

Case Study for the 2006 HDR

MARGINALISING THE POOREST: CASE OF BADOWITA, SRI LANKA¹

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Introduction

The City of Colombo is the most important urban centre of Sri Lanka. It is not only the capital of the country, but also contains the heart of the country's governmental machinery and institutions. It is also the commercial and intellectual capital of the nation.

Like in other Asian countries, the urban growth in the Colombo Metropolitan Area has been very significant in the recent decades. This trend is likely to continue in the foreseeable future. As the metropolitan area has become the home of increasingly more people from all social and economic strata, and as the commercial and industrial activities have exploded, land has increasingly become a scarce and expensive commodity in this region. Consequently, low lying areas of the Colombo Metropolitan Area, which earlier had acted as a type of water retention ponds during high rainfall periods, became targets of sustained urban development. These marshy areas were steadily reclaimed, and as the extent of reclamation increased, the whole drainage patterns of the region changed, as have the prevailing ecosystems.

In addition to the continuous reclamation of the low lands, for a variety of reasons (mainly poor maintenance and lack of funds), the canal systems of the area which used to drain excess water during the flood seasons, were silted up due to sedimentation, bank erosion, indiscriminate dumping of solid wastes, and other related reasons. All these developments, have contributed to more frequent, as well as more intensive flooding, in steadily increasing parts of the Greater Colombo area.

Because of the higher economic damages and the human sufferings from such increasingly frequent floods, a Greater Colombo Drainage System Improvement Project was initiated.

¹ The analysis provided herein is that of the Third World Centre for Water Management, based on interviews with selected Badowita residents, extensive interactions with the Director of the Urban Settlement Improvement Project (USIP), Sri Lanka, and discussions with the JBIC staff members both in Tokyo and Colombo, and JICA volunteers working in Badowita. Internal documents available of the Government of Sri Lanka and Japan Bank for International Cooperation (JBIC) were reviewed, as well as the results of the study that was commissioned by the Third World Centre for Water Management and JBIC, and was carried out by the University of Peradeniya, Sri Lanka (Centre for Environmental Studies, 2003, Badowita, Sri Lanka: An Assessment of an Urban Settlement Project, University of Peradeniya, Sri Lanka).

This was undertaken by the Sri Lanka Land Reclamation and Development Corporation (SLLRDC), currently, under the Ministry of Housing and Plantation Infrastructure².

The Overseas Economic Cooperation Fund (OECF), which later became a part of the Japan Bank for International Cooperation (JBIC), signed a loan agreement with the Government of Sri Lanka, in early 1990, for 299 million yens to provide financing for this project. Some two years later, in March 1992, the name of the project was changed to “Greater Colombo Flood Control and Environmental Improvement Project”, for which a new loan agreement was signed with JBIC for 11, 198 million yens, of which 10,441 million yens was disbursed by May 1999. This project consisted of two main parts: river development for flood control, and relocation and housing improvements for shanty-dwellers along the riverbanks. River improvement activities commenced in October 1993. The loan period was subsequently extended by one year, and the loan was completed in May 1999.

Under this project, the watercourses had to be widened, and roads of width of 3.5 metres had to be constructed along the embankments of the channels for maintenance purposes. Because of these land requirements, due to both broadening of the watercourses and the construction of the embankments roads, shanty-dwellers along the banks of the watercourses had to be compulsorily evacuated for involuntary resettlement elsewhere.

Badowita is one of the 20 resettlements sites selected, mostly within the Greater Colombo area. Badowita was the largest of these 20 settlements, where over 900 families (over 4,500 people) were resettled. The resettlement activities were entrusted to SLLRDC, with the National Housing Development Authority (NHDA) providing loans for the construction of the houses.

Pre-Badowita Conditions

It should be noted that the shanty-dwellers, who had to be involuntarily displaced because of the projects, were encroachers. They did not have legal permission, or the administrative authorisation from any institution, to settle on the canal banks. Nor did they have titles to the plots of lands they had illegally occupied. The houses in these sections were constructed with low-cost materials, and for all practical purposes, could be considered to be temporary. Except for a few cases, the households did not have access to individual water, electricity and communication services and toilet facilities.

Because of all these unsatisfactory conditions, overall social, economic, environmental and hygienic conditions in these canal-bank shanties were deplorable and highly unsatisfactory. Human and household wastes were mostly dumped straight to the canals, and accordingly the canals were transformed basically into open sewers for all practical purposes. When flooding occurred during the rainy seasons, the first people to suffer were the shanty-dwellers. The frequent floods not only made living in these shanty towns very unpleasant for many, if not all, of its residents (the number of families affected depended on the magnitudes of the

² This Ministry is a parent organisation of the National Water Supply and Drainage Board of Sri Lanka.

specific floods), but also posed serious health hazards to all the inhabitants, since the areas were covered with polluted water, often for extended periods of time³.

