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Rasika Mendis

# Sri Lanka's urban-centred development trajectory: Implications for rights-based development policy

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Rasika Mendis

## EXECUTIVE SUMMARY

Sri Lanka's urban development policies and strategies outline an urban transformation that would generate economic opportunities and dividends for Sri Lanka's overall national economy. The paper attempts to uncover the potential outcome of a policy drive that does not adequately explore the social implications of the envisaged transformation; some of these implications include problems of adaptation to an urban environment, vulnerability to marginalisation and urban-poverty, and inability to negotiate urban employment, urban housing and mobility within the urban space. Data and information needed to analyse social implications is compromised by issues of capacity (among urban institutions) and the lack of connectivity between academics, civil society and urban interest groups and stakeholders (including policy makers). The discussions of the brief are centred on fundamentals of rights based development, with reference to the United Nations Declaration of the Right to Development (DRD); a necessary foundation for a detailed revision of rights based urban policy. The fundamentals of the DRD include the need for holistic definition of what the urban context entails, and the ability of all persons concerned, notably the vulnerable and marginalised, to influence and benefit from urban centred development. Recommendations include that a more defined selection of data and information is used to comprehensively assess the potential of Sri Lanka's urban context to benefit all segments of the urban population and to mobilise local government authorities as key players that link the grassroots to policy making levels of government.

## INTRODUCTION

It is projected that as much as two-thirds of the world's population will live in cities by 2050. There is, hence, a drive to leverage the benefits of urbanisation and city-development, namely economic growth, poverty reduction and economic diversification. It is pertinent then to ask some fundamental questions with respect to urban-centred development: to whom will the benefits of urbanisation accrue? How can these benefits be identified and accessed?

In the Sri Lankan context, city development and planned urbanisation have been recognised in key government plans and strategies as being intrinsic to its future development trajectory. Urban-centred development is projected as the means to elevate Sri Lanka to a 'high income country' from its current 'middle income' status. The State of Sri Lankan Cities (SoSLC) Report released in 2018 outlines a 'vision for a better urban future for Sri Lanka', including five tenets that would help Sri Lanka achieve this goal, namely – competitiveness, inclusivity, resilience, safety and sustainability.[1]

A prominent discussion for the immediate future is the making of a 'mega-polis', or a region of linked cities situated in the Western Province of Sri Lanka where its commercial capital, Colombo, is located.[2] The Western Region Master Plan (WRMP) 2030, the main document detailing the mega-polis, builds on previous policy documents to outline an ambitious plan that leverages historical gains of Sri Lanka's most urbanised province, towards mobilising both the 'spatial' and 'structural' transformation of Sri Lanka's national economy. The envisaged 'structural transformation' is to diversify the manufacturing/industrial sector and tradable high tech services as the main contributor to the economy, and the 'spatial transformation' is for urban agglomerations that would promote better (industrial) connectivity and urban efficiency.[3] A development plan that would be extended to other interlinked urban systems, in the long term.

In addition to the reports outlined above, a plethora of reports, plans and policy documents give due attention to the 'integrated development' of all urban sectors and to effecting necessary social transformation. Hence the planned urban development is intended, in theory at the least, to secure a holistic development of the urban sector, while securing solutions to Sri Lanka's larger economic, social and developmental problems.

## PROBLEM DESCRIPTION

An overarching lacuna in the discussions of Sri Lanka's urban-based development is that current policies and plans lack sufficient clarity as to how the projected transformation of the urban sector will impact urban communities.[4] Hence, it is vitally important to re-examine Sri Lanka's urban development context from a more human, grass-roots based perspective.

Arguably, the concept of integrated urban planning and the making of a mega-polis may make economic sense, but the formulation and planned implementation of the project is markedly 'top-down'. While there is recognition that greater urbanisation would require, among other things, addressing shortfalls in housing and other infrastructure, issues of transportation and roads, and employment generation, this is largely in reference to mobilising economic growth; there is a discernible lack of attention to the 'human and societal transformations' that are a necessary component of urban transfor-

1 Government of the Democratic Socialist Republic of Sri Lanka, *State of Sri Lankan Cities Report* (UN-Habitat 2018) 8.

2 The mega-polis area of 3,486 square kilometres will be located in the Western Province of Sri Lanka, and will include the districts of Kalutara, Gampaha, and Colombo in the main part and some parts of the Ratnapura, Kegalle and Galle districts of Sri Lanka. A 'district' is a geographical area demarcated as an administrative area, of which there are a total of 25 in Sri Lanka.

