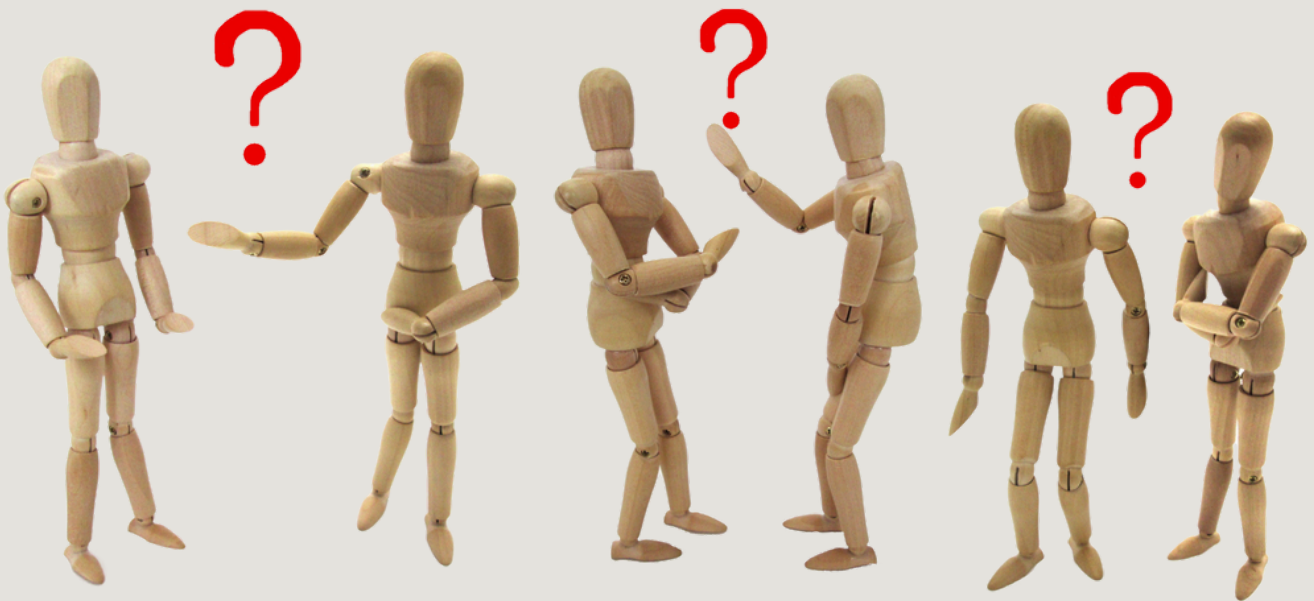


# What We Need to Know about the 'Urumaya' Programme



## **1.What is being done under the Urumaya programme of the government?**

**According to what the government says, Urumaya is the biggest ever privatization programme that has been implemented in Sri Lanka. Under this programme, salable deeds with freehold rights are to be given for two million land units. Accordingly, a free grant is to be awarded to the people for the lands of which possession has been given to them through grants and permits subject to limited land rights, and thereby they will get salable, freehold land right for those lands.**

## **2. Who can get deeds under the Urumaya programme?**

Anyone currently in possession of a state land under a land permit or grant issued by the government can apply for a land deed under this programme. For that, they should submit the land permit or grant they have in their possession at present. Those who do not have a permit or a grant at present are not entitled to receive deeds under this programme. Accordingly, the landless people in the hill country, or those who have had to face land issues during or in the aftermath of the war in the North and the East, or those in urban areas who are faced with land related issues or who do not have lands or homes are not entitled to receive lands under this programme. Further, the land issues of the people who have been displaced due to development projects have not been paid any attention either.

### **3.What powers does the Government have regarding the lands that have been given to people under the existing permits or grants?**

The lands that have been given at present under permits or grants are meant for agricultural activities. These land permits or grants cannot be transferred to persons outside the family (bloodline) of the holder. The Divisional Secretary is the final arbiter regarding the transfers of such lands. Even in cases of transfers of such lands to persons outside the family with the intervention of the Divisional Secretary, the lands cannot be transferred to persons outside the peasant class. Even if a land is mortgaged with the permission of the Divisional Secretary and the mortgagee gets the ownership of the land, that land can be transferred again only to a farmer. Thus, the Divisional Secretary, as the representative of the government, ensures that these lands are owned by farmer families only and that no one outside the farmer community gets those lands. Further, the Divisional Secretary also intervenes in solving problems related to those lands.

