"I have my identity. But I have lost my birth certificate. When my mother fell seriously sick. I needed my EPF money to get medicine for her. To get the money through the estate, you need all the documents. It takes at least six months to get the cheque. The mudalali mahattaya prepared all the necessary documents, got me the money within a month. Since I had not taken any provisions

Sellamma (not her real name) who has been working on the estate since she was 12 years old, is not aware that this is blatant corruption. For 35 years she has slaved on the estate. Her whole EPF savings was 245,000 rupees. She paid 7,000 to the owner of a prominent business establishment in Badulla. She was desper-

"Mudalali went to the bank with me, cashed the cheque and took the 7000 rupees. I begged of him to reduce at least 1000 rupees considering my mother's grave illness. He just refused. What to do - at least I managed to save her with the money", she sobbed.

Innocent

on credit, he charged me only 7000 rupees."

ately in need of money.

estate workers victims of EPF racket

taken away. The lawyer wanted me to find 5000 rupees to get them released on bail. My sole possession was the EPF money. The estate told me I couldn't take the money because I was less than fifty. The mudalali also told me first that because of my age I wouldn't be able to take the money. I pleaded with him. He finally asked for my pass book and gave me a loan of 20,000 rupees. He gave me another 10,000 later. When the EPF money came, he kept the money and promised to give me 50,000 rupees more after deducting charges for preparing the documents, his own fees and the loan money and the interest. I know I spent too much but I can never forget the help he gave to save my two boys."

With tear-filled eyes, "she" related the story pleading with us not to divulge any

Most people around here get the EPF money from the mudalali. Even if the documents are not complete, he attends to them and organises the

> If you know of similar stories or if you have been a victim please write to: Transparency International Sri Lanka, 28/1, Bullers Lane, Colombo 07 or to the EPF Superintendent at

hand in glove with them? It is very likely

this racket is widespread covering other

parts of the country as well.

Story 2

"Most people around here get the EPF "Both my sons went to work in an illegal money from the mudalali. Even if the gem mine and were caught by the police and documents are not complete, he attends to them and organises the money. When somebody goes with an estate official or anyone else known to him, he will give the money. His charges depended on the amount of money in the account. Maximum is 10 or 15 thousand rupees per 100,000 rupees. Not more." This is what a 'contact' told us. TISL representation team discovered this racket during it's field visits to Badulla. Several civil society organizations including

Story 3

'Future in our hands' Development Foundation assisted TISL in gathering information on persons who have been 'victims' of the mudalali. Though TISL has not concluded it's investigations, It has already collected ample information of this operation. Most victims are employees of estates in and around Badulla, Passara, Gamewela which include St James Estate, Ketawala Estate, Rossette Estate, Moragolla Estate and Deans Land. Most of the victims are those without their identity cards, birth certificates and other documents. Others are those in need of quick cash. There are at least two mudalalis in Badulla town & one in Bandarawela involved in the racket. According to the victims, they have to first leave their bank pass book with the mudalali. The EPF money is paid direct to the account and the mudalali's dues are settled in the bank itself when the EPF cheque is credited to the account. The innocent victims are scared and dare not divulge details. The big question is how the mudalali is able to arrange for the payments so quickly even if vital documents are missing. Can they do it unless some high-ups in the EPF and the Department of Labour are

PO Box 1299, Colombo.

You can lodge complaints and obtain information through the EPF website www.epf.lk

TISL Newsletter

0CT0BER 2008

Reaction of the civil society

The International Commission of Jurists stated that the attack against a senior and well respected lawyer must be seen in the context of rising human rights violations in Sri Lanka and increasing attacks on freedom of expression and the right to dissent.

The Organisation of Professional Associations of Sri Lanka (OPA) described the attack as an attempt to send a broader message to those who represent the cause of good governance, accountability and integrity

Describing the attack as a violation of the rule of law itself and a downright interference with the fundamental rights of an individual, the South Asians for Human Rights (SAHR) unequivocally condemned the attack.

