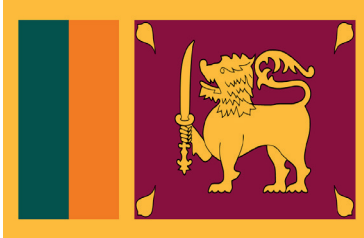


COMMITTEE STRENGTHENING PROGRAMME, PARLIAMENT OF SRI LANKA

REPORT SUMMARY

18-21 FEBRUARY 2019



PROGRAMME BACKGROUND

CPA UK, Westminster Foundation for Democracy (WFD), and the Parliament of Sri Lanka have worked closely together in recent years and have successfully delivered a number of capacity building programmes on the subject of oversight committees in conjunction with the Westminster Foundation for Democracy.

Following the general elections in August 2015, the Leadership of the Parliament of Sri Lanka prioritised reforms including the establishment of a Departmental Sectoral Oversight Committee System to enhance the ability of Parliament to hold the Government to account.

CPA UK supported these reforms with a workshop on Sectoral Oversight Committees in February 2016 in partnership with the Parliament of Sri Lanka and WFD. This activity was particularly well received and provided a platform for the exchange of knowledge and good practice between UK and Sri Lankan Members and Clerks.

CPA UK and WFD delivered two more programmes for Sectoral Oversight Committee (SOC) Chairs in October 2016 and January 2017 and most recently ran a programme with the Committee on Public Enterprises in February 2018. These week-long programmes introduced the SOC Chairs to select committees in the UK and through interactions with UK Members, aimed to build the capacity of Committee Chairs and senior parliamentary officials.

In October 2018, as part of the Commonwealth Partnership for Democracy (see below), CPA UK and WFD delivered a programme for Members of the Committee on Public Accounts (COPA) to explore a range of issues relating to public financial oversight. This provided an opportunity for UK and Sri Lankan members to share good practice and experiences.

This programme is the next part of the Commonwealth Partnership for Democracy project.



The UK delegation (left to right): Nigel Evans MP, Sarah Giles, Susie Latta, Margaret McKinnon, The Rt Hon. Baroness D'Souza CMG, Lillian Greenwood MP, Jakko Virkkunen

Impact: Developing Commonwealth countries strengthen democratic good governance.

Outcome: Parliaments in priority Commonwealth countries adopt more inclusive and accountable practices and policies, particularly with regard to women's political participation.

Programme purpose: To explore the value of openness and transparency in committee work in the Parliaments of Sri Lanka and the UK with the aim of adopting more inclusive and accountable practices.

Programme Outcomes: Through meetings, discussions, workshops and briefings with Sri Lankan and UK parliamentary counterparts, delegates and participants will:

Outcome 1: Identify ways to make committees more open, accountable and inclusive;

Outcome 2: Advance improved capacity to communicate committee business to the media, civil society, NGOs and further diverse audiences;

Outcome 3: share experience between women politicians to find

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Democracy in the Commonwealth



ways to increase women's political participation and representation.

Outputs

To achieve the above outcomes, the programme will produce the following outputs:

Output 1: 30 clerks have attended meetings and have a better understanding of the benefits and processes of public engagement and outreach.

Output 2: 15 members have met with the delegation and have a better understanding of the benefits and processes of public engagement and outreach.

Output 3: A diverse and inclusive programme reaching a range members and clerks, particularly women.

Output 4: A report has been produced summarising the programme.

COMMONWEALTH PARTNERSHIP FOR DEMOCRACY (CP4D)

The Commonwealth Partnership for Democracy (CP4D) is a UK Government funded programme intended to work with parliaments in 18 Commonwealth Member States across Sub-Saharan Africa and Asia to improve representation of women, young people, people with disabilities and the LGBT+ community in the democratic process. CP4D will support parliaments and local governments to monitor the actions of their executive.

The £4m two-year programme was launched at the 2018 London meeting of Commonwealth Heads of Government. It is managed by the UK Foreign and Commonwealth Office (FCO) and implemented by Westminster Foundation for Democracy (WFD) in partnership with the Commonwealth Parliamentary Association (secretariat and UK branch) and the Commonwealth Local Government Forum.

CP4D activities will be implemented at the regional level and with all Commonwealth members



The UK delegation discussed strengthening Sectoral Oversight Committees with Hon. Mahinda Rajapaksa MP, Leader of the Opposition

Overview

The new sectoral oversight committees (SOC) in the Parliament of Sri Lanka have been championed by some chairs and the new format has been challenged by others. Members of this delegation met with members and clerks to talk about the implementation of the recently established SOCs. They wanted to understand what is working and the challenges facing committee chairs and members. The delegation particularly wanted to talk about **involving the public and media to increase the profile and impact of the committees.** The delegation was keen to hear from women chairs, members and clerks but opportunities to do so were limited within this programme. CPA UK is keen to ensure women chairs and members are engaged for the next phases of the programme.

