

OFFICE FOR REPARATIONS, SRI LANKA
ANNUAL REPORT 2023

Office for Reparations - Sri Lanka
No. 40, Buthgamuwa Road,
Rajagiriya.

01. INTRODUCTION

In its fifth year, the Office for Reparations (OR) continued its activities to respond the needs of the aggrieved community in compliance with the objectives articulated in the Office for Reparations Act No. 34 of 2018 (“the Act”) and the policies formulated thereunder. The objective of the OR as set out in the Act are-

1. To formulate and recommend to the Cabinet of Ministers, Policies on Reparations to grant individual and collective reparations to aggrieved persons.
2. To facilitate and implement such Policies on reparations as approved by the Cabinet of Ministers by the Office for Reparations, including specialized policies on public education, memorialization and on children, youths, women and victims of sexual violence and persons with disabilities.
3. To establish links to ensure the compatibility of the Office for Reparations with other mechanisms aimed at reconciliation.
4. To monitor and evaluate the progress of delivery of reparations to eligible aggrieved persons.

The Policies and Guidelines for the grant of reparations which were approved by the Cabinet of Ministers was tabled in Parliament in February 2022 and published in Gazette Extraordinary No. 2269/54 dated March 3, 2022. The Policy identified eight (08) thematic areas of intervention to provide relief to aggrieved persons (victims) and ten (10) Guidelines to be complied with in providing relief measures.

02. MEMBERS OF THE OFFICE FOR REPARATIONS

The members of the OR who functioned during the year under review is as follows,

- | | |
|---|--|
| 1. Mrs. Dhara Wijayatilake | - Chairperson, (re- appointed June 12, 2022) |
| 2. Major General (Retd.) Palitha Fernando | - Member (Appointed May 24, 2021) |
| 3. Dr. Azeez Mubarak | - Member (Appointed July 6, 2022) |
| 4. Mr. Rasika Dissanayake | - Member (Appointed July 6, 2022) |
| 5. Ms. Priya Sivagananathan | - Member (Appointed August 5, 2022) |

In terms of section 5 of the Act, all members are appointed for a period of three (03) years.

The Board members of the Board met twice each month on average, and held twenty (20) meetings. The meetings were well attended, and the overall attendance of members at the meetings was between 95% to 100%.

03. POLICY AND GUIDELINES

The thematic areas identified for interventions in terms of the Policy and the Guidelines to determine specific grants of relief, are the following –

Thematic Areas identified in the Policy-

1. Livelihood Support
 2. Compensation and Financial Support
 3. Restitution of Land Rights
 4. Provisions of Housing
 5. Development of Community Infrastructure
 6. Administrative Relief
 7. Psychosocial Support
 8. Measures to advance Unity, Reconciliation, and Non-recurrence of Violence
- The Guidelines-
 1. Victim Centrality – All decisions will be based on what is needed by the aggrieved persons.
 2. Criteria for eligibility for aggrieved persons to obtain reparations.
 3. The form, and where appropriate, the quantum of reparations that will be provided to eligible aggrieved persons.
 4. Criteria of eligibility of aggrieved persons to financial compensation.
 5. Criteria of eligibility of aggrieved persons to urgent reparations.
 6. Entities which may assist in the provision or delivery of different forms of reparations to aggrieved persons.
 7. Criteria on which verified applications for reparations shall be prioritized.
 8. Criteria for verification of authenticity.
 9. Criteria for remembrance of the dead and memorials.
 10. Addressing the special needs of specific groups of aggrieved persons.

04. ACTIVITIES CARRIED OUT DURING THE YEAR UNDER REVIEW:

Due to serious staff shortages (see below under “The Secretariat”), this Office has had to prioritize its areas of work and focus on the most urgent interventions that are meaningful to support aggrieved persons. In doing so, areas that were already being implemented by other Government agencies, were not pursued by the OR. The focus during the year under review was on the following areas of support-

- a) Livelihood support via knowledge transfer and technology transfer programmes to enhance the revenue generating potential of aggrieved persons and to enable economic stability thereby.
- b) Granting monetary relief; and
- c) Providing Psycho social support

4.1. Livelihood support programmes

In order to empower persons of the aggrieved community to engage in revenue generating activities, the OR developed livelihood support projects enabling new startups and entrepreneurships. These programmes focused on the use of locally available resources to explore new startup opportunities.