3 Ministry of Megapolis and Western Development, 'The Megapolis – Western Region Master Plan 2030: From Island to Continent' (Ministry of Megapolis and Western Development 2016) 2 <https://policy.asiapacificenergy.org/sites/default/files/Megapolis%20Plan_Jan16_English.pdf> accessed 15 March 2019.

4 See Sri Lanka Government (n 1) and Ministry of Megapolis (ibid) – the general scheme of information and analysis.

mation. For instance, the concept of 'adequate housing' will necessarily entail considerations beyond managing housing shortfalls, such as cultural adaptation to urban housing and issues of habitability, affordability and access. City development and urbanisation cannot be solely in reference to economic transformation and mobilising investment capital, without adequate attention to particular vulnerabilities associated with urban, city-based life. Urban vulnerability is markedly different from rural poverty and vulnerability, and will require context specific policy solutions.

In addition, many localities within the projected areas are still very 'rural' in their orientation, with implications for the urban transformation that is envisaged by Sri Lanka's urban policies; among them, spatial transformation, economic agglomeration, land-use practice, housing and infrastructure. Hence, it is vital for urban policies and plans to incorporate a way forward by which rural and peri-urban communities are progressively able to influence and benefit from the transformation of the urban space. While there is strong policy emphasis on economic transformation and mobilising investment capital, there is lesser emphasis on how issues of vulnerability, access and opportunity may be managed and progressively addressed.

## A RIGHTS-BASED FRAMEWORK OF REFERENCE

The United Nations Declaration on the Right to Development (DRD) provides a useful and relevant framework in this regard.[5] It provides broad principles by which a rights-based approach to development may be founded. The relevance of a rights-based approach to the present discussion is that it recognises that the 'individual', irrespective of his/her socio-economic and political status, is equally entitled as a matter of right to the dividends of development, both at the national and international levels of development cooperation. The DRD builds on years of analysis and learning pertaining to the processes of development, almost since the inception of the United Nations. Hence it lays a foundation for holistic development as articulated by development experts and analysts over time. In the 1960s, Dudley Seers expressed the nature of development, as is reflected in the DRD:

> a country may have little or no economic growth but be busy re-shaping its political institutions, so that when growth comes, it can be turned into development. Such a country may have a greater development potential than one with fast growth, where political power remains in the hands of a rich minority.[6]

The rationale of this statement is that the extent to which economic growth may be channelled into development, and by extension to the development of vulnerable persons, is dependent on dispersion of political power among the populace.

The nature of development articulated in Article 1 of the DRD captures the nature of development outlined by Seers, encompassing economic, social and political aspects of development. Further, it gives importance to the individual's capacity to both contribute to, and benefit from, development. Article 2 stresses that the 'individual' is the central subject of development and must therefore necessarily participate in the processes of development. The individual has a responsibility towards development, together with his/her community in a manner that is keeping with all fundamental human rights and freedoms (as articulated in key human rights treaties).[7] In addition, the scope of Article 8 refers to the obligation of the state to provide the 'necessary measures' for the realisation of the right to development, including among other

5 United Nations Declaration on the Right to Development (1986) UNGA Res 41/128 of 4 December 1986.

6 Dudley Seers, 'The Meaning of Development' (Institute of Development Studies IDS Communication 44 1969).

7 See International Covenant on Civil and Political Rights (adopted 16 December 1966, entered into force 23 March 1976) 999 UNTS 171; International Covenant on Economic, Social and Cultural Rights (adopted 16 December 1966, entered into force 3 January 1976) 993 UNTS 3.

things, equality of opportunity and the fulfilment of socio-economic rights (housing, health and education, among other socio-economic rights).