## **4. What will happen under this programme to the lands that currently have problems regarding land ownership?**

As all these lands are currently owned by the government, the Divisional Secretary, being the representative of the government, has the power to give a determination for any problem related to these lands. However, once a freehold deed has been issued, the responsibility of the government for the land ends, and the ownership of the freehold land can be freely transferred in the market from person to person. In such cases, the government cannot make any intervention regarding the grievances of other parties who claim rights for the land.

**When freehold deeds have been issued under the 'Urumaya' programme, there is no system of appeal for the parties who are not satisfied with the awarding of freehold deeds, and there is no procedure to investigate such grievances and to right the wrongs. Thus, if there occurs a mistake in the awarding of a freehold deed, there is nothing that the aggrieved parties can do. This will lead to the creation of new land disputes and will possibly aggravate the existing disputes.**

## **5.What can be done to a land which is received through a freehold deed?**

The holder of a freehold deed can utilize the relevant land as he/she wishes. He/she will not have to face any problem for not using the land for agricultural activities and for not making effective use of the land. The holder of the deed can gift or sell the land to anyone he/she wishes to. There is no restriction such as that the land cannot be transferred to persons outside the peasant class. The holder of the deed can mortgage the land without any hindrance if he/she wishes to, and if the mortgagee gets the ownership of the land, the mortgagee can sell the land to anyone as he/she wishes.

## **6.Are there any disadvantages in owning a freehold land under the 'Urumaya' programme?**

The first disadvantage is that there is the possibility of existing land issues being confused. Currently, most of the land owners do not have their permit or grant with them. They have alienated their permit or grant informally as collateral for loans or mortgages. Further, as the first generation who had got the land permits and grants had not nominated the persons to whom the lands should be inherited after their death, a lot of land disputes have been created at present. Therefore, it is perhaps not the person who holds the land permit or grant in his possession that is currently developing and cultivating the land.

Maybe, the eldest child of the family who has the right to the land in terms of the Land Development Ordinance is currently living in another part of the country. Regardless of the person who currently possesses the land, whoever who holds the permit or the grant in various ways as described above can apply for a freehold deed for the land. This will further aggravate the situation that is already confused.

The second disadvantage is that there may occur problems caused by the conditions that arise due to the fact that the land can be sold and mortgaged without any hindrance after the freehold ownership has been received for the land. For instance, if the person who owns the freehold land sells the land, his/her family and their future generations will lose the right to that land. In such situations, the spouse who is dependent on that person (mostly the wife) may become helpless.

As freehold lands can be mortgaged very easily, freehold deed holders can easily be tempted to mortgage their lands in case of financial needs, and the end result of such short-sighted decisions would be that the mortgagee would get the ownership of the land if the loan was not repaid. Then the whole family would become helpless as mentioned earlier. When the mortgagee gets the ownership of the land, he/she can sell the land to anyone, not just to peasants. Then these lands can go into the hands of any wealthy person who can invest in these lands on other activities without using these lands for farming. This will affect the country's agriculture.

## **7.What disadvantages would be caused to a family by selling a freehold land received under the Urumaya programme?**

Once an easily salable land has been sold due to financial or other reasons, a family becomes a landless family. In a situation where there is no land for the family to engage in agricultural activities, there is the possibility that the family's economy will further collapse. Due to an imprudent decision taken by a holder of a freehold deed, the entire family will have to suffer the consequences. As far as lands under the existing land permits or grants are concerned, after the holder of the permit or grant dies, his wife will have life interest in that land, but if the land is sold after receiving a freehold deed, the wife is not entitled to such relief.

The next generation, i.e. their children, too, will face the problem of not having any land rights. Land is part of one's identity. That a person belongs to a certain village means that he/she owns land in that village – he/she is permanently attached to the village and environment where the land is located. When a land is sold and the family does not have any land, the whole family loses its identity, and the family members may end up in a situation where they are homeless. The same situation arises after the ownership of a mortgaged land goes to the mortgagee.