During the resettlement phase, the issues of public participation from the community side and serious involvement of the non-governmental organisation are primarily of academic concern, since none existed. The implementation agency's only concern appeared to have been how best to meet the project schedule: the interests and the welfare of the people who were to be resettled were of secondary interest. Not only did the national institutions take the interests of the affected people seriously, but also the donor institution did not give adequate attention to the plight of the poor, and the poor themselves were not organised to put any pressure either on the national or the international institutions. Neither the national or international NGOs, nor the Sri Lankan media took much interest in the way the shanty dwellers were treated during this phase. In other words, none of the institutions concerned distinguished themselves during this phase.

While the implementation of the resettlement of the people to Badowita was the primary responsibility of the Sri Lankan institutions, the donor institution must share part of the blame for taking a laissez-faire attitude to the plight of the poor, even though the implementing agency consistently violated both the requirements and the spirit of the loan agreement with GoSL.

First Phase: *Initial Conditions*

Badowita was basically reclaimed by filling a marshy land. Each one of the families that were resettled received one plot of land (50m²), common infrastructure (water supply, toilets, drainage facilities, garbage collection boxes, community centres, street lighting, roads, etc.); loans for housing (up to Rs. 20,000 from NHDA, to be paid back in instalments, with grants of up to Rs. 8000 for low-income households as relocation support measures); about Rs.1000 of "blessing money"; provision of trucks to transport their belongings; construction of the foundation of the houses; and compensation for permanent houses that were demolished (the last two items were added later at the request of the residents themselves). The Institution for Social Development and Action (ISDA) provided small loans at concessionary rates for the self-employed; and some candidates of political parties distributed construction material.

Reliable information of the processes used to relocate people to Badowita is simply not available at present. Whatever published information is available is incomplete, and often contradictory, sometimes even in the same report. However, according to the residents of Badowita, the overall processes used for the resettlement were highly unsatisfactory from the viewpoints of the people who were involuntarily moved. Neither the GoSL institutions nor the donors come out in a positive light because of these continued mismanagement.

³ Even though the shanty-dwellers were the most affected by the floods, it should be noted that the middle class and the richer households were affected as well. However, the focus of the current analysis is exclusively on the residents of the shanty towns who were ultimately relocated to Badowita

Even though a steering committee was formed to ensure a smooth relocation of the families to Badowita, consisting of 14 appropriate government and local institutions, by all accounts, the impacts of this committee in terms of assuring smooth transition of the families during the relocation process were minimal. There was very poor communication and interactions between the government and municipal institutions, and often within the main executing agency, SLLRDC, itself. This not only compounded the overall confusion associated with the resettlement process, but also ensured that the human sufferings were unnecessarily enhanced because of the bureaucratic infightings and bunglings.

The preconditions agreed to before the relocations of the people were to be undertaken, were to be the following:

- one communal water tap for each ten houses;
- one communal toilet for each six houses;
- one solid wastes collection box for each 30-40 houses;
- provision of roads, streetlights and drainage facilities, and
- availability of a community centre.

These facilities were conspicuous by their absence when the people first arrived in Badowita in the middle of 1992. The situation at the beginning perhaps can be best described as a “lively refugee camp” that was located in a muddy area which was yet to be properly reclaimed, and which lacked essential infrastructures and facilities for normal living conditions.

In terms of water availability, UNICEF did dig some wells. However, the residents found the water from these wells to be grey and undrinkable. Of the two communal standposts that were installed by SLLRDC, only one could be used, and even this had barely acceptable water quality for human consumption. Accordingly, the newly arrived residents mostly depended on water trucks for their daily supply of water. These unsatisfactory and unhygienic conditions prevailed in Badowita for the first six months after the settlers had moved in. Nightsoils from the communal lavatories were seldom collected on time. These overflows contributed to high health and environmental risks, and made living in the area unpleasant.

The activities carried out between the filling of the marsh and the resettlement of the people in Badowita, were implemented in an unorganised manner. The main consideration appeared to be to meet the technical deadlines for the canal rehabilitation, and not the needs of the settlers. This resulted in a chaotic transition period which made the life of the resettlers very difficult, and their standard of living declined in real terms during the first two years in Badowita. During the initial 2-3 years, the population had to live in a muddy area with common toilets, few standposts for water, and no real roads, or electricity. It appears that 2-3% of the settlers even left Badowita because of the poor conditions of the settlement.