The Role of Clerks in Supporting Committees

In a meeting with clerks of the parliament, the Secretary General detailed how the Parliament has changed, with strengthened oversight capacity. The SOCs were modelled on UK select committees to give more powers to committees to scrutinise government policy and legislation. Staffing support for the committees is being developed and the aim is to have a dedicated team of people supporting each committee. Clerks need a range of support but particularly need the skills to harness new technology such as social media for the benefit of the committee.

Baroness D'Souza discussed the role of select committees in the UK and how they contribute to the wider functions of parliament, to hold the government to account and raise the concerns of the electorate. Lilian Greenwood MP, Chair of the UK Transport Select Committee, detailed the format and function of select committees. Her committee has a work plan of inquiries to scrutinise the Department of Transport and its agencies, as well as inquiries into emerging issues such as implementation of a new railway timetable change, which experienced difficulties in 2018, leaving many trains cancelled.

The role of the chair was discussed and an effective chair was agreed to be crucial to the functioning of a committee. **Chairs get to set the agenda for the committee and can encourage cross party working, which makes the committee stronger.** Engaging with the media and securing media coverage can also strengthen the committee.

From a clerk's perspective, Margaret McKinnon, Clerk to the Northern Ireland Select Committee, talked about the role of the committee secretariat, particularly around public outreach and the importance of political impartiality. The importance of dedicated clerks cannot be underestimated. The Secretary General detailed the progress that has been made towards ensuring that the SOCs have enough support and office space to do their work properly. **The SOCs now have guidelines, designed with Westminster Foundation for Democracy (WFD), which provide an excellent basis for committees to conduct their meetings.**

Change is ever-present in parliamentary democracies and Nigel Evans MP looked at the changes that had taken place over the 27 years he has served as a MP.

The broad range of witnesses called and committee travel out of parliament give different perspectives. SOCs in Sri Lanka now call a range of witnesses. An example given was the International Relations Committee which called witnesses from NGOs and civil society in its pre-legislative scrutiny of the Counter Terrorism Bill.

One of the challenges of requesting submissions of evidence from the public can be the volume of information received. Margaret McKinnon detailed her approach to sorting evidence to ensure it is relevant and legal. This can be a long administrative job but is important.

Ensuring maximum impact for the work of a parliamentary committee can be done in several ways, through public hearings and by publicising the work in traditional print and

to help raise standards and build political commitment to democratic values. The 2012 Commonwealth Charter commits governments, political parties and civil society organisations in member states to uphold and promote democratic culture and practices that are accountable to the public. Parliaments and local governments are essential for effective, inclusive democratic governance and CP4D will contribute to making this a reality by:

- Improve inclusion by engaging more women, young people, persons living with disabilities, religious minorities and the LGBT+ community in the democratic process
- Increase accountability through more effective and transparent parliamentary practices

Delegation from UK

The Rt Hon. the Baroness D'Souza CMG – *Delegation Leader*
 Lilian Greenwood MP – *Chair, Transport Committee*
 Nigel Evans MP – *Former Deputy Speaker of the Commons*
 Margaret McKinnon – *Clerk, Northern Ireland Affairs Committee*

Susie Latta – *Head of International Partnerships, CPA UK*
 Sarah Giles – *Programme Officer, CPA UK*
 Jaakko Virkkunen – *Asia Programme Officer, WFD*
 Priyanga Hettiarachi – *Country Representative, WFD*

broadcast media or through social media. Chairs and members can also use time in the Chamber to raise issues. Reports can be presented in simple language and easy-to-read formats to ensure as many people read them as possible. In the UK the media generally like the select committees and their cross-party approach means they are seen as independent and authoritative.

The broadcasting of committee hearings and media engagement around the release of reports, all helps to raise the profile of committee work and findings. This helps to hold the government to account and enable change.

There are some legal and procedural barriers to public hearings in Sri Lanka, which are being worked on, but there has been a lot of progress towards providing clerks with what they need to support committees. The Secretary General confirmed his commitment to having well supported committees and CPA UK/WFD offered support whenever needed with any further capacity building.

The session finished with Margaret detailing the day in the life of a House of Commons clerk, the varied nature of the role and the importance of people skills. From managing the secretariat team, to overseeing inquiry research and reports and providing advice to members and the chair, she needs to have an extensive knowledge of committee procedure and what options are available to the committee.

