



SRI LANKA

COMMONWEALTH PARLIAMENTARY ASSOCIATION
BENCHMARKS FOR DEMOCRATIC LEGISLATURES

FINAL REPORT



UK Representation
to the Commonwealth



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CPA BENCHMARKS SELF-ASSESSMENT REPORT

PARLIAMENT OF SRI LANKA

“The Parliament of Sri Lanka is pleased to undertake the CPA Benchmarks Assessment as part of our ongoing commitment to strengthening democratic governance. This exercise provides us with a valuable opportunity to reflect on our practices and ensure that our parliamentary processes align with the highest international standards.”

Hon. Dr. Jagath Wickramaratne MP

(Speaker, Parliament of Sri Lanka)



Parliament of Sri Lanka Coat of Arms

Executive Summary

As highlighted by its Speaker, the Parliament of Sri Lanka has a strong 'ongoing commitment to strengthening democratic governance'. The Presiding Officer also wants to 'reflect on our practices and ensure that our parliamentary processes align with the highest international standards'. These are noble objectives and closely align with a fundamental belief of the Commonwealth that strong, independent, and effective Legislatures are one of the key political institutions of any functioning, flourishing, and successful democracy. To this end, the Parliament of Sri Lanka should be praised for how it conducts several of its affairs and Sri Lankan citizens can be optimistic that their Legislature's clear commitment to these underlying values of good governance will continue to guide its work as it takes important steps towards becoming an increasingly effective modern-day Parliament.

The CPA's Recommended Benchmarks for Democratic Legislatures draw upon the 2012 Commonwealth Charter's ambition to create free, fair, and democratic societies in every nation of the Commonwealth. The Parliament of Sri Lanka is undoubtedly committed to these important principles and, positively, meets a number of CPA standards across many different workstreams. Senior political leadership in the Legislature should be commended for achieving these standards and warm praise given to the wide-ranging efforts of staff, who ably support many of its core parliamentary services with skill, diligence, and pride.

Historically, Sri Lanka has at times, experienced periods of political unrest. With this in mind, positive democratic progress made by the country's Parliament in recent years should rightly be praised. The Legislature's efforts to continually improve its ways of working are admirable and demonstrably effective in a number of areas. To this end, several examples of current positive parliamentary practice highlighted throughout this Report should be a notable source of achievement.

The Parliament itself currently shows positive performance in a range of areas including: how the country's Constitution is adhered to; its Standing Orders are applied, Plenary business is facilitated, core parliamentary services are provided to Members; external activities are coordinated with wider Sri Lankan society, and proactive steps towards further learning and development are taken. Furthermore, Mr. Speaker and the committed team of staff who support the Legislature's work all share a strong conviction to ensuring that the Parliament continues to evolve for the betterment of all Sri Lankans.

That said, there are a number of areas in which the Parliament of Sri Lanka does not currently meet the CPA's Recommended Benchmarks. These cover a range of the Parliament's core legislative, oversight, and representative functions which, when taken together, limit the efficacy of its activities across different workstreams. Some of these current shortcomings listed below centre on the Parliament's current physical and digital infrastructure, the efficacy of some working practices and procedures, and its lack of true autonomy and independence from the Executive Branch of Government in certain key areas. In order to continue making positive democratic progress, a strong commitment at both the political and official level will be required to ensure that the Parliament reaches these important targets moving forward:

- Updating national electoral law and strengthening the current Elections Commission with improved mechanisms of facilitating postal/proxy/overseas voting provisions;
- Establishing a multi-annual Strategic Plan to uplift infrastructure/ICT provisions on the parliamentary precinct with particular consideration of persons with disabilities;
- Creating an independent Remuneration Authority alongside clear means for Members to disclose pecuniary interests and how parliamentary funds are spent;
- Modifying the set-up of parliamentary Committees so that these important vehicles of legislative scrutiny are more fit for purpose;
- Introducing important means of pre-legislative and post-legislative scrutiny;
- Establishing more effective provisions for the submitting of public petitions;
- Creating a suite of HR policies linked to bullying/harassment/sexual misconduct and relevant mechanisms for considering allegations made by parliamentary personnel;
- Expanding current professional development opportunities for Members and staff;
- Strengthening the role of the Right to Information Commission;
- Broadening avenues for public engagement with relevant Civil Society stakeholders and Media personnel; and
- Establishing a more effective Parliamentary Service Commission (or equivalent corporate body) to give the Legislature greater operational autonomy and financial independence from the Executive wing of Government with the ambition of achieving longer-term progress against several of these important targets.

The burden of responsibility for improvement in a number of these areas does not, however, rest entirely with Parliament. The Executive Government in Sri Lanka should also take this opportunity to, among others:

- Consider reforms to Sri Lankan electoral law;
- Promote the establishment of an independent Remuneration Authority;
- Make positive strides towards improving the Legislature's parliamentary precinct; and
- Crucially, supporting any future efforts to establish a more effective Parliamentary Service Commission while, in the meantime, providing the Legislature with greater fiscal independence and operational autonomy to run its own affairs.

Overall, the Parliament of Sri Lanka should be praised for building a Legislature that meets many of the CPA's Recommended Benchmarks and, positively, appears to be improving its performance on a continuous basis. While a number of areas for reform are identified in this Report, we hope that its Recommendations will act as a valuable resource to the Legislature moving forward. Utilising its content as an impartial guide will hopefully help build a stronger Parliament, develop better Government, and ultimately deliver more for the people of Sri Lanka in the months and years ahead.

Background

The Commonwealth Parliamentary Association (CPA¹) is an international community of 180 Parliaments and Legislatures working together to deepen the Commonwealth's commitment to the highest standards of democratic governance. Founded in 1911, the CPA brings together Members of Parliament and parliamentary staff to identify benchmarks of good governance and implement the enduring values of the Commonwealth. It offers vast opportunity for both Parliamentarians and officials to collaborate on issues of mutual interest and to share best practice across many fields.

In 2018, the CPA undertook a consultation and review process that resulted in the adoption of updated Recommended Benchmarks for Democratic Legislatures². The Benchmarks provide a set of minimum standards for how a Parliament should be constituted and a comprehensive guide on how it should function. Together they play an important role in developing the effectiveness of parliamentary institutions across the 180 Parliaments and Legislatures of the CPA and contribute to effective implementation of the UN's Sustainable Development Goals³.

In March 2025, the Parliament of Sri Lanka became the 39th Commonwealth Legislature to use this framework to conduct a Self-Assessment against the Benchmarks. The Self-Assessment exercise was approved by the Speaker of Parliament, Hon. Dr. Jagath Wickramaratne, and organised by parliamentary staff. CPA International Secretariat Headquarters appointed Fraser McIntosh (Good Governance Project Manager, CPA Headquarters) and Alexandria Faure (Deputy Clerk, National Assembly of Seychelles) to undertake this Self-Assessment from 24-28 March. The Self-Assessment took place as part of the CPA's Good Governance Project – an initiative part-funded by the UK's Foreign, Commonwealth and Development Office.

During their time in Sri Lanka, Fraser and Alexandria met Speaker Wickramaratne and other Members of Parliament. They also held discussions with Mrs. Kushani Rohanadeera (Secretary-General, Parliament of Sri Lanka) and various parliamentary staff alongside additional meetings with a wide range of external stakeholders including representatives of the Government of Sri Lanka, the Elections Commission of Sri Lanka, the Attorney-General's Office, and the Right to Information Commission, as well as representatives of Civil Society groups and national Media outlets.

