

Land Grabbing in Sri Lanka: Current Status and Trends

Abstract

This study was carried out to determine the present status and trends of land grabbing in Sri Lanka. The study covered 25 projects which were perceived to have profound social and environmental impacts in 12 Districts. During the study it was discovered that Monaragala District was the most affected. Throughout Sri Lanka a total of 36,371 hectares have been acquired through illegal means. 26,321 hectares have been seized by government institutions while 10,050 hectares have been appropriated by the private sector. 8 types of projects are being carried out in these areas. In most of the cases, land has been misappropriated for tourism projects while in terms of land area, most has been misappropriated for agricultural projects.

Ministry of Irrigation and Water Resources Management, Sri Lanka Army, Sri Lanka Navy, Civil Defence Force (CDF) and the Sri Lanka Tourism Development Authority (SLTDA) are among the state institutions that have most engaged in land grabbing. These misappropriations have led to displacement of thousands of people, loss of livelihood of fishermen and farmers, rapid depletion of forest cover and resultant hydrological and environmental impacts and also creation and aggravation of Human-Elephant Conflict.

Introduction

Large-scale land appropriations are taking place around the world, especially in the developing countries. Because of the dire consequences of land grabbing on natural resources and the well being of the communities, it is of utmost importance to identify and analyze the different forms of operation and adverse effects as well as to formulate policy level mechanisms to prevent serious repercussions, most of which are irreversible.

Although, the term 'Land Grabbing' has been in usage for a long time, a widely accepted definition is not available. Currently, it refers to the large-scale land acquisitions following the 2007-2008 world food price crisis in a broad sense. However, it connotes adverse socio-economic and environmental impacts. For the purpose of this report, we prefer to define it as, ' Legal or illegal appropriation of land for developmental projects affecting well-being of the present and future generations and their right to partake of the benefits of natural resources, directly or indirectly by any entity'.

It is important to highlight that land grabbing compromises the ability of the present and future generations to meet their requirements. It should be emphasized that the procedure followed during acquisition is immaterial. Whether the land has been acquired conforming to the prevailing legal requirements of the country or otherwise, if it affects the well being of the present and future generations, it will be registered as land grabbing. Moreover, the term clearly excludes expropriation of land by government to be declared as catchment areas, wildlife reserves, archaeological reserves or flood retention areas. These expropriations are rather regarded as conservation of resources for the benefit of the present and future generations.

Adverse impacts of land grabbing are many. It often raises issues such as displacement and unemployment of communities, loss of biodiversity, damage to local waterways, watersheds and disrupts local weather patterns. Land grabbing is mostly prevalent in the developing countries with lower recognition of land rights. Moreover, the affected communities are often uninformed of negotiating powers and entitlements in land transactions. Further, affected people are often excluded from negotiations and are not compensated adequately to restore them in their original living standards. Conversion of local people into laborers of large-scale plantation operations is another harmful impact. The number of job opportunities is often unsatisfactory since most projects involve mechanization. Large-scale developmental projects involving plantation and tourism often

results in pollution of the environment leading to dire consequences in addition to destruction of ecosystems, watersheds and disruption of weather patterns. These issues often result in far reaching consequences which are not likely to be reversed once implemented even if attempted. Communities affected by these repercussions are not entitled to compensation. More often than not, land grabbing is associated with imprudent developmental projects rather than viable, suitable business plans. It is remarkable that most of these projects are implemented in the absence of feasibility studies despite the concern on monetary gains.

In the global scenario, as published by the World Bank in September 2010, 46 million hectares in large scale farmland acquisition or negotiations were announced between October 2008 and August 2009. Out of the 464 examined acquisitions, only 203 included the land area. Therefore, it can be inferred that the total land area involved could more than double the record.

In the case of Sri Lanka, land grabbing has been prevailing since the colonial era in its many forms vectored by the colonial masters who were immediately followed by the successive regimes. Through the years, it has shown exponential growth and has now reached a unprecedented proportions with blatant violation of the legal requirements. In the backdrop of current population growth rate which demands more ecosystem services and the scanty remnants of forest cover existing in the country, extent of land grabbing is alarming.