Badowita is a “planned” effort to resettle population in the sense that people did not take over the land and settled by themselves. It was the government who resettled the people, through a

very deficient process. Hence, it should have been the responsibility of the government to support the population and to provide them with the appropriate municipal services. On the other hand, it is the responsibility of the population to pay for part of these expenses through taxes.

Second Phase: *Improvements in Badowita*

In 1997, the Government of Sri Lanka and JBIC decided to intervene in order to improve the settlement and the lifestyles of the population. Badowita was proposed as a Cleaner Settlement Project (CSP), and was selected as a pilot project under the Urban Settlement Improvement Programme (USIP), with the explicit objective to improving the settlement through community participation. The activities under the pilot project were entrusted to different agencies. The National Water Supply and Drainage Board and the Ceylon Electricity Board (CEB) provided water and electricity services respectively. Mt. Lavinia Municipal Council provided the street lighting, solid waste disposal and mosquito control. Various non-governmental organisations (NGOs) also supported the community. One of the main mechanisms that were initiated at the time of the resettlement was the Community Development Committees (CDCs).

Participatory processes and community intervention for the planning implementation and management of the various activities were given high priority. While SLLRDC, NHDA and some other governmental institutions made several attempts in the direction of organising and mobilising the community, it was USIP and JICA, in cooperation with the CDCs, who worked in the development of the physical infrastructures of Badowita. The services included infrastructures for water, drainage, electricity, solid wastes management, etc

SLLRDC, NHDA and JICA volunteers were engaged in operational training on how to produce and distribute news related to the associations and how to hold general meetings, and training on book-keeping. The JICA volunteers visited administrative institutions with the directors of the CDC, playing a role as a bridge between the related institutions and the directors of CDC.

Badowita as a pilot project has been in operation from 1997. Community contracting of infrastructural work in the settlement is considered as one of the achievements of the USIP interventions. The objectives were to encourage the community to participate in the activities of the settlement as well as to strengthen the CDCs.

In retrospect, the joint effort of the CDCs and the government agencies were positive, and at present Badowita is considered to be one of the better under-served resettlement sites in Sri Lanka. Most of the residents now have their own houses, individual water and electricity connections and private toilet facilities, in addition to a solid waste management centre,

which has been producing modest incomes. Services such as public transportation are still lacking.⁴

However, irrespective of the hard work of the CDCs in terms of providing the infrastructures, which has made a difference between Badowita and most of the other under-served settlements in terms of quality of life of the population, there are still numerous serious social and environmental problems, most of which are unlikely to be solved in the foreseeable future. Among the main problems are the high level of pollution of the canal within Badowita, drainage and sanitation problems⁵, and the consumption of drugs and the violence associated with it. Other concerns include the lack of maintenance of the existing infrastructure like roads, septic tanks and sanitary systems, and general paucity of income generating activities in the area. While at present some discussions are taking place for canal cleanup and drug rehabilitation, only time will tell their effectiveness and overall impacts.

It is important to note that the population in Badowita do not necessarily have a low income. In fact, the economic situation and the standard of living among the resettlers have improved often due to many self-initiatives. These conditions are not limited only to Badowita. One of the reasons why the under-served settlements are known as such and not as “low income” settlements is because several studies carried out in the Colombo Metropolitan Region have shown that most of the people living in the under-served settlements have somewhat a similar income to that of the middle classes, but the area still lack services like water, drainage, electricity and waste removal. These services are not been covered either by the public or the private sectors.

Community participation in Badowita started to receive special attention in 1997, after Badowita was selected as a pilot scheme under the Clean Settlement Project⁶ and subsequently by the USIP intervention. Both the USIP officials and the JICA volunteers played important roles as facilitators, supporting and encouraging the CDC to work with the necessary institutions. Additionally, a number of community-based organisations (CBO) of settlers and NGOs were active at the beginning of the establishment of the settlement. These include groups like Sarvodaya, Death Donation Society, Vigilant Committees supported by the Police, Temple Dayaka Shabna, Shanthi Foundation, Helpage, and Women Volunteer Groups. Some of the activities that Shanthi Foundation, ISDA and Sarvodaya carried out include childcare and also providing food rations. The Christian church also helped to build about 15 houses. The late Minister C.V. Gunaratne also helped some of the early settlers by providing them with construction materials for housing. He also highlighted the plight and

⁴ See DFID Assisted, Institute of Development Engineering, WEDC Executed Research Project, “Partnership to improve access and quality of public transport. Case study of Colombo Sri Lanka. Sri Lanka. Country Report.” Loughborough University, United Kingdom, April 2002.