These meetings took place in conjunction with a review of certain key documents including: the Constitution of Sri Lanka⁴ and the Parliament of Sri Lanka's Standing Orders⁵, as well as other related parliamentary materials.

The Report below is a summary of the main findings of the Self-Assessment.

1 Commonwealth Parliamentary Association – Homepage. [online]. Available at: <https://www.cpahq.org/>.

2 Commonwealth Parliamentary Association – Recommended Benchmarks for Democratic Legislatures. [online]. Available at: <https://www.cpahq.org/media/10jkk2nh/recommended-benchmarks-for-democratic-legislatures-updated-2018-final-online-version-single.pdf>.

3 In particular: Goal 16.6 (Develop effective, accountable, and transparent institutions at all levels) and Goal 16.7 (Ensure responsive, inclusive, participatory, and representative decision-making at all levels).

4 Constitution of the Democratic Socialist Republic of Sri Lanka (Revised 2023). [online]. Available at: www.parliament.lk/files/pdf/constitution.pdf.

5 Standing Orders of the Parliament of the Democratic Socialist Republic of Sri Lanka (Amended 2022). [online]. Available at: www.parliament.lk/files/pdf/standing-orders-en.pdf.

Acknowledgements

The Parliament of Sri Lanka proactively chose to assess itself against the CPA Benchmarks. As such, Hon. Speaker Wickramaratne, the Secretary-General, and other parliamentary staff should be praised for both their willingness and enthusiasm to undertake this important piece of work. Their doing so demonstrated a positive approach to the CPA Self-Assessment, which was consistent throughout Fraser and Alexandria's time in Sri Lanka. This commitment to continued learning and improvement is admirable.

The CPA would also like to place on record its warmest appreciation to all stakeholders who participated in this Self-Assessment and draw particular attention to the efforts of the Secretary-General and Mr. Chivantha Galanga (Parliamentary Officer, Foreign Relations and Protocol Office, Parliament of Sri Lanka) for helping coordinate a successful programme of meetings, facilitating important logistical arrangements, and extending such warm hospitality throughout Fraser and Alexandria's visit to Sri Lanka. Other officials with whom the CPA delegation met are all a credit to the Parliament and its continued efforts to improve parliamentary democracy for the people of Sri Lanka.

Support and Follow-Up

Following the publication and consideration of the findings of this Report, and within financial constraints, the CPA is committed to supporting the Parliament of Sri Lanka in further strengthening its democratic processes. As such, the CPA stands ready to enable the Parliament to take forward these Recommendations – where requested and appropriate – through its Technical Assistance Programme⁶ scheme and wider efforts linked to institutional parliamentary strengthening.

Political, Economic, and Social Context

Sri Lanka, officially the Democratic Socialist Republic of Sri Lanka, is an island country in South Asia. Located in the Indian Ocean, it shares a maritime border with both India and the Maldives⁷. According to most recent official estimates (2024), the population of Sri Lanka is approximately 23 million⁸. The majority of citizens are ethnically Sinhalese with sizable Tamil and Moor communities, among others.

Sri Lanka has two official languages (Sinhala and Tamil) albeit English, which is defined by the Constitution as a link language between them, is widely used for commercial, educational, and scientific purposes. Religion is central to the lives of many Sri Lankans. Buddhism (as per the Constitution, considered an official religion of Sri Lanka) accounts for the majority of the population with Hinduism, Islam, and Christianity followed by smaller sections of society⁹.

Sri Lanka is currently classified by the United Nations as a lower-middle income country¹⁰, historically reliant on plantation crops such as tea, cinnamon, and rubber. While these exports remain important, Sri Lanka's economy has diversified into services, including finance, telecommunications, and tourism. Since 1977, the country has moved from a state-led to free market economy. Its main trading partners today are China, India, and the United States¹¹.

Sri Lanka was under British colonial control from 1796 to 1948. During the 20th century, nationalist movements led to constitutional reforms and eventual Dominion status under the 1947 Ceylon Independence Act¹². In 1948, Ceylon (as it was known) became independent with a bicameral Legislature and a Governor-General representing the British Crown. This framework lasted until 1972, when the country adopted a Republican Constitution, replacing the Governor-General with a President and moving to a unicameral Parliament¹³.

The contemporary politics of Sri Lanka takes place within the framework of a democratic republic unitary state alongside key elements of Westminster-based parliamentary democracy. Sri Lanka is the oldest democracy in Asia, and most provisions in its Constitution can be amended by a two-thirds majority in Parliament (with some fundamental national features also requiring approval by way of a national referendum).

6 Commonwealth Parliamentary Association – How is the CPA supporting Commonwealth Parliaments? [online]. Available at: <https://www.cpahq.org/what-we-do/institutional-parliamentary-strengthening/>.

7 Encyclopaedia Britannica – Sri Lanka. [online]. Available at: www.britannica.com/place/Sri-Lanka.

8 Worldometers Info – Sri Lanka: Population. [online]. Available at: www.worldometers.info/world-population/sri-lanka-population/.

9 Encyclopaedia Britannica – Sri Lanka. [online]. Available at: www.britannica.com/place/Sri-Lanka.

10 United Nations Trade and Development – General Profile: Sri Lanka. [online]. Available at: www.unctadstat.unctad.org/CountryProfile/GeneralProfile/en-GB/144/index.html.

11 United Nations Trade and Development – General Profile: Sri Lanka. [online]. Available at: www.unctadstat.unctad.org/CountryProfile/GeneralProfile/en-GB/144/index.html.

12 UK Government – Ceylon Independence Act 1947. [online]. Available at: www.legislation.gov.uk/ukpga/Geo6/11-12/7/enacted.

13 Parliament of Sri Lanka – Constitution of Sri Lanka (Ceylon) 1972. [online]. Available at: [www.parliament.lk/files/ca/4.%20The%20Constitution%20of%20Sri%20Lanka%20-%20%201972%20\(Article%20105%20-134\)%20Chapter%20XIII.pdf](https://www.parliament.lk/files/ca/4.%20The%20Constitution%20of%20Sri%20Lanka%20-%20%201972%20(Article%20105%20-134)%20Chapter%20XIII.pdf).

As is common in many Commonwealth democracies, Sri Lanka has three branches of Government:

- **Executive:** The President of Sri Lanka¹⁴ is Head of State, Commander in Chief of the armed forces, the country's Chief Executive, and popularly elected for a five-year term. The President heads the Cabinet, appoints Ministers from among elected Members of Parliament, and is immune from any legal proceedings for the duration of their time in office. Following amendment to the Constitution in 2015, the President has a two-term limit, where previously no such restrictions existed.
- **Legislature:** The Parliament of Sri Lanka¹⁵ is a unicameral 225-Member Legislature with 196 Members elected from 22 multi-seat constituencies and 29 elected by proportional representation. Members are elected by universal suffrage for a five-year term. While Parliament reserves the power to make all laws, the President may summon, suspend, or end a legislative session and dissolve Parliament at any time after four-and-a-half years. The President's Deputy is the Prime Minister, who heads the Government, leads the ruling party, and shares many Executive responsibilities (principally in domestic affairs).
- **Judiciary:** Sri Lanka's Judiciary consists of a Supreme Court (the highest and final court of record nationwide), a Court of Appeal, High Courts, and a number of subordinate courts with responsibility for presiding over more local issues. Sri Lanka's President appoints judges to the Supreme Court, Court of Appeal, and High Courts with the Judicial Service Commission (composed of the Chief Justice and two other Supreme Court judges) administering appointments, transfers, and dismissals of lower court judges).

