

OFFICE FOR REPARATIONS – SRI LANKA

ANNUAL REPORT 2022

Office for Reparations - Sri Lanka

No. 40, Buthgamuwa Road,

Rajagiriya.

1. INTRODUCTION

In its fourth year, the Office for Reparations (OR) has been able to expand its activities more confidently to meet 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.

2. MEMBERS OF THE OFFICE FOR REPARATIONS

The members of the OR who functioned during the year under review until the completion of their term of three (03) years on March 31, 2022 were:

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| 1. Mrs. Dhara Wijayatilake | – Chairperson |
| 2. Dr. J. M. Swaminathan | – Member |
| 3. Mr. A. A. M. Fathihu | – Member |
| 4. Ms. Sellathamby Sumithra | – Member |

Member, Major General Palitha Fernando (Retd.) who was appointed with effect from May 24th, 2021 continued as a member during the entirety of 2022. On the completion of the terms of the above-named Members at (1) to (4) the following were appointed by His Excellency the President with the approval of the Parliamentary Council, for a period of three (03) years from the dates set against their names-

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| 1. Mrs. Dhara Wijayatilake | - Chairperson, (re- appointed June 12, 2022) |
| 2. Dr. Azeez Mubarak | - Member (July 6, 2022) |
| 3. Mr. Rasika Dissanayake | - Member (July 6, 2022) |
| 4. Ms. Priya Sivagananathan | - Member (August 5, 2022) |

3. ACTIVITIES CARRIED OUT UNDER THE KEY POLICY THEMATIC AREAS AND GUIDELINES

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 to provide relief to aggrieved persons (victims) and 10 Guidelines to clarify the approach to interventions.

- **Thematic Areas identified for the provision of relief**

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 that are adopted in determining reparations**

1. Victim Centrality – All decisions will be based on what's best for 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. The criteria of eligibility of aggrieved persons to financial compensation.
5. The 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. The 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.

4. 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.

4.1 LIVELIHOOD SUPPORT PROGRAMME

- **Knowledge and Technology Transfer Programmes**

In order to empower persons of the aggrieved community to engage in revenue generating activities, the OR developed a Knowledge and Technology Transfer Programme enabling new startups and entrepreneurs. This programme focused on the use of locally available resources to explore new startup opportunities.

Subsequent to the initial Knowledge and Technology Transfer Programme conducted for female heads of households in Thellipalai Divisional Secretariat in 2021, follow up activities were conducted in 2022 for beneficiaries to support them with new ventures or to improve their ongoing businesses. The details of the follow-up programme are as follows:

Date	Venue	Target Group	No. of Participants	Field of Technology Transferred
2022.04.08	Divisional Secretariat, Thellippali (Follow up programme)	Women headed families	50	Knowledge and technology related to poultry farming and livestock development
2022.05.05	Divisional Secretariat, Oddusudan	Ex-Combatants	50	CCTV installation and mobile phone repairing
2022.05.06	Divisional Secretariat, Welioya	Aggrieved females	50	Production of incense sticks & Mushroom cultivation
2022.08.20	Divisional Secretariat, Kopai	Aggrieved persons	50	Coconut oil extraction, process of making liquid soap, candle making and milk-based products
2022.08.28 /29 and 30	Divisional Secretariat, Puttalam	Internally displaced females	39	Production of ornaments using coconut shells
2022.12.16	Divisional Secretariat, Pattipalai	Aggrieved persons	47	Virgin coconut oil extraction, smoked fish, yogurt production, Ghee production

- Loan scheme**

A loan scheme which was operational since 2010 and renewed in 2017 for a further ten (10) years, continued in 2022 as well, in terms of an Agreement with the Bank of Ceylon. The scheme provided for the grant of loans to beneficiaries who desired funding for entrepreneurship projects as well as for housing. The Bank of Ceylon used monies deposited with the Bank by a Treasury at the commencement of the Agreement, to grant these loans. The rate of interest levied from beneficiaries is 4%. The Bank credited the OR annually with interest at the rate of 1% on the lump sum balance of the initial sum.