## RATIONALE FOR ACTION: ISSUES FOR RIGHTS-BASED POLICY ANALYSIS

### Issues of defining urbanisation and urban vulnerability

A rights-based assessment will require that Sri Lanka's urban context is defined in terms of the complimentary dimensions outlined in Article 1 of the DRD. A comparative assessment of several Asian cities establishes that different urban contexts are marked by highly different socio-economic, political and administrative features that are determined by complex factors that change over time. And hence, there is a need for real-time data and information on urban trends and conditions to monitor the fluidity of a changing urban space.[8] A failure to identify the multiplicities that factor in urban development may well lead to the 'artificial urbanisation' that is unsustainable, as is the experience in other contexts that have leveraged on the benefits of city expansion and urbanisation. An article by *Business Insider* captures photographically China's 'ghost cities' and explains an instance in which planned urbanisation proves unnatural in terms of contextual dynamics, 'Throughout China, there are hundreds of cities that have almost everything one needs for a modern, urban lifestyle: high-rise apartment complexes, developed waterfronts, skyscrapers, and even public art. Everything, that is, except one major factor: people'.[9]

The trajectory of urbanisation in Sri Lanka has been unique, but is challenged by definitional problems. There has been very little rural to urban migration as a result of rural development policies, implemented by successive government since Sri Lanka's independence in 1948. The urban population is estimated at a conservative 3.7 million inhabitants, a mere 18.2% of Sri Lanka's 20.4 million population. According to the 'agglomeration index' (an index to measure 'settlement concentration'), the urban population is estimated between 35-45%.[10] Further, the report refers to an estimate of Sri Lanka's Public Investment Programme, which indicates that the urban population in Sri Lanka is as much as 50% of the population. The core reason for this disparity is that the 'urban' is determined according to municipal boundaries (administrative areas), based on population size. However, these boundaries have not been renegotiated to account for the 'spatial growth' that has taken place around officially demarcated urban areas. There has been a considerable growth of urban suburbs with implications for municipal services and urban administration. This is no more apparent that in the Colombo Municipal Council (CMC) area; according to estimates of the WRMP, the resident population of Colombo is 5.8 million, as opposed to the official estimate of 561,314 in 2016.[11] Further, there is a large 'floating population' within the CMC comprising those commuting to the city on a daily basis for employment and other official and non-official purposes. Hence, the CMC, and other urban authorities, must address the economic and societal needs of a much larger urban population than that for which the municipality or authority is officially geared for.

Current ambiguities, as outlined above, 'undermine a full understanding of what is urban, and the formulation of constructive urban policies', as also recognised by the SoSLC report.[12] While it is apparent that much of Sri Lanka's urbanisation hitherto been random and unplanned (despite several planning policies),

8 United Nations Human Settlements Programme, *The State of Asian and Pacific Cities 2015 – Urban Transformations, Shifting from Quantity to Quality* (United Nations Human Settlements Programme 2015) 11-13.

9 Sarah Jacobs, '12 eerie photos of enormous Chinese cities completely empty of people' (*Business Insider*, 2017) <www.businessinsider.com/these-chinese-cities-are-ghost-towns-2017-4> accessed on 19 April 2019.

10 United Nations Human Settlements Programme (n 8) 10.

11 Government of Sri Lanka (n 1) 10-11.

12 Ibid 4.

re-negotiating geographical boundaries and ambiguous numbers is possibly a first step only. An overarching concern is whether there is insufficient date and information to define the changing urban space in terms of its social, economic and political features. In view of Sri Lanka's dual economy, many of the localities that have not fully urbanised may be 'agricultural' in orientation. Hence these communities may not have endorsed an 'urban way of life', and unable to meet the challenges of urbanisation. Urban life is generally characterised by a certain amount of anonymity, where individuals and family units are less reliant on communal support, and rely predominantly on the state and municipal authorities to provide employment, income generating opportunities, services and the mobility and freedom that is necessary to survive within the urban context.[13] Without an affiliation to the urban context that is organic and progressive, or an adequate policy and strategy that facilitated such a process, communities are vulnerable to marginalisation from mainstream urban development. Hence, a multi-dimensional analysis is vital for a relevant urban policy, touching on relevant social, economic and political dimensions of analysis.