In addition to these national political structures, Sri Lanka is divided into nine Provinces (each of which have a Provincial Council) and 25 Districts (all of whom are administered by a District Secretary). Each District is further divided into a number of Divisional Secretary's Divisions. These currently total 256 in Sri Lanka today¹⁶.



14 President of Sri Lanka – Homepage. [online]. Available at: www.president.gov.lk.

15 Parliament of Sri Lanka – Homepage. [online]. Available at: www.parliament.lk/en.

16 Government of Sri Lanka Ministry of Education – Provinces and Districts. [online]. Available at: www.moe.gov.lk/ministry-2/provinces/.

I. GENERAL

OVERVIEW

Elections

Since gaining independence from Great Britain in 1948, Sri Lanka has managed to blend its traditional political system with wider Westminster-style institutional structures commonplace throughout the Commonwealth. Over the last 76 years, Sri Lanka has experienced periods of political upheaval but, in more recent years, has enjoyed peaceful and smooth transitions of power from one Government to another following General Elections held every five years. Provisions for the holding of national polls are clearly outlined in the Constitution (Chapter XIV¹⁷) and the separate Parliamentary Elections (Amendment) Act of 2009¹⁸.

In a positive demonstration of sound parliamentary practice, recent elections in Sri Lanka have been supported and recognised as both free and fair by international electoral observations missions – the latest Parliamentary Election (held in November 2024) was closely monitored by delegations from the Commonwealth Observer Group¹⁹ and the Asian Network for Free Elections²⁰. While summary reports produced by both groups were largely positive about how the November 2024 Parliamentary Elections were conducted, they did highlight a few important recommendations for how future national polls in Sri Lanka could be improved. These centred on: exploring means of introducing greater provisions for means of ‘advanced voting’ for Sri Lankan citizens who cannot vote in person at a polling station on Election Day; investing more in civic education programmes to increase the democratic understanding and digital literacy of Sri Lankan voters; and strengthening mechanisms for regulating campaign finance disclosures following the recently adopted Regulation of Election Expenditure Act 2023²¹.

Parliamentary Elections in Sri Lanka are overseen by the Elections Commission of Sri Lanka²². The Commission (provided for by Chapter XIV A of the Constitution²³) is an independent authority consisting of five Commissioners whose responsibilities include oversight of voter registration, ensuring correct procedures around the conduct of parliamentary elections, and facilitating civic education programmes around the holding of national polls. As per the Constitution (Chapter XIV A²⁴), members of Elections Commission are appointed by the President following recommendations of the Parliamentary Council. The CPA team met with representatives of the Elections Commission while in Sri Lanka and those conversations noted that the organisation enjoys both healthy political/financial independence and strong ties with international partners (such as International IDEA²⁵) and fellow electoral commission in other South Asian countries that help ensure it conducts various electoral activities effectively.

The most recent Parliamentary Elections in Sri Lanka took place in November 2024²⁶. A total of 8,821 stood for election (5,564 affiliated to political parties and 3,257 as independent candidates) with turnout registered at 68%. Positively, the Constitution (Chapter XIV²⁷) has open eligibility criteria in place for those candidates seeking election to Parliament which do not discriminate along religion, gender, ethnicity, race, or disability lines. Results from the Parliamentary Elections saw the National People’s Power Party (NPP) win approximately 62% of the vote and 159 seats in Parliament, with the opposition Samagi Jana Balawegaya Party (SJB) winning approximately 18% of the vote and 40 seats in the Legislature. The NPP gained more seats than any other Sri Lankan political party in history, the second highest proportion of seats on record, and became the first party since 1977 to achieve a supermajority in Parliament. Eleven other political parties were elected to Parliament sharing the remaining 26 seats.

While the conducting of Parliamentary Elections in Sri Lanka is undoubtedly positive in several ways, discussions held by the CPA team with representatives of the Elections Commission did raise two important areas in which improvements could be made against the CPA’s Recommended Benchmarks²⁸:

- 17 Constitution of the Democratic Socialist Republic of Sri Lanka (Revised 2023). [online]. Available at: www.parliament.lk/files/pdf/constitution.pdf.
- 18 Laws of Sri Lanka – Parliamentary Elections (Amendment) Act 2009. [online]. Available at: www.srilankalaw.lk/revised-statutes/alphabetical-list-of-statutes/862-parliamentary-elections-act.html.
- 19 Commonwealth Observer Group – 2024 Sri Lanka Parliamentary Elections. [online]. Available at: www.thecommonwealth.org/news/commonwealth-observers-release-final-report-sri-lanka-presidential-election.
- 20 Asian Network for Free Elections – Interim Report on the 2024 Sri Lanka Parliamentary Elections. [online]. Available at: www.anfrel.org/interim-report-of-the-anfrel-international-election-observation-mission-ieom-to-the-2024-sri-lanka-parliamentary-elections/.
- 21 Parliament of Sri Lanka – Regulation of Election Expenditure Act 2023. [online]. Available at: www.parliament.lk/uploads/acts/gbills/english/6287.pdf.
- 22 Elections Commission of Sri Lanka – Homepage. [online]. Available at: www.elections.gov.lk/indexEn.html.
- 23 Constitution of the Democratic Socialist Republic of Sri Lanka (Revised 2023). [online]. Available at: www.parliament.lk/files/pdf/constitution.pdf.
- 24 Constitution of the Democratic Socialist Republic of Sri Lanka (Revised 2023). [online]. Available at: www.parliament.lk/files/pdf/constitution.pdf.
- 25 International IDEA – Sri Lanka: Exploring Collaboration to Protect Elections. [online]. Available at: www.idea.int/news/sri-lanka-exploring-collaboration-protect-elections.
- 26 Parliament of Sri Lanka – 2024 Elections Results. [online]. Available at: www.beta.parliament.lk/en/election-2024/results.
- 27 Constitution of the Democratic Socialist Republic of Sri Lanka (Revised 2023). [online]. Available at: www.parliament.lk/files/pdf/constitution.pdf.
- 28 Commonwealth Parliamentary Association – Election Planning Handbook. [online]. Available at: https://www.cpahq.org/media/vilpux02/election-planning-handbook_final.pdf.

- At present, the electoral framework in Sri Lanka does not currently contain any provisions that allow for the ‘power of recall’ whereby those constituents who are dissatisfied with the performance of their elected representative can seek to have them removed from office between Parliamentary Elections. Some stakeholders who met with the CPA team suggested that this absence can create a culture among certain Members of not spending sufficient time in their constituencies between Parliamentary Elections and that introducing such provisions (along with the holding of linked by-elections) would help to strengthen accountability between elected representatives and the citizens they serve.
- Furthermore, the vast majority of Sri Lankan citizens are obliged to attend a registered polling station on election day with limited provisions in place under national electoral law for them to vote by post or proxy. Introducing such provisions would not only allow those citizens unable to physically attend a polling station (such as those residing in particularly remote areas, suffering from ill health, or living with a disability) to participate in national votes but could also help to reverse a recent trend which has seen voter turnout at successive Parliamentary Elections fall.