Sum available with the Bank as at Jan 2022 to grant loans	Rs. 504,910,712
Number of recommended applications pending as at Jan 2022	3,071
Number of persons to whom loans were granted in 2022-	43
Total sum granted as loans in 2022	Rs. 6,950,000
Sum credited to OR in January 2022 as interest for 2021	Rs. 6,421,935
Balance sum available with the Bank to grant loans as at Dec 31, 2022	Rs. 244,720,000
Number of loan beneficiaries that are active as at Dec. 31, 2022	1,728

The methodology adopted to identify beneficiaries involved OR staff participating on a panel with other relevant officials to interview the Applicants and making recommendations to the Bank to grant the loan on being satisfied with regard to the feasibility of the project. The reality however was that if the Applicant was unable to provide collateral, the loan was not granted even though recommended.

On evaluating the impact of this scheme, it was decided to terminate the scheme due to its very meager impact on beneficiaries, and to divert funds to programmes that provide meaningful livelihood support to empower beneficiaries to engage in their own revenue generation activities, via micro enterprises.

A new scheme is being formulated to replace the Loan scheme.

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 processing of applications for monetary relief was continued although greatly hampered by the situations resulting from the health sector challenges and other issues that prevented staff from attending office regularly. The targets for completion were revised taking into account the realities of the times.

The grant of monetary relief was carried out in compliance with the guidelines. In addition to applications pending from past events ending with the Easter attack, this Office had also to determine schemes to provide relief to victims of the political violence and civil disturbances that took place during 2022. New formats to collect information from victims and guidelines to determine eligibility were formulated. It may be noted that monetary relief is granted by the Office for Reparations to support victims and is not considered a grant that fully compensates the loss of victims.

MONETARY RELIEF GRANTED IN 2022		
Item		Quantum
01	Total Budget allocation for “Recurrent Expenditure”	Rs. 815.16 million
02	Total sum internally allocated out of the “Recurrent Expenditure” budget, for providing monetary relief	Rs. 711.21 million
03	Internal allocation as a percentage of the total Recurrent Budget	87.25%
04	Claims applications pending at the Office for Reparations as at January 1 st , 2022,	14,881
05	Number of claims applications that were approved for payment and awaiting settlement as at January 1 st , 2022	194
06	Number of Claims Applications processed and approved for payment during 2022	6,981

07	Total number of Claims settled	2,402
08	Total sum paid to the 2,402 Applicants	Rs. 405.3 million
09	The number of Claims approved for payment and awaiting settlement as at December 31, 2022 -	4,770
10	Sum required as at year end, to settle claims approved for payment	Rs. 648.91 million

The above data does not include the 2022 violence incidents. A significant sum of additional financial provision had to be requested from the Treasury to grant monetary relief to victims of the 2022 violence. As at the end of 2022, the grant of monetary relief to these victims was pending. However, OR did inform the victims that the Psycho-social support programme was available to those who desired to be included.

4.3 RESTITUTION OF LAND RIGHTS AND PROVISION OF HOUSING

The OR undertook a special study to identify the needs of the displaced community in the Northern Province. Special focus was given to identifying the issues in relocating the 171 families living in open welfare camps in the Jaffna district. The OR has engaged in discussions with relevant authorities to provide relief measures to complete the relocation process and to support these families with livelihood generating opportunities so that they can sustain themselves independently of any monetary handouts.

The OR awaits appropriate policy measures that need to be taken by relevant authorities with regard to the release of original lands/provision of alternative lands and or compensation. The OR continues to work with respective district and divisional secretaries in this regard.

4.4 ADMINISTRATIVE RELIEF

The OR continues to support the aggrieved persons to obtain their lost documents, especially the victims of the North and East Conflict through special mobile services for stakeholders at district level. The OR participated in the “Access to Justice” mobile service organized by the Ministry of Justice in the Northern Province in January, 2022. During this activity the OR was able to provide administrative services to more than 950 aggrieved persons.

A session to create awareness regarding the mandate and functions of the OR for public officers was also held. Mobile services were conducted in Jaffna, Kilinochchi and Mullativu in October and November to obtain missing documents from those who had submitted applications for compensation for loss of lives, for injuries and for loss of properties. 1,031 families were assisted by these programmes.

The OR is also engaged in supporting the Sri Lankan refugees returning from India in obtaining their legal documents including citizenship, birth certificates, NICs, etc. Discussions have been held with relevant Government officials to address issues with regard to employment opportunities of the returnees.

4.5 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 PSS Unit piloted the Case Manager program in 05 administrative districts. Assistance was provided to 131 beneficiaries and their immediate family members in the form of referrals to educational, counselling and mental health care, economic, medical, housing and legal and administrative support. The assistance was provided based on the needs identified through a comprehensive assessment carried out by specially trained Case Managers.

