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Balancing Development and Human Rights: Assessing the Livelihood Impacts of the Uma Oya Multipurpose Development Project in Sri Lanka

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Abstract

Development is expected to be a process that can enhance not only human capabilities but also human freedom. The right to development makes the individual the central subject, the most valued beneficiary, and an active participant in the development process. This study examines the impact of the Uma Oya Multipurpose Development Project (UOMDP) on the livelihoods and the right to development of rural communities in the Badulla District of Sri Lanka. The qualitative data and information were collected through thirty in-depth interviews, field observations, and other available primary and secondary sources. The thematic analysis method based on Human Rights-Based Development (HRBD) and sustainable development was used to analyse data and information. The analysed data and information revealed that a technological failure during tunnel construction caused massive water ingress, leading to the depletion of local water sources and the transformation of arable lands into barren areas. The local community was not adequately informed or consulted about the project. In conclusion, the threats to land and water posed by the unpredictable impacts of this development project significantly impede the livelihood activities of the village community, further jeopardising their right to development. The UOMDP highlights the broader implications of unsustainable development and underscores the dangers of technocratic approaches, further emphasising the importance of participatory and inclusive development. Moreover, the lessons learned from the UOMDP highlight the urgent need for the government of Sri Lanka to empower affected communities to regain their lost rights through sustainable resource applications and to restructure its overall unsustainable development towards sustainability.

Keywords: Environmental Impacts, Livelihoods, Right to Development, Sustainable Development, Uma Oya Multipurpose Development Project

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INTRODUCTION

Achieving rapid economic development remains a central objective for many developing countries. However, this often comes at the cost of significant ecological and social losses. Thus, development should be evenly beneficial to everyone, ensuring environmental and human well-being. Unfortunately, many developing countries seem to adopt a strategy that holds that economic development cannot be achieved without significantly altering the natural environment (Osinbajo & Ajayi, 1994). This strategy of economic growth has resulted in severe environmental degradation and the depletion of natural resources worldwide, forcing every state to rethink and restructure its economic development in line with sustainable development principles. Furthermore, ecological catastrophes have reached unprecedented levels and adversely affected the realisation of human rights, directly and indirectly, as is also the case in Sri Lanka.

Uma Oya Multipurpose Development Project (UOMDP)

The UOMDP was initiated in 2007 by the Ministry of Irrigation and Water Management in Sri Lanka. This project has the combined objectives of electricity generation, irrigation development, and water supply enhancement in the Southeastern dry zone of Sri Lanka (Rathnayake & Suratissa, 2016). The initial estimated cost for this project was USD 529 059 198. The Government of Iran provided financial assistance for the project's completion as a loan, and an Iranian company, FARAB Energy and Water Projects (FC), held the main contract for the construction (Ceylon Electricity Board, 2023). The UOMDP involves constructing two dams across Uma Oya and another tributary in the Welimada area of the Badulla district, along with two tunnels and an underground hydropower plant with an installed capacity of 120 MW (Ceylon Electricity Board, 2023). The headrace tunnel (15 km) and the tailrace tunnel (3.6 km) divert 145 million cubic meters (MCM) of water to the Southeastern dry zone (Renesco GmbH, 2019). It enables the irrigation of 5,000 hectares of agricultural land in Hambantota and Moneragala Districts, while also fulfilling other downstream water requirements (Ceylon Electricity Board, 2023). The UOMDP demonstrates excellent potential to generate hydropower, enhance irrigation and water supply, and promote agricultural development in the Hambantota and Moneragala districts of the dry zone.

During the construction of the headrace tunnel, an unexpected water ingress occurred in the main tunnel (Ceylon Electricity Board, 2023). The project area, the Uva Province, lies in the Southeastern highlands of Sri Lanka. The geological base of this area comprises a lightly folded metamorphic rock structure, and the

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groundwater table is close to the ground surface (Amberg Group, n.d.). During the tunnel excavation, the wall of the vast underground water table was cracked, and 450 litres of water per second leaked into the tunnel (Biodiversity Sri Lanka, 2016). The loss of the groundwater table shrank and destabilised the surface, leading to the drying up of the entire water resources of the communities in more than twenty-one Grama Niladari (the smallest unit of community/village) divisions in seven Divisional Secretariats, such as Bandarawela, Ella, Welimada, Uwa Paranagama, Haputale, Haliela, and Wellawaya, while causing public and private property damage. Special high-pressure cement injections were used in the tunnel walls to seal and minimise water ingress, thereby allowing the groundwater table to recover over time (Amberg Group, n.d.). Accordingly, the FC and the Government of Sri Lanka (GoSL) had to incur substantial additional costs and other resources for this project. This unexpected situation was followed by a series of environmental and social impacts that further delayed the project's completion, which was initially scheduled for March 2015 (Ceylon Electricity Board, 2023).