RECOMMENDATION 1

The Parliament of Sri Lanka should update current national electoral law to include ‘power of recall’ provisions and provide Sri Lankan citizens with greater postal/proxy voting means at future Parliamentary Elections.

(Benchmark 1.1.3 – Term lengths for Members of the popular House shall reflect the need for accountability through regular and period legislative elections / Benchmark 1.2.2 – Measures to encourage the political participation of marginalised groups shall be drawn to accomplish precisely defined objectives).

Upon taking their seats in Parliament, the Constitution (Chapter X²⁹) and the Legislature’s Standing Orders (Number 5³⁰) stipulate that Members must take an Oath of Allegiance or, alternatively, make an Official Affirmation. These are administered by the Secretary-General of Parliament and are mandatory for all candidates successful in parliamentary elections before they can begin their legislative duties. During their time in Sri Lanka, the CPA team was not made aware of any specific cases of newly elected Members refusing to fulfil these requirements.

Separation of Powers

The current national Constitution of Sri Lanka entered into force in 1978, superseding a previous version from 1972 which, in turn, had replaced the country’s first post-independence Constitution from 1948 as the Dominion of Ceylon. The present day Constitution provides a framework defining the country’s fundamental political principles, establishes structures, powers, procedures, and duties of the various Branches of Government, and outlines important rights and responsibilities of all Sri Lankan citizens. The Constitution (Chapters VII, X, and XV³¹) separates political powers between the Executive, Legislature, and Judiciary, with provisions for their respective roles and remits clearly outlined³². The current Constitution has been amended a number of times since 1978 with a two-thirds majority in Parliament required. Various ‘entrenched’ provisions of particular national significance also require approval at a nationwide referendum. As the supreme law of Sri Lanka, all parliamentary legislation must align with and not contravene the Constitution.

At present, Sri Lanka enjoys a relatively clear separation of powers between its three Branches of Government. By way of example, in a positive demonstration of parliamentary practice, no sitting Member of Parliament may simultaneously serve in a Provincial Council, the Judiciary or hold an Executive civil service position while they are in office. Furthermore, any employees of the Sri Lankan Public Service who become a candidate for election to the Legislature must take a leave of absence for the purposes of their candidacy while, conversely, any sitting Member who takes up employment within the Public Service must resign their seat in Parliament, at which point a by-election is called to elect an eligible replacement.

That said, Sri Lanka’s current constitutional framework arguably favours the Executive over the Legislature in several aspects and, during their time in Sri Lanka, the CPA team heard from a number of stakeholders to this effect. As part of these discussions, it was suggested that a combination of Constitutional amendments, revising the Standing Orders, and updating relevant pieces of legislation could all help strengthen Parliament’s independence and autonomy. With that in mind, some of these areas are discussed further in subsequent chapters of this Report.

29 Constitution of the Democratic Socialist Republic of Sri Lanka (Revised 2023). [online]. Available at: www.parliament.lk/files/pdf/constitution.pdf.

30 Standing Orders of the Parliament of the Democratic Socialist Republic of Sri Lanka (Amended 2022). [online]. Available at: www.parliament.lk/files/pdf/standing-orders-en.pdf.

31 Constitution of the Democratic Socialist Republic of Sri Lanka (Revised 2023). [online]. Available at: www.parliament.lk/files/pdf/constitution.pdf.

32 Commonwealth Parliamentary Association – Latimer House Principles on the Three Branches of Government. [online]. Available at: https://www.cpahq.org/media/kaf14zuf/commonwealth_principles_cpa_sept_2023-v2_single.pdf.

Privileges and Immunity

When in office, Members of Sri Lanka's Parliament are afforded due privilege and immunity from liability for anything they say or do in the Legislature. The Parliament (Powers and Privileges) Act³³ of 1953 outlines these protections in greater detail and, positively, is publicly available. Unless ordered otherwise by the Speaker of Parliament, Members are immune from any inquiry, arrest, detention, or prosecution relating to their legislative duties, whether in the Chamber or as part of Committee work. While the CPA team was informed that informal practice is for former Members to be granted immunity relating to any parliamentary activity undertaken during their time as a Member, formally codifying this in statute would be beneficial. Accordingly, Sri Lanka's Parliament should, therefore, look to update its relevant provisions to clearly enshrine this in law.

Positively, the immunity privileges afforded to sitting Members of Parliament are extended to individual citizens, representatives of Civil Society organisations, and Media outlets who contribute to or report on parliamentary proceedings. Accordingly, Sri Lanka's statute book also includes a far-reaching Anti-Corruption Act³⁴ (passed in 2023) which further enshrines in law welcome protection to these stakeholders in both their interaction with the Legislature and wider Sri Lankan society. One area, however, in which the Parliament could look to introduce another positive means of protecting external stakeholders who engage with its activities would be to provide citizens that feel their reputation has been damaged or brought into disrepute during parliamentary proceedings with formal means to a right of reply. Introducing such provisions would add invaluable extra protections for those citizens supporting the Legislature's work and bring the Parliament of Sri Lanka more in line with best practice demonstrated by other democratic Legislatures around the Commonwealth.

RECOMMENDATION 2

The Parliament of Sri Lanka should update its parliamentary privilege/immunity provisions to enshrine in law due protections for former Members, while also introducing a citizens' 'right of reply' scheme in relation to adverse references made to individuals during legislative proceedings.

(Benchmark 1.4.4 – The Legislature shall have mechanisms for persons to respond to adverse references made to them in the course of the Legislature's proceedings / Benchmark 1.4.5 – The freedom of speech immunity shall continue to apply to former legislators after they have left office in respect of works spoken or acts done while holding office and participating in or directly facilitating the Legislature's proceedings).

Two linked areas in which the Parliament does fully meet the relevant CPA Benchmarks are both the application of natural justice legal norms and related sub judice provisions. Positively, the Constitution of Sri Lanka (Chapter III³⁵) details the upholding of fundamental rights and freedoms of the individual while the Standing Orders of Parliament (Number 91³⁶) protect the integrity and independence of Sri Lanka's courts by prohibiting Members of Parliament from publicly discussing issues that are subject to live judicial review. Members throughout the Legislature appear to respect these rules and the CPA team was not made aware of any issues relating to their application during stakeholder discussions.



Parliamentary Mace of the Parliament of Sri Lanka

33 Parliament of Sri Lanka – Parliament (Powers and Privileges) Act 1953. [online]. Available at: www.parliament.lk/images/pdf/powers_privileges.pdf.

34 Parliament of Sri Lanka – Anti-Corruption Act 2023. [online]. Available at: www.parliament.lk/uploads/acts/gbills/english/6296.pdf.

35 Constitution of the Democratic Socialist Republic of Sri Lanka (Revised 2023). [online]. Available at: www.parliament.lk/files/pdf/constitution.pdf.

36 Standing Orders of the Parliament of the Democratic Socialist Republic of Sri Lanka (Amended 2022). [online]. Available at: www.parliament.lk/files/pdf/standing-orders-en.pdf.