⁵ See Hosaka, M., and T. Ogura, 2001, Third Party Evaluation Report, JBIC, Japan. Available at www.jbic.go.jp

⁶ Several analysis on this issue include: ESCAP, 2003, Critical Analysis of Urban Policies and their Impact on Poverty Eradication. A Review of Tools, Techniques and Practices. Economic and Social Commission for Asia and the Pacific, United Nations, New York; Prema Kumara DGJ, Compost Bins as an Alternative Solution for the Household Solid Waste Problem in Urban Areas, International Workshop Planning for Sustainable and Integrated Solid Waste Management, Manila, September 18-21, 2000; Asia, Recommendations in a Baseline Survey of Lalitput (Poverty Profile), UMP Phase Three Report, December 1999.

the needs of the residents of Badowita in the Sri Lankan Parliament. Out of all these groups that were active earlier, very few of them continue to operate in Badowita at present.

Third Phase: *Present Status*

Badowita has now become a *urban* area. Since it has very limited land areas, already conflicts can be noted as the competition for space accelerates, which are likely to further increase land-related conflicts in the future. The migrants need somewhere to live, and thus they occupy land, sometimes illegally. This contributes to the development of conflicts between the new migrants and the former owners of the lands they occupy. The problem is exacerbated, especially when the planning powers of the local authorities are weak, and the former owners cannot easily take advantage of the legal system to evict the encroachers from their lands. The problem is further compounded in Badowita, where the householders still have not received their legal titles to their lands. This could lead to anarchic development of the area, which could make its future urban planning and land use planning very difficult, if not impossible.

The second major problem is land and water pollution. While health-wise, it has been a positive step to drain wastewater from the houses, their current treatment practices leave much to be desired. While the current developments have ensured that the wastewaters do not contaminate the households, they are polluting the land around the houses, groundwater and the canal, because of inadequate quality control during their construction and poor maintenance. Thus, even though the houses may be clean, their surrounding land and water environments are polluted.

Even though this is not an ideal or desirable situation, two factors should be considered. First, the environmental conditions of the area they currently live in are probably significantly better than the conditions they lived in earlier, before they were involuntarily displaced. During the present assessment, no studies could be found as to their previous living conditions. Accordingly, the conclusions are based on the results of the interviews carried out with the residents. Second, the households are likely to be contributing primarily organic pollution of the canal which runs through the Badowita townships. What is not known at present is the extent of industrial pollution that is entering the canal due to factories upstream, which is likely to be very substantial. Based on the type of factories upstream, it is highly likely that the canal has become a depository of many hazardous wastes, especially as no outlet is visible which could drain these wastes downstream, and thus cleanse the system at least periodically.

The Ministry of the Environment has the necessary legal power to force the factories upstream of Badowita to treat their wastes. If the living conditions and the environment within and around Badowita are to be improved, it is essential that the Ministry should enforce the existing pollution control laws. To what extent this may be politically and institutionally possible, it is difficult to say at present. Thus, even if the organic contamination of the canal water from the Badowita households is completely eliminated, the

canal will still continue to be heavily polluted, until and unless the factories upstream are forced to comply with the existing pollution control laws.

In addition, it appears that the sediments in the canal are heavily contaminated with chemical wastes of unknown types and origin. Cleaning up of the canal and keeping it clean on a permanent basis will require a three stages process. The first stage will require that all factories upstream stop discharging untreated or partially treated wastes. Based on the current Sri Lankan experience, this will be a very difficult task. The second stage will mean draining of the canal, dredging of the sediments and then disposing of the heavily contaminated sediments in an environmentally-sound way. Treating of contaminated sediments and their environmentally-safe disposal are complex tasks, and no example exists in any South Asian country where this has been carried out satisfactorily under such conditions. What is essential is that the contaminated sediments from the Badowita canal be not dumped in another place, without proper treatment, since this will simply transfer Badowita's problems to another place in Sri Lanka. The third stage will be to educate and convince the people of Badowita not to dump their solid and liquid wastes into the canal, which is extensively practiced at present. Based on our assessment of the current situation, permanent clean up of the canal is unlikely to occur anytime soon in foreseeable future. Unless the canal can be kept clean on a permanent basis, the residents of Badowita will be living under constant health and environmental threats.

Another consideration was that Badowita was a marshland before it was reclaimed for human habitation. When such new urban areas are built in low-lying areas, within close proximities of the water table, water-borne pollution remains a serious threat during the rainy seasons, unless the drainage facilities are adequate and they are maintained properly on a regular basis. According to the discussions the Third World Centre for Water Management had with some of the residents of Badowita, drainage problems have already been noted in certain sections of the township during heavy rains in the past seasons. This is likely to have adverse impacts on the health of the people, and on the environment of the townships.