Forty six (46) public officers drawn from among Development Officers, National Integration Officers, and Social Service Officers attached to 23 district and divisional secretariats were trained as Case Managers. A manual on Case Management was developed by the OR for this purpose. The training that commenced in 2021 and which was delayed due to the several challenges of the COVID pandemic and other issues, was completed, with two training programmes and one refresher training course being conducted in 2022.

The information received through the programme was entered into a database which was also piloted during this time. This PSS database will be mainstreamed into the OR's main database within 2023 to ensure efficient service provision to the beneficiaries.

The PSS Unit of the OR also reached out to other key actors in the development sector to understand their functions, and to develop an effective stakeholder mapping to strengthen the existing system of referrals.

In the year 2023, the PSS unit will expand the services provided to aggrieved persons through recruiting and capacitating more case managers. The unit will also work towards building the psychosocial sensitivities of the communities through targeted community-based programs.

5. IMPROVING OPERATIONAL EFFICIENCY.

Information Management System (IMS)

The Office for Reparations commenced reforming its Information Management System (IMS) in 2022 with the objective of making its management of information collation more efficient.. The objective is to ensure authentic data collection that facilitates evidenced based policy making.

A programme to convert records maintained in physical format to the digital format was commence during the year. 4800 documents were scanned and converted to the digital form to be uploaded to the IMS. It is also expected to include Psychosocial and Livelihood Schemes to the same system as an enhancement in the year 2023. It is expected that the digitalization programme will be completed in 2023 and the data will be available in the IMS for ready access.

Staff capacity building

The following programmes were conducted –

- **Policy sensitization and Plan formulation**

A three-day programme was conducted to sensitize and empower the OR staff on the Reparations Policies and Guidelines and to develop a Plan of Action for the year 2022 in compliance with the Policy.

- **Training on Stress Management**

- Training on Stress Management and Team building and to provide mental wellbeing related support for staff members who required it.

- **Cancer prevention programme**

- Cancer prevention and early detection of cancer – a programme conducted in collaboration with the National cancer institute.

- **Gender Sensitivity Programme**

- A programme on Gender Based Violence and its impact on psychosocial and social wellbeing of women, men and children was conducted by Women In Need (WIN) This programme also focused on the issues of abuse and harassment taking place at workplace.

6. AUDIT AND MANAGEMENT COMMITTEE.

The Audit and Management Committee was chaired by Mr. A.A.M. Fathihu, Member upto March, 2022 and thereafter by Mr. Azeez M. Mubarak, Member. The Committee held quarterly meetings.

7. 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.

8. THE SECRETARIAT

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

Ms. Nazeema Ahamed – until September, 2022

Mr. M. Hazeem – from October, 2022

We acknowledge the service rendered by Ms. Nazeema Ahamed who functioned as the first full time Director General and CEO of this office from August 2, 2021 until her departure overseas in September, 2022. She rendered yeomen service to carry forward the work of this Office under challenging circumstances and assisted in defining the culture to provide a meaningful service to victims.

The cadre position in the Secretariat was as follows-

Cadre Position	Approved Cadre	Vacancies
Director General	01	-
Director	01	01
Deputy Director/Assistant Dir.	04	01
Administrative Officer	01	-
Internal Auditor	01	-
Reparations Officer	22	09
Translator	01	-
Audit Assistant	01	01
Management Assistant	30	09
Driver	07	02
Office Aid	07	-
Security	01	-
Total	77	23

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. 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.

1. Consultant – Social Cohesion and Reconciliation
2. Consultant – Psychosocial Support
3. Consultant – Data Administration and Outreach

9. SUMMARY OF FINANCIAL PROGRESS

The OR received a sum of Rs. 815.16 million as the budget allocation for the year 2022.

Item	Allocation (Rs. Mn)	Imprest received (Rs. Mn)	Expenditure (Rs. Mn)	Expenditure as a % of imprest received
Salaries and personal emoluments	50.60	37.02	47.72	129%*
Other recurrent	53.30	37.51	49.01	131%*
Payment of compensation	711.21	406.00	406.00	100%
Subtotal	815.11	480.53	502.73	
Capital	0.05	-	0.045	-
Grand Total	815.16	480.53	502.78	105%*

(The deficit was managed by utilizing the funds credited to the OR on account of Bank interest.)

10. 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.