Remuneration and Benefits

The remuneration, benefits, and other statutory entitlements for Members of Parliament are currently overseen by the Parliament House Committee³⁷ which is established as a formal body under the Legislature's Standing Orders (Number 119³⁸). The Committee comprises the Speaker (as Chair) and nine other Members nominated by the Committee of Selection from across the House. While these individuals are drawn from Government and Opposition benches, having Members determine their own rate of remuneration could lead to scenarios of political interference or financial self-interest influencing the determination of these entitlements.

All elected Members of Parliament are paid a base monthly salary and receive additional allowances to support the facilitation of their parliamentary duties. These are confirmed at the commencement of each new Parliament by the House Committee. Sri Lanka has experienced a particularly challenging economic climate in recent years which has seen levels of remuneration for its Parliamentarians compare unfavourably to other Asian jurisdictions³⁹. Basic monthly salaries are allocated on a tiered basis depending on the position held by the Member in question with supplementary allowances being granted on an equal non-partisan basis.

At the time of writing this Report, Members of Sri Lanka's Parliament are paid the following base monthly salaries:

Position	Monthly Salary
Prime Minister	71,500 LKR
Speaker of Parliament	68,000 LKR
Cabinet Ministers	65,000 LKR
Leader of the Opposition	65,000 LKR
Deputy Speaker of Parliament	63,500 LKR
Member of Parliament	54,285 LKR

Alongside their base salary, Members of Parliament are also eligible to receive a wide range of further allowances that noticeably supplement their base monthly remuneration. These include daily per diems for attending House sittings and Committee meetings (on non-sitting days), as well as other allowances related to office maintenance, transport, communications, and entertainment. When taken together, a regular backbench Member of Parliament can expect to take home more than 400,000 LKR (approximately \$1,500 USD) per month. In recent years, analysis by PublicFinance.lk⁴⁰ has shown that approximately 40% of Parliament's annual budget is dedicated to Members and their remuneration/allowances. While not unduly high, the Parliament of Sri Lanka should ensure that all other important activities in the Legislature receive the funding they need by establishing more independent (and perhaps commensurate) means of establishing the level of remuneration for Members moving forward.

The ideal practice demonstrated in other Commonwealth jurisdictions is for payments made to Members of Parliament to be regulated by an independent Remuneration Authority with clear procedures for monitoring and publishing relevant financial disclosures. At present, no such body exists in Sri Lanka. Its establishment would be a strong demonstration of positive transparency/accountability and bring the Parliament of Sri Lanka in line with other Commonwealth Legislatures.

RECOMMENDATION 3

The Parliament of Sri Lanka should pass legislation establishing an independent Remuneration Authority that regulates salaries and allowances for Members of Parliament with adequate mechanisms for monitoring and publishing relevant financial disclosures relating to these.

(Benchmark 1.5.2 – An independent body or mechanism should determine the remuneration, benefits, and other statutory entitlements of legislators).

37 Parliament of Sri Lanka – House Committee. [online]. Available at: www.parliament.lk/component/committees/committee/showCommittee?id=213&lang=en#:~:text=The%20House%20Committee%20consists%20of,be%20circulated%20to%20all%20Members.

38 Standing Orders of the Parliament of the Democratic Socialist Republic of Sri Lanka (Amended 2022). [online]. Available at: www.parliament.lk/files/pdf/standing-orders-en.pdf.

39 Commonwealth Parliamentary Association – Commonwealth Parliamentarians Pay and Remuneration Report. [online]. Available at: www.cpahq.org/media/1z3fwmeu/cpa-members-remuneration-report-2020-2021-final.pdf.

40 PublicFinance.lk – The Price of Parliament: What Does It Look Like? [online]. Available at: www.publicfinance.lk/en/topics/the-price-of-parliament-what-does-it-look-like-1731250233.

Infrastructure

The Parliament of Sri Lanka has been located on its current premises since 1982. The New Parliament Complex – designed by renowned Sri Lankan architect Geoffrey Bawa – ably blends several aspects of traditional Sri Lankan heritage and striking Tropical Modernist themes with many modern facilities befitting of a contemporary Legislature.

For example, the plenary Chamber is bright, spacious, and equipped with impressive modern technology in parts. Every Member has their own designated seating space, there are interpretation booths to facilitate the use of Sinhala, Tamil, and English in legislative proceedings, and distinct viewing sections for visiting dignitaries and invited guests. In a further positive demonstration of transparent parliamentary practice, members of the public are also able to watch live proceedings in person.



The New Parliament Complex also hosts designated office space for the Speaker, Deputy Speaker, Ministers, Leader of the House, and Leader of the Opposition, as well as the Secretary-General and senior parliamentary management alongside shared working premises for the Legislature's Secretariat staff. The parliamentary precinct also includes, among others, a range of Committee meeting rooms, an impressive parliamentary library/research service, a state-of-the-art Media centre, and well-used shared banking, dining, and medical facilities for both Members and staff.

While many of these facilities are undoubtedly positive, the current parliamentary precinct does lack adequate space and resource, as well as optimal physical/digital infrastructure, in some key areas that would better enable the Parliament to fully meet all of its various legislative functions.

For example:

- At present, rank and file Members of Parliament do not have their own offices providing private working space (instead backbench Members from the Government and Opposition currently utilise shared meeting rooms). These provisions are commonplace across many other Commonwealth Legislatures, and, in this regard, the Sri Lankan Parliament should look to improve the working environment for its Members moving forward.
- Linked to this, the CPA learned that other aspects of Parliament's physical infrastructure would benefit from upgrading. Stakeholder discussions with parliamentary staff highlighted, for example, health and safety concerns around the legislative precinct not having a fit-for-purpose fire alarm system, fully watertight plumbing, or compliant electronic wiring in parts.
- Arrangements for persons with disabilities across the parliamentary precinct could also be improved. While access to the Chamber is possible for Members with mobility issues, external visitors (including members of the public) in wheelchairs cannot access live plenary activities and wider legislative premises would benefit from, for example, additional disabled-friendly access ramps, lifts, and public restrooms. Positively, the Parliament is taking steps to address some of these shortcomings by previously establishing a Taskforce for Disability Inclusion⁴¹ to improve awareness of these issues among parliamentary decision-makers and recently submitting a successful application to the CPA's Capital Investment Fund⁴² for a grant to install sign language interpretation booths in the main plenary Chamber. More broadly, the Parliament should continue to work closely with the CPA's Commonwealth Parliamentarians with Disabilities (CPwD)⁴³ network.

41 Parliament of Sri Lanka – Taskforce for Disability Inclusion. [online]. Available at: www.parliament.lk/en/news-en/view/3481?category=6.

42 Commonwealth Parliamentary Association – Capital Investment Fund. [online]. Available at: www.cpahq.org/our-networks/commonwealth-parliamentarians-with-disabilities/cpwd-capital-investment-fund/.

43 Commonwealth Parliamentary Association – Commonwealth Parliamentarians with Disabilities (CPwD) Network. [online]. Available at: www.cpahq.org/our-networks/commonwealth-parliamentarians-with-disabilities/.

- Further stakeholder discussions with parliamentary staff also highlighted that several aspects of the Legislature's digital infrastructure would benefit from improvement too. While the Parliament has a broadly positive public website (discussed in greater detail later in this Report), technological constraints were flagged to the CPA team relating to its internal intranet, and outdated operating systems being used on a range of legislative ICT equipment.