Objectives and Rationale of the Study

The short-term economic interests and struggles of developing countries have undermined the importance of human rights protection and promotion in their national development agendas. There are issues regarding the recognition and consideration of the importance of protecting and promoting human rights in the drafting, planning, and implementation of multipurpose development projects worldwide, issues that are also relevant to Sri Lanka. Against this backdrop, this study investigates Sri Lanka's efforts to incorporate adequate recognition of human rights, including the rights to livelihoods and development, into its development projects. It draws on empirical data from the Uma Oya Multipurpose Development Project (UOMDP) in the Badulla district. The primary objective of this study was to investigate the impacts of this economically oriented development project on surrounding communities based on their genuine perspectives and firsthand experiences. This study examines how this development project has affected the livelihoods of the surrounding community, including their ability to meet adequate standards of living, as it is one of the first research initiatives in this area.

THEORETICAL PERSPECTIVES

Economic, Social, and Cultural Rights

'What is a right and what is not a right' are always unresolved questions in human rights discourse. According to Nickel, 'rights' are "high priority mandatory norms that typically have rightsholders, addressees, scopes, and

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weight" (Nickel, 2007, p 9, 33). The United Nations defines human rights as "rights inherent to all human beings, regardless of race, sex, nationality, ethnicity, language, religion, or any other status. Human rights include the right to life and liberty, freedom from slavery and torture, freedom of opinion and expression, the right to work and education, and many more. Everyone is entitled to these rights, without discrimination (United Nations, n.d.). The introduction of the Universal Declaration of Human Rights (UDHR) in 1948 redefined and structured the modern understanding of human rights into two major groups, categorising the first 20 articles of the declaration as civil and political rights and the latter as economic, social, and cultural rights (Nickel, 2007).

Economic, social, and cultural rights comprise a broad and diverse set of rights. The standard list of that category of rights includes workers' rights, an adequate standard of living with basic needs, such as the rights to food, housing, water, clothing, access to medical care and education, social security, and protection and assistance to the family and practice one's culture (Office of the United Nations High Commissioner for Human Rights, 2008). Nickel (2007) emphasises the remarkable potential of economic, social, and cultural rights in addressing severe global issues such as poverty and hunger. Those rights have two critical guiding principles: progressive realisation and minimum core. According to those principles, states should take sufficient measures to fully realise those rights, using their maximum available resources over time. It does not necessarily require their immediate implementation (Office of the United Nations High Commissioner for Human Rights, 2008). However, the progressive realisation and minimum core in economic, social, and cultural rights have been criticised for allowing states to treat those rights merely as goals, standards, or "second-class rights" (Nickel, 2007).

The Right to Livelihood

The right to a decent income and livelihood is one of the least-discussed areas of human rights in the international human rights regime. The right to a decent income and livelihood implies that people must have sufficient income and access to a livelihood to live a dignified life and realise their fundamental rights, including civil and political rights, as well as economic, social, and cultural rights, such as the rights to food, water, sanitation, health, social security, and housing. Choplin and Claeys (2017) mention that "for peasants and other rural producers (pastoralists, fisherfolk, craftsmen and women, …), who earn their living from the sale of all or part of their produce, the right to an adequate standard of living is primarily linked to their access to the market and to selling prices that cover their production costs, allowing them

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to realise their fundamental rights… The Committee on Economic, Social, and Cultural Rights also insisted on states' obligation to pro-actively engage in activities intended to strengthen people's access to and utilisation of resources and means to ensure their livelihood, including food security." This right can be attained through individual, family, community, or other cooperative-level initiatives, which allow each person to earn a fair share of the labour they contribute to their livelihoods. The fulfilment of this right, directly and indirectly, revolves around the proper access to and use of natural resources, such as land. Most importantly, peasants and other rural communities living off subsistence agriculture should have adequate access to meet their income and livelihood based on cultivation and farming to realise a dignified life.

Chambers (1992) offers a quite innovative insight into the human development discourse by introducing the concept of Sustainable Livelihood Thinking (SLT), emphasising the importance of empowering economically deprived populations. He notes that Environmental Thinking (ET) typically has a long-term perspective, prioritising the future over the present. At the same time, Development Thinking (DT) comprises a medium-term view followed by a cost-benefit analysis. Livelihood Thinking (LT) has focused on the livelihoods of low-income people (Chambers, 1992). The main point of his theory is that priority should be given to the most vulnerable communities in society and to systematically assimilating them into development initiatives. According to Chambers' theory, SLT draws on the sustainability dimension of ET, linking it to the long-term security and survival of poor people. It extracts the productivity dimension from DT, focusing on the need for adequate living standards among poor communities, including income. SLT incorporates the livelihood dimension from LT, which considers strengthening the sustainable livelihoods of economically disadvantaged groups. In this manner, Chambers has primarily focused on sustainable human development for vulnerable communities, grounded in the principles of equity.

