



# INTEGRITY

A TRANSPARENCY INTERNATIONAL SRI LANKA PUBLICATION

Vision: To build a nation of integrity

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### Focal Point

‘IN 1860, in the United Kingdom, during the period of Gladstone, when membership to parliament increased they found that it was not possible to discuss each and every individual point within the House. Therefore Gladstone introduced the Committee system in the House. All democratic countries adopted and followed that system.’

In Sri Lanka, in the early 1980’s when there were too many government institutions, one committee could not cope with the bulk of the work. As a result the work was divided: One is the Public Accounts Committee and remains so to date. The other is the Committee on Public Enterprises.

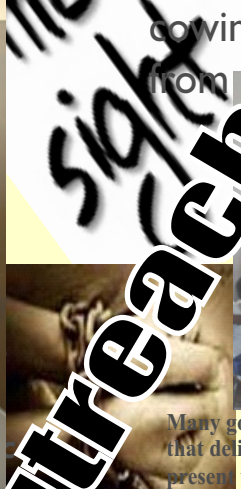


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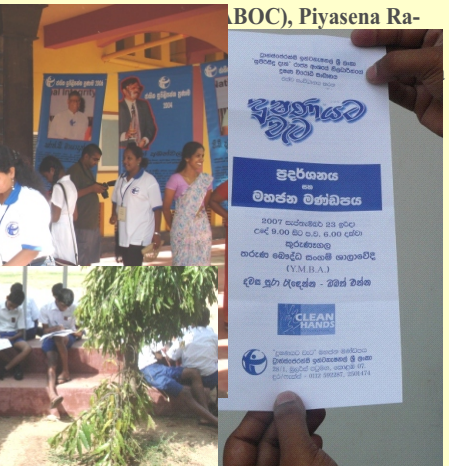


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Many government and non-governmental organisations that deliver public services participated. Amongst those present were Director General – Commission to Investigate (BOC), Piyasena Ra-

the public private sectors and the government on the same platform with the



Mission: To lead and support the collective effort to enhance integrity and eradicate corruption by generating knowledge and stimulating action

### From the Editor

The findings of the COPE report have been in the limelight since its release in January 2007 and undoubtedly the revelations are a topic of conversation not just in sophisticated settings that the rich and famous patronise but also in humble wayside tea kiosks that dot the length and breadth of this country.

A corporate executive was on a long journey to a location that's way off and on this long journey he longs to spot that little *the kada* to break the monotony of the journey, stretch his limbs and have that refreshing cup of tea or even a fizzy drink that would be as warm as the heat of the day. He comes across one and pulls over.

The owner of the kiosk breaks into conversation and dwells on the difficulties that he and his family undergo referring to the cost of living, asks the executive how things are in Colombo and refers to what he picks up on his little radio and the newspaper he had read a few days ago. "It's all happening in Colombo," he says referring to political cross-over's, the conflict, the overseas trips of government

ministers, the cost of living, the *tamashas*, musical programmes, *et al*.

"What are you doing about the problems?" he asks this executive. "About what problems?" the executive questions, in return. "The cost of living," he says. Then quickly he changes the topics. "Is this your car?" The Executive has the grace to reply truthfully. "No, it belongs to the company I work for and I am on an official trip visiting a site."

Comparisons between the government and the private sector are done.

Then the discussion on the state of governance takes place. "How is it that these ministers and MPs have so many vehicles, who pays for their petrol, do they pay their drivers?" the tea kiosk owner queries. The government provides everything replies the executive.

"You are an educated man. People like you should be fighting the wrongs that are taking place. Why don't the educated city people write to the President? What can we villagers do when we live so far away?"

This is the dilemma facing the silent majority of citizens. It is time to speak up and act, not to be a mere armchair critic of the rampant corruption taking place in Sri Lanka.

Fathima Razik

## TISL FAMILY



**Standing Left-Right:** K.P.S. Harshana, Asitha Zoysa, Duleeka Vidanapatirana, Dashen Kamalanathan, Ananda Jayasekara, J.C. Weliamuna, Udani Gunawardena, Dhanushka Wijekoon, F.X.S.Vijaykumar, Joel Fernando, Nilantha Kumarasinghe, Indeepra Devathanthrige, Asela Dassanayaka, Manel Dassanayaka, Preumal Chitravel,

**Bottom Left-Right:** Kalpani Dissanayake, Chamalee Liyanage, T.Sharmely, Achini Gomes, Amali Munasinghe, Dilshan Weerasinghe, Nauli Wimalaratne, Rukshana Nanayakkara, T.Kalaimagal, Sandun Gunawardena, Udaya Thuduhena

**Not in the picture:** Anushika Amarasinghe, Gareesha Wirithamulla, Madhavi Priyanwada, Gayathiri Rajaratnam, Hasini Ratnamalala, Zameena S.Hassim, Dharasha Benjamin



## WILL THIS MALAISE EVER END ? By Fathima Razik

**The man leading the fight against corruption, J.C. Weliamuna, speaks out**

A Question that most Sri Lankans keep asking in various ways the bottom line in this context being the end to the rampant corruption that has cancerously grown into every spectrum of society, and will it ever end?

Speaking to the Executive Director of Transparency International Sri Lanka (TISL), J.C. Weliamuna, one does come away with much hope that this scourge will end in the foreseeable future since many effective exercises are being carried out to at least stem the rot if not eliminate it in real terms and it is never too late to do that.

Explaining the present situation in the country Weliamuna says that those at the high echelons of power seem to have forgotten that Sri Lanka was the second country to ratify the United Nations Convention Against Corruption (UNCAC) and Anti Corruption Action Plan which was endorsed by the Asian Development Bank and the Organisation for Economic Cooperation and Development (OECD). This in effect means that Sri Lanka has a regional and international obligation to combat corruption. Unfortunately though the reality is that there is no action taken on some serious issues like the Right to Information Act that is in force in India and Bangladesh.

“The Right to Information means an informed citizenry, access to official records, awareness of rights and information on rights,” said Weliamuna.

Weliamuna goes on to say that on the other hand even the 17th Amendment to the *Constitution* renders the present governance situation weak in view of the fact that all political parties have abandoned the issue of the depoliticisation of the public sector.

“But all is not lost,” says the Executive Director, TISL. “A positive feature is the much talked about Committee on Public Enterprises (COPE) report and the independent initiative by



**Executive Director TISL, J.C. Weliamuna**

a group of senior public servants who have formed an association called ‘Clean Hands’ with the objective of combating corruption in the public public sector. In operation since early 2007 this group of public servants led by the serving Secretary to the Ministry of Public Administration is willing, and working towards taking action against corruption.

“Also worthy of mention is the Global Organisation of Parliamentarians Against Corruption (GOPAC) comprising those in governance and that which includes six local Members of Parliament. GOPAC has international support to fight corruption and TISL facilitates their activities by providing secretarial assistance,” said Weliamuna.

There is a vision and there is a mission that Transparency International Sri Lanka focuses on as its guiding light in its concerted endeavour in fighting corruption in the country.

“In this endeavour we have a committed group of like-minded people who are working silently and diligently to bring light to a country that has faced ‘darkness’ for decades. It is our fervent hope that this scourge will be eradicated,” he said in conclusion.

## WHERE ARE WE THREE YEARS AFTER THE TSUNAMI?

The tsunami came and devastated life and property in the northern, eastern, southern and parts of the western coasts in Sri Lanka. Three years on thousands are still in a state of despair, not having received their due in terms of assistance from the state. Millions of dollars in aid poured into the country - the benefits of which do not seem to have reached those who needed them the most. Deputy Executive Director, TISL, Rukshana Nanayakkara speaking to Fathima Razik articulates the efforts put in to address the many issues that arose in the aftermath of the tsunami.