During their time in Sri Lanka, the CPA team heard a range of views from stakeholders on how the Parliament could best take forward several of these important projects relating to the physical and digital infrastructure of the legislative precinct. One potential suggested means of doing this, which was positively received by Members and staff, was to establish a multiannual Strategic Plan⁴⁴ that would help the Parliament and its senior decision-makers to develop a coordinated roadmap for making at least some of these important improvements over the next several years. This Strategic Plan could include phased uplifts to physical infrastructure, upgrading digital capabilities, and improving accessibility provisions that, when taken together, would help the Parliament identify desired reforms and related actions needed to make the institution more productive and responsive to both internal and external stakeholders. In the meantime, the Parliament should seek to prioritise more immediate means of improving levels of physical and digital infrastructure on its premises which enable it to be an even better Legislature tomorrow than it is today.

RECOMMENDATION 4

The Parliament of Sri Lanka should establish a multiannual Strategic Plan that enables it to uplift and improve the physical and digital infrastructure of its legislative precinct with a particular focus on: providing individual Members with their own office; improving health and safety standards on site; enhancing accessibility services and provisions for persons with disabilities; and ensuring that digital capabilities are modern, resilient, and fit for purpose.

(Benchmark 1.9.1 – The Legislature shall have adequate physical infrastructure to enable Members and staff to fulfil their responsibilities).

Professional Development

The Secretariat of Parliament conducts an induction/orientation programme for all Members (returning and first time) at the beginning of each new session of the Legislature following Parliamentary Elections. During this, key information concerning the Constitution, Standing Orders, and parliamentary duties, services and entitlements are shared with Members to help facilitate their understanding of how the Legislature functions. Positively, Secretariat staff also produce an excellent series of pocket-sized information brochures covering many different aspects and areas of Parliament life, which has proven a useful resource in supplementing the in-person induction programme.

In general, these orientation sessions appear valuable and well received by Members, however those who met with the CPA team also voiced a desire for such training opportunities to be made more comprehensive and conducted on a rolling basis throughout the life cycle of a Parliament. From speaking to senior officials within the parliamentary administration, there is a clear ambition to enhance the levels of training currently provided to Members. Positively, doing so would bring the key benefits of continually developing Members' knowledge and ensuring that the Parliament of Sri Lanka remains in line with evolving best parliamentary practices across the Commonwealth.

Officials within Sri Lanka's Parliament do receive some training as part of their own professional development, however stakeholder discussions noted that these are currently few and far between. To this end, increased learning opportunities should be afforded to parliamentary staff. Speaking to many different officials within the Secretariat of Parliament, it was repeatedly flagged to the CPA team that there is a real appetite among them to gain deeper knowledge, build further capacity, and develop new skills in a range of areas relating to model parliamentary practice. In order to increase sustainability and prepare for future succession planning within the parliamentary administration, it is advised that the Parliament focusses resources on adequately training all staff (regardless of seniority) throughout the parliamentary term.

Another way in which the Legislature could improve its professional development opportunities would be to provide relevant external stakeholders with more formal platforms to meet with Members and staff throughout the life cycle of a Parliament. During conversations about the role of Civil Society and with representatives of national Media organisations, a desire was voiced to be afforded greater opportunities for presenting to Members and officials information about their respective organisations and how they interact with Parliament to improve understanding between parliamentary stakeholders and these groups. Doing so would not only ensure that the Parliament meets relevant CPA Benchmarks in this regard but also be a positive demonstration of the Legislature's commitment to improving how it interacts with external stakeholders and, by extension, the Sri Lankan electorate at large.

⁴⁴ Agora Portal for Parliamentary Development – Parliamentary Strategic Development Plans. [online]. Available at: www.agora-parl.org/resources/aoe/parliamentary-strategic-development-plans.

More broadly, many different stakeholders who met with the CPA team in Sri Lanka positively voiced a desire for the Benchmarks Self-Assessment exercise to be used as an opportunity for the Parliament to engage further with the CPA moving forward. With this in mind, the suggestions of future enrolment in a CPA Technical Assistance Programme⁴⁵ (referenced earlier in this Report), the hosting of a future CPA Post-Election Seminar⁴⁶, and involvement in tailored study visits/exchange programmes were all welcomed. Given the challenges of cost and travel faced by all Legislatures, the Parliament of Sri Lanka should also make use of free online courses available to all Members and staff through the CPA's Parliamentary Academy⁴⁷.

RECOMMENDATION 5

The Parliament of Sri Lanka should expand its Professional Development Programmes to include the participation of key external stakeholders, hold these periodically between General Elections, and ensure that such opportunities are open to all Members of Parliament and Secretariat staff.

(Benchmark 1.6.1 – The Legislature shall take measures to ensure that newly elected Members are assisted in understanding how the Legislature works and its rules of procedure / Benchmark 1.6.2 – The Legislature shall take measures to assist legislators increase their knowledge and skills in the performance of their parliamentary duties).



45 Commonwealth Parliamentary Association – How is the CPA supporting Commonwealth Parliaments? [online]. Available at: <https://www.cpahq.org/what-we-do/institutional-parliamentary-strengthening/>.

46 Commonwealth Parliamentary Association – Professional Development. [online]. Available at: <https://www.cpahq.org/what-we-do/professional-development/>.

47 Commonwealth Parliamentary Association – The CPA Parliamentary Academy. [online]. Available at: <https://www.cpahq.org/parliamentary-academy/>.

II. ORGANISATION OF THE LEGISLATURE

PROCEDURES AND SESSIONS

Rules of Procedure

The Parliament of Sri Lanka operates pursuant to provisions outlined in the Constitution (Chapter X⁴⁸) and its own internal Standing Orders⁴⁹. These Standing Orders have been in operation since 1948. Positively, this framework reflects the Legislature's operations, albeit the broader culture of Parliament is also shaped by a range of customary practices (separate to the Standing Orders) which have built up and been applied over time.

The current Standing Orders were last updated in 2022 and, in a positive demonstration of sound parliamentary practice, are periodically reviewed to ensure that they remain fit for purpose moving forward. Best practice demonstrated in other Commonwealth jurisdictions is for the Standing Orders of their Legislature to be routinely reviewed at the beginning of each new session of Parliament, something that the Parliament of Sri Lanka may wish to introduce into its working practices ahead of future Parliamentary Elections.

At present, any Member of Parliament can move a motion recommending an amendment be made to the Standing Orders, with that motion then being considered by the Legislature's Committee on Standing Orders⁵⁰ before it reports back to all Members of the House for broader consideration. The Committee comprises the Speaker (as Chair), alongside the Deputy Speaker, Deputy Chairperson of Committees, and six other Members nominated by the Committee of Selection⁵¹ and can also recommend proposed amendments to Parliament's Standing Orders under its own initiative. A simple majority of Members in the Legislature is required to approve any amendments to the Standing Orders.

Parliament's Standing Orders are applied to manage the business of the House and of its Committees and, as such, form the key operational document for the Legislature's functionality. Stakeholder discussions held by the CPA team revealed varying levels of appreciation for the Standing Orders among Members, with a correlation between understanding and length of service often commonplace. Positively, Parliament's Secretariat already produces a companion guide to the Standing Orders (disseminated at induction/orientation), which serves as a helpful explanatory tool setting out the rationale for the Standing Orders and how Members can use them to support their legislative activities. The companion guide also serves a particularly informative and educational purpose for those Members newly elected to Parliament.