Right to Development

Sen (1999) introduced the concept of the Right to Development (RTD) into both human rights and development discourses. He emphasised that "development" should be a process that enhances the human well-being and freedoms that everyone enjoys (p. 14). He firmly insists that human 'freedoms' can hamper economic development in many ways and are integral in connecting social and financial needs. According to him, development can be perceived as a "process of expansion of the true freedoms people can benefit from" (Sen, 1999, p. 3). In other words, Sen

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argues that development has been linked to expanding human liberties. At the same time, Nussbaum developed the capability approach in human rights and development, expanding Sen's ideas of freedoms to another dimension by elaborating on the concept of substantive freedoms. According to her, capabilities "are not just abilities residing inside a person but also the freedoms or opportunities created by a combination of personal abilities and the political, social, and economic environment" (Nussbaum, 2011, p. 20). She recognises that the right to development is a crucial element in expanding individuals' capabilities. Combining both Sen's and Nussbaum's ideas, Sengupta (2004) defines the Human Rights-Based Development (HRBD) approach as a process that can expand individuals' capabilities and freedoms to enhance their well-being, thereby paving the way to the realisation of their values.

The Declaration on the Right to Development (DRTD) was adopted in 1986, confirming that the right to development is an inalienable human right and providing guidelines for member states and non-state actors to ensure that human rights are protected at every level in any development strategy (Subedi, 2021; United Nations General Assembly, 1986). The DRTD comprises ten articles that emphasise the recognition that the human person is at the centre of development processes (United Nations General Assembly, 1986). Some of the core assumptions in this declaration include the potential to grant self-determination to every person in society by facilitating healthy development policies and eradicating existing political, economic, socio-cultural, and other institutional barriers to development. According to this declaration, states are expected to play an active role as primary duty holders. At the same time, individuals are expected to perform their duties to exercise their right to development (Subedi, 2021). Recognising the potential of DRTD in addressing development challenges is crucial for integrating economic, social, and cultural rights, as well as social justice, into any state's development initiative. Akram (2019) states that there is a symbiotic relationship between human rights and development, and neither can be achieved without fulfilling basic human needs. Fulfilling primary development goals, such as ensuring adequate living standards across food, water, health, livelihoods, housing, and women's empowerment, can lay the foundation for promoting human rights and sustainable development. Recognising one right often helps recognise the others, since they are indivisible and interconnected.

Sustainable Development

The 1987 Brundtland Commission defined sustainable development as "the development that meets the needs of the present, without compromising the ability of future generations to meet

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their own needs" (Sustainable Development Solutions Network Secretariat, 2015). Sustainable development aims to create a more peaceful and prosperous world by addressing current global challenges, such as climate change, poverty and economic inequality, violations of social justice and human rights, and all forms of discrimination (United Nations Volunteers, 2015). The introduction of Agenda 2030, popularly known as the Agenda of Sustainable Development Goals (SDGs), marks a milestone in human rights and development discourse. It is an aspirational agenda that precisely links human rights, development, and the environment. The United Nations Development Programme (UNDP) adopted the SDGs into its primary development agenda in 2015. It has built upon the success of the Millennium Development Goals, which have demonstrated some achievements in addressing global poverty. However, the SDGs are legally non-binding soft law; thus, their fulfilment requires transparency, accountability, participation, and the inclusion of every member of society (United Nations General Assembly, 2015).

Mensah (2019) and Comporek et al. (2021) identify the main objective of sustainable development as achieving a balance between the competing needs of the environment, the economy, and society. They elaborate on these ideas, suggesting that environmental sustainability depends on sound physical planning, effective land use, and biodiversity conservation. Economic sustainability can be achieved by adopting appropriate production, distribution, and consumption patterns. Meanwhile, social sustainability can be achieved through the availability of proper healthcare systems, peace and respect for human rights, decent work, gender equality, quality education, and the rule of law (Mensah, 2019).

The traditional meaning and scope of development have shifted from focusing solely on economic ends and means to encompassing broader notions of the environment and sustainability, which currently serve as the two main pillars of development. Dias (2000) describes an apparent link between the environment, economic development, and human rights, introducing them as key players in some global crises related to public health, safety, and individual well-being. According to her, development is about achieving progress in the quality of life. It is undeniable that unsustainable development activities threaten the environment and hinder the right to development as well as other human rights.

METHODOLOGY

This study adopted a qualitative method to explore, discover, and build new knowledge through ethnography; hence, close examinations and in-depth

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interviews were integral components of this research. Qualitative research employs the technique of "seeing through the matter from the research participants' eyes" (Bryman, 2016). The fieldwork for this research was conducted in two phases in January 2023 in the Badulla district of Sri Lanka, involving thirty (30) respondents. The research participants were divided into five main groups: i) the general public, ii) members of Community-Based Organisations (CBO), politicians, and religious priests, iii) government officials, iv) entrepreneurs and private sector employees, and v) academics and NGO officials to collect different perspectives and experiences about the impact of the UOMDP based on the backgrounds of their occupations and other livelihoods. The first phase of the interviews was conducted with twenty-five residents from the Thanthiriya and Udaperuwa Grama Niladari Divisions during the first week of January 2023. The second phase of interviews was conducted with five NGO officials and researchers who explicitly work in the environmental protection sector through online platforms during the last week of January 2023. The interview series commenced with thirty respondents upon reaching data saturation.