The following programmes were initiated during the year:

	Date of commencing the programme	Venue	Aggrieved Person category	No. of Participants	Field of Technology Transferred
01	2023.11.28	Safamaruwa A, Karamba, Palaviya	Women	10	Fiber based Thawashi brush production
02	2023.12.04	Divisional Secretariat, Kopay	Female heads of households	25	Candle making and financial literacy (<i>Light for Life</i>) -
03	2023.12.22	Divisional Secretariat, Mannar	Female heads of households	05	Palmyra Leaf Hand Crafts production (<i>Colouring Hands</i>)
04	2023.12.22	Divisional Secretariat, Mannar	Internally displaced families	03	Ekel Brooms manufacturing – <i>Colouring Hands</i>

Economic empowerment of Internally Displaced Aggrieved Women

Prioritizing the objective of creating a sustainable income generation and reducing poverty among displaced women in Puttalam this livelihood development project was carried out on 28th November 2023 at Safamaruwa A, Karamba, Palaviya targeting 10 aggrieved women as the pilot project. The stakeholders of the project were Muslim Women’s Development Trust (MWDT), Alliance Five Private Limited (AFPL) which is a product manufacturing BOI Company with an export market and the International Organization for Migration (IOM). The beneficiaries were trained by the AFPL to produce fibre based brushes and commenced the brush production. The OR, together with the MWDT is monitoring the project.





Light for Life - Candle making and financial literacy

With the objective of transferring knowledge and technology on candle processing for 25 women heads of households in Kopay, Jaffna this project was initiated on 04th December 2023 at the Kopay Divisional Secretariat. Five heads of families were given hands on experience on candle processing, raw materials and candle molds. Vidatha Resource Center, Nallur provided the resource persons. Beneficiaries sell their candles to the societies of Churches, shops and restaurants and paraffin wax of the used candles in the Churches are being given to the beneficiaries to produce Candles by recycling.





Coloring Hands - Palmyra Leaf Hand Crafts production

To improve the livelihoods of women heads of households in Mannar District by providing equipment and coloring materials to produce more and quality Palmyrah products was done through this project. They were provided awareness on sound financial management, packaging of products and marketing for long term sustainability of their income generating activities. This project was conducted on 22nd December 2023 at the Mannar Divisional Secretariat.



01. Coloring Hands - Ekel Brooms manufacturing

Providing automatic Broom stick finishing machine from the Industrial Development Board to three (03) internally displaced families who are engaging in small business of making ekel brooms in order to improve their business was done through this project. They were given an awareness on sound financial management, packaging of products and marketing for long term sustainability of their income generating activities. This project was conducted on 22nd December 2023 at the Mannar Divisional Secretariat.



4.2. COMPENSATION & FINANCIAL SUPPORT

The OR continued to provide monetary relief to aggrieved persons adopting a transparent process and in compliance with its Policy and Guidelines. The OR continued to process claims of aggrieved persons in relation to the following incidents-

- a) the North East conflict;
- b) the Easter Attack of 2019; and
- c) Civil disturbances and political violence that took place in 2022.

a) **North East conflict** – Many of the pending files are in respect of applications that have been submitted without the required documents. A decision was taken to issue a final letter requesting that documents be submitted within a fixed date, and to close the file thereafter. Where the required documents were received, the claim was processed and payment made where the applicant was eligible. It must be emphasized that with regard to the aggrieved persons of the North East conflict, the emphasis is on programmes that seek to improve their prospects for economic empowerment in particular of the women who are heads of households, on the basis that such interventions will be lasting and meaningful in the long term, than a handout.

b) **Easter bomb attack, 2019** – All payments had been completed and there were no outstanding claims to be settled in 2023, subject to a single victim who succumbed to injuries sustained in the attack, in 2023 who was granted monetary relief in compliance with policy. The OR continues to engage with the totally disabled persons to ascertain their continuing needs and to respond in a meaningful manner.

Special directions by the Supreme Court - The OR was directed by the Supreme Court to take the following action as per its decision of January 12, 2023 in the Fundamental Rights applications¹ filed by twelve (12) Petitioners alleging a breach of rights as a result of the actions of the named respondents. The Orders to the OR were as follows-

1. Establish a Victim Fund at the Office for Reparations, into which the sums ordered to be paid by the Respondents as compensation, shall be paid.