The Role of Committee Chairs and Members

The delegation took part in a round table meeting with SOC chairs. In attendance were Hon. Sunil Handunnetthi, Hon. Lasantha Alagiyawanna, Hon. Vijitha Herath, Hon. M A Sumanthiran, Hon. Mayantha Dissanayake, Hon. Harshana Rajakaruna, Hon. Gamini Lokuge, Hon. C Rathnayake, Hon. Anshu Marasinghe and the Secretary General and Assistant Secretary General. The delegation then had meetings with a number of senior politicians from all parties, including: Rt Hon. Mahinda Rajapaksa (UPFA), Hon. MA

Sumanthiran MP (TNA), Hon. Vijitha Herath MP (JVP), Hon. Douglas Devananda MP (EDPD) and Hon. Mayantha Dissanayake MP (UNP).

House of Commons committee chairs and members highlighted the importance of a strong chair and the strength they get from election by their peers. **The committee also maximises its impact by working cross party and by consensus.** By putting party politics to one side and focusing on the work of the committee, members can have more impact than as individual MPs. The resources and support for committees are an important part of the success of the committees.

At the moment not all the sectoral oversight committees are functioning as they were only set up in 2015, at the beginning of this parliament. They are still establishing their identity and finding their voice. There was also discussion about the need for awareness raising about the role of the SOCs.

The traditional consultative committees, chaired by ministers, are still seen as a useful committee approach for some members, as it gives access to ministers to raise concerns, and issues can be dealt with quickly as advisors are present. The role of ministers on committees was discussed and how to make the SOCs more authoritative. In the UK, Select Committees offer members the opportunity to ask a minister questions on behalf of constituents and the public and hold them to account for their work. Ministers and even the Prime Minister can be called to appear in front of committees to answer questions for many hours. Meeting in public and broadcasting the meeting also gives the committee power and impact. The power and authority of the committee is its ability to hold government and ministers to account. Another place where Ministers and the Prime Minister are held to account and where issues can be raised is in the Chamber. At Prime Minister's Questions and at departmental questions and with urgent questions, members can raise issue they would like Ministers to address.

UK delegation discusses strengthening Sectoral Oversight Committees with Hon. M.A. Sumanthiran MP, of the Illankai Tamil Arasu Kadchi party.



The Sri Lankan financial watchdog committees of the Committee on Public Expenditure (COPE) and the Committee on Public Accounts (COPA) are well supported and well attended. They are popular with both members and the public. Their work is valued as they are **seen as effective in holding ministries to account for the spending of public funds and for exposing corruption**. Sometimes these committees meet in public outside parliament but there are legal and procedural issues with public evidence hearings in parliament and changes are needed. An example of a public hearing was the Public Finance Committee holding pre-budget hearings in Jaffna and Kandy. The Finance Minister and officials were also invited, and witnesses gave evidence about what they wanted in the budget and could raise complaints about financial issues. The report of the hearings is almost ready to be presented to Parliament in advance of the budget, after translation into the three languages of parliament (English, Sinhalese and Tamil)

A Parliamentary Budget Office would be another way in which parliamentarians could have support to scrutinise the government and the budget. The preferred approach is the American model which gives the opportunity to look at alternative budgets. Currently members can only get figures from the Finance Ministry.

There was discussion about the use of the chamber of parliament to further the work of the committee. **The SOCs can ask for reports to be debated in the floor of the house, but this has not happened yet**. In Westminster committee chairs can make a statement about the report on the floor of a house, which gives members who are not on the committee a chance to question the chair and discuss the issues the report raises.

There was agreement that the committees need support to be effective. Each committee should have dedicated secretariat, with dedicated staff for each committee, which would make the committees significantly more effective. But members also need to make a regular commitment to the committees as this makes them more authoritative. Members also recommended the UK Parliament website which has more information about how UK select committees work.

Meeting with the Speaker and visit to the Chamber

The delegation had a tour of the Parliament and were welcomed to Chamber of the Parliament by Mr Speaker, Hon. Karu Jayasuriya MP. From the Gallery, Members listened to a debate on the Constitutional Council, a recently created body to oversee public appointments.

In a meeting afterwards, Hon. Jayasuriya, shared the considerable reforms which had been made during the course of the current Parliament and plans for further changes before the forthcoming elections. The current situation with the SOC was discussed and plans for further resourcing and support. Members shared experiences about recent political challenges in the UK and Sri Lanka and there was acknowledgement of the long history of cooperation between the two legislatures.