The data and information required for the above level of analysis, however, has not been very forthcoming. A number of reasons have been identified for gaps in information and knowledge concerning the urban sector. Among these gaps are capacity and resource constraints among urban authorities (as discussed below) and the inability of relevant stakeholders to access existing research, located with academics, civil society and research organisations. This has inhibited the transfer of knowledge and evidence-based findings between research communities and interest groups, as well as interest groups and policy makers.[14] Accessing relevant information in order to overcome ambiguities and gaps in knowledge is vital for effective and prudent policy formulation. A comparative analysis of Asian cities identifies the need for a 'range of partnerships (national, local government, private sector and civil society) that can contribute to urban-specific knowledge requirements'.[15]

Without a consensus of a relevant and holistic policy framework, there is a danger to perpetuate vulnerabilities, instead of overcoming them. For instance, current contextual indicators reveal that 'poverty' and 'vulnerability to poverty' in the urban sector (among other vulnerabilities) are not necessarily at a lower level than in the rural sector. Poverty has declined constantly since 1990s baseline data, with the urban sector indicating a lower level of poverty; some of the poorest pockets of poverty however, are located in the urban context.[16] The 'depth of poverty' (indicating the amount of resources needed to overcome poverty) for the urban sector (0.3), has declined to half the value of the rural sector (0.6), though the numbers remain high for many of the provinces where large cities are located (excepting for the Western Province where the depth of poverty index is 0.3);[17] the high levels of this index outside the Western Province highlights the need for specific resource allocation targeting vulnerabilities that lead to urban-specific poverty. In the Western Province, the United Nations Development Programme's (UNDP) Human Development Report indicates that while poverty ratio is low, the number of persons

13 Another lesson from China's urban experience; a number of farming localities have been reclassified as urban, adversely affecting the older generations of famers. While younger farmers have been more ready to accept the transition to an urban context and receive adequate compensation for their lands, the transition marks a challenging turning point for those without the skill and knowledge to adapt to an urban context. Helen Roxburgh, 'Endless cities: will China's new urbanisation just mean more sprawl?' *The Guardian – International Edition* (Shanghai, 5 May 2017).

14 Jagath Munasinghe, 'Policies and issues in urban development in Sri Lanka: an examination of the inter-domain gaps' (2014) Sri Lanka Journal of Social Sciences DOI: 10.4038/sljss.v35i1-2.729.

15 United Nations Human Settlements Programme (n 8) 13.

16 World Bank, 'Understanding Poverty in Sri Lanka' (*World Bank*, 2017) <www.worldbank.org/en/news/feature/2017/03/02/part1-understanding-poverty-sri-lanka> accessed 22 April 2019.

17 Ministry of National Policies and Economic Affairs Sri Lanka, *Department of Census and Statistics Household Income and Expenditure Survey* (Ministry of National Policies and Economic Affairs Sri Lanka 2016) 3-4.

in poverty is high.[18] Other factors that bear on vulnerability include low levels of participation by women in the urban labour force and the relatively low levels of youth employed in the urban sector, both indicating the prevalence of social and cultural factors that impede their effective integration into the economy.[19]

Hence, there is a danger that unless urbanisation is defined in all its multi-faceted complexity, and not just in reference to issues of spatial and economic transformation, policy outcomes may prove irrelevant to the vulnerable and marginalised within the urban and urbanising contexts.

Closely related to the above, is the following policy consideration.

## Issues of autonomy and empowerment among urban local government institutions

The DRD's emphasis that the 'individual' be the primary reference point in rights-based development has implications for urban governance and institutions. The effective impact of institutions will determine if the 'transformation' envisaged will be a reality for all individuals who fall within their purview. This is especially relevant to urban local government institutions.