"Strongly and unreservedly" condemning the attack, the Bar Association of Sri Lanka (BASL) called upon the Police to investigate the attack without delay and bring the miscreants to justice. BASL extended its fullest support to the Police in this task.

The Free Media Movement (FMM) regarded the attack as "a matter of grave significance" and as an attempt to send a broader message to those who represent the cause of human rights, good governance, accountability and integrity in public life. "This reprehensible act of violent intimidation therefore is an attempt to silence critical and dissenting voices, including civil society and the media. It also represents a clear challenge to the independence and integrity of the legal profession, and contempt for the rule of law and legal

එල්ල කළ බෝම්බ පුතාරය තෙලා දකිමු We condemn grenade attack on Mr. Waliamuna, HR. lawyer

The Chamber of Commerce (CCC) stated that the Government has a duty to create the necessary environment and protection to icons of good societal behaviour at least on par with the protection afforded to the several political personalities. It believed that it is particularly important for the authorities not only to be seen but as well as to act effectively if Sri Lanka as a country is to demonstrate that it subscribes to the values associated with good governance, transparency and human rights and that its people respect law and order.

The Asian Human Rights Commission (AHRC) called on the Government to thoroughly investigate the matter with a Special Investigation Unit (SIU) of the Criminal Investigation Division (CID). There is all the likelihood of the investigation being mishandled unless a special attempt is made for inquiries to be conducted by a competent and independent SIU, it said.

Commending Mr Weliamuna as "a defender of

victims of abuse, and advance the cause of human rights in Sri Lanka", the US Embassy in Colombo stated that it looked to the authorities to launch an immediate investigation and bring the perpetrators of this crime

Noting with concern the trend in attacks and threats on journalists, civil society organizations and now a lawyer, the European Union, sated that it is important that the essential work of civil society organisations such as that of TISL should be supported and that its Representative and staff are safeguarded.

Demanding stern action against those responsible, the National Peace Council viewed the attack as part of a broader assault on human rights, good governance, accountability and integrity in public life.

"Let justice prevail" was the message of the Confederation of Public Service Trade Unions (COPSITU) which stated that they are compelled to suspect ulterior motives behind this cowardly act and considered it as a blatant attack on the democratic ideals.

A statement by PAFFREL described the attack as one aimed at a man who takes on his shoulders, the grievances of other oppressed people in society. "It is a dangerous, trend. Does this imply that a citizen should not have any right to oppose anything, according to his conscience? If it is the case, it is a bad precedence in our society, as there is no fairness and justice for the oppressed people,

which is very unfortunate", it added.

those who seek to fight corruption, protect the

'An assault on courage and integrity'

former Head of Asia Desk, Transparency International Secretariat, Berlin and currently, Director of Public Affairs Centre, Bangalore India sent this statement:

The language of violence has yet again been invoked to silence the brave. The bombing of Mr. J.C. Weliamuna's house serves another chilling reminder on the perils of standing up for justice and transparency.



return proposition best known graft-

determination in his voice as he spoke determination in his voice as he spoke about his vision and strategies to make Sri Lanka a nation of integrity. And I distinctly remember asking him if he ever feared for his life. His whimsical answer was "let us see". I personally feel that this heinous attack on his family, including his two infant children is an assault against courage and integrity. An assault against the bedrocks of democracy and justice. This is a moment of reckoning.

This is not a moment to panic and snuggle into a shell. This is a time for all civic minded people in Sri Lanka to come out and join hands against the forces of intimi-dation and fear. This is not a time to wallow in a culture of silence. But a moment to celebrate a solidarity against the scourges of corruption and abuses. The message behind the grenades is clear — we are winning and they are losing. Make no mittake about it we are foreign the cowards on flight who speak the language of guns and bombs. The resilience of a nation is best tested during such times. Times which call for society in general to

the collective expression and desire for freedom and justice that makes democracy such a coveted ideal. It is this belief which

muna to stand up and give voice to the voiceless and defend the defenceless.