Before commencing the fieldwork, the available literature was thoroughly reviewed, including research papers, newspaper articles, online media coverage, and other blog reports, to identify research gaps and select the most suitable localities for fieldwork. This study primarily utilised in-depth interviews, two semi-structured questionnaires, informal discussions, observations, and narrative extractions of real-life experiences from the affected villagers of the UOMDP as primary sources of data and information. However, like other qualitative research studies in the social sciences, this research also had limitations in terms of reliability, validity, and replicability. The standard principles of scientific research in social sciences, such as confirming the information through multiple sources, were applied to maintain the study's credibility.

Before reaching the field, support from a key informant was sought to broaden the understanding of the field. The interview participants were recruited using purposive and focus group sampling methods. Those methods were applied especially when approaching village communities, governmental officials, NGO officials, and researchers. On some occasions, snowball sampling was also used to reach respondents from the village community, guided by the key informant.

The participants in the research were aware of the researcher's presence and were sufficiently informed about the purpose, methodology, and scope of this study. Names or other identification details of the participants were not collected; instead, only their gender and age were recorded. The

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nature of this research and the steps taken to protect confidentiality were verbally explained to participants before the interviews began. Participants were informed that they could refuse to answer any questions or withdraw from the interview at any time. There were instances where participants recalled some unpleasant experiences as adverse impacts of development activities. In those situations, the participants were not forced to explain them; their emotional states were observed. Furthermore, participants were allowed to withdraw their contributions from this research before the data analysis phase began in February. The interview locations were chosen with confidentiality in mind and to accommodate the interviewees' convenience. Every participant participated in the interviews independently and voluntarily.

The selected data and information were analysed using thematic analysis, primarily derived deductively from the Human Rights-Based Development (HRBD) approach and the principles of sustainable development, following thorough transcribing and coding of the information. The impacts of this project were also assessed using the same indicators presented in the two theoretical bases, along with statistical data on income losses, reduced crop yields, water scarcity, and damage to physical assets.

FINDINGS

Depletion of Water Resources and the Decline of Agrarian Livelihoods

The Bandarawela area is one of the leading vegetable and horticulture production areas in Sri Lanka, thanks to its year-round favourable climate. There is also biannual paddy farming in this area, with two main cultivation seasons: '*Yala*' (Dry season) and '*Maha*' (Wet season), based on the rain-fed irrigation system in Sri Lanka. Paddy farmers also grow vegetables during the intermediate season between the two paddy cultivation seasons. The main occupation of the sample (10) was farming on a full-time basis. Respondent R-02 (Housewife, female, 69) was not a commercial producer but had grown vegetables on a small plot of land for household consumption. She sold any surplus at the weekly fair and got a small income to buy other household essentials. Four tenant farmers engaged in part-time agriculture as an additional source of income to their primary occupation. Another two respondents (R 13, Bank Manager, male, 45, and R 03, Local-level politician, male, 35) had previously invested resources in the agricultural sector. They owned the land, but it was traditionally given to tenant farmers on a long-term rental basis. The harvest is divided equally between the landlord and the tenant. It is a traditional agricultural practice known as 'anda kumburu' (tenant farming) in the Sinhala language. Most tenant farmers in agriculture had to

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give up their livelihoods due to water shortages, losing their traditional occupation and primary source of income.

Another respondent mentioned her experiences:

"My husband and I were traditional farmers. My husband is not alive, and since his demise, I have cultivated our rented land alone. Our paddy field was known as "Thelihulpotha" (water spring). I cultivated both paddy and vegetables. Sometimes, I earned Rs. 300 000.00 by selling the tomatoes I grew to Cargills (a leading retail chain). We do not have any skills besides cultivation. With the commencement of the Uma Oya project, we began experiencing water shortages for cultivation. I had to abandon the paddy field by then. We have tried growing short-term vegetable crops with rainwater. However, as crops mature, they die due to a lack of water. The officials of Govi Jana (the Department of Agricultural Services) provided me with a few allowances to compensate for the cultivation losses. I do not receive the Samurdhi (welfare allowance given by the GoSL for lower-income families). Now, this is the time of year when the cultivation season begins. I feel despondent because I cannot engage with agriculture anymore."