**Q. Since the tsunami of 2004, what progress have you seen with regard to issues faced by those affected?**

**A.** For an analysis in this regard one has to go through issue by issue faced by the people. Given the mandate of our organisation we are concerned about the overall accountability and transparency standard in the process. There has been progress in certain sectors on issues faced by the affected community. In the south the houses are nearly completed and the livelihood recovery process has materially gained considerable progress. Infrastructure development in certain sectors is still pending and some are completed. But the fundamental question is whether the affected community is really happy about this progress? Or are there any unresolved issues or new issues that people are facing?

**Q. What role did TI play in the overall scenario?**

**A.** TISL looked at the reconstruction process in different angles and the interventions were made accordingly. A few months after the tsunami we made the government aware of the potential corruption which could occur in this type of large scale reconstruction process. A couple of months later we conducted an 'idea competition' to obtain public views on best practices for a people's friendly reconstruction process. The next was an economic analysis

**"The unfortunate reality is that most government officers in certain areas have become victims of politicisation of our society. They know what they see or sometimes that what they do is wrong. But most of these officials are voiceless or are trying to find their own way in dealing with the issue"**

on the reconstruction process. Further we did a 'value for money audit' on selected reconstruction projects with the idea of introducing a holistic auditing procedure to Sri Lanka. Our last intervention was 'voice corruption' a hotline where people in tsunami hit areas were given an opportunity to voice corruption



**Devastation by the tsunami**



**Deputy Executive Director TISL, Rukshana Nanayakkara**

experiences and grievances. This was followed by a number of field missions.

The impact of these varies from different partners engaged in the reconstruction process taking measures to rectify issues and culminating in policy documents. Ultimately it is the government which is expected to meet most of the recommendations that we made. This of course is a challenging task and I think this is another eye opener for civil society organisations to re-evaluate their lobbying campaign as catalysts groups. We do expose corrupt practices with the idea of naming and shaming. But the campaign should go beyond this. It is important for us to build partnership with different institutions and individuals if we really need to realise the changes that we focus on. For example our partnership with different organisations in the (value for money audit) project made it easier for us to pinpoint the rectification measures which ultimately met positive end results. Presently the complaints that we received through the hotline are being channelled to different government institutions. Some district secretaries have already taken action to investigate these allegations. Finding space for civil society organisations to operate within the current political system is extremely challenging. But at the end of the day it is something that all of us who comprise civil society have to face. Therefore we have to find out our own ways and means in dealing with this.

**Q. How responsive have authorities been towards tsunami related issues? What was their level of cooperation?**

**A.** Again it depends. But the unfortunate reality is that most government officers in certain areas have become victims of politicisation of our society. They know what they see or sometimes that what they do is wrong. But most of these officials are voiceless or are trying to find their own way in dealing with the issue. In our interviews in Colombo or in our field missions, no officer refused to talk to us. But they didn't have anything to say when it came to some questions or they didn't want to comment on certain issues. Some of those questions related to the politicisation of the reconstruction process both in allocating resources to certain districts as well as to individuals. Regarding the expenditure information some officers were very defensive. That's why as I mentioned before we have to present ourselves as partners rather than fault finding missions. What our questions are, to the kind of language we use, are important factors in this regard. There are loads of government officers with proactive attitudes. But their energy has to be focused in the right direction.



The coordination and enthusiasm from the centre is vital in this regard. But unfortunately this is lacking, contributing to numerous problems in the reconstruction process.

**Q. Do you have direct dealings with those affected?**

A. We do. The affected community played a key role in our different interventions. We conducted a report card survey to get their ideas. Sociological analysis was an important part of our 'value for money audit' project. We directly dealt with people in our voice corruption programme and a number of field visits were done to ascertain people's views on various issues. 'Tsunami idea' competition gave the public an opportunity to comment on the reconstruction process.

**Q. What is the actual situation of those affected and what sort of feedback do you receive?**

A. The entire reconstruction process presents a mixed picture. It is a story of successes and failures. Our whole process depended on the effectiveness of the donors or their implementing partners rather than a clear concrete vision on the part of the government. The views and the vision of donors and implementing partners are vividly reflected in the final outcome. Down south, people living in almost every single housing scheme have something to complain about - complaints on leaking roofs, cracked floors, doors and windows, the distance from their work place to their new houses, substandard infrastructure facilities, no assistance in certain cases, corruption at the grassroots level, corrupt practices by *grama sevakas* and divisional secretaries, some receiving multiple benefits, being culturally insensitive in the reconstruction process, negation of environmental considerations, security issues in the north and the east and so on. I'll give two

**“There is a big disparity in finances. Those affected, the donors and everyone who contributed to the recovery process and the public have a right to know what happened to the money. We need legitimate and acceptable explanations for this discrepancy. The government should conduct an independent audit on the monies received and the report should be made public”**

examples. People do not know how much money was spent on their houses. Currently some houses are falling apart. Based on what they have heard from different sources they believe in some housing schemes more than Rs. One million was spent on a house. But any person who visits their houses can see that such a sum of money was not spent. People do have a right to know how much was spent, how much was given to the contractor, how much was allocated towards the infrastructure. At one point expenditure was available on the net in *DAD* website which was operating under the *RADA* website. But how many people in these areas are computer literate? How many people can access the net? How many people can understand the information which is available only in English?

In 2006, the government accused NGOs saying they were sitting on their money. Unfortunately this was aired in the present political environment which is hostile towards NGOs and INGOs. There was a circular issued to expedite the process. In this context partners considered building houses a high priority it overlooking so many important factors. This of course contributed to substandard houses. One such problem was environmental problems faced by the new housing schemes.



**The picture 'speaks' of the heartbreak and the heartaches that the tsunami victims have undergone**

Although an environmental assessment report of the new land was supposed to be prepared prior to construction this was not respected in most cases. Currently the people have to pay the price for it.

**Q. Could you comment on the needs of those affected, area-wise?**

A. There is a clear disparity in distribution of aid between the south and the east. While there has been much support in certain districts in the south, many areas in the east still lack support and attention. We cannot comment on the north as TISL didn't engage in any research in the north. Currently the issues are somewhat neglected due to the ongoing conflict. But the present militarisation in the area created so many issues even in relation to changing the demography. The Sri Lankan government issued a press release stating that they exceeded the required number of houses. But this is not a true picture. If you talk to the district secretaries of the Eastern Province you get the correct data. Places like Hambantota received more than 10,000 houses they required. But for example in Muttur, only 422 houses are built through donor and owner driven housing construction programmes out of the 1249 houses destroyed. Thus the government figures represent a misleading picture of the ground realities.

**Q. What are your recommendations to address the issues brought by the tsunami?**

A. In the present context first we urge the government authorities to identify the current issues faced by the affected communities in the north and the east. The rest of the country needs to know the realistic situation. Resources should be allocated to address their grievances. Public participation is an essential element in this regard as we need to respect their traditional homelands.

In the south, some district secretaries have started a programme with GTZ to identify the shortfalls in houses already built. We are somewhat going back to the beginning. Whatever they are going to rectify, the participation of the public should be given high priority.

Finally there is a big disparity in financial figures. The affected community, the donors, including every single person who contributed to the recovery process and the public in Sri Lanka do have a right to know what happened to the money. There is a difference between the disbursed amount and the expended amount. We need legitimate and acceptable explanations for this discrepancy. The government should conduct an independent audit on the monies we received and the report should be published and made available to the general public.

## The realms of REAM

One might ask what is REAM? By way of explanation it stands for Representation, Education, Advocacy and Monitoring the four pillars on which the activities of Transparency International Sri Lanka (TISL) are mounted. In defining REAM, TISL has adopted a constructive, proactive and positive approach to respond to corruption as opposed to a negative and reactionary approach.

This holistic approach can be correctly described as a 'carrot and stick approach' which on the one hand attempts to motivate structures and persons to enhance their integrity and on the other hand aims to compel them to abstain from corrupt practices.

