as ethnicity, gender, caste, income earning activities etc. but also other socio-economic, demographic and environmental factors) among the affected families is useful for further improvements. These assessments will assist the implementers to know who should be given more attention and assistance in order to make the process a success from the beginning of the relocation process without making them further marginalized and more vulnerable after relocation.

Roll out programmes should have provisions to enable individual families to take their own decisions. In order to support this process, establishing local level community based organizations or linking the existing community based organizations in the host communities to the relocatees should be done.

Conclusion

Involuntary relocation of people displaced as a result of private or public development projects or as a strategy to reduce people's exposure to natural hazards need to be carefully planned without further weakening their livelihoods. This paper makes an attempt to fill this gap by formulating people centered policy guidelines with the aim of minimizing relocation failures by considering the three stages of relocation (prior, immediately after and two years after).

The first phase concerns the aspects of removing or minimizing the risks leading to displacement. This was addressed in policy guidelines under the sub-themes of vulnerability reduction and early warning, development of information bases (resource, land, socioeconomic and native community), public information and consultation and compensating affected communities. The second stage mainly concerns people's participation, standardization, infrastructure, land titles and livelihoods restoration, while the third stage of two years after relocation is focused on long term monitoring and impact evaluation. It is envisaged that adherence to these guidelines would make the relocation process more successful and effective in avoiding many adverse consequences, thereby improving the life chances of relocatees following the relocation.

References

- Birkmann, J., & Fernando N. (2007a). *Measuring revealed and emergent vulnerabilities of coastal communities to Tsunami*. Disaster, vol. 32, No. 1, pp. 82–105.
- Birkmann, J., Fernando, N. Hettige, S., (2007b). *Rapid vulnerability assessment in Sri Lanka*. Bonn: United Nations University Institute of Environment and Human Security.
- Cernea, M. (2000). Risks, safeguards and reconstruction. A model for population displacement and resettlement. In Risks and Reconstruction. Experiences of Resettlers and Refugees, M. Cernea and C. McDowell, eds. Washington, D.C.: The World Bank.
- Fernando, N., & Punchihewa, A. (2013). Relocating the displaced: Strategies for sustainable relocation. Colombo: Friedrich Ebert Stiftung.
- Fernando, N. (2012). Forced relocation after the Indian Ocean Tsunami, 2004: Case study of vulnerable populations in three relocation settlements in Galle, Sri Lanka. Publication series of UNUEHS Volume 6. Bonn: United Nations University Institute of Environment and Human Security.
- Fernando, N. (2006). A sociological study on vulnerability to chronic poverty and livelihood strategies: The case of a low income settlement. "M. Phil. dissertation. Unpublished.
- Fernando, N. Birkmann Joern & Warner Koko (2010). Migration and Natural Hazards: Is relocation a secondary disaster or an opportunity for vulnerability reduction. In: Afifi, T & Jager, J (eds) "Environment, Forced migration and Vulnerability. Heidelberg: Springer.
- Hettige, S.T., Fernando, N. Mayer Markus & Noe Christiane (2004). Improving livelihoods of the urban poor – A study of resettlements schemes in Colombo, Sri Lanka. Colombo: German Technical Cooperation (GTZ).
- Ministry of Land and Land Development (2013). Land acquisition and implementation of the national involuntary resettlement policy. Colombo: Ministry of Land and Land Development.
- Modi, R. (2009). Beyond relocation – the imperative of sustainable resettlement. India: Sage Publication.
- Muggah, R., (2008). *Relocation Failures in Sri Lanka – A short history of internal displacement and resettlement*. London: Zed Books.
- Oliver-Smith, A., (2010). *Defying displacement: Grassroots resistance and the critique of development*. Austin: University of Texas Press.

Oliver-Smith, A., (2009). *Development and dispossession- the crisis of forced displacement and resettlement*. New Mexico: School for advanced research press.

Scudder, T. (1981). *The development potential of new land settlements in tropics and sub-tropics: A global state of the art evaluation with specific on policy implications*. Binghamton: Institute for Development Anthropology.

Scudder, T. (2005). *The future of large dams: Dealing with social, environmental and political costs*. London: Earthscan Publications Limited.

Sorensen, B. (1996). *relocated lives: Displacement and resettlement within Mahaweli project*, Sri Lanka. Amsterdam: VU University Press.