(R 12, Smallholder, female, 67)

The president of a community-based agricultural organisation explained,

"We had enough water previously for our crop cultivation. However, we do not have sufficient water now. Since the *Uma Oya* project started, our lands have dried up and cracked. As a result, so many farmers had to give up cultivation and find alternative income-generation methods. We laid a pipeline from a neighbouring water source using the funds of our community-based agricultural society. The water we receive from that pipeline is insufficient for all the farmers in the area. Therefore, farmers are now fighting about water sharing. It is an unprecedented situation, and they were harmonious with each other previously."

(R 20, President of a Community-Based Agricultural Organisation , male, 59)

A Tamil respondent (R 08, Estate Sector Worker, female, 66) mentioned that not only the farmers who own the land but also other seasonal agricultural labourers, including both Sinhala and Tamil lower-income groups, lost their employment opportunities due to the devastating agrarian practices in this region with the construction of the tunnels of the project. Many described the situation they faced due to the destruction of agricultural practices, which they described as 'having no hope, desperate, and helpless.' This situation has directly affected their economic, social, and psychological well-being. In this manner, the tunnel excavation of the UOMDP and its consequences, including the depletion

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of land and water resources, have caused a chain of adverse impacts on agricultural practices and other associated livelihoods.

Impacts of the UOMDP on Non-Agricultural Occupations and Employment

The UOMDP had impacted not only the community's agricultural practices in Bandarawela but also, directly and indirectly, several other occupations, leading to a considerable number of unemployed people in the region. One respondent (R 06, An entrepreneur, male, 35) owned a workshop for making cement bricks, where six other employees worked on a daily wage basis. They had taken water from a nearby stream, an essential material for making cement bricks. Unfortunately, due to the depletion of their water resources, they had to close the business entirely. This situation not only impeded the owner's income but also caused several other villagers to lose their occupation. . Another two respondents (R 11, labourer, male, 66 and R 07, Mason, male, 55) in the construction industry, had to lose their occupation due to the complete cessation of construction activities in the affected regions of the UOMDP. The National Building Research Organisation (NBRO) of Sri Lanka issued a red notice for new constructions in severely affected areas due to land instability and frequent landslides caused by underground construction activities of the UOMDP. As a direct result of this situation, another respondent (R 09, Supplier/middleman male, 48) who traded construction materials, such as sand and clay bricks, had to leave his career and find new employment with his fellow employees. Furthermore, he mentioned that people who had engaged in real estate in the region also had to cease their careers due to the rapid decline in demand for land and other properties, such as houses and hotels, in the Bandarawela region. Another Tamil respondent (R 10, Domestic worker, female, 32), whose husband was a labourer, had lost his occupation due to the tremendous challenges in finding an income and had migrated to a nearby district. Due to this development project, a considerable number of residents in the affected areas of Bandarawela had to shift from their traditional occupations or livelihoods and find alternative career paths, further proletarianising them.

The Consequences of UOMDP on Supplementary Household Income through Rentals and Boarding Services

This project has negatively impacted household rental services, as households have traditionally rented out part of their homes to earn additional income, which is one of the region's most popular methods of generating extra income. The households had rented extra rooms in their homes to students attending the

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Bandarawela Central College as their boarding places. Three respondents indicated that they had run those boarding houses for decades. They earned a significant portion of their monthly income by renting rooms to students. For instance, a local-level politician mentioned:

"I added the second storey to my house by getting a bank loan several years ago to expand our boarding house. My purpose was to get additional income through this. I depended on the income from the students' rent at the end of every month. Suddenly, the Uma Oya 'disaster' started, and we had to evacuate from our buildings. There was no possibility of keeping children in our homes due to the danger and unsafe conditions. Moreover, we did not have sufficient water."

(R 03, Local-level politician, male, 35)

Many repeated a similar description of their difficulties among boarding house owners, noting that the UOMDP negatively affected their additional income method by eliminating room rental services.

The Physical Damages to Housing, Infrastructure, and Public Facilities and Displacement

The underground tunnel excavation for the UOMDP had caused severe damage to public and private property, including infrastructure and physical assets, in nine villages (Ambathannegama, Bambaragama, Weheragalathanna, Udaperuwa, Kinigama, Thanthiriya, Bindunuwewa, Watagamuwa, and Kirioruwa) of the Bandarawela Divisional Secretariat. The Grama Niladhari Officials (GNO), the immediate public officials who work closely with the public, mentioned that several roads had been damaged and 'sunk.' Furthermore, they noted that several public properties, including several schools in the area, have been damaged. In addition, the infrastructure and other public and private properties in the 'Kurana' area in Udaperuwa have been severely damaged due to land instability caused by underground tunnel excavation.

The project intervention, to varying degrees, had damaged the houses of the twenty-five respondents. They range from small cracks in the walls to the complete collapse of buildings. Some houses had minor cracks in the walls and floors, while the majority had cracks measuring one to two inches wide. Additionally, the concrete ceilings of the houses had also been damaged. Six families had been ordered to evacuate their homes to temporary shelters due to damage caused by land instability resulting from the excavation of an underground tunnel. Property damages are categorised into 'partially damaged' and 'fully damaged.' It was observed that the business premises had also been affected. Some villagers still live in damaged, hazardous houses without

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fully repairing them, despite having been compensated, risking their lives.