Sri Lanka has a well-developed system of Local Government Authorities (LGA). Urban administration falls within the purview of Municipal Councils (MCs) for large cities and Urban Councils (UCs) for smaller towns and areas urbanised to a lesser degree. The geographical boundaries of urban administration have remained static, while several UGs have been upgraded to MCs over the years. As discussed above, LGA boundaries do not capture the reality of Sri Lanka's urbanisation, with implications for service delivery, including employment generation, social welfare, public health and education, to name some of the functions that fall within the purview of LGAs. This is, however, only a part of the challenge for urban administration. The paper contends that LGAs in Sri Lanka are not sufficiently resourced and empowered to facilitate the urban development that is mapped out by urban-centred development policy.

LGAs, as in most other jurisdictions, are the systems of governance closest to the people. If there is to be a clear mechanism by which urban transformation benefits the 'individual' and the grassroots, LGAs need to be adequately empowered to locate and identify context-specific development gaps and priorities. The extent of this empowerment needs to be thought-out carefully, with reference to evidence-based information and in reference to projected policy outcomes. The role of LGAs needs to be reviewed as a part of the policy process that seeks to leverage on the benefits of planned urbanisation and development.[20]

Currently, LGAs are a third tier in a complex system of governance, comprising the apex central government of Sri Lanka, the regional Provincial Councils (PCs) and the LGAs. All three tiers of government comprise elected representatives. LGAs have the authority to execute the powers and functions outlined in their enabling legislation.[21] But since 1987, they are subject in part to the administration of PCs, established by constitutional amendment, who have the discretion to vest additional powers on LGAs falling within their purview. Hence, LGAs are largely bound to the discretion of both provincial and central government in the execution of their functions, and in matters of budgetary allocations and policy development. In practical effect, urban LGAs are largely confined to an

18 UNDP, *Sri Lanka Human Development Report – Bridging Regional Disparities for Human Development* (UNDP Colombo 2012).

19 Department of Census & Statistics Ministry of National Policies & Economic Affairs Sri Lanka, 'Economic Statistics of Sri Lanka' (Department of Census & Statistics Ministry of National Policies & Economic Affairs Sri Lanka 2018) 7-8.

20 A National Policy on Local Government (and Action Plan 2012-2014) was formulated in 2011, with a medium term and long term strategy for the 'reform' of local government institutions. The policy and strategy entailed a broadening of the role and responsibilities of local government institutions, and a move to grant these institutions greater autonomy in revenue generation and human resource planning (among other areas of policy concern).

21 See Urban Councils Ordinance (Sri Lanka) (1939); Municipal Councils Ordinance (Sri Lanka) (1947).

'implementation' or 'facilitation' role, with little scope for progressive policy formulation that is relevant to the needs and aspirations of their local inhabitants. While they are elected bodies, community involvement in city planning and development has been minimal, with little consultation and dialogue between urban LGAs and the local population with respect to transitory challenges in their local contexts. The ability of urban LGAs to 'represent' the local context in matters of policy is effectively subjective to the discretion of central and provincial government.[22]

The role of urban LGAs is further complicated by the manner in which PCs are demarcated. According to academics and experts, regional demarcations in Sri Lanka are based on political and administrative considerations, and 'not with reference to geo-economic development regions, based on the advantages of different regions and their socioeconomic and geographical realities'.[23] The result of this is that Sri Lanka has no system of regions delineated on the basis of its development priorities, as pointed out by Uduruporuwa.[24] Friedman provides a definition of 'regional planning', which is ideally 'an expression of spatial patterns of interaction and activity', presumably, based on development policy and projected development outcomes.[25] Hence, Sri Lanka's provincial demarcations are not ideally oriented for the formulation of local level urban development policy, in view of the plethora of functional needs in any given province that may or may not be relevant to urban transformation. This has a bearing on urban LGAs, given the existent lack of autonomy that LGAs have in contributing to urban policy.

Apart from their relations to other tiers of government, lack of capacity and resources constraints affect the ability of LGAs to be progressive and relevant to the grassroots. Sri Lanka's response to this lacuna has been to introduce other centralised institutions with the capacity to address development shortfalls. For instance the Urban Development Authority (UDA) was established with a view to promoting integrated planning and implementation of economic, social and physical development of urban areas.[26] The scheme of the UDA Act grants the minister pervasive powers and functions to engage in urban development, as is deemed necessary.[27] The scope of the UDA's activities is not limited by the existing boundaries of urban LGAs. Hence, urban development activities are to a large extent directed at the discretion of the UDA, compromising any level of autonomy vested in LGAs to plan and develop their local contexts.[28] This has the effect of further limiting the nexus between LGAs and urban policy planning at the centre.