While activities connected with good governance are aimed at motivating structures and actors to strengthen their integrity at macro level, activities connected with anti corruption are targeted at minimising corrupt practices in specific instances at micro level.

TISL's challenge is to maintain a balance between these two levels.

In order to ensure the sustainability of REAM, TISL has its boundaries in spatial, temporal and sectoral terms so that activities in identified provinces would be implemented within stipulated time frames in collaboration with specific government agencies. Such activities would be conducted both horizontally and vertically, with the relevant actors at national and sub-national level.

Activities of TISL are conducted in tandem both within and without so as to ensure that every programme will complement TISL's overall objective of containing corruption and making Sri Lanka a corruption-free country.

## CORRUPTION - THE BUZZ WORD

Corruption is considered a universal phenomenon with no geographical, economic or time barriers. It threatens the very foundations upon which the integrity of a nation is based.

In the developing world it has adversely affected economic development and the equitable distribution of the limited resources available amongst the poor.

Institutions created to respond to the needs of the people in this regard have become anomalous and in fact developed into structures that instead promote corruption. Society on the other hand is too busy or not sufficiently concerned to take remedial measures.

Transparency International Sri Lanka (TISL) since commencing operations in 1999, has been taking steps to address this lacuna. In a short space of eight plus years, TISL has become a vigorous advocate of anti corruption in the country, in the course of which it has involved itself in awakening society to the causal factors leading to corruption.

Abuses of public resources during the run up to elections, corruption within the Police Department and appointments to high posts have been some of the areas of focus.

With insight into the detrimental effects of bribery and corruption in governance and public life, TISL has been consistently making decisive interventions to address this issue to the public. With the increasing danger of corruption becoming broad-based it is imperative that an informed society should retaliate strongly.

Efforts by those who wish to combat corruption have time and again been repulsed by vested interests.

TISL within its mandate is geared to take a strong stand against corruption at all levels. In this endeavour, the path that has to be trodded would be risky as much as it would be inspirational.



CAN THE LAW REACH HIM?—THE DWARF AND THE GIANT THIEF



## REPRESENTATION



**011 2506404 'Hello, may I help you?'**

A HELPLINE was launched on August 8 to receive complaints of corruption and acts of integrity both good and bad from the public.

The education sector was the first focus. Prior to commencing the programme TISL discussed the mechanism with the Secretary to the Ministry of Education and other relevant officials. Subsequent to several meetings the mechanism to launch the programme was finalised.

In order to create awareness amongst the general public the programme was widely publicised for one month in the print and electronic media. Complaints received were forwarded to the Ministry of Education, the Police, the Auditor General's Department and the Commission to Investigate into Allegations of Bribery and Corruption, as the case may be.

TISL served to facilitate the process whilst not being directly involved in the investigation process.

The hotline **011 2 506404** received over 45 complaints in one month. Most of the complaints originated from areas out of the city of Colombo. They were related to corruption on construction sites of school buildings, tender procedures, misappropriation of funds and other relevant issues.

Interestingly, one person who had been making several complaints all of which did not receive any response whatsoever found to his surprise the complaint forwarded to TISL's hotline being acknowledged. Confidentiality is assured throughout the whole process of receiving and forwarding the complaint so as to protect the complainant.

With the focus continuing on the education sector, TISL hopes to expand it to other government departments that would be of public interest.

Any member of the public may avail him/herself of this facility.



L to R: Piyasena Ranasinghe (Director General Bribery Commission), S.P. Senarathne (Coord. Secy. MoE), Asela Dassanayake (Prog. Director TISL), S.G. Punchihewa (Member-Steering Committee), C. Maliyadde (Member-Clean Hands), J.C. Weliamuna (Executive Director, TISL) and Dhanushka Wijekoon (Prog. Manager, TISL)



A participant at the Hotline media conference expressing her views to the gathering.



Piyasena Ranasinghe (Director General, Bribery Commission) addressing the gathering. Also in the picture are J.C. Weliamuna, (Executive Director, TISL) and Dhanushka Wijekoon, (Programme Manager, Representation, TISL)

## REPRESENTATION

### PEOPLE'S PLATFORM - THE VOICE OF THE PEOPLE

Transparency International Sri Lanka (TISL), in its endeavour to combat corruption, launched two People's Platforms in Kurunegala in the North Western Province, and in Anuradhapura in the North Central Province, in collaboration with Clean Hands.

Clean hands is a movement



comprising government officials led by the Secretary, Ministry of Public Administration to give the general public, the poor and the disadvantaged in particular, an opportunity to articulate their views and concerns on corruption in addition to creating independent public opinion on governance issues that directly affect the lives of the people.

People's Platforms is a forum in which the participation of the public and government officials are designed to take place in a single setting juxtaposed to integrity exhibitions conducted by TISL and Clean Hands. Such forums serve to create open and productive dialogue amongst the participants on the duties and responsibilities of those who are elected to serve the people and hold public office.

### PEOPLE'S PLATFORM IN KURUNEGALA

On September 23, 2007 the first People's Platform was held in Kurunegala along with an exhibition titled 'Voice Corruption' (*Dushanayata Weta*).

Many government and non-governmental organisations that deliver public services participated. Amongst those present were Director General Commission to Investigate Bribery or Corruption (CIABOC), Piyasena Ranasinghe, Chief Secretary North Western Province, Jayantha Bulumulle, the District Secretary Kurunegala and several divisional secretaries from the region.

As anticipated, the programme evoked much interest amongst the public in the area as it served to address many wide ranging issues that they have been faced with over a period of time. The fact that officials who could come up with ways and means of solving these problems or advising on how best to overcome



Steering Committee Members L-R - S.K. Liyanage, B.A.W. Abeywardena, S.G. PUNCHIHEWA in a discussion with a participant



*Dushanayata Weta* - "Voice Corruption" exhibition that was part of the People's Platform had a stall by the Legal Aid Commission that addressed issues pertaining to legal matters.

some of the issues was appreciated by many who sought help during the event.

Of significance was the focus on corruption that seems to have affected society no matter where they are located. That the people of Kurunegala who attended the People's Platform - most of whom were from a segment of society that is down to earth and with no pretensions, and were also concerned with the corruption that is rampant in Sri Lanka was cause for concern. They seemed to be at a loss to understand how those who are powerful and those with means do what they do and still get away with it all.

In this respect, politicians were also mentioned along with government officers who serve in their areas from whom getting some legitimate assistance results in them being sent from pillar to post.

Transparency International will continue to conduct such programmes in its endeavour to create the necessary awareness, primarily amongst the general public on their rights while conforming to the rule of law, and in the process hope to make those in authority and power realise the need to refrain from misusing the powers vested in them through the office they hold.



**REPRESENTATION**

**THE PEOPLE'S PLATFORM MOVES TO ANURADHAPURA**

The second People's Platform and 'Voice Corruption' the integrity exhibition, in collaboration with Clean Hands was held on November 5 and 6 at the Anuradhapura Youth Centre. This event in the North Central Province evoked a great deal of interest and awareness among the general public in the area.

Prominent amongst those who participated were Chief Secretary North Central Province, A. Thalihakotunage, Additional District Secretary Anuradhapura, M.A. Anula Indrani, Assistant Director Legal, CIABOC, L. Kannangara, officials from the Foreign Employment Bureau (FEB) and the National Child Protection Authority (NCPA), and the clergy from the area.

TISL Executive Director, J.C. Weliamuna and members of the steering committee were also present.

The presence of all these officials facilitated discussion on many pertinent issues that were brought to the fore with a view to seeking redress or remedial measures to overcome certain problems that the people in the area faced.

The exhibition was a huge success with the assistance and participation of the Commission to Investigate Allegations of Bribery or Corruption (CIABOC), Legal Aid Commission, Government Information Centre, National Child Protection Authority (NCPA), Social Protection Board (SPB), Sri Lanka Anti Corruption Programme (ARD), People's Action for Free and Fair Election (PAFFREL), Asian Human Rights Commission (AHRC), Jana Sansadaya, Janawabodhaya Kendraya, Women In Need (WIN), Centre for Policy Alternatives (CPA), Public Trustees Department and TISL.

