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Principals
Loyal Ladies' College
Kandy
1961

Rizla Rauf
Loyal Ladies college,
Kandy.
Essay, intermediate
1961

Sri Lanka Free of Bribery and Corruption.

Bribery is a specific offence which concerns the practise of offering something, usually money, to gain an illicit advantage. The offence may be divided into two great classes: the one where a person invested with power is induced by payment to use unjustly; the other, where the power is obtained by purchasing the suffrages to those who can impart it. Likewise the briber might hold a powerful role and control the transaction, or in other cases, a bribe may effectively be extracted from the person paying it.

The commission to investigate allegations of bribery or corruption was established by act No. 19 of 1984 to provide the establishment of a permanent commission to investigate allegations of bribery and corruption and to direct the institution of prosecutions for offences under the bribery act and the declaration of Assets and Liabilities law NO. 01 of 1975.

The country's focal point for investigating bribery and corruption has received 3224 complaints on bribery or corruption in 2009. Though it didn't have further details as to what happened those complaints and the investigations that are taking place in regard with those complaints, the number is big enough to be worrying.

In a backdrop where the ones in power or closer to power such as legislators haven't shown much interest in dealing with the subject first hand in the years that have passed away, it is encouraging to see there are brave citizens who ready to at least make a complaint against the corrupted ones.

However have the men in power or the ones who were in power, been able to make those brave efforts of ordinary citizens worth while, by establishing proper mechanisms to counter bribery or corruption?

The bribery commission is lacking the necessary firepower to investigate, prosecute and report acts of bribery or corruption as stipulated in the law. The two most important official categories in the commission are the investigators and legal officers, currently there are only ⁸⁰ investigation officers to cover a population of 20 million.

If you divide 3224 complaints received in 2009 into the available 80 investigators, each has to handle 40 cases per annum, which senior officials at the commission say is highly impossible.

They say a maximum number of cases an investigator can handle around five cases per annum, which they say would bring in the desired results. The commission only possess 20 vehicles and is in need of more vehicles and no provision is being made for more. Out of the 20, 9 has been given to senior officials and 11 are remaining for investigating officers and legal officers to carry out their task. which is highly inadequate to carry out day to day activities of the commission such as go on investigation tours, raids, court visits and

So ~~Sri~~Lankans, can imagine the plight, the country's focal point for investigating bribery and or corruption has got into. Apart from those issues the commission is also short of around few staff members, from the approved cadre base.

Apart from the above day to day resource constraints, the commission is also highly affected by structural issues. Investigators (police officers) don't directly come under the commission and are governed by the police department and are expected to the service once stint is over at the commission.

The law, some allege remains another museum piece of legislation because it has not achieved intended result yet. Whether Sri Lanka has been able to successfully fight corruption needs to be analysed carefully. Although the issue of the independence of bribery commission is emphasised, there does not seem to be any attempt to ensure financial independence of the commission or independence of the administration staff of the commission.

Executive control of its administration remains unchanged leading to open criticism over transfer of officers or lack of sufficient number of officials for investigations. Similarly, effective investigation mechanisms are found wanting to deal with the sophisticated methods of bribery and corruption in modern hi-tech era. This is one reason why international efforts in fighting corruption should be given more heed to in this country.

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Sri Lanka should take note of current United Nations General Assembly developments with regards to drafting a convention against corruption as well as the Organization for Economic Cooperation and Development convention.

No nation has ever been successful in minimizing corruption without commitment by both government as well as the public including the civil society, business community... In the modern world permitting electronic transactions and high commercial activities, it is unimaginable to fight corruption by a country singly without global support. In that context, Sri Lanka needs to be a part of the global fight against corruption.

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