The real essence of democracy lies in how we, the people rise up united, to create the great wall of human spirit and will to protect our collective destiny. This is a testing time for Weliamuna, his family, his colleagues at Transparency International Sri Lanka and his numerous well wishers and supporters. However, my belief in people strongly tells me that the powerful crusade launched and led by Weliamuna against corruntion and human rights against corruption and human rights violations will grow stronger. Because the moral underpinnings of this battle is unshakeable, non negotiable and unstop-

As a personal friend of Weliamuna and an ardent admirer of his organization, I extend my complete support to the cause he and his team have embarked upon. I consider Sri Lanka as my home. The warmth of its people and the celebration of sheer human spirit have touched me deeply And I know spirit have touched me deeply. And I know clearly that there is no place for grenades, guns and bombs in my house. We have to win this war against violence. We have to moment to pledge our continuing support for Weliamuna. Let us take a pledge to

Programmes help increase productivity



Badulla District Secretariat has won the first place in the Uva Province Productivity competition. District Secretary Rohana Keerthi Dissanayake attributes the victory to the fruitful programmes organised by TISL with the aim of changing the attitudes of officials and promoting good governance.

"Your objectives have been achieved", he confidently states in a

In addition to the main award, provincial offices at Haliela, Ella, Haputale, Bandarawela and Passara have also won awards. "Winning Productivity Awards symbolizes efficiency and productivity as much as indicating good governance principles which help to curb corruption are practiced by the staff," he adds.

Immigration officials at TISL workshop

At the inauguration of a TISL training programme for the officials of the Department of Immigration & Emigration recently, Controller-General P A Abeykoon emphasised the importance of such programmes which not only educate the staff but also empower the participants of ways and means of combating corruption.

He thanked TISL for taking initiatives in good governance activities.

Taking part in the programme were Enforcement Officers and Management Assistants of the Department who are directly involved with the public. Over eight sessions, 129 officials attended



Welcoming the participants, TISL Executive Director J C Weliamuna said that the perception in the country is that the Department of Immigration & Emigration (DIE) is the least corrupt among state institutions. This is due to the efficient service provided by the employees of the Department to the people of Sri Lanka without seeking bribes or harassing them. He pointed out that this is a good sign for Sri Lanka.

Positive response from participants

Participants at recent TISL workshops on 'Enhancing Integrity' responded positively stating that the programmes give them confidence to face societal problems tactfully. Emphasising the need to hold these programmes island-wide, they suggested that they should be held for the public as well.

The programmes held in Chilaw and Badulla in association with the Sri Lanka Institute of Local Government were attended by members of Pradesheeya Sabhas, Urban Councils and Municipalities.

Unanimously acclaiming that the programmes were "very successful and very effective", the participants said these gave them new knowledge both at official and personal levels while empowering them to follow good governance practices and help to fulfill the wishes of the people. "We will now be able to work more efficiently," they said.

On 9 December...

TISL will commemorate UN Anti-Corruption Day with -

- The presentation of National Integrity Award 2008
 - **Launch of 'Governance Report 2008'**
- No Announcement of the winners of the Anti-corruption cartoon competition

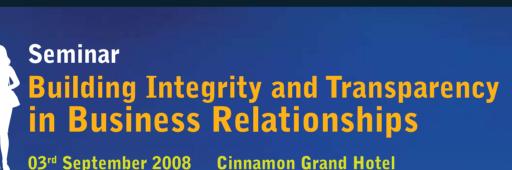
Exhibition of Cartoons

Venue: BMICH Colombo

INTEGRITY

TISL Newsletter

0CT0BER 2008





Importance of integrity in business sector stressed

sector in Sri Lanka was the subject of a seminar organised by TISL attended by a representative gathering of CEOs, senior managers and media personnel at the Cinnamon Grand recently.

The seminar created an opportunity to familiarise participants with recent international initiatives, particularly the 'TI Business Principles for Countering Bribery'. It also provided a forum for companies to share information on best practices.