The stalls put up by all these organisations strove to highlight the ills of corruption, stressing the need to eliminate corruption in all forms, at all levels.

Even though People's Platforms and integrity exhibitions are a new concept in Sri Lanka the response to the two events held in Kurunegala and Anuradhapura, from the general public and government officials who participated was encouraging, urging TISL and Clean Hands to continue with a series of People's Platforms and integrity exhibitions in 2008.



**Inaugurating the People's Platform are L-R: Assistant Director, Legal, CIABOC-Lalith Kannangara, Chief Secretary, North Central Province A.Thalihakotunge and Additional District Secretary - Anuradhapura , M.A.Anula Indrani lighting the oil lamp**



**A section of the public who participated at the People's Platform**



**A street drama by the Janawabodhaya Kendraya of Anuradhapura was part of the anti corruption programme held along with the People's Platform**



**Two of the hundreds of children who placed their signature expressing their solidarity to fight corruption in Sri Lanka**

## EDUCATION

**EDUCATION UNDERSCORED BY INTEGRITY****'Learning from Children in Building a Nation of Integrity'**

Transparency International Sri Lanka held a national level consultation at the BMICH on December 9, 2007 bringing together children and adults to discuss the issue of 'Integrity.'

Under the theme, 'With our little hands we build a wonderful nation,' the event was the culmination of weeks of preparation and workshops by a group of 750 school children from five districts to prepare a strategy and to launch a new initiative to 'Build a nation with integrity.'

The proceedings opened with two children (pictured above) who hosted the event, proceedings of which were conducted in Sinhala, Tamil and English. The focus of the event was to bring the children forward as the future of the nation and their needs for a better society

The Chief Guest on the occasion was the Director General of Bureau of Police Research and Development, Ministry of Home Affairs, India and recipient of the Ramon Magsaysay Award in recognition of her contribution to building confidence in India's police, Dr. Kiran Bedi. Also at the head table were Friedrich Ebert Stiftung (FES) Country Representative Joachim Schluetter, Executive Director, Transparency International Sri Lanka (TISL) J.C. Weliamuna, Director-General, Commission to Investigate Allegations of Bribery or Corruption Piyasena Ranasinghe, and Programme Officer, TISL T. Kalaimagal.

Deputy Executive Director, TISL Rukshana Nanayakkara, delivering the address of welcome said this was a historic occasion and a culmination of a series of workshops held in five districts with the participation of 750 children. He said the initiative was based on tackling an issue which has brought shame and anger to the people and the nation: the issue of integrity.

"The question being asked today is how do we create a society and an environment where our children can live in peace and with dignity?" Nanayakkara said. But he pointed out: "Have the elders in society succeeded? Or should adults learn from children and set examples for everyone to follow."

He illustrated a scenario where the views of the children who listed out a set of do's and don'ts for society to follow, would hopefully come true in the year 2107. "Then we should be able to say we are free of corruption, we are free of abuse and misuse of power, and we have a society of people with integrity," he told the

audience comprising the clergy, many children including several child and human rights activists, academics, professionals and the media.

Nanayakkara said the 'Temple of Integrity' as the model of integrity is called has the pillars of values for a good society which was introduced to the children and they were requested to list out the principles that would make this dream come true in the years ahead. A visual presentation was made along with his address.

Following this was a presentation by 50 children, representing the selected schools. Whereas a school with integrity, the children explained, would be one that would integrate with the community; accept the laws of the land; have the best value-based education model; sufficient human and physical resources like libraries and playgrounds; a vision and quality education, and proper administrative structures.

The group that spoke on 'A Nation with Integrity' said pillars or its foundation was based on a society with values, accelerated development and equality. The children said: 'A Nation with Integrity' meant having a proper culture and a constitution where the rights of the people are enshrined with human rights, freedom, security, equality, law and order, peace, labour and employment, security and a sound parliament, equal distribution of land, good environment, proper education, proper attitudes, labour force security, international recognition, elections and the popular vote, an independent judiciary, responsible institutions, proper and transparent leadership in state organisations and non government organisations.

They added that a country without integrity would result in a society without limits or boundaries with many criminals, conflict, rampant racism and religious prejudices, selfishness, aggression and abuse/misuse of power, where arms and drugs would be the main resources, power by deception, corrupt individuals, an abundance of dictators and terrorists, and cheating and misusing money or financial resources taking precedence over everything else.



**Chief Guest Dr. Kiran Bedi delivering her address that held the audience spellbound**



## EDUCATION

The second segment on 'Family with Integrity' saw the children express a whole set of views and action guidelines to realise the 'Dream family,' that most right-thinking people in Sri Lanka are yearning for. Here the children discussed the good and the bad issues that govern a family structure. A family without integrity, they said, was one that violates the rights of others; has false hopes and values; is surrounded by unbridled power, greed and disunity; involved in illegal land deals, has uncouth and in-disciplined children; disregards law and order, the police and the judiciary; uses political influence and patronage to get things done and everyone including the parents are in-disciplined.

On the other hand, they said the 'Family with Integrity' abides by the law and the culture of a nation; has good values ingrained in the parents and the children; is sincere, religious and respect other's religious beliefs and respects society; cooperates within the family, understands the needs of each other, a sense of sharing and have the right education.

The next group of children illustrated the 'School with Integrity' under the Temple of Integrity series, saying the pillars of success here are unity, parent-teacher bonding, working with dedication, a systemic education, with discipline and personality growth, a school administered with values and working with parents and the community to achieve this objective.

They posed some interesting questions: Who benefits, in many ways, from a school with integrity and a school without integrity? Answering this themselves and after hours of regional discussions and analysis, the children listed out these issues in a school without integrity:

- Absence of limits
- Abusive managers
- Building a reputation based on money and politics
- A corrupt education system

- Official power and securing other needs by bribing the authorities

In a short but forceful session, Dr. Kiran Bedi urged the children to speak out, not be afraid, seek justice and make their voices heard. She ran an exercise where she asked the children to answer with their right hand placed on their heart to respond to the question with a YES or NO. "Do you want to be a Good YOU?" At first the response was muted. Just a few children answered, very softly saying 'YES.'

"I can't hear. Say it louder. A good YOU will become a Good WE. So say it louder," she called out. The children then gave their loudest response with gusto, and together responded 'YES' drawing a powerful round of applause from the audience. What Dr. Bedi meant by 'WE' was that if every child wanted to be a good citizen, that would create ripples and more people would join in to be good citizens.

She described herself as a 3-in-1 individual playing the role of mother, teacher and police officer. "When I was young, I was told what society parents, teachers, grandparents and others could do for us. But I used to also ask myself what could I do in return?"

She said she was surprised that the children could not name anyone when questioned on who their role model is. "You were searching for role models when there are many in Sri Lanka like for example Sarvodaya founder, Dr A.T. Ariyaratne," she said. Dr Bedi urged TISL to bring in parents and teachers into this programme to make it even more successful. "This is a great start but if you bring in adults it would be much more beneficial."

Joel Fernando Programme Assistant - Education proposed the vote of thanks. The event concluded with the singing of the national anthem in Sinhalese and then in Tamil. In an excellent show of discipline, the children also bowed their heads as a mark of respect after it was sung, a rare observance by adults.

### **"VOICE CORRUPTION"**

Reaching out to the tsunami affected

**T**ISL set up a hotline in January 2007 for a period of four months to assist tsunami victims seek redress and find solution to the multifarious problems that they faced in the area of reconstruction of their homes and buildings. Facilitated by TISL this programme was opened to all tsunami victims throughout Sri Lanka and during this period, over 500 complaints were received via the hotline.