With culmination of the LTTE terrorism in the North, an explosive growth has been observed in developmental activities. Different facades of developmental concepts, such as 'Uthuru Wasanthaya' (Northern Spring), 'Negenahira Navodaya' (Eastern Revival), 'Sancharaka Udanaya' (Tourism Dawn) and 'Deyata Kirula' have been imposed concealing the true nature of these developmental operations.

This study was carried out throughout the island with the hope of identifying the scale and scope of land grabbing as well as current trends and its multifaceted repercussions.

Objectives

The research, to understand the present status and trends of land grabbing, was carried out with several objectives based on socio-economic as well as environmental concepts, as follows:

- To identify the effects of land grabbing on present and future generations of the biological communities including humans as well as ecosystems.
- To understand current and future trends of land grabbing in Sri Lanka.
- To understand nature and extent of land grabbing in different geographical regions of the island.
- To understand nature of land grabbing taking place as a result of imprudent policy decisions.
- To provide insights into the different aspects related to land grabbing in Sri Lanka in order to facilitate establishment of a mechanism to assist communities affected or displaced by land grabbing.
- To identify the environmental and socioeconomic repercussions of land grabbing in the country in order to provide guidelines to devise a policy level mechanism to prevent and mitigate harmful impacts.

Methodology

Initially, information on locations affected by land grabbing and nature of projects were obtained from local organizations affiliated to Sri Lanka Nature Group, published information and environmental activists around the island and documented. 25 projects involving land grabbing in different geographical areas and ethnic groups were selected for expansive investigation based on the following criteria.

- Projects resulting in displacement of people, loss of livelihood and well-being of communities.
- Harmful impacts on protected forests
- Appropriation of land for developmental activities without following the proper legal procedure
- Degradation of land
- Negative impacts on the environment/ecosystems

Secondary data was obtained from project reports when available and field visits were conducted and data was gathered according to the questionnaire, attached at annexure 1. During field visits information was obtained from the affected parties as well as from the stakeholders.

Results and Analysis

The 25 investigated projects are distributed in 12 Districts. The highest number of projects (5) is situated in Puttalam District while Districts of Monaragala, Mannar and Trincomalee hold 3 projects each. As mentioned above Monaragala District is the most affected by land grabbing, with the largest area of land grabbed, followed by Trincomalee and Polonnaruwa Districts. (see table 01 and 02.)

Table 01

| | Project | Name of the implementing organization | Nature of the project | District | Total land taken (ha) |
|---|--|--|------------------------------|-----------------|------------------------------|
| 1 | Building hotels and maintaining stone quarries at Andarawewa Sanctuary | Farm Garden Hotel Corporation | Tourism | Anuradhapura | 19.4 |
| 2 | Allocating land from Buttala forestland for agriculture | Number of individuals | Agriculture | Monaragala | 8,094 |
| 3 | HVA farm project | HVA Farm (Pvt.) Ltd | Agriculture | Puttalam | 136 |
| 4 | Kandakadu banana plantation | Army, Letsgrow (Pvt.) Ltd | Agriculture | Polonnaruwa | 6,110 |
| 5 | Karukapane hotel project | Laugfs Leisure Ltd. | Tourism | Puttalam | 2 |
| 6 | Seaplane Project, Koggala lagoon | Ministry of Tourism, Air Force | Tourism | Galle | - |
| 7 | Soil excavation at | Companies of Sierra, | Mining | Mannar | 10 |