The Standing Orders themselves are distributed to all Members at the first sitting of a new Parliament after Parliamentary Elections and further hard copies are held centrally by the Legislature's Secretariat. Positively, digital copies of the Standing Orders are also published on Parliament's website for wider stakeholders and members of the public to view.

Presiding Officers

Both the Constitution (Chapter X⁵²) and the Standing Orders (Number 4⁵³) of Parliament provide for the Presiding Officer of the Legislature. Candidates for the positions of Presiding Officer are sought from within the Parliament's membership with any sitting Member eligible to be nominated by at least one of their peers. At the first meeting of Parliament following Parliamentary Elections, nominations for the position of Presiding Officer are sought. Should only one candidate be nominated and approved by a simple majority of Members, they assume the position of Presiding Officer. Should more than one candidate be proposed, their respective nominations and merits are considered by the whole House until such a time as a prospective candidate receives simple majority support from all elected Members. Both the Constitution and Standing Orders also provide for the election of a Deputy Speaker and Deputy Chairperson of Committees who support the Presiding Officer and stand in for them in the event that the Speaker is unable to oversee legislative activities in the House on a particular day. The election of both of these positions follows the same format as that used for the election of the Speaker.

The role of the Presiding Officer is to maintain order in Parliament so that all Members have full opportunity to participate in the debates and votes of the Legislature. To this end, the Speaker is well supported in advice on practice, precedent and procedure by the Secretary-General and other senior parliamentary Secretariat staff. During various stakeholder discussions, Members and

48 Constitution of the Democratic Socialist Republic of Sri Lanka (Revised 2023). [online]. Available at: www.parliament.lk/files/pdf/constitution.pdf.

49 Standing Orders of the Parliament of the Democratic Socialist Republic of Sri Lanka (Amended 2022). [online]. Available at: www.parliament.lk/files/pdf/standing-orders-en.pdf.

50 Parliament of Sri Lanka – Committee on Standing Orders. [online]. Available at: www.parliament.lk/en/component/committees/committee/showCommittee?id=655.

51 Parliament of Sri Lanka – Committee of Selection. [online]. Available at: www.parliament.lk/en/component/committees/committee/showCommittee?id=652.

52 Constitution of the Democratic Socialist Republic of Sri Lanka (Revised 2023). [online]. Available at: www.parliament.lk/files/pdf/constitution.pdf.

53 Standing Orders of the Parliament of the Democratic Socialist Republic of Sri Lanka (Amended 2022). [online]. Available at: www.parliament.lk/files/pdf/standing-orders-en.pdf.

officials from across Parliament spoke positively about the incumbent Presiding Officer and the way in which he conducts the important role of facilitating Legislature business. As such, Speaker Wickramaratne should be praised for his efforts and ability to ensure that these important elements of core parliamentary practice are well maintained.

When it comes to ensuring model parliamentary conduct on the Floor of the House, this responsibility does not rest entirely with the Presiding Officer. Accordingly, individual Members should also take it upon themselves to demonstrate correct etiquette when participating in legislative activities. While the CPA team's visit to Sri Lanka didn't coincide with a sitting week of Parliament, they were assured by stakeholders that, for the most part, the vast majority of Members demonstrated model behavioural etiquette requested of them by the Speaker during Plenary sessions. Nonetheless, the Self-Assessment exercise provided a welcome opportunity to impress upon newly-elected Members and parliamentary staff, the importance of showing due respect to the Presiding Officer's authority and setting a positive example to wider Sri Lankan stakeholders who follow parliamentary proceedings.



Convening Sessions and Setting the Agenda

As per the Constitution (Chapter XI⁵⁴), the Parliament of Sri Lanka is required to meet at least once every year so that a period of 12 months shall not intervene between the last sitting of Parliament in one session and the first sitting of Parliament in the next. In line with the Standing Orders of Parliament (Number 8⁵⁵), however, the Legislature meets far more regularly. The scheduling of these meetings is formalised by the cross-party Committee on Parliamentary Business⁵⁶ and adhered to without any major issues. Positively, the Legislature also has an annual Parliamentary Calendar⁵⁷ which is publicly available. Not only does this help improve the Legislature's functionality, but it also ensures that citizens across Sri Lanka can easily follow parliamentary business.

54 Constitution of the Democratic Socialist Republic of Sri Lanka (Revised 2023). [online]. Available at: www.parliament.lk/files/pdf/constitution.pdf.

55 Standing Orders of the Parliament of the Democratic Socialist Republic of Sri Lanka (Amended 2022). [online]. Available at: www.parliament.lk/files/pdf/standing-orders-en.pdf.

56 Parliament of Sri Lanka – Committee on Parliamentary Business. [online]. Available at: www.parliament.lk/en/component/committees/committee/showCommittee?id=654#:~:text=It%20shall%20be%20the%20duty,may%20refer%20to%20the%20Committee.

57 Parliament of Sri Lanka – Annual Parliamentary Calendar. [online]. Available at: www.parliament.lk/parliament-calendar?view=main&viewMode=monthly.

As per Standing Order Number 8, Parliament meets in two alternate weeks every month and sits on Tuesday, Wednesday, Thursday, and Friday (9:30AM-5:30PM) of the first and third weeks of each month. Separately to this, the Legislature also has means to be called into extraordinary session either via an instruction from the President (Constitution, Article 70⁵⁸) or the Prime Minister via the Speaker (Standing Orders, Number 16⁵⁹) should it be felt that an additional sitting is required or in the wider public interest. While having provisions to call itself into extraordinary session is positive, best practice in other Commonwealth jurisdictions is for rank-and-file Members of the Legislature to be able to do so should there be the popular will. Introducing mechanisms for backbench Members to suggest amendments to the Legislature's sitting days is something that the Parliament may wish to consider moving forward.

Ahead of each sitting, Parliament's proposed agenda is formalised by the Speaker (in their capacity as Chair of the Committee on Parliamentary Business) and disseminated among Members by way of a Business Paper prepared by the Secretary-General. This includes a daily Order Paper (comprising Orders of the Day and Notices of Motions) which helps guide Members through each day's business. Members appear to have the opportunity to suggest changes or request amendments to the proposed agenda although, ultimately, any final decision to incorporate these or not rests with the Presiding Officer. During stakeholder discussions, Members from across the House appeared generally satisfied with how the Legislature's sitting agenda is constructed, conveyed, and adhered to.

Debate and Voting

The Parliament of Sri Lanka has clear procedures in place for the facilitation of parliamentary debates and votes, as well as determining their order of precedence. The Legislature's Standing Orders (Number 22⁶⁰) outline provisions relating to the tabling of Papers, moving of Motions and Amendments, exchange of Questions and Answers, and consideration of public Petitions. For the most part, Standing Order arrangements relating to all of these appear well understood and adhered to by Members of Parliament with no specific issues of note being raised during stakeholder discussions. This not only reflects positively on Hon. Speaker Wickramaratne, but also more broadly on the Secretary-General and wider parliamentary staff in the Legislature.