Such complaints were collated so as to direct them to specific institutions that were involved in the reconstruction process specifically the donors, the Ministry of Public Administration and the Reconstruction and Development Agency (RADA).

TISL also gave advice when sought and where necessary to help these victims of the tsunami who even after two years at that point in time were still homeless, destitute and in a state of despair by directing them to the Committee to Investigate Allegations of Bribery or Corruption (CIABOC) and/or the Fraud Investigation Bureau.

### **ANTI CORRUPTION TOOLKIT**

an anti corruption manual for the public sector

**T**he development and the subsequent publication of an Anti Corruption Toolkit manual should be seen as a major step forward in the drive to combat corruption in Sri Lanka. At the invitation of the Sri Lanka Institute of Development Administration (SLIDA), Transparency International Sri Lanka (TISL) developed this manual for the public sector. This effort was supported by Capacity Development for Recovery Programme (CADREP) and the United Nations Development Programme (UNDP). A three day Training of Trainers (TOT) workshop was held in Sinhala and Tamil to gather vital feedback from trainers who would eventually use the manual through practical application in the public sector. Anti corruption seminars were also held in several parts of the country to obtain information and views on issues of corruption that were collated for inclusion in the manual. TISL hopes that this manual will empower public sector officials to moot integrity by improving on the culture that is prevalent within the public service.

Many well known and respected professionals and members of the public service who were part of an eminent advisory committee gave valuable input. Due to space constraints it is not possible to mention their names. TISL thanks them sincerely for their time and expert advice.

## EDUCATION

### IMMIGRATION AND EMIGRATION DEPARTMENT TRAINED ON ANTI CORRUPTION

A TRAINING programme on anti corruption issues was conducted for officers of the Department of Immigration and Emigration spread over November 14 to 24.

The inaugural programme was held at the department premises on November 14, with the participation of 190 members of the staff. TISL Executive Director J.C.Weliamuna conducted the programme which had those present engaging in a lively discussion on core issues pertaining to corruption.

This was followed by a programme held on November 21 where 45 officers participated in a workshop conducted by Attorney-at-Law and former deputy director general, CIABOC A.K. Chandrakantha and J.C.Weliamuna which once again proved to be lively and interesting with many questions on corruption being raised to which the resource persons provided appropriate answers.

The third day of training was held a day later November 22, in which 26 participants were put through the paces of combating corruption by TISL Programme Coordinator DulikaWidanapathirana and J.C.Weliamuna.

The final workshop was conducted over two days and held at Villa Ocean View, Wadduwa. Thirty two senior officers of the Department of Immigration and Emigration had interactive sessions on various issues they face on a day to day basis in the course of their official duties. Commissioner of Immigration and Emigration P.B.Abeykoon was also present.

Some of the exercises conducted gave simple solutions to problems generally considered serious the outcome of which were appreciated by the participants. Once again A.K. Chandrakantha and J.C.Weliamuna were the resource persons. The participants pledged to put to good use the training received since they in their own words said. "We must fight corruption in any form."

### LOCAL GOVERNMENT MEMBERS FOLLOW ANTI CORRUPTION PROGRAMME

Anti corruption was the focus in the hills when the local government members of the Central Province attended a workshop on the theme 'Local Government with Integrity and Practices of Good Governance' on November 28 in Kandy.

The workshop had 35 participants and was coordinated by the Sri Lanka Institute of Local Government.

Former deputy auditor general and Chairman TISL, M.D.A Harold, former deputy director general of CIABOC, A.K. Chandrakantha, Deputy Auditor General Wijepala Wasala and Programme Manager, TISL, Dhanushka Wijekoon were the resource persons.



The workshop in progress at Hotel Topaz, Kandy

### COMMUNITY BASED LEADERS PLEDGE TO FIGHT CORRUPTION

Community based organisations expressed keen interest in fighting corruption when Transparency International Sri Lanka held an anti corruption awareness programme on December 10 in Colombo.

The programme, created much awareness on issues pertaining to corruption and strategies that should be adopted to overcome them. Also of importance was the awareness on the Right to Information.

The workshop was conducted in Sinhala and Tamil and led by A.K. Chandrakantha, former deputy director general, Commission to Investigate Allegations of Bribery or Corruption, and also had G.K. Rajendran, principal, Saraswathy Central College, Pussellawa and F.X.S. Vijekumar, lecturer, Faculty of Law, University of Colombo, as resource persons.

The programme was attended by CBO representatives, island wide.



## ADVOCACY

## CIVIL SOCIETY DEMANDS CORRUPTION FREE GOVERNANCE



August 23 saw an eminent panel of specialists from the fields of anti corruption, finance, law, law enforcement, the public and private sectors and the government on the same platform with the focus of eliminating corruption in all forms in Sri Lanka.

Jointly organised by the Retired Serving Police Officers Association (RSPOA) and Transparency International Sri Lanka (TISL) this seminar proved to be not only interesting but enlightening as well with participants representing a cross section of society, business, the professions, media and others.

The panel of speakers at the seminar shared their personal and professional knowledge, experience and views on combating the menace of corruption that has tainted this once considered paradise island. And that the situation is not getting any better was the lament that was echoed time and time again, and the remedial measures to be taken were articulated most forcefully.

S.B.W. de Silva, retired SSP and an ex-co member of RSPOA, moderated the sessions.

President (RSPOA), B.A. Jeyanathan in his welcome address said that the motto of RSPOA is 'Service to the end,' and one of the objectives is

to render to the country any service consistent with the motto with a view to preserving and fostering the democratic institution with respect to the rule of law, human rights and social justice.

Leading the panel of speakers Executive Director, Transparency International Sri Lanka, J.C. Weliamuna in his presentation said that whilst corruption has many definitions the globally accepted working definition is 'Corruption is abuse of power for personal gain,' which means corruption is present when anyone in authority is any sector: public, private, political, media, NGO, or even in the home abuses power. Referring to the forms of corruption Weliamuna said that nepotism is probably the most prevalent form of corruption in Sri Lanka, and emphasised that corruption has to be fought without exception.

Explaining further he spoke of the basic theories that should be borne in mind: accountability and responsibility theory, individual and collective responsibility, the theory of state capture and legitimate action, and that the state should accommodate civil society. Also of importance is Article 28D of the *Constitution* that deals with the fundamental

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duties of citizens which requires citizens to fight against abuses of authority, public resources etc. Global experience shows that corruption cannot be eliminated without the participation of civil society. In conclusion Welimauna said that freedom and the space to fight corruption must be secured without any exception. However certain measures such as contempt of court and parliamentary privileges must be considered as exceptions and not the rule.

Chairman, Hatton National Bank, Rienzie Wijetileke, spoke on 'Impact of the corporate sector due to corruption.' Recalling the time that Chandrika Kumaratunge came to power and the vital amendments she brought to the Bribery Commission to minimise corruption and that received the unanimous approval of



parliament including that of the Leader of the Opposition, the question that needs to be answered now is: "What has happened to the commitment of the 225 legislators who approved those amendments?"

Speaking of his experience as the head of a bank for the past two decades Wijetileke said that he does not listen to a person who says "I can't do this." He expects his officers to say "Let's do it this way." If there is an issue in the corporate sector a way will be found to solve it, he averred. Listening to parliament proceedings he said that the legislators are looking for ways of not doing something as far as corruption is concerned. The COPE report that has been out for six months has not been acted upon and there appears to be a lack of commitment on the part of the legislators he said.

'Speaking next, attorney-at-law and media columnist, Kishali Pinto-Jayawardena traced the linkage between the fight against corruption, the rule of law and the violation of human rights. She drew the attention of the participants to the efforts of the National Police Commission in its first term, to bring some degree of accountability to the police force. However, such efforts were met with the strongest criticism by government politicians. In fact, it was also said

that the IGP - Inspector General Police should be included as a member of the NPC- National Police Commission without any consideration of the fact that this is supposed to be an independent commission.