| | | | | | |
|----|--|--|-----------------------|------------------------------------|--------|
| | Madu Road Sanctuary | MAGA, IRCON | | | |
| 8 | Magama-Kirinda mineral excavation project | ETA Lanka Natural Resources (Pvt.) Ltd | Mining | Hambantota | 400 |
| 9 | Distributing forestland at Moradawilluwa for agricultural projects | Wanathawilluwa Divisional Secretary, Puttalam District Secretary | Agriculture | Puttalam | 100 |
| 10 | Settling people in Muturajawela Sanctuary | Local and national level politicians | Colonization | Gampaha | 20 |
| 11 | Kalpitiya Tourist Zone | Sri Lanka Tourism Development Authority | Tourism | Puttalam | 1,100 |
| 12 | Lunugamwehera banana plantation | Dole Lanka (Pvt.) Ltd | Agriculture | Monaragala | 405 |
| 13 | Settling people in Nilgala-Boella forest | Government | Colonization | Monaragala | 204 |
| 14 | Nilaweli-Pulmudei hotel project | Sri Lanka Tourism Development Authority | Tourism | Trincomalee | 500 |
| 15 | Appropriation of lands in Panama by Navy and Special Task Force | Navy, Special Task Force | Tourism | Ampara | 494 |
| 16 | Pasikuda hotel project | Sri Lanka Tourism Development Authority | Tourism | Batticaloa | 121 |
| 17 | Saltern in Puttalam lagoon | Data not available | Salt production | Puttalam | 101 |
| 18 | Saltern in Salapearu lagoon | Raigam Eastern Salt (Pvt.) Ltd | Salt production | Trincomalee | 730 |
| 19 | Sampur coal power plant and industrial zone | Sri Lanka Navy has cordoned off the area | Energy and industry | Trincomalee | 5,000 |
| 20 | Silawaturei cashew plantation | Civil Defence Force | Agriculture | Mannar | 2,428 |
| 21 | Soragune proposed golf course and hotel | Alpha and Omega Developers (Pvt.) Ltd | Tourism | Badulla | 254 |
| 22 | Prawn farming at Vakarei | National Aquaculture Development Authority | Aquaculture | Batticaloa | 68 |
| 23 | Hotel project in Yoda Wewa Sanctuary | Department of Irrigation and Water Management | Tourism | Mannar | 75 |
| 24 | Uma Oya Multi-purpose Development Project | Department Irrigation and Water Management | Multi Purpose Project | Badulla, Monaragala and Hambantota | 10,000 |
| 25 | Kombavill Resettlement Project | UN Agencies, Several INGOs, and Sri Lanka Army | Resettlement | Mullativu | 240 |

Table 02**The number of projects in each district and the land allocated**

| District | Number | The area taken for the project | |
|--------------|--------|--------------------------------|------------|
| | | Hectares | Percentage |
| Badulla | 1 | 254 | 1 |
| Anuradhapura | 1 | 19.4 | 0.07 |
| Monaragala | 3 | 8703 | 33 |
| Puttalam | 5 | 1439 | 5 |
| Polonnaruwa | 1 | 6110 | 23 |
| Galle | 1 | No data | 9 |
| Mannar | 3 | 2513 | 9 |
| Hambantota | 1 | 400 | 1 |
| Gampaha | 1 | 20 | 0.07 |
| Trincomalee | 3 | 6230 | 24 |
| Ampara | 1 | 494 | 2 |
| Batticaloa | 2 | 189 | 0.7 |

(Land taken for Uma Oya project, which spans across 10,000 hectares in 3 Districts, has not been included)

According to findings of the study, 8 types of projects are being carried out in these misappropriated lands including Tourism, Agriculture, Aquaculture, Resettlement/Colonization, Salt Production, Mining, Multi-purpose Projects, Energy Production and Industry. Tourism projects outnumber the other categories with 9 projects accounting for 36% of the total of 25 followed by agricultural projects which make up 24% of the total number of projects. (See Chart 03)

Table 03**Land Allocations Made for Different Categories of Developmental Projects**

| Nature of project | Projects | | Land taken | |
|--------------------------|-----------|-------------------------|----------------|-------------------------|
| | Number | Percentage ¹ | Hectares | Percentage ² |
| Tourism | 9 | 36% | 2,565 | 7 % |
| Agriculture | 6 | 24% | 17 ,273 | 47% |
| Aquaculture | 1 | 4% | 68 | 0.2% |
| Colonization | 3 | 12% | 224 | 0.6% |
| Salt Production | 2 | 8% | 831 | 2% |
| Energy and industry | 1 | 4% | 5,000 | 14% |
| Multi purpose irrigation | 1 | 4% | 10 ,000 | 27% |
| Mining | 2 | 8% | 410 | 1% |
| Total | 25 | 100% | 36 ,371 | 100% |