The implications to the individuals and their communities, as the central subject of development, are compromised by these institutional gaps and shortfalls, and also their overlapping functions within the urban arena.

## RECOMMENDATIONS AND WAY FORWARD

In answer to the core questions raised at the beginning of this paper – who are the beneficiaries of urban development? what should urbanisation in Sri Lanka look like? – it is contended that there is much to be thought through and researched at the policy level, if Sri Lanka's urban development trajectory is to generate opportunities and dividends to all segments of the popula-

22 Commonwealth Local Government Forum, 'Local Economic Development in South Asia: A Review of Policy and Practice' (Commonwealth Local Government Forum 2015) 39-41 <www.clgf.org.uk/led-in-south-asia>.

23 Wilbert Goonerathne, 'Rethinking Sri Lanka's Regional Development: Concept, Policies and Institutions' in MM Karunanayake, *Poverty, Spatial Imbalance and Regional Development in Sri Lanka: Policies and Issues* (Department of Geography, University of Sri Jayawardanepura, Sri Lanka 2001).

24 RJM Uduporuwa, 'Regional Dimensions of Development of Sri Lanka' (2007) 7 Sabaragamuwa University Journal 1 22-36.

25 John Friedmann, Regional Development Policy: A Case Study on Venezuela (M.I.T. Press, London, 1970) in ibid 22

26 See Urban Development Authority Act (Sri Lanka) No 41 of 1978.

27 Ibid s 3(2).

28 Munasinghe (n 14).

tion, notably those who are most vulnerable to risks associated with planned urban transformation. The discussions above outline broad issues that underscore effective, rights-based policy planning and development, with reference to the DRD. While the scope of policy issues in the urban sectors are wide-ranging and include issues such as adequate housing, land use patterns, mobility, economic integration and education, the issues highlighted above are overarching to the effective integration of vulnerable persons in the processes of urban transformation.

The recommendations outlined below are for all urban stakeholders, including urban local government authorities, central and regional policy makers, urban administrators, civil society and inhabitants of the urban sector. The recommendations are divided into three components, based on the discussions above; they are aimed at identifying those who must 'own' and hence 'demand' a process of urbanisation and city expansion, the need to define a process of urbanisation that is relevant to all segments of the urban population and the vital need for data and information that would mobilise an appropriate and relevant urban discourse and policy formulation.

## Ownership of urban-centred development

Recommendation 1: identify the existing 'demand' for urbanisation in urban strategy and in processes of policy formulation, especially in view that the transforming urban context currently captures rural localities.

Recommendation 2: map out the feasibility of creating future demand for urban transformation and associated opportunities and dividends (growth in industrial and service sectors, market-based employment generation, opportunity for entrepreneurship etc.) among relevant stakeholders (local business, youth, women etc.).

## Multi-dimensional definition of the urban sector

Recommendation 3: define projected urbanisation in terms of its social and political ramifications, in addition to its economic advantages (implications for Sri Lanka's ageing population, transformation in lifestyle, social safety nets, land redistribution, housing etc.).

Recommendation 4; empower and mobilise local government authorities as drivers of urban-centred development, with the ability to represent the multi-dimensional needs and aspirations of local communities and individuals in urban policy and planning (political/policy participation, the need for a socially/culturally relevant city etc.).

## Platforms for transferring data and information

Recommendation 5: establish platforms and avenues by which local government authorities, district and provincial authorities are informed and facilitated by academia, civil society and policy experts (think tanks) for a more informed process of urban planning, policy and strategy.

Recommendation 6: identify information and knowledge gaps among urban populations (both current and projected), such that they are able to contribute to the making of mega-cities and other city-based development, in an informed manner (especially those who are vulnerable to contextual transformation and are at the risk of marginalisation).

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Global Campus of Human Rights

Monastery of San Nicolò
Riviera San Nicolò, 26
I-30126 Venice Lido (Italy)

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