Pinto-Jayawardena recalled the fact that when the filling of vacancies to the Constitutional Council (CC) arose in its second term, a dispute arose as a result of the insistence of the JVP that they had the right to participate in making the nomination due to be made by the majority of the smaller parties in Parliament not belonging to either government or main opposition. This was despite the AG - Attorney General unequivocally opining that the JVP had no such right as it was part of the governing coalition that came to power at that time. While the AG's advice was completely disregarded by the JVP's insistence, this was used as an excuse by Parliament and the President to let the CC lapse notwithstanding the fact that five nominations had already been sent to the President by the Prime Minister and the Opposition Leader regarding which the appointments were not made by the President. The President then made his own appointments to the Constitutional Commission without the constitutionally



mandated approval of the CC.

She also cited the inefficacy of the Human Rights Commission of Sri Lanka (HRC) and, in particular, referred to the 'freeze' on information by the HRC in regard to grave human rights violations occurring in the north-east. Further, a time limit of three has been imposed by the HRC on the acceptance of complaints even though the Act in terms of which the HRC was established does not authorise the prescribing of such time limits. Citing further examples, Pinto-Jayawardena went on to explain the manner in which independent monitors of the governing process such as the HRC and the National Police



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Commission (NPC) were progressively deteriorating in their pro-activeness.

Continuing she spoke of Hong Kong's independent commission against corruption which she said is one of the best examples in the world. It did not come on its own; it was linked to the people's struggle where people got on to the streets in Hong Kong against the efforts and attempts by mainland China to impose its will on the people of Hong Kong after the take over and subvert democratic rights.

"We cannot leave law to the lawyers. We cannot leave the law to the judges. We cannot leave the art of governance to the politicians. Quite frankly, they have all failed. It is time that the people of Sri Lanka realised that there is something desperately wrong with the system of governance and we do something at least by voicing our protests publicly, and the sooner the better," said Kishali Pinto Jayawardena, in conclusion.

Director Investigations, Bribery Commission, SSP Neville Guruge, speaking on his topic 'Effect on society due to corruption within the law enforcement sector' highlighted the rampant corruption that exists in most law enforcement agencies like the Excise, Customs, Immigration, Forests and Inland Revenue Departments and said that state secrets have been sold to terrorists. He lamented that the law abiding citizen is silent and called on civil society to come out strongly against corruption.

Guruge further said that Sri Lanka has the most powerful anti corruption agency in the world. He qualified this statement by saying that the Commission to Investigate Allegations of Bribery or Corruption is able to investigate any fraud. He also said that police officers are appointed to the commission and are vested with powers to investigate and arrest people.

Member of Parliament and Chairman COPE, Wijedasa Rajapakse had to deal with 'Findings of the COPE What next?' He began by saying that we are living in a society that has wilted, is lethargic and has gone to sleep.

"Democracy means that we make our own laws. We are our own rulers," he said. He took to task everyone present with the poser 'What have you done to combat corruption?' And he gave the answer as well 'Nothing.' He said that the Bribery Commission, a statutory body, has taken up a position that he thinks is ridiculous. This is because a complaint has to be made for action to be taken which he thinks should not be the case. Addressing police officer in the audience Rajapakse said that if some wrong

had taken place it should be addressed.

Referring to the COPE report, Chairman Wijedasa Rajapakse said that the report was presented to Parliament on January 12. The report refers to 26 institutions that had to be investigated. But now the government is looking at appointing another 26 select committees to inquire into the report on the 26 institutions cited in the COPE report.

Rajapakse spoke of the privatisation of Sri Lanka Insurance (SLI) and Lanka Marine Services (LMS) whose 90% shares were sold for Rs.6000 million and Rs1100 million, respectively both of which were totally undervalued at the time the transactions took place. A year prior to privatisation LMS posted a profit of Rs.600 million but 90% of the shares were sold for a paltry Rs.1100 million.

Further articulating on the rampant corruption that prevails in the country Rajapakse spoke of the Ceylon Electricity Board where two luxury jeeps were bought for the vice chairman and the general manager at a cost of Rs.44 million. When the officers concerned were questioned from where the money was obtained they had replied that they had got donations.



The seminar being inaugurated with the traditional lighting of the oil lamp. The picture shows Kishali Pinto - Jayawardena, Rienzie Wijethileke and J.C. Weliamuna from the panel of speakers

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On further query the Treasury had explained that it was a loan the Sri Lankan government had obtained from the World Bank for tsunami rehabilitation. Further, one officer was to retire in a few months. As such he would be permitted to take the vehicle with him. COPE ruled that the vehicles should be recalled. But a Cabinet paper was presented to release these vehicles to the officers concerned as otherwise CEB would go on strike.

Interestingly, the general manager is also one of the trade union leaders. The fact that retired officers are appointed to serve on these commissions is something that does not happen anywhere else in the world. It is a permanent commission and therefore serving officers who could be held accountable should be appointed, he opined.

“Our country has been pushed into maximum corruption due to the fact that the rule of law has not been upheld by the people of this country. Without parliamentary approval no government body or authority can spend a single cent. Parliament is responsible to the general public to oversee, supervise and certify that whatever money spent has been properly utilised.

“If there is corruption the committees should take it up in the House and the law has to take its course. The present lacuna is being addressed by recommendations to amend Standing Orders to allow COPE to take legal action against those found to be corrupt,” Wijedasa Rajapakse said in conclusion.

The vote of thanks was delivered by Upali Seneviratne, founder member and ex-co member, RSPOA.

Whilst thanking all the speakers and everyone involved in organising the seminar he posed the question, ‘Is there anyone who is not corrupt in Sri Lanka?’

Expressing his views Seneviratne said that corruption has spread like a cancer in Sri Lanka and has to be removed from the face of our

society. As to how it has spread was attributed to politicians, the majority of whom (barring a few) are so corrupt that the level of corruption has reached proportions that are beyond redemption.



He questioned. “How can civil society collaborate with the state if the state is guilty of the worst form of corruption, and from whom do we demand a corruption free Sri Lanka?”

Referring to the VAT fraud that was highlighted during the seminar, Seneviratne was concerned that this fraud was denied by the none other than the Treasury Secretary when he played down the figure of Rs.600 million to Rs. Six million. This he said is the biggest fraud in the annals of crime in this part of the world. He implored all right thinking people who do not ‘stoop to conquer’ to unite and continue to protest in one voice until their demands for a corrupt free society are met. Seneviratne added that this seminar was a refreshing change since it addressed very pertinent issues that affect the country at large.

In a lighter vein Seneviratne said that when a politician’s pet dog goes missing a high powered CID investigation is carried out.

However, he went on to say that the public should not be deterred or discouraged by obstructions or evasions but persist till they succeed. The panel of speakers have shown how the battles against corruption in all forms could be fought.

Quoting that ‘Corruption of the best is the worst,’ retired SSP Seneviratne hoped that the outcome of the seminar would spur the audience along with TISL not only to fight corruption within the confines of the SLIDA auditorium but in every street corner and every public place in the country.



## ADVOCACY

## Status of Good Governance Report 2007



This was a maiden attempt by TISL to publish a document pertaining to certain key issues relating to society and good governance.

Some of the areas highlight the current status of governance in the country, the extent of corruption and its effects on the socio-economic and political development, and the role of associations and civil society.

They present a realistic picture of the present scenario and TISL hopes it will serve to educate and create awareness which will be a positive step towards eradicating corruption.

People have played a key role towards socio-economic development anywhere in the world. As long as people are kept in darkness on the actual reality it becomes a great impediment in the path to progress. This publication serves to driving out darkness and instilling light in the minds and lives of the people of Sri Lanka.