The Compensation Process for the Property and Crop Damages for Affected Families

The two main types of compensation implemented are 'property damages' and 'crop failures.' The compensation process was carried out in several stages. First, after receiving public complaints, various government officials from different institutions and departments visited the affected households. Compensation for property damage was handled by a unit established to address unexpected outcomes of the project. They received support from the GNOs, Bandarawela Divisional Secretariat, and the NBRO (R 19 and R 20, GNOs, males). The people who lost their assets were compensated using different indicators. Twelve respondents had received amounts ranging from Rs. 7 000.00 to Rs. 5 200 000. 00 as monetary compensation.

Individual-Level Economic Gains and Anticipated Long-Term Economic Benefits

This study finds that the project has benefited some individuals positively. A few research participants have received financial benefits from the UOMDP, which has contributed to their personal development. One respondent (R 04, Farmer and labourer, male, 66) has worked as a paid labourer on project sites. He received a fixed monthly wage during his engagement in the construction activities. He has used that money to cover household expenses and has invested the remainder in agricultural practices. One businessman (R 15, male, 48) used the financial benefits of supplying construction materials to the project sites to expand his small hotel. In this manner, two out of thirty people had strengthened their economic background through this project. In addition, some had positive ambitions for the future benefits of this project, particularly as an efficient solution to the country's prevailing electricity deficiency. Meanwhile, some villagers pointed out the potential future benefits of this project in addressing Sri Lanka's food shortage by developing agriculture in the dry zone.

DISCUSSION

Violation of Peasant Livelihoods and Right to Decent Work

Robert Chambers (1992) introduced the concept of Sustainable Livelihood Thinking (SLT) in the human development discourse. SLT emphasises the importance of prioritising the empowerment of rural, peasant communities, who are at the bottom of the social ladder in any development endeavour. The United Nations Declaration on the Rights of Peasants and other People Working in Rural Areas (UNDROP) defines a

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"peasant" as "any person who engages or who seeks to engage, alone, or in association with others or as a community, in small-scale agricultural production for subsistence and/or for the market, and who relies significantly, though not necessarily exclusively, on family or household labour and other non-monetised ways of organising labour, and who has a special dependency on and attachment to the land" (United Nations General Assembly, 2018, pp. 4–5). However, the unpredicted adverse impacts of this project have caused massive damage to the occupations and livelihoods of the peasant community living in the surrounding areas of the project in several ways.

Several significant declarations in human rights protection and promotion specifically uphold the right to decent work and the occupation of the people. Accordingly, article 23.1 of the UDHR includes "Everyone has the right to work, to free choice of employment, to just and favourable conditions of work and to protection against unemployment and 23.(2) Everyone who works has the right to just and favourable remuneration ensuring for himself and his family an existence worthy of human dignity, and supplemented, if necessary, by other means of social protection" (United Nations General Assembly, 1948). Article 6.1 of the International covenant on economic, social and cultural rights mentions "the States Parties to the present Covenant recognise the right to work, which includes the right of everyone to the opportunity to gain his living by work which he freely chooses or accepts, and will take appropriate steps to safeguard this right" (United Nations General Assembly, 1966, p.2). Article 7 (i) and (ii) of the same covenant asserts that the "States Parties to the present Covenant recognise the right of everyone to the enjoyment of just and favourable conditions of work which ensure, in particular: (ii) A decent living for themselves and their families by the provisions of the present Covenant" (United Nations General Assembly, 1966, pp. 2-3). Article 13.1 of the UNDROP (2018) indicates that "Peasants and other people working in rural areas have the right to work, which includes the right to choose freely the way they earn their living" (United Nations General Assembly, 2018, p.9). Article 17.1 of the above declaration asserts that "Peasants and other people living in rural areas have the right to land, individually and collectively, by article 28 of the present Declaration, including the right to have access to, sustainably use and manage land and water bodies, coastal seas, fisheries, pastures and forests therein, to achieve an adequate standard of living, to have a place to live in security, peace and dignity and to develop their cultures" (United Nations General Assembly, 2018, p.12). Meanwhile, Goal 8 of the SDGs' agenda also emphasises the importance of protecting people's right to work, stating, "Promote sustained, inclusive

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and sustainable economic growth, full and productive employment and decent work for all" (United Nations General Assembly, 2015, p. 19).

Costantini and Monni (2005) emphasise the importance of employment, as it can ensure social stability and people's livelihoods by contributing to social development. A secure occupation often enables people to achieve dignity and decide what they need to provide adequate living standards. Some farmers reported receiving only financial subsidies for a few terms due to crop damage. A few of them mentioned that the government had intervened to introduce an entrepreneurship programme in this community. However, due to disorganisation and a lack of community interest, it was abandoned. Accordingly, no sustainable solution has yet been offered to this community to address the harmful impacts on their right to decent work and livelihoods.