The delegation thanked the Parliament of Sri Lanka for a warm welcome and many productive meetings. They were encouraged to hear about significant reforms in this Parliament and agree that the Parliament is stronger as a result. There were further encouraged to hear about the progress towards stronger Sectoral Oversight Committees that are able to hold the government to account. They look forward to further changes including more staffing support and office space for clerks and changes to procedures which will allow public hearings. The delegation would have liked more opportunity to hear the views of women members of parliament but understand that as there are a very few women members, there are a lot of demands on their time. They suggested this was a priority for future delegations.

Next steps

After this productive visit, the UK Parliament would like to continue to support the close working relationship with the Parliament of Sri Lanka. They have expressed an interest in committee engagements with the UK Parliament and Scottish Parliament. CPA UK and WFD, under the auspices of CP4D, have invited a delegation of SOC committee members and officials to visit the UK in July 2019 to examine the UK Select Committee system in more detail and see a number of committees sitting. This could be followed by a UK committee clerk(s) and/or former clerk(s) visit to the Sri Lanka Parliament, when new secretariat support is in place, to provide training by Autumn 2019.



UK delegation meets young members of the British Council's Active Citizens programme to discuss their work in communities across Sri Lanka.

Thematic meetings

Alongside the parliamentary programme, the delegation also met with young leaders, civil society groups and had a briefing on the media in Sri Lanka.

Sri Lanka has the second highest GDP in the region, after the Maldives, a thriving economy and a high level of literacy. Emerging from a civil war and period of insurgency, ten years of relative peace has provided a strong basis for growth. A change of government in the 2015 election has led to some reforms including a right to information act and a number of constitutional changes which have provided checks on the power of the executive, including more oversight of appointments. There are still concerns around corruption and human rights, and that slow progress has been made on human rights and reconciliation commitments made at the end of the civil war.

The media in Sri Lanka

An extensive briefing on the media in Sri Lanka was prepared by the independent think tank [Verité](#), which specialise in economic, legal and media research, funded by organisations such as Reporters Without Borders and through consultancy. The delegation heard about the media available in Sinhalese, Tamil and English and the ownership of each of the different media channels. Facebook is the main social media in Sinhalese and Twitter in English, although Facebook was temporarily closed down during the recent constitutional crisis and, has led to an increase in the use of Twitter.

Verité runs a number of platforms which increase transparency around governance and the media including [Ethics Eye](#), which is a Facebook page campaigning for improved media ethics around the reporting of race, religion and gender. [Manthri.lk](#) is a website which reports on the work of Parliament and profiles the work of Members of Parliament by for example ranking MPs according to their attendance at Parliament.

Modern Slavery and The Salvation Army

At the suggestion of the CPA UK Modern Slavery Team, the delegation met with officers of the Salvation Army who are working to combat slavery and people trafficking in Sri Lanka. With a network of churches across the island they work to raise awareness of the risks of slavery and human trafficking, as well as, when funding allows, providing safe houses for vulnerable people. In Sri Lanka there is legislation which protects individuals, but it is not always used, and people are not aware of the law. There is concern about safeguarding children and young people

online, where they may be radicalised or tempted away from their families. Some people, particularly those from rural areas, are vulnerable to promises of riches in Colombo and then may find themselves in slavery or trafficked abroad.

EQUAL GROUND - campaigning for equal rights for LGBT+ people

EQUAL GROUND has been working in Sri Lanka for the last 15 years, focusing on enabling LGBT+ persons, equal access to social, cultural and economic rights. Recent campaigns have been in the garment, banking and hospitality sectors, to encourage employers to have non-discriminatory policies for LGBT+ people. There are no equality laws which include LGBT+ people. Consenting same sex relationships are criminalised and although rarely enforced, affect the LGBT+ community in many ways including harassment and violence by law enforcement, discrimination and rights violations at the workplace, health care facilities and schools. Their funding is limited but they continue to advocate for rights, regardless. Last year they were instrumental in setting up the campaign 'Butterflies for Democracy' (along with other activists and groups), largely to protest against derogatory references to the LGBT+ community as 'butterflies'. They also hold an annual PRIDE festival which is now in its 15th year. There is no pride march to date due to security issues.

British Council

The delegation heard about the work of the British Council in Sri Lanka, with English language teaching, examination administration, and support for education reform, teacher training, reconciliation and social cohesion.

The British Council in Sri Lanka ran the Next Generation survey about the aspirations and needs of young people. There was also work on supporting gender equality and reducing violence against women and girls.

The delegation met with young leaders involved in their Active Citizens programme, who were working to bring different ethnic and religious groups together to create understanding. Campaigning on issues as diverse as media ethics, women in technology, environmental sustainability, veganism, disability rights and electoral reform, members had a chance to hear more about their work. As young activists they had had considerable success in changing their country and had ambitious plans for the future.

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