The topics in the publication are:

*Airing Dirty Laundry; Good Governance Status Report*

Pulasthi R.K. Hewamanna

*Combating Corruption Through Good Governance*

T. Kalaimagal

*Anti Corruption - The Treacherous War And Its*

*Beginnings*

Suzie Beling

*Only Us; Not Civil Society*

J. C. Weliamuna

*Issues And Concerns In Water Governance*

Dr. Rajindra de S. Ariyabandu

*Transparency And Accountability Issues In Post Tsunami Reconstruction Work*

Rukshana Nanayakkara

*Society's Approach Towards Anti Corruption (Sinhala)*

Dhanushka Wijekoon

*Frequently Asked Questions (Tamil)*

*Transparency International To Combat Corruption*

## OATH COMPETITION

This Advocacy programme to make a solemn promise to ensure the commitment of all Sri Lankans to uphold honesty, transparency and good governance that in turn will assist TISL to catalyse legal and policy reforms was held in conjunction with the United Nations Anti Corruption Day on December 9.

In July 2007, 6000 promotional flyers in Sinhala, Tamil and English were distributed among CBOs, 2145 schools, universities and other educational institutes, places of public interest and at the National Anti Corruption Exhibition held from July 27-29 in Colombo to receive entries for the competition. The Oath Competition had 10 adult and 10 youth winners.

## The Pledge

I,  
.....  
With great determination  
pledge to live and serve  
as an honourable and incorruptible  
Sri Lankan  
with a deep sense  
of accountability, responsibility and  
transparency  
in my personal, professional and  
occupational life  
with the noble purpose of passing on  
to future generations  
a nation ennobled by Integrity,  
dedicating myself as a pioneer in  
upholding democratic values,  
human rights and duties  
unsullied by forces that  
impede human and national progress

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### CONSULTATIVE MEETING ON WATER GOVERNANCE

The first Consultative Committee meeting under the auspices of Transparency International Sri Lanka was held on October 22, at the Taj Samudra Hotel, Colombo. Deputy Executive Director, TISL Rukshana Nanayakkara chaired the meeting.

The meeting on Water and Integrity focused on issues related to this aspect with Dr. Rajindra S. Ariyabandu independent researcher and former director, Policy Planning, Water Resources Secretariat making a presentation on 'Issues and Concerns in Water Governance Sri Lanka.'

Dr. Ariyabandu commenting on water as a scarce resource and the lack of clean water that causes the death of five million people every year, world wide, referred to the inadequate supply of water that not only lead to competition among water sector users but also leads to pollution. This also results in land degradation, destruction to the eco system and the loss of productive land which seriously damages the socio-economic development and political stability in a country. The main reason for this situation is not the lack of available water or technical problems but primarily a problem of governance.

Scarcity of water is therefore rooted in power, poverty and inequality, and not in physical availability. At present, some 1.1 billion people in the developing world lack access to clean water and around 2.6 billion lack basic sanitation all of which are attributed to problems of institutions and political choices.

"There is significant inequality in access to clean water at household level. While the rich and the powerful enjoy the benefit

of having several hundreds of litres of water per capita, the poor in the same communities hardly manage to get 20 litres per capita for their basic needs," he said. "Corruption therefore is at the core of the governance crisis in the water sector," he opined.

In Sri Lanka, corruption in the water sector was relatively unknown prior to 1977. With the open economy policies adopted at that time and with the inflow of aid for development corruption began to take root in many water sector projects, according to Dr. Ariyabandu. While the World Bank estimates that 20%-40% of finances is lost due to corruption in the water sector the Asian Development Bank estimates that corruption in Asia costs up to one sixth of a country's GDP.

Additional General Manager, Ministry of Water Supply and Drainage Ananda Silva, spoke next on 'Why Water is Costly.' He had an interactive discussion on the topic under discussion and highlighted the practical issues that arise in the water sector. Country Director, Practical Action Dr. Visaka Hidellage made a presentation on 'Community and Water.' Drawing from her experiences Dr. Hidellage outlined the need to focus on awareness on the need to conserve water and to make optimum use without resorting to waste.

Throughout the consultative meeting, the problem of corruption at the highest levels that tend to filter down to all levels, was underscored.

A documentary on *Secure Water* was part of the proceedings.

### CONSULTATIVE MEETING ON THE ENVIRONMENT

The second Consultative Committee meeting organised by Transparency International was held on November 26, 2007 at the Taj Samudra Hotel. The topic was 'Environment and Integrity.'

Programme Manager, TISL, Gareesha Wirithamulla chaired the session.

The meeting that had a representative gathering of environmentalists, activists, university students, researchers and the media amongst others focused on issues relating to the environment. Samanmali Sirimathi and Shalika de Silva both village community leaders presented their reports which was a research on gravel excavation and its adverse impact on the environment.

The presentation revealed mass scale political corruption that involved not only the politicians but those who have been settled in the locality in the aftermath of the conflict in the north and the east of Sri Lanka. Many instances of conflict within the villagers and the new settlers were also brought to the fore, issues that were compounded by political and official intimidation juxtaposed to nepotism and corruption.

Lecturer, Faculty of Law, University of Colombo, Nishara Mendis made a presentation of 'Public Trust Doctrine and Integrity in Environmental Decision Making.' Her detailed presentation raised many queries from the audience that were dealt with facts and figures by way of explanation.





## ADVOCACY

## FOURTH NATIONAL INTEGRITY AWARDS

The prestigious award to recognise and honour persons of integrity was held for the fourth consecutive year by Transparency International Sri Lanka on December 9, 2007, at the Committee Room B, Bandaranaike Memorial International Conference Hall (BMICH) in Colombo in the presence of large and distinguished gathering. This ceremony is conducted to celebrate United Nations International Anti Corruption Day.

The Chief Guest on the occasion was Dr. Kiran Bedi, the first woman police officer in India who later became the Inspector General of Prisons. The event was chaired by Justice Ameer Ismail Chairman, Commission to Investigate Allegations of Bribery or Corruption (CIABOC). The judges were Justice Mark Fernando, Dr. Deepika Udagama, S.C. Mayadunne and S.G. PUNCHIHEWA.

TISL, the local arm of the global coalition against corruption Transparency International, endeavours to recognise and draw inspiration from many an unsung hero who work silently and diligently while upholding the rule of law in their chosen fields of discipline. In the process of carrying out their duties with honesty and integrity, such



some comfort in the fact that Sri Lanka does have organisations and individuals dedicated to fighting corruption with a view to eliminating this 'disease' from the face of the country, hard though the task may be. TISL therefore works to constantly create awareness at all levels to motivate people from not engaging in corrupt practices, notwithstanding the prevailing political and social climate in Sri Lanka.

The winner for 2007 was S.K. Liyanage a senior Class I Officer of the Sri Lanka Administrative Service, who worked in the public sector for more than 30 years. Right throughout his career, Liyanage had an unblemished record, serving with honesty and integrity at all times. He was fearless in the face of pressure and intimidation by not cowering down to pressure from those with vested interests. Liyanage also had the misfortune of being overlooked for promotions that were his due where instead his juniors were appointed to positions above him. He also has a record of having conducted the most number of sensitive disciplinary inquiries.

A special nominee award was bestowed on Shamala Dharshani Fernando a trade unionist who stood up to the management



Chief Guest Dr. Kiran Bedi lighting the oil lamp



National Integrity Award 2007 winner S.K. Liyanage speaking to the audience. Also in the picture are Mrs. Liyanage and Dr. Kiran Bedi



Special Award Winner Sharmala Fernando holding aloft her award flanked by Dr. Kiran Bedi and J.C. Weliamuna - Executive Director, TISL

individuals who serve the public have faced criticism, wrath and have also been subject to harassment from various agencies and officials who do not respect the law. Such individuals who fight against these negative elements in carrying out their duties transparently and with integrity are worthy of emulation. Thus TISL's annual award ceremony is looked forward to by those in their quest to combat corruption in any form at any level. Sadly though, Sri Lanka has slipped further down in the global Transparency Index that reflects the perception of independent observers on a country's level of corruption. Whilst this aspect of international perception needs to be addressed, one can take

of the Sri Lanka Ports Authority, thereby exposing the dictatorship, bureaucracy and unfair promotions that took place within the organisation, throughout her 35 years of service. Shamala was fortunate in that her colleagues rallied round to support in her moves to expose the corruption and malpractices that were rampant. She eventually received her promotion that was long overdue, a few weeks prior to her retirement. As is Liyanage, Shamala too is worthy of emulation. And Sri Lanka desperately needs more people of their calibre.