The amounts ordered as compensation were as follows-

- Former President, Maithripala Sirisena - Rs 100 million
- Former IGP Pujith Jayasundera - Rs 75 million .
- Former Director, SIS Nilantha Jayawardena – Rs. 75 million
- Former Secretary, Defence Hemasiri Fernando - Rs 50 million
- Former CNI Sisira Mendis - Rs 10 million.
- The State - Rs 1 million..

¹ Supreme Court Case SC FR Application Nos: SC/FR/163/19, SC/FR/165/19, SC /FR/166/19, SC/FR/184/19, SC/FR/188/19, SC/FR/191/19, SC/FR/193/19, SC/FR/195/19, SC/FR/196/19, SC/FR/197/19, SC/FR/198/19, SC/FR/293/19.

2. Formulate a scheme to award the sums ordered as compensation in a fair and equitable manner to the victims and families.
3. Investigate alleged underpayment and nonpayment in compliance with the cabinet decision taken to compensate the victims. (It was alleged by Counsel for the Archbishop of Colombo that payments were not made in compliance with the Cabinet decision but made in an ad hoc manner by the OR).
4. Invite generous benefactors and donors to contribute towards the Victim Fund, by way of notifications in the media.
5. Submit to the Supreme Court a progress report on the scheme of payment and the details about payments made by the above respondents and any benefactors within 6 months from today.

Action was taken by the OR was as follows-

1. Establish the Victim Fund: The Victim Fund was established with effect from January 19, 2023 at the Bank of Ceylon, Rajagiriya Branch. (Current Account No. 0090167960).
2. Scheme to award compensation: The scheme was formulated by January 24, 2023 and uploaded on the OR website – www.reparations.gov.lk
3. Investigate alleged non payment and underpayment of compensation to victims: The allegations were investigated by the Members and a comprehensive report dated March 13, 2023 was submitted to the Hon. Attorney General for submission to the Supreme Court. The Report was subsequently submitted to the Supreme Court by the Hon. Attorney General. The findings of the investigation included the following-
 - a) There were no underpayments on account of any of the victims.
 - b) No payments had been made on an ad hoc basis by the Office for Reparations.
 - c) All payments were made as per the Cabinet decisions and the applicable circulars.
 - d) The families of the victims referred to in the submissions of Counsel for the Archbishop of Colombo had in fact been granted Rs. 1 million in compliance with the Cabinet decision.The Report may be accessed on the OR website.²
4. Call to benefactors to contribute to the Fund: Notices were published in all three languages on January 29, 2023 in the following newspapers – Silumina, Virakesari, Sunday Observer, Lankadeepa, Thinakaran, The Sunday Times. The Notice was also posted on the OR website.
5. Progress reports on the scheme of payment and the monies received to the Victims Fund were advised to the Hon. Attorney General for submission to the Supreme Court. In addition, payments made from the Fund are updated on the OR website, ensuring the retention of anonymity of the recipients who are from among the victims of the Easter Bomb attack.

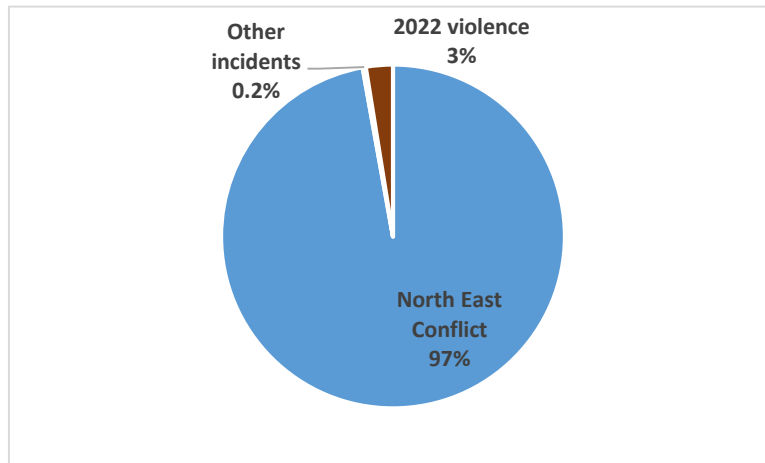
²http://www.reparations.gov.lk/web/images/Easterattack/Easter_Attack_investigation_report_with_annexes_final.pdf

c) **Civil disturbances and political violence, 2022** – This incident resulted in the OR receiving a significant number of claims from victims, including from those who had suffered loss as a result of damage to their residential properties. Based on the premise that OR will not received all the financial provision required to settle all the claims, the Members decided to prioritize payments to those who suffered loss to residential premises and to those who were totally deprived of livelihood as a result of loss to movable properties, eg. busses given on hire.