## **8. What impact would the Urumaya programme have particularly on women?**

When awarding state lands, grants and permits have been given mostly to men. Until recently, the person to inherit the land after the death of the permit or grant holder had not been nominated, and when the holder dies, the eldest son of the family owns the land. Thus, the majority of the grant and permit holders are men. As freehold deeds are given to permit and grant holders under the 'Urumaya' programme, the vast majority of those who receive new freehold deeds are men. Therefore, this is a confirmation of the men's land rights in yet another round.

Once a man gets freehold rights to his land, he gets the right to sell, mortgage or gift the land to anyone, and accordingly, a man who receives a freehold deed gets the power to make decisions that affect the finances and lives of all the other members of the family without being subject to any restriction.

Earlier, after the death of the owner of a land, his wife was entitled to the life interest in the land, but when a freehold land has been sold, the wife does not have any such right to the land. Under all these circumstances, awarding of freehold deeds will impact women in a particularly unfair and unjust manner.

## **9. What disadvantages would the community / the village have as a result of the sale of a freehold land received under the Urumaya programme?**

The existing land grants or permits cannot be transferred to persons outside the class of peasants. Therefore, there is a guarantee that the lands will only be used for agricultural purposes; but, there is no such guarantee for freehold lands. Most probably, the wealthy and the big companies can buy these lands in bulk, and can enclose them to create large land units. Such land units can then be used for other purposes other than for producing food for the people of this country, which is the main purpose of the agriculture of this country.

**Most of the lands can be utilized for export-oriented commercial agriculture. The lands utilized for the cultivation of food crops including paddy are used in an environment where necessary irrigation facilities are provided, but, if land is used in large-scale for different purposes as stated above, there is the possibility that even the land used for the production of food crops in the village will not be able to be used properly for that purpose. Even now, as companies have enclosed lands and have constructed huge electric fences around the lands where large-scale, commercial cultivations are done, the damages caused by the wild elephants to the cultivations of the ordinary farmers in the vicinity have increased. There also have arisen problems in getting water for the cultivations. The ultimate result of all these would be that the rest of the lands will not be able to be used effectively, and in the end there would be no other option left other than selling the rest of the lands to the large-scale companies.**

## **10. Will alienation of the freehold lands received through the Urumaya programme affect the food security of the country?**

What the government continues to say is that smallholder food crop cultivation on small plots of land is not productive. It is often heard saying that, instead, cultivating large-scale commercial crops on large plots of lands is more productive. Sale of freehold lands and foreclosure of mortgaged lands pave way for the large-scale commercial crop cultivators to get the lands into their possession, but these commercial crops are not meant to fulfill the food needs of the people of this country. It is because of this small-scale food crop cultivation that the people of this country did not starve even during the Covid pandemic and the economic crisis of this country. That is where our food security lies, and it is at this food security that this threat is aimed.

**11. Are these efforts of the government meant to ensure the land rights of the people by implementing the biggest ever privatization programme in the history of Sri Lanka through the Urumaya programme, as the government claims?**

Land is an important part of people's economic security and identity, but for it to be so, not only that the ownership of the land should be given to the people, but the land should also be able to be used for the welfare of the people. Or else, people will dispose of their land ownership (through sale or mortgage). What happens as a result is that the people lose even the limited land rights they used to have, and a landless generation is born. It will have a very disastrous impact. In order to prevent the creation of such a situation, conditions necessary for economically effective use of land should be created along with awarding of land ownership.

But now the government is giving freehold land rights to the people through 'Urumaya' programme grabbing every opportunity people have to use those lands economically. Water is not provided for agriculture at the right time. Moreover, new laws regarding water are being introduced and arrangements are being made to charge a fee for water. The prices of seeds, fertilizer and pesticides are almost unaffordable. Due to the high taxes imposed on agricultural machinery, farmers have had to pay very high prices for such machinery. A proper price is not paid for the harvest, and there is no proper methodology in place to purchase the harvest either. It has now become extremely difficult for farmers to get a crop loan, but loans are issued at will to large-scale businessmen. There is no proper compensation or crop insurance system for crop damages caused by adverse weather conditions or by wild animals.