Delivering the keynote address, Jeremv Brooks, Director of Private Sector Programmes and former chairman of the Steering Committee of TI Business Principles said that there isn't a single country that does not have a bribery and corruption problem.

Referring to values and standards incorporated within a good system of corporate governance, he said that a company nowadays needs to see itself really as a subject within society and needs to earn the license from that society to operate. The legal framework gives the right to operate in a certain way, but overall there is an obligation back to society to earn the respect from society to continue to operate, he said. This is really CSR which has three sections referred to as 'the triple bottom line' environment, social and economic.

Sustainability is another way of thinking about your responsibility to the society in which you operate, he pointed out. He quoted a "Norwegian brunt lad" who said."

Transparency and integrity in the corporate "You leave for future generations the quality of life and the resources in the world in no worse position than you found them, when you had the benefit in your life of using those resources."

> a company nowadays needs to see itself really as a subject within society and needs to earn the license from that society to operate

Elaborating on the bribery and corruption issue, he said that VA Systems, one of the largest defence companies in the world, is being investigated currently in ten countries. The country where there is the most grievous abuse is Saudi Arabia. He then described the Siemens case which has attracted a lot of attention throughout the

Explaining the position in developing countries, he said that unless there are proper approaches to ethical issues, particularly bribery and corruption, the ability for economies to develop faster will be undermined. Businesses need to be able to plan. So you need to be able to think what the environment is going to be like during the plan period which may be anything from two to three years to 20 years. To have a predictable environment is very important. What bribery and corruption does is to make life unpredictable.





Discussing the TI Business Principles, he

stressed on the need for a business to have

a clear policy which should, of course, be

the features of the Principles

implemented. He then went on to explain

The panel discussion on Corporate Gover-

nance in Sri Lanka turned out to be a lively

and absorbing one. Participating in the

discussion were well known names in the

business sector - Ronnie Peiris- Group

Finance Director John Keells, Anusha

Cumaraswamy - Business Director &

Consultant to World Bank, Aritha Wickra-

manayake - former Securities & Exchange

Commission Chairman and Eran Wickre-

maratne - CEO NDB Bank. After the

presentation of several case studies, discus-

sion groups made an attempt to identify

Winding up the day's proceedings, TISL

Executive Director J C Weliamuna

remarked that now that an initial step has

been taken, an effort will be made to help

and jointly accomplish a common goal in

the corporate sector to see better corporate

The Institute of Directors and the

Chartered Institute of Marketing were the

partners of the event along with the media

sponsors, LMD and the Sunday Times.

areas of common action.

governance in the country.



Newsletter of TISL - Transparency International Sri Lanka

Issue 03

Worldwide condemnation of grenade attack on TISL Executive Director

Local and international organizations reacted strongly and condemned the grenade attack on the residence of TISL Executive Director J C Weliamuna on the night of 28 September and demanded action to bring the culprits to

Media statements were issued, a symbolic protest march was held by the lawyers, a public protest was organized by several civil society organizations and a Bar Association of Sri Lanka (BASL) delegation met the President and urged action.

The public protest at Lipton's roundabout organized by the People's Action for Free and Fair Election (PAFFREL), Marga Institute, National Peace Council (NPC), South Asian

Small Arms Control (SASANET) and the Campaign for Free and Fair Election (CaFFE), with the support of their partner organizations on 3 October drew large crowds.

The symbolic protest march held outside the superior courts complex in Colombo two days after the attack attracted a large number of lawyers. They stated the attack and the intimidation of lawyers cannot be considered in isolation, and described it as an attack on the whole legal fraternity of this

Meanwhile, statements from numerous organizations

TI calls for a fair, speedy investigation

Announcing its deep concern "to intimidate

anti-corruption and human rights

advocates, and all those who dedicate their

lives to building a better future for Sri Lanka", Transparency International called

on the government of Sri Lanka to ensure a fair, speedy and transparent investigation,

and to take all necessary steps to ensure the safety of Weliamuna, his family and the

personnel of TI Sri Lanka.