In compliance with the policy principles, urgent reparations was granted to those whose homes were damaged to enable them to commence restoration work. The amounts granted were strictly based on the valuation of the Government Valuation department. Priority was given to those whose homes were destroyed or damaged and in order to distribute the financial resources made available from time to time to as large a group of victims as possible, only partial payments were made where the loss was estimated at a sum greater than Rs. 1 million. In this manner, some relief was able to be granted to all victims where the applications were compliant with the matters that needed to be established, as for eg. title to the property, proof of owner, whether a payment from insurance was received etc. The OR however strove to maintain a balance between the payments to the North & East victims and to the 2022 violence.

During 2023 it was possible to grant relief only to victims who suffered loss to immovable property.

SUMMARY OF MONETARY RELIEF GRANTED - IN 2023		
	Item	Quantum
01	Total Budget allocation for “Recurrent Expenditure”	Rs. 1,555 million
02	Total sum internally allocated out of the “Recurrent Expenditure” budget, for providing monetary relief	Rs. 1,472 million
03	Internal allocation as a percentage of the total Recurrent Budget	94.67%
04	Applications pending at the Office for Reparations as at January 1 st , 2023	8,430
05	Applicants granted monetary relief in 2023- Granted full payment Granted partial payments	3,508 1,305 2,203
06	Total sum paid to Applicants	Rs. 1,335 million
07	Applications approved for payment and pending settlement as at December 31, 2023	6,076
08	Sum required as at year end, to settle the pending payments	Rs. 1,215 million



Cases settled in 2023

4.3. ADMINISTRATIVE RELIEF

The OR continues to support the aggrieved persons to obtain lost documents, especially the victims of the North and East conflict through special mobile services for stakeholders at district level. Two mobile services were held on 16th and 17th December 2023 at Nuwaraeliya and Mathale Districts.

4.4. PSYCHOSOCIAL SUPPORT

The Psychosocial Support Unit (PSS unit) of the Office for Reparations was officially established during 2022. The establishment of a dedicated Unit was identified on an evaluation of the feedback from the initial Pilot phase of the Psycho-social support Case Manager programme of the OR. The Psychosocial Unit carried out the following programs in 2023.

- Case Manager Approach – Pilot Phase (Follow-up)
- Case Manager Approach – Phase I
- Community Support Initiative

Case Manager Approach - Pilot Phase (Follow-up)

A follow-up to the pilot initiative was carried out, in which the beneficiaries of the pilot phase who have new needs are appropriately directed to the necessary services. The psychosocial unit of the OR is also engaged in creating a referral database which will aid the case managers to address the needs of the beneficiaries.

Case Manager Approach – Phase I

The first phase of the case manager program (following the pilot phase) commenced in April 2023, and is currently on-going. Twenty-six managers representing 23 districts in Sri Lanka are assigned approximately 05 cases of aggrieved individuals and families whose needs will be addressed through a comprehensive referral mechanism.

Community Support Initiative

The IOM provided technical assistance to capacitate identified government officers (National Integration Officers, Development Officers) to form small groups comprised of 15-20 individuals who may be affected by conflict/violence related trauma (i.e. women heading households etc.) in Welikanda, Puttalam, Kurunegala, Poonakary and Kilinochchi. The officers were responsible for empowering and building capacities of the small-groups and guiding them to conduct a project that benefits themselves and their communities. The officers were supervised by the OR's officers attached to the PSS unit. The programme commenced as a pilot from May to December 2023 in the aforementioned selected districts in Sri Lanka.

SN	District	Activity	Budget Amount	No. of beneficiaries
01	Welikanda	Refurbishment of a health clinic and a livelihood centre	LKR 2,353,922.00	50
02	Puttalam	Provision of desks and tables to a school in Puttalam	LKR 727,000.00	55
03	Kurunegala	Refurbishment of a community centre (This project was not conducted due to time constrains)	LKR 2,601,250.00	-
04	Poonakary	Improving established businesses through training and provision of equipment to up to 15 women	LKR 1,615,000.00	15
05	Kilinochchi (MOWCA)	Project on behalf of the Ministry of Women and Child's Affairs - Renovation of the dining area of a vocational training institute	LKR 5,240,000.00	50

02. IMPROVING OPERATIONAL EFFICIENCY

5.1. Information Management System (IMS)

In 2023, the IMS underwent a comprehensive update, addressing critical aspects that needed attention. The identified need for further system upgrades and necessary fixes was effectively communicated to our service providers, iTerminals, setting the stage for the upcoming Phase Two.