Solid wastes from the township are being collected regularly, and the residents have initiated a solid waste reuse plan. It is a step in the right direction, and should be encouraged further.

Another major problem Badowita is facing is poverty, even though there are signs that a few people of higher socio-economic strata are gradually moving into the township. Economic activities and employment opportunities that are available, and that can be realistically be created over the near-to medium-terms are likely to be limited. Badowita has already witnessed an explosive population growth within its very short period of existence, due to both natural causes and migration. The newcomers are unlikely to be absorbed in the labour market of the area efficiently and promptly. Thus, Badowita needs to be further integrated into the economic and social fabric of the Greater Colombo area as quickly as possible.

The toughest problem facing Badowita is how to ensure its residents have steadily increasing quality of life through better economic and social (education, training, health, transportation and communication facilities, etc.) conditions. The interviews conducted by the Third World

Centre for Water Management with randomly selected participants established the fact that the lifestyles of the residents have improved significantly compared to what they had before. They also have more security in terms of their own housing and land ownership, even though they have not received titles to the land they now occupy. The support of the Japanese volunteers and the national institutions and the NGOs have also resulted in rapid improvement of their living conditions from an inhospitable marshland a decade ago to what it is at present.

The empowerment of the people has been possible by the knowledge and support they have received from these national and international institutions, which had taken a direct interest in the township's development. The residents are more aware of their rights and entitlements than ever before, and know which governmental and municipal institutions they can contact for the solution of specific problems. Their knowledge-base is certainly significantly better compared to other similar under-served Sri Lanka settlements, even when the other settlements are older and bigger. The special attention they received from the national and international institutions has ensured that Badowita progressed as much as it has within a short period of time.

As of now, Badowita does not have a long-term developmental and organisational vision. While the national and international institutions have measurably contributed to improving its living conditions, all these assistances have been somewhat ad-hoc and the issue-specific. Neither the residents nor the national and international institutions have recognised the importance of formulating a future vision for the township. No one has given any thought thus far as to what Badowita should look like in, say, in 20 years from today, and then what type of actions that should be taken at present to make the vision a reality.

The participation of the people in Badowita to improve their living conditions has been promoted as a successful example, both within Sri Lanka and outside, of public participation. However, the analysis of the Third World Centre for Water Management on Badowita resettlement process indicates that there was not only no public participation, but also not even consultation, or provision of essential and appropriate information whatsoever, in terms of selection of the site where people were to be moved, or when and how this would happen, and through what process. No serious and regular consultation with the shanty dwellers were ever carried out, and the relevant decisions were taken unilaterally by the implementing government agency, who were more concerned about maintaining the project schedule, compared to the welfare of the people who were to be moved.

What is positive, however, is what happened in Badowita during the second half of the 1990s, when some national institutions and the JICA volunteers worked as facilitators to promote community involvement to improve the living conditions of the Badowita residents. By all accounts, this part of the experience was successful, and this contributed very significantly to the improvement of the lifestyles of the people. This specific experience can be considered for replication in the under-served settlements in Sri Lanka.

Equally, it is necessary that the overall Badowita experiences be carefully and systematically analyzed to determine cause-and-effect relationships. There are simply too many studies available on Badowita, all of whom are the results of short-term analyses, often with conflicting findings. What would be useful is to encourage longer-term in-depth studies of the issues and impacts of the Badowita experiences by independent, objective and knowledgeable development experts. Only such comprehensive studies will indicate what worked at Badowita and what did not, and the reasons why.

It is unrealistic to expect that the national and international institutions that have been supporting Badowita in recent years would stay there indefinitely, or Badowita will continue to receive the same level of national and international attention. The Greater Colombo area has many under-served settlements, and programmes and funds to support the residents to improve their lifestyles are most certainly needed in all of them. Thus, communities like Badowita must learn to be self-sufficient and look after its own interests. They can realistically expect intensified support from the various institutions only for a limited period of time.

The analysis of the Badowita residents indicates that these shanty-dwellers were initially victims of a project for the Greater Colombo area. Though they were encroachers and had no title to the land they occupied, in the final analysis instead of being beneficiaries of a development project, they paid high costs when they were involuntarily resettled. The situation has improved very significantly since the early years. The main lesson that is to be learned from the Badowita experience is to how to ensure that the people who are likely be adversely affected by a development project are explicitly made its beneficiaries right from the very beginning.