President's instructions

The State-run Sunday Observer in a news story titled 'Bring culprits to book-President' states that President Mahinda Rajapakse has instructed IGP Jayantha into the grenade attack and bring the

Issuing a statement immediately after the incident, TISL expressed deep concern with the continuing attacks on activists, journalists and civil society. "This is another effort to curb the freedom of expression and conscience of the people of Sri Lanka."

TISL's deep concern

"We vehemently oppose these acts which constricts the space to dissent", the statement said.TISL alerted all TI chapters and international organizations about the that all would stand in solidarity to protect

Lawyers' demonstration (left) &

"The bombing of Weliamuna's home is the latest episode in a continuing wave of harassment of activists, journalists and civil society - seen as a concerted effort to curb the freedom of expression in Sri Lanka although the precise motives of this perpetrator remains unclear," a statement from



2 An assault on business sector stressed

Right to Information
Act well accepted

5 Focus on Corruption

India's Right to Information Act well accepted

Cooperation extended by public servants, their willingness to work with NGOs and the keen interest shown by the public have made the Right to Information Act in India work smoothly. It has been well accepted by all parties. This is the observation of TISL's Programme Manager, Dhanushka Wijekoon, who attended a 10-day internship programme in

New Delhi, India organised by the Commonwealth Human Rights Initiatives. The Act has enabled the public to submit grievances and raise

hand over to the respective government department to obtain details of a particular grievance and seek redress. The information has to be given within thirty days. The official concerned has to pay a penalty in case the information is not supplied on time.

officer (designated Public Information Officer - PIO), at a senior level to deal with

In charge of the implementation of the Act is a central body - Central Information

Commission (CIC).

issues of bribery and corruption against public officials. Anyone can pay ten rupees (process fee), get an application form, fill it up

Every government office has an assigned public complaints and grievances.

Every state has its own State Information

"The public sector keeps the doors open for

ing redress under the Act. Public officials

the NGOs which assist the public in obtain-

work in close collaboration with the NGOs

and accept that such cooperation is for the

mutual benefit of all parties," Dhanushka

Commission reporting to the CIC.

Just as much as NGOs strive to create awareness and help the public, the State TV, Doordarshan broadcast a weekly programme titled 'Right to Know'. Accord-

Dhanushka(right) with fellow delegates

ing to the producers, they have been given complete freedom with no restrictions or censoring of news aired on the programme. It gives publicity to success stories as well thereby encouraging public officers to do their duty properly.

> During the visit, Dhanushka met Siddharth Pandey, the Chief

Correspondent of NDTV, a private channel who is the winner of the Journalism Award organised by TI India.

Act has empowered the journalists to do a better job, he said. Delegates from Bangladesh, India, Sri

Lanka and Uganda participated in the

He told Dhanushka that the Right to

Information Act has improved the standard

of journalism in India since the journalists

are able to fearlessly expose misdeeds. The



Sri Lanka is 92nd in the Corruption Index

Sri Lanka occupies the 92nd position among 180 countries in the Corruption Perception Index (CPI) 2008 conducted by Transparency International (TI), the global civil society organisation leading the fight against corruption.

Sri Lanka's score remains at 3.2 indicating a serious corruption problem in the public sector. Among the neighbouring countries, only India (3.4) and Sri Lanka are above a score of 3 with Maldives (2.8), Nepal (2.7), Pakistan (2.5) and Bangladesh (2.1) remaining with low scores. Analysts attribute India's position to the implementation of the Right to Information Act.

The Index ranks countries in terms of the degree to which corruption is perceived to exist among public officials and politicians.

It measures each country's level of corruption and places it on a scale from 0 to 10, where 10 stands for 'highly clean' and 0 stands for 'highly corrupt'.

For more details: http://www.tisrilanka.org

TOO SMALL. BRIBERY AND CORRUPTION

Courtesy: Daily Mirror (25th October 2008)

INTEGRITY TISL Newsletter INTEGRITY TISL Newsletter **INTEGRITY** TISL Newsletter OCTOBER 2008 OCTOBER 2008 OCTOBER 2008