ADVOCACY



Chief Guest Dr. Kiran Bedi welcomed by a schoolboy in the presence of J.C.Weliyamuna, M.D.A. Harold and Anushika Amarasinghe



A section of the distinguished audience present at the National Integrity Awards 2007



More invitees at the prestigious event held at the BMICH on December 9, 2007



A break during the proceedings- a musical item entertaining the audience

NATIONAL INTEGRITY AWARDS



L-R: M.D.A. Harold - Chairman TISL, Justice Ameer Ismail - Chairman CIABOC, Chief Guest Dr. Kiran Bedi, Executive Director TISI - J.C. Weliyamuna and Ranmenike Adhikari



Deputy Executive Director, TISL - Rukshana Nanayakkara delivering the address of welcome



Strong supporters of anti corruption- distinguished members of the Sri Lankan public service at the event



Justice Ameer Ismail, Chairman - CIABOC, presenting an award to a winner of the Oath Competition



ADVOCACY



A mix of girls and boys from the participating schools portraying the need to fight corruption



The audience in one voice making a pledge to uphold integrity. This was read in Sinhala, Tamil and English



Head, Law Faculty, University of Colombo - Dr. Deepika Udugama, explaining the criteria adopted for judging



Some of the members of the TISL team who worked behind the scene to make the event a success Zameena, Madhavi, Chamalee and Sandun

NATIONAL INTEGRITY AWARDS



Executive Director - TISL, J.C. Weliamuna presenting a plaque to Dr. Kiran Bedi



A drama by children depicting an exercise against corruption while the audience watches intently



S.C. Mayadunne, Shamala Fernando, Dr. Kiran Bedi, S.K. Liyanage, Dr. Deepika Udugama and S.G. PUNCHIHEWA



Programme Manager, TISL - Gareesha Wirithamulla delivering the vote of thanks at the end of the event

## MONITORING

The Monitoring Unit has a large mandate in Transparency International Sri Lanka's (TISL) course of fighting corruption in the country. As such a great deal of study, research and planning have to be done prior to effectively conducting activities pertaining to monitoring.

### Some of the areas that are being looked into are as follows:

- Indexing and benchmarking corruption in selected areas by adopting national and international guidelines, drawing from the indices, *vis-à-vis* CPI/Failed State Index, and conducting surveys within specified time frames.
- Identifying sectors, levels and actors in abuse of power, authority and resources by engaging in regular dialogue with senior officers in relevant institutions, monitoring the progress of such activity and publishing data collated in a booklet.
- Facilitating capacity building programmes for anti corruption institutions by assessing work done by the Commission Investigating Allegations of Bribery or Corruption (CIABOC), the Auditor General's Department and linking these two bodies with international organisations, facilitating those organisations and parliamentarians to obtain sufficient exposure so as to make them alive to the need to combat corruption, and serving as a link between such organisations, Community Based Organisations, Non Governmental Organisations and others.
- Assess the quality of services and propose remedial measures by forming steering committees within institutions, obtaining information on

the activities of the anti-corruption institutions from the public and the media, analysing such information, monitoring print media reporting and comments in Parliament on anti corruption institutions and encouraging the anti corruption agencies to work effectively to bring about tangible changes.

- Monitoring ministerial expenditure by tracking down their expenditure within identified time frames, inform the relevant ministers about the monitoring that is being carried out, collect and collate data, documents and information, develop a criteria for monitoring, publicising such information through booklets, media releases and media conferences.

In order to have an effective monitoring mechanism in place with regard to the identified areas of activity, TISL has been laying the ground work during the past several months with the support of relevant specialists in the area of anti corruption. This task is by no means easy though TISL is committed to carry out monitoring activities within its mandate.

No doubt there will be many challenges and obstacles in the course of obtaining the cooperation and assistance of relevant bodies in this exercise. And TISL will work in tandem with such bodies rather than work against them. No sooner a programme or a part of it reaches a successful conclusion the findings will be made public.

These activities will be ongoing and Transparency International Sri Lanka is committed to working diligently to combat the menace of corruption that has seeped into literally every sphere of activity, across the social fabric, within the Sri Lankan polity.



## MONITORING

### MINISTERIAL EXPENDITURE UNDER THE MICROSCOPE

UNDER TISL's programme of activities, Monitoring plays a vital role with a view to highlighting the high expenditure of those who govern, particularly ministers in government. This would be done through monitoring expenditure of selected ministries during a stipulated time frame. The information collated would then be made public through the media.

The following strategies have been adopted:

- Comparing Sri Lanka's 'jumbo' Cabinet in respect of the number of ministers, ministries, perks, etc., to other comparable Cabinets in selected countries worldwide. Countries thus earmarked are India, Sweden, Korea, Singapore and Denmark, amongst others.
- Identifying governance issues arising out of having large Cabinets through interviews and other means of study.
- Identifying ministries to track down expenditure during a specified time frame. Any possible confrontation will be avoided in the selection process.
- Informing ministers of the selected ministries of the monitoring exercise.
- Brainstorming with government and other civil society activists who are interested in such monitoring in order to create a dialogue focusing on governance.
- Issuing statements as and when findings reach a conclusion via the media, public fora and documenting the final report as per the findings.

### ASSESSING THE QUALITY OF SERVICE OF ANTI CORRUPTION INSTITUTIONS

TISL works in close cooperation with, and enjoys a constructive working relationship with institutions fighting corruption vis-à-vis the Commission to Investigate Allegations of Bribery or Corruption (CIABOC) and the Auditor General's Department. And with a view to strengthening such organisations, the quality of services that such organisations render would be assessed by obtaining information on their activities directly from the public

who come in contact with them, the media and the *Hansard*.

As a positive move, TISL would recommend remedial measures where necessary to enhance performance levels. Whilst also providing capacity building programmes to CIABOC and the AG's Department, moves to link up with international organisations that have similar roles to play in fighting corruption will also be made.

## POSITION PAPER

### BORROWING US\$ 500 MILLION - DO WE NEED TO DO THIS?

**But the government did go ahead and borrowed the money**

Many debates and discussion on the political front, the business sector, civil society, the public and the media had focused over months on the issue of the Government of Sri Lanka borrowing US\$ 500 million from selected private banks stating this money was for development activities.

The rate of interest is LIBOR (London Inter Bank Offered Rate) which is the most active interest rate market in the world +100-200 basis points depending on the lenders terms. This could mean that the rate of interest could be up to two percentage points above the LIBOR rate.

There had been much uncertainty and lack of clarity on the applicable terms, the tenure, conditions, and additional rights of government and bond subscribers.

There was even more uncertainty on, and lack of clarity, on the proposed use of the funds that were raised.

Due to the magnitude of the investments required, it is normally governments which have to invest in such projects rather than the private sector. It was a matter of much public concern that in the recent past the government foreign borrowings appeared to have been on short term basis and linked to short term interest rate structures and have mostly been to support budget deficits, arising mainly from high revenue spends and capital spends.

The position paper can be downloaded at [www.tisrilanka.org](http://www.tisrilanka.org)

Feedback by way of comments and suggestion on INTEGRITY would be welcome. Address your mail to

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## The National Level Consultation with school children



Some of the school children who participated at the national level consultation under the theme "Learning from children in building a nation of integrity" pose with Dr. Kiran Bedi, Dr. Charika Marasinghe, J.C. Weliamuna, M.D.A. Harold, T. Kalaimagal and other officers from TISL



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