Violation of Peasants' Right to Land and Water

Proper access to land, water, and seeds without any barriers is one of the most essential requirements for rural communities that rely solely on traditional agricultural practices. In some developing countries, such as Sri Lanka, farmers often do not earn significant financial benefits from their cultivation. Their hard labour on the land is essential to their families' survival and to meeting the country's food security needs. Thus, the UNDROP has attempted to lay a solid foundation for protecting the rights of the peasant community, especially the right to an adequate standard of living. It further emphasises the responsibility of states to take sufficient measures to curb the exploitation of land, water, and other natural resources on which peasants and other rural workers depend, as well as to enhance their resilience against severe disruptions (United Nations General Assembly, 2018). Moreover, the UNDROP urges states to undertake the inevitable task of creating an enabling environment for rural farmers and their families to exercise their right to development by meeting adequate standards of living. This can be achieved by formulating and implementing practical, efficient rural development, agricultural, environmental, and trade policies and programmes grounded in sustainability. Given the unexpected outcomes of this project, many provisions outlined in this declaration have been adversely affected, further hindering this community's right to development. Moreover, the present constitution of Sri Lanka states that "14 (1) Every citizen is entitled to (g) the freedom to engage by himself or in association with others in any lawful occupation, profession, trade, business or enterprise" (Parliament Secretariat, 2023, p.6). In this manner, Sri Lankan citizens have been granted legal protection for their right to work.

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Violation of the Right to Housing and Dignified Living

The right to housing, which plays a crucial role in meeting the adequate standard of living, also affects one's dignity and integrity. Many villagers had experienced varying degrees of damage to their homes. They received monetary compensation for their damages, but some were not fully satisfied with it. Meanwhile, the people were initially given financial compensation for the property damage. However, they had not been given new land for building houses at the same time. When people received new land, they spent the previously offered compensation to meet various requirements. Since many of them had lost their occupations and income-generating modes, they spent the monetary compensation on food and other household necessities. A few respondents had lost their business premises, such as a grocery store and a small cafeteria, due to the damage to buildings caused by land instability. The right to housing is not merely about finding shelter; it is also about the right to live in a secure, peaceful place, which affects one's dignity. Rigid procurement processes, paperwork, and red tape: common institutional weaknesses in Sri Lanka's administrative sector have impeded the timely payment of monetary compensation to villagers affected by this project.

Impeding the Right to Development: Eroding the Freedoms, Capabilities, and Self-Determination

The DRTD provides a comprehensive roadmap for adopting measures in states, with the objective that development activities must adhere to human rights and sustainable development principles (United Nations General Assembly, 1986). It lays a strong foundation for Human Rights Based Development (HRBD) by underscoring the responsibilities and duties of states in realising the right to development in accordance with human rights norms. The states and any national or international institution implementing development interventions should follow the priorities set by the DRTD. Article 1.2 of the DRTD indicates that, through any development initiative, people should have the potential to exercise their right to self-determination, including utilising their natural wealth and resources (United Nations General Assembly, 1986, p.2). However, upon examining the findings, it is apparent that this community has lost sovereignty over its natural resources, particularly water, which is indispensable to its livelihoods. Article 2.3. mentions the duty of states in formulating effective development policies that can improve the well-being of the whole community by facilitating their active, free, and meaningful participation in development efforts and the fair distribution of the benefits of

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development (United Nations General Assembly, 1986, p.2). The unpredictable outcomes of this development project have impeded this community's right to development. The villagers' expectations, which they sought to achieve through an economically driven development initiative, have not been met.

Sen (1999) emphasises that human "freedoms" can foster economic development in many ways, and the way in which freedom is exercised in society matters significantly in establishing an equally distributed development. He mentions that the realisation of development depends entirely on the free status of agents of persons. In this case, the level of self-determination achievable through secure livelihood opportunities and adequate living standards matters tremendously. Many farmers reported that they had to sacrifice their rights and freedoms, especially those associated with their attachment to the land, water, and other tangible and intangible assets, at a later phase of this project when unwelcome impacts arrived in their villages. Nussbaum (2011, pp. 33–35) argues that human capabilities play a significant role in development, as they are not merely individual potentialities but also freedoms or opportunities created by a combination of personal aptitudes and the political, social, and economic environment. She upholds that the right to development is a crucial element in expanding different human capabilities. The majority of the farmers stated that their capacity, particularly in agriculture, had been hindered by the adverse effects of this project. The harm to their traditional livelihoods affected this community's overall well-being, including healthy mental conditions due to anxiety and depressing thoughts, by creating huge dilemmas about their future and personal survival. In this situation, realising the underlying, genuine meaning and capacity of the right to development has further moved away from these people.