**At present, the farmer is suffering severe difficulties due to debt burden. What would happen to the freehold lands the farmers will receive under these circumstances? These attempts are not to ensure the people's land rights, but to take away under that pretext even the limited land rights they have got.**

## **12. What is being done under the Urumaya programme of the government?**

The government is making big interventions not only in relation to lands, but also in other sectors such as agriculture, fisheries and small industries. There is a common character underlying all such interventions – that is to discourage small-scale farmers, small-scale fishermen and small industrialists who are engaged in these sectors and to open these sectors to large-scale investors. Those who are currently engaged in these sectors can become wage labourers in those large-scale investments. This is something that aid agencies including the World Bank and the International Monetary Fund have been telling the governments of this country for a long time, not recently. The World Bank has been saying since the 1950s that such an approach is needed in Sri Lanka's agriculture. According to their view, cultivation of food crops by small scale farmers in this country is not productive. Instead, large-scale farmlands should be created under large-scale investments.

Some of the small-scale farmers who are currently engaged in agriculture can work as labourers in these large-scale plantations. The rest of the farmer families should migrate to the city to work as wage earners. It is with this objective that all interventions of the government are made in the fields of agriculture and land ownership. That is also the objective of the 'Urumaya' programme. By giving the farmer under the guise of granting land rights a salable land, a situation is created where farming cannot be continued. Now the alternative that will be available to the farmer is to sell the land. Then the large-scale cultivators can buy the land in the open market, and the landless peasants will have to work for a wage on those farms or to migrate to the city in search of work. It is because of these reasons that 'Urumaya' is going to be a 'Karumaya' for the farmers of this country.

### **13. What impact would the 'Urumaya' programme have on the country's economy?**

It is the small-scale farmer who plays the crucial role in the food production of this country. It has been recognized on the basis of the land law of this country itself that the small-scale farmer is the foundation of the country's agricultural economy. However, by giving these farmers freehold land rights discouraging their agriculture as mentioned above and somehow creating conditions that make it impossible for them to effectively engage in agriculture, the lands will be freed to the open market. Every time this has happened, it is the large-scale cultivators and agro-companies that have acquired such land. The government, as well as the World Bank, the institute which advises the government, continue to say that large-scale monocrop agriculture is the economically viable method.

However, no such project that has been tried in this country for the past four decades or that is currently in operation has had any significant effect on the economy of this country. In fact, they have only caused great economic and social destruction. Sugarcane plantations (in Pelwatta, Higurana and Kantale) and tobacco, maize, gherkin, banana, mango etc. plantation projects that were started by the governments of this country have not only been unprofitable, but have also created serious issues related to the environment and the health of the people. The economy of the farmers, who give up farming and become labourers will further collapse and then they will become helpless. What is being indirectly facilitated in this manner are businesses that not only do not provide any benefit to the people of this country, endanger the food security and health of the people and create serious environmental crises for future generations, but also are destructive to the country's economy.

## **14. What are the experiences of other countries of the world in implementing similar programmes?**

According to the Food and Agriculture Organization of the United Nations, the most important role in the world food production is played by smallholder farmers. In Asia and Sub-Saharan Africa, this contribution is 80% of the total food production. On the other hand, due to the high diversity of smallholder farmers' food production, even in case of a crop damage caused by climate change and diseases, there is no risk of complete destruction of crops or the occurrence of a large-scale famine. But, currently, the food production that is promoted by the aid agencies including the World Bank and admired by the government of this country is completely dependent on large scale enterprises of cultivation of 12 food crops and 5 animal species which depend on patented seeds and other inputs of multinational companies.

**According to the Food and Agriculture Organization of the United Nations, this is extremely dangerous in terms of food safety. This danger is so grave that, in an epidemic situation, even the entire human civilization can be pushed to the brink of destruction for the sake of the profits of the companies. On the other hand, none of these products are of nutritionally superior quality and they even pose health threats. Even the allegations regarding low productivity of small land plots are also based on false arguments. A study carried out by the Food and Agriculture Organization of the United Nations using small-scale cultivations on more than 37 million hectares in 57 developing countries has revealed that proper management and farming practices can increase the productivity of the agriculture of smallholder farmers by 79%. Large-scale industrial agriculture cannot even come closer to that level. Thus, the large-scale cultivation, which is being facilitated in this country by destroying the country's small-scale agriculture under the guise of securing the land rights of the people through fake projects such as 'Urumaya', has not been successful even in the world.**

**But, by telling as a novel idea the lie that has been being told for over 40 years, we are being led towards the destruction of ourselves and of our future generations. So, should we allow this journey to be made? Should we get caught up in this fraud that is being committed in the pretext of giving land rights?**