¹ As a percentage of the total number of examined projects

² As a percentage of the total land area appropriated for projects

Chart 01: Diversity of the Investigated Projects

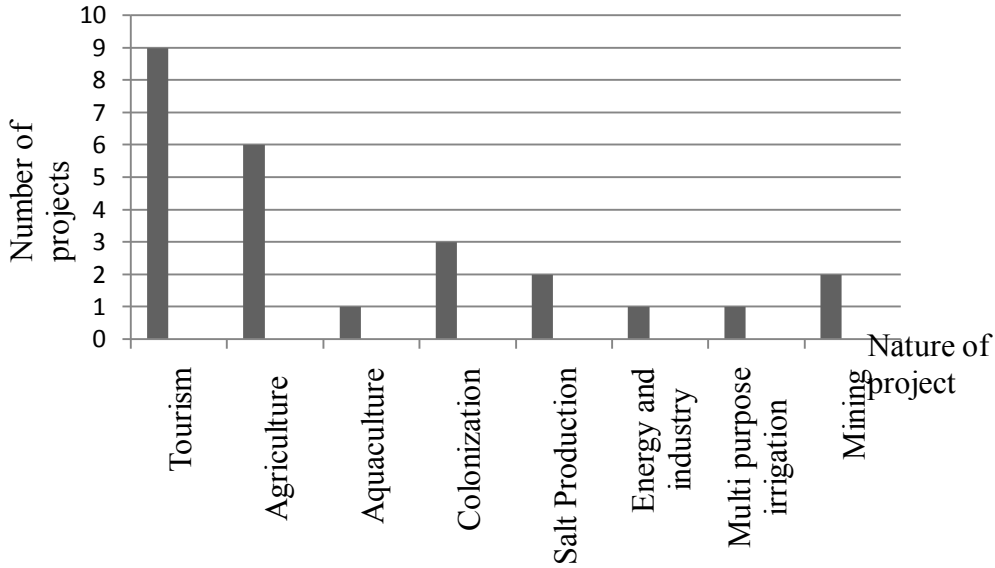
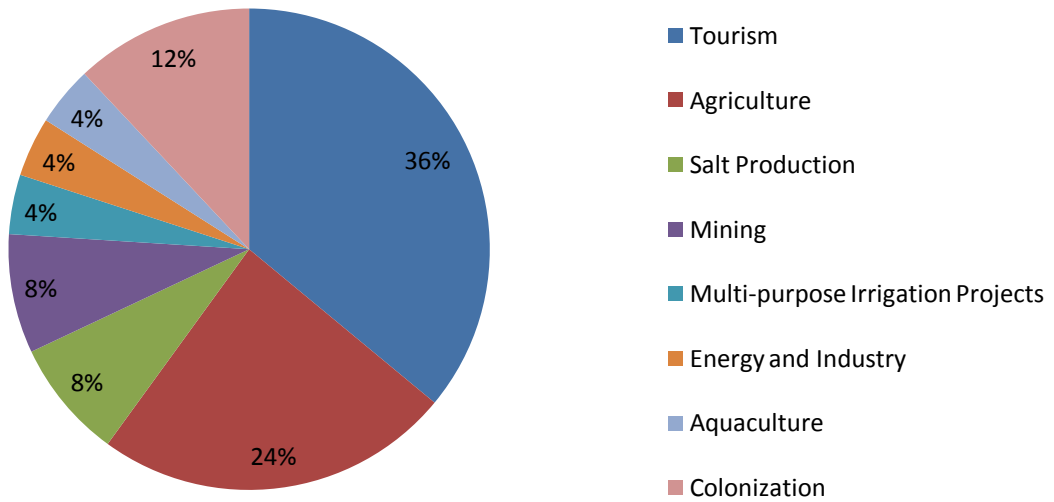
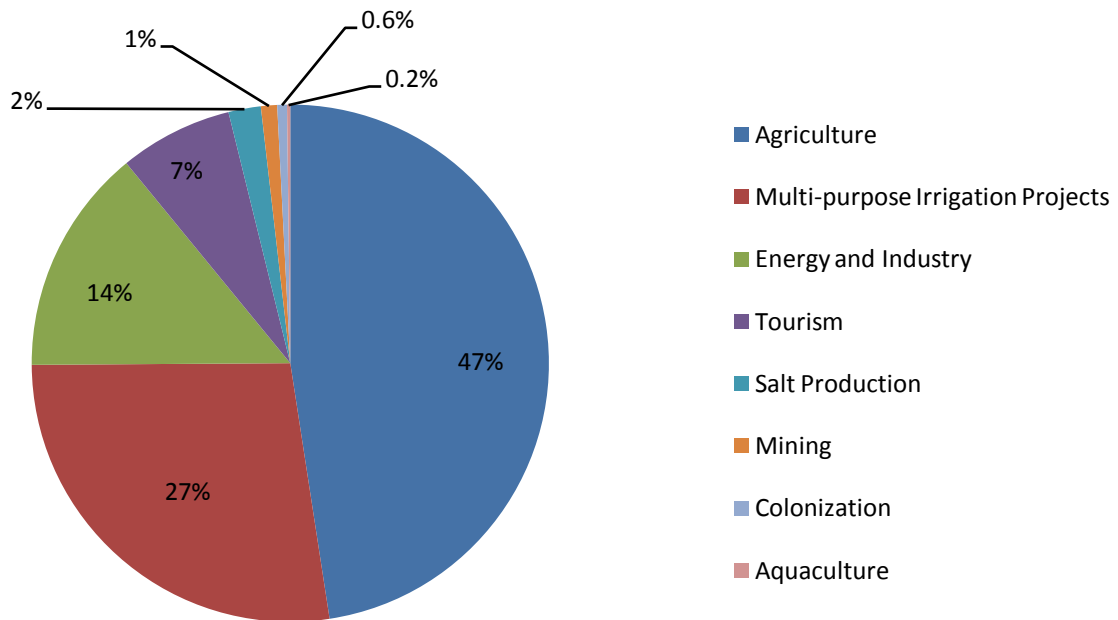