Potential Developmental Benefits: Advancing Energy Security and a Path towards Sustainable Development

Since 2022, Sri Lanka has been experiencing a foreign currency shortage. Therefore, the country faces a significant challenge in importing petroleum and coal for electricity generation. Strengthening the availability of affordable, already available, and environmentally sustainable energy sources is a dire requirement in this situation. Amid a chain of unexpected negative impacts from this project, the UOMDP aims to add 120 MW annually to the national electricity grid through its hydropower plant (Ceylon Electricity Board, 2023). Osmani (2013) discusses the potential of rapid economic growth to enhance people's adequate living standards by strengthening their livelihoods, thereby helping resolve trade-offs among rights. Hydropower is a

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relatively environmentally friendly renewable energy source. SDG 7, "Ensure access to affordable, reliable, sustainable and modern energy for all," also reminds the world of the need to increase reliance on renewable energy sources to combat climate change and global warming (United Nations General Assembly, 2015, p. 19). Therefore, it is noteworthy to mention the prospect of this project to harness energy production, facilitate industrial development, and generate new livelihoods while contributing to the achievement of the right to development of the people, in both direct and indirect ways.

The unpredictable perils of this project have significantly altered the lifestyles of the affected community. Now, those adversities have become a part of their daily lives, and they recall those experiences as unpleasant memories. Accordingly, they perceived the development gained through this project as highly imbalanced and disastrous. This community has now adapted to the new changes and challenges arising from the construction of the UOMDP tunnels in their daily routines. Some of them had been able to minimise those obstacles and had slowly returned to their everyday lives. Many of them have started to 'accept this reality' and cope with its challenges. However, a considerable percentage of the villagers have still been unable to eliminate the adverse impacts caused by the UOMDP. According to them, the disturbance caused by the UOMDP and the destruction of their right to development are irreversible, and they cannot return to normality without sufficient intervention from the relevant bodies.

CONCLUSION

Today, it has become clear that unsustainable development has adversely affected not only the environment but also the protection and enjoyment of human rights, as well as the inclusion and participation of every member of society in development activities, in numerous ways. The findings of this study reveal the profound human cost of unsustainable development caused by the UOMDP, which violated fundamental economic, social, and cultural rights, particularly the rights to livelihood, adequate living standards, and development. The severe hazards caused by this land-based development have undermined the right to development by disrupting access to land, water, housing, and dignified work, which are the main concerns of sustainable livelihoods. Those adverse impacts had significantly deteriorated the adequate standards of living at all levels in the community of the resource-depleted area, drastically altering their lifestyles and posing significant barriers to the right to development. Apart from monetary compensation for property and crop damage, no practical solutions or alternatives were introduced to address the other impediments to economic,

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social, and cultural rights. Most significantly, no sustainable solution has been provided to this community for regaining their right to livelihoods.

Furthermore, there are some drawbacks to the compensation process, particularly in its sustainable application. Introducing sustainable, alternative livelihoods has not been achieved through the massive-scale monetary compensation process. In this case, policymakers and project developers should introduce community-driven livelihood restoration programmes that promote resilience and equity while considering a sustainable mitigation strategy. Sufficient access to adequate standards of living, including minimum livelihood protection and the discouragement of extreme inequalities in development activities, can help promote not only the realisation of the right to development of every person but also the social and political stability necessary for sustainable development.

In practice, development has its own ends and means independent of human rights. The human rights-based and sustainable approaches to development highlight what local communities expect from development projects and how this matters in formulating and implementing development initiatives. It is challenging for marginalised and vulnerable groups, such as rural communities, to access sufficient resources to realise their rights. Thus, improving their livelihoods is integral to giving them the voice and leverage to lobby for the realisation of their inalienable right to development. Hence, protecting and promoting the right to work and livelihood is essential to dignify lives further and give people the space and freedom to determine what they expect to achieve within the state's economically driven development initiatives. This situation conveys a vital message: the recognition and practice of economic, social, and cultural rights within the development mainstream has outstanding potential to complement overall, equally distributed socio-economic development.

However, the UOMDP can make a profound contribution to national sustainable energy production and holds potential for long-term agricultural and economic benefits, especially in the underdeveloped Southeastern dry zone of Sri Lanka. To address the catastrophe caused by the UOMDP and prevent any such future development-based disasters, policymakers and project developers should prioritise rights-based, inclusive development planning with adequate public consultation. Future initiatives should also strengthen institutional accountability, transparency, and social safeguards to prevent similar catastrophes. A complex and tightly interconnected web of economic, social, and cultural phenomena that emerged within this community, caused by unexpected environmental disasters, brought

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massive disturbance to the realisation of sustainable human development in those localities. Future research may include examining the project's long-term socio-economic and ecological consequences to deepen understanding of its broader impacts and guide more sustainable development practices in Sri Lanka. This study suggests, by examining lessons from the UOMDP, that Sri Lanka urgently needs to bring its current unsustainable development back onto the right track.

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