Notably, data migration from the old database to the IMS became a reality through the expertise of Dr. Chathuranga – IOM Consultant. The diligent efforts extended to data sanitization, eliminating commas and spaces from the old system, a task overseen by Dr. Chathuranga and executed by the OR staff's collaboratively with iTerminals. The conceptualization of a new psychosocial database by Mr. Shiyamalan Viyakesh – IOM Data Administration Consultant, documented by Dr. Chathuranga with amendments by Mr. Arun, received approval from the DG, OR officers, and IOM team after the demonstration. While budget constraints defer the implementation of the new psychosocial database to 2024, currently, iTerminals has committed to addressing the outlined points, ensuring a smooth and efficient transition for the IMS.

5.2. Staff Capacity Building

Funded by the International Organization for Migration, the OR Staff Officers underwent a five day capacity building programme covering the following areas –

- Effective Communication and Gender (17th – 18th November 2023)
- Project cycle management (01st December 2023)
- Effective Organizational Skills and Leadership (08th – 09th December 2023)

03. AUDIT AND MANAGEMENT COMMITTEE.

The Audit and Management Committee was chaired Mr. Azeez M. Mubarak, Member. The Committee held quarterly meetings.

04. GENERAL AUDIT

The General Audit was carried out by the Auditor Generals department (AG). The Audit Report for 2021 confirmed a clean Report. The Report in respect of 2022 is awaited.

05. THE SECRETARIAT

The Secretariat is headed by the Secretary General and CEO. During the period under review the following functioned in this position –

Mr. M. Hazeem – until 02nd October, 2023

Mrs. R.P.S.S. Samankumari Additional Secretary (National Integration) of the Ministry of Justice of Justice, Prison Affairs and Constitutional Reforms was appointed to act in the post with effect from October 3, 2023 pending the filling of the vacancy.

The cadre position in the Secretariat was as follows-

Cadre Position	Approved Cadre	Vacancies
Director General	01	-
Director	01	-
Deputy Director/Assistant Dir.	04	02
Administrative Officer	01	-
Internal Auditor	01	-
Reparations Officer	22	09
Translator	01	01
Audit Assistant	01	01
Management Assistant	30	10
Driver	07	02
Office Aid	07	-
Security	01	-
Total	77	25

There is a significant number of vacancies in the positions of the Reparations Officers and Management Assistants and this is an obvious impediment to the efficient discharge of the functions and responsibilities of this Office. In December 2023 the Department of Management Services has granted approval to fill the vacancies of Assistant Director – 01, Reparations Officers – 03 and Management Assistants – 03. The services of three (03) full time Consultants were made available to the OR by the International Organization for Migration (IOM), for the following areas of work.

- Consultant – Social Cohesion and Reconciliation
- Consultant – Psychosocial Support
- Consultant – Data Administration and Outreach

06. SUMMARY OF FINANCIAL PROGRESS

The OR received a sum of Rs.1405737.00 as the budget allocation for the year 2023.

Item	Allocation (Rs. Mn)	Imprest received (Rs. Mn)	Expenditure (Rs. Mn)	Expenditure as a % of imprest received
Salaries and personal emoluments	49	40.82	49.05	120%
Other recurrent	34	29.41	34.11	116%
Payment of monetary relief	1,461	1,334.50	1,334.50	100%
Other Policy Implementation activities	11		* 9.90	
Easter Attack Victim Fund	01	01	01	100%
Subtotal	1,556	1,405.74	1,428.67	102%
Capital	1.5		**4.04	
Grand Total	1,557.50	1,405.74	1432.71	102%

* Funds received from IOM 8.13Mn and 1.77Mn. Used from the opening balance

** Funds used from opening balance

07. ACKNOWLEDGEMENTS

The OR wishes to place on record its appreciation to the United Nations system that facilitated the International Organization for Migration (IOM) to support many of the key programmes of the Office for Reparations.