Chart 02: Percent Number of Projects in Each Category



In terms of land area appropriated under each category, Agricultural projects predominate with 47%, followed by Multi-purpose Irrigation projects (27%) and Energy and Industry (14%). (Chart 3)

Chart 3: Percent Land Area Appropriated for Each Category



Nine of the total number of projects are carried out by the private sector (38%). This accounts for an area of 10,050 hectares. Meanwhile, 15 (68%) are being carried out by 11 State Institutions which include Tourism Development Authority, Ministry of Aquatic Resources, National Aquaculture Development Authority, Department Irrigation and Water Management, Sri Lanka Navy, Sri Lanka Air Force, Sri Lanka Army, Special Task Force, Civil Defense Force, Wanathavilluwa Divisional Secretary and Puttalam District Secretary. The total land area grabbed by the State Institutions/persons affiliated is 26,321 hectares (72%). Land area appropriated for all the projects examined is **36,371 hectares which is 0.55% of the total land area of the country.**

Department of Irrigation and Water Management, Sri Lanka Army, Sri Lanka Navy, Civil Defense Force and Tourism Development Authority are among the leading land grabbers of the country according to the findings of the study.

Nature, adverse impacts and rules violated by each project have been listed in Annexure II. Detailed information and Photographs have been attached at Annexure III.

Discussion

- Most of the studied projects have appropriated land for implementation of tourism projects. 2,565 hectares have been grabbed from Districts of Trincomalee, Batticaloa, Putalam, Badulla and Galle destroying coastal ecosystems and forestland. Communities directly dependent on these ecosystems are comprised of fishermen and farmers. These projects directly threaten the livelihood of the affected communities which contribute to the food production of the country. Further, operation of these projects results in displacement of these communities leading to many socioeconomic problems.
- Meanwhile 17,273 hectares have been taken for agricultural projects. Six agricultural projects have been implemented (24% of the total number of projects) all of which are large-scale plantation projects. Dry Zone forests have been used for all these projects. Moreover, these project sites are located within protected forests, marginal areas of protected forests which are habitats of the elephants or are Elephant Corridors. Plantation projects involve production of banana and other fruits for export, cashew plantation and corn as animal feed. Forestland has been cleared in order to facilitate these projects. Consequences of these operations include loss of watersheds, loss of habitats of elephants and migration routes and creation and aggravation of Human-Elephant Conflict. As a result of property destruction and crop raids by elephants, the people of these areas have been displaced. Further, they have abandoned farming activities affecting food production of the country and also nutrition and health of the community.
- Six of the examined tourism projects are situated in coastal areas. In addition, four projects, involving aquaculture, salt production and energy and industry. Hence, 10 of the studied projects (40% of the number of projects) are being implemented in the Coastal Zone. 8,116 hectares of land which amounts to 22% of the total have been allocated for these projects. These areas are comprised of Mangrove Forests, Salt Marshes, Coastal Sand Dunes, Lagoons and areas with coastal plant communities. These areas are also the settlements of fishing communities. Therefore, project operations have caused large-scale direct and indirect displacement of fishing communities.
- Clearance and land filling operations carried out in mangrove forests, salt marshes and other coastal ecosystems have affected the biodiversity of the areas. Fish, shrimp and crab species face extinction and population declines due to loss of these ecosystems which are their breeding grounds. This in turn, affects the harvest of fisheries and the income of the fishermen and gives rise to many socio-economic issues. Further, reduction of fish yield affects the nutrition and health of other communities also since fish is a popular, cheap protein source for the local communities.
- 13 of the projects have been carried out in cleared mangrove forests and dry mixed evergreen forest in the custody of the Department of Forest Conservation. This massive clearance of forests leads to many repercussions including localized changes in weather and climate. Reduction of ground water levels causes problems in drinking water availability. This leads to displacement of people due to water scarcity.
- With the post war expansion in developmental activities, many unplanned and unsystematic developmental projects are implemented by the government under several development drives including Eastern Revival, Northern Spring, Deyata Kirula, Sancharaka Udanaya, etc. The projects implemented under these initiatives do not follow the EIA procedure or adhere to environmental laws. Further, in the absence of feasibility studies, viability and

sustainability of these projects is highly uncertain. These activities have led to environmental degradation, displacement of local communities and in certain instances, waste of natural resources.

- Land grabbing is also taking place as a result of imprudent policy decisions. Salt production has been encouraged with goal of restricting import of salt. The serious repercussions of this decision include destruction of coastal ecosystems and displacement of thousands of fishermen.
- Implementation of large-scale developmental projects in areas that are unsuitable leads to direct and indirect land grabbing and displacement of communities. For example, these repercussions have been observed taking place due to diversion of water under Uma Oya Multi-purpose Irrigation Project to facilitate development of Hambanthota District. Same consequences can be predicted to manifest with diversion of water for the tourism projects in Kalpitiya which also is an area with limited water resources.
- Major obstacles faced during examination of these issues include provision of fallacious information and the opaque nature of these projects. Hence, quantitative analysis of the results has been obstructed.

Conclusion

- Among the most affected by land grabbing are small scale farmers and fishermen, which comprises a majority of these communities. Direct and indirect displacement of them will have a direct effect on national food production leading to food security issues.
- State institutions play a key role in land grabbing while support and concealment is provided through political affiliations, for land grabbing by the private sector. Therefore, the affected communities have been deprived of justice.
- Forestland and coastal ecosystems are immensely affected by these projects. This exerts adverse effects on the security of biological resources of the country.
- Numerous social issues will arise due to displacement of farmers and fishermen due to land grabbing.

Recommendation

- A proper land policy based on current and future trends must be formulated following comprehensive analysis and discussion of the issues among all involved parties.
- Feasibility studies and environmental impact assessments should be carried out before allocation of land for developmental projects. Transfer of land extraneous to this procedure should be prevented.
- Opportunities must be provided for all the communities affected directly or indirectly by the projects to express their views and objections during feasibility studies and environmental impact assessments. These should be carried out with the participation of Community Organizations and Non-governmental Organizations.

- Land transfers and project implementations should be carried out with absolute transparency and a mechanism should be formulated to provide open access to the communities.
- National Involuntary Resettlement Policy (NIRP) should be adopted during land acquisition and resettlement of displaced people ensuring adequate compensation.