In another example of model parliamentary practice, all Plenary debates and votes are conducted publicly with live coverage provided in real time through the Legislature's Parliament Live⁶¹ service and via its dedicated Facebook⁶², Instagram⁶³, Twitter⁶⁴, and YouTube⁶⁵ channels. To this end, the Parliament of Sri Lanka should be praised for its commitment to openness, transparency, and accountability vis-à-vis the electorate.

While the overall parameters for facilitating debates and votes in the Parliament are broadly positive, the CPA team identified two specific areas in which the Legislature performs particularly well:

- **Non-Government business:** much like many other Commonwealth Legislatures, the majority of business considered by the Parliament emanates from the Sri Lankan Government. While this is not uncommon, the Standing Orders (Number 23⁶⁶) outline provisions for dedicated 'Opposition Days' which allow non-Government Members to propose debate topics and raise motions. Having specific days set aside to consider business proposed by non-Government Members not only demonstrates sound application of the 'minority right' democratic principle but, equally, provides a conducive environment for the Legislature to debate all pertinent issues raised by any Member throughout the House.
- **Private Members' Bills:** similarly, the Legislature's Standing Orders (Numbers 52-53⁶⁷) outline clear provisions for the introduction of Private Members' Bills. Despite the majority of Parliament's agenda being dedicated to considering Government business, the Legislature's Secretariat make every effort to provide the sufficient legal and financial expert capacity required to help 'backbench' Members with the crafting and drafting of own-initiative legislation. Some stakeholders did, however, suggest that the Parliament would benefit from the introduction of more Private Members' Bills than is currently the case. As such, the Parliament should look to further capacitate/upskill existing staff to hopefully encourage more non-Government Members to make greater use of this important means of legislating moving forward.

58 Constitution of the Democratic Socialist Republic of Sri Lanka (Revised 2023). [online]. Available at: www.parliament.lk/files/pdf/constitution.pdf.

59 Standing Orders of the Parliament of the Democratic Socialist Republic of Sri Lanka (Amended 2022). [online]. Available at: www.parliament.lk/files/pdf/standing-orders-en.pdf.

60 Standing Orders of the Parliament of the Democratic Socialist Republic of Sri Lanka (Amended 2022). [online]. Available at: www.parliament.lk/files/pdf/standing-orders-en.pdf.

61 Parliament of Sri Lanka – Parliament Live. [online]. Available at: www.parliament.lk/en/business-of-parliament/webcast/parliament-live-on-demand.

62 Facebook – Parliament of Sri Lanka. [online]. Available at: www.facebook.com/SriLankanParliament/.

63 Instagram – Parliament of Sri Lanka. [online]. Available at: www.instagram.com/slparliament/?hl=en.

64 Twitter – Parliament of Sri Lanka. [online]. Available at: www.x.com/ParliamentLK?ref_src=twsrc%5Egoogle%7Ctwcamp%5Eserp%7Ctwgr%5Eauthor.

65 YouTube – Parliament of Sri Lanka. [online]. Available at: www.youtube.com/channel/UCyhM9-y17fHHp-laYCEvT2g.

66 Standing Orders of the Parliament of the Democratic Socialist Republic of Sri Lanka (Amended 2022). [online]. Available at: www.parliament.lk/files/pdf/standing-orders-en.pdf.

67 Standing Orders of the Parliament of the Democratic Socialist Republic of Sri Lanka (Amended 2022). [online]. Available at: www.parliament.lk/files/pdf/standing-orders-en.pdf.

Petitions

There is a public petitions system in Sri Lanka which is outlined in the Parliament's Standing Orders (Number 30⁶⁸) and by law all Sri Lankan citizens enjoy the right to petition their elected representatives. While stakeholder discussions suggested that a large number of public petitions are submitted to Parliament every year, in reality, however, this function does not seem to be particularly effectively used. It was suggested by some stakeholders that this is partially (and positively) because of a strong link between Members and the individual constituencies they represent, but by others that this can be attributed to the Legislature not currently having an optimal petitions system for members of the public to engage with.

Currently, any petition submitted to Parliament must be addressed to the Speaker, presented by a Member, and approved by the Secretary-General before being laid in the House. Once the petition has been noted in Plenary, it is referred to the Committee on Public Petitions⁶⁹ which then considers the content of the petition in greater detail and reports back to Parliament as a whole with its opinion on any related actions/next steps that should subsequently be taken. Positively, the Committee has the power to summon persons, papers, and records to assist its deliberation, albeit stakeholder discussions held by the CPA team did not demonstrate many recent examples of these processes having resulted in legislative change.

The Parliament's current website appears to contain little information online providing more detailed guidance to citizens on how they can initiate/submit a petition (should they wish to do so) and, historically, has not provided any electronic means for citizens to submit a petition remotely. As such, improving its provisions around the petitions process (by way, for example, of including a dedicated Petitions page on the Parliament's website with educational materials and an online submission tool) would represent another positive step for the Parliament in strengthening its democratic interlinkage with the Sri Lankan electorate.

RECOMMENDATION 6

The Parliament of Sri Lanka should seek to modernise its processes around public petitions by producing a designated webpage on the Legislature's website and establishing electronic means for Sri Lankan citizens to submit petitions to Parliament online.

(Benchmarks 2.7.1 – The Legislature shall have procedures to allow for the meaningful consideration of petitions).

Records

As per the Legislature's Standing Orders (Number 22⁷⁰), Parliament's Secretary-General is responsible for preparing and circulating parliamentary papers to Members ahead of each sitting day. These include an Order Paper detailing all items of parliamentary business being considered that day, any draft Bills being debated/voted upon, and further supplementary briefing material produced by the staff Secretariat. During the session itself, Members' attendance, interventions, and voting activities are also recorded by parliamentary officials which, in turn, form the official report (Hansard) covering that day's business.



Parliamentary officials (Hansard Department)

68 Standing Orders of the Parliament of the Democratic Socialist Republic of Sri Lanka (Amended 2022). [online]. Available at: www.parliament.lk/files/pdf/standing-orders-en.pdf.

69 Parliament of Sri Lanka – Committee on Public Petitions. [online]. Available at: www.parliament.lk/en/component/committees/committee/showCommittee?id=11.

70 Standing Orders of the Parliament of the Democratic Socialist Republic of Sri Lanka (Amended 2022). [online]. Available at: www.parliament.lk/files/pdf/standing-orders-en.pdf.

Generally speaking, Hansard staff in the Legislature do a commendable job of maintaining parliamentary records. This is particularly so given that Sri Lanka's Parliament is a trilingual institution whereby the use of Sinhala, Tamil, and English must all be provided for. As such, the Hansard team's wide-ranging (and multi-lingual) responsibilities include publishing the Order Paper, providing simultaneous interpretation of parliamentary proceedings, recording/translating parliamentary activities, and printing an approved version of Hansard in/between all three languages.

Discussions held by the CPA team in Sri Lanka noted that Parliament's Hansard team typically produce, edit, translate, and publish official records within 48-72 hours. Not only are these records up-to-date and held centrally by the Secretariat to be made available to Members upon request, but they are also publicly available on the Parliament's website⁷¹. Both the impressive efforts of the Hansard team and Parliament's broader publishing of its official records are commendable, praiseworthy, and fully meet the relevant Benchmarks.

That said, one area in which Parliament's senior leadership could further assist the Hansard team, relates to technology and the digital tools available to staff. Stakeholder discussions with members of the Hansard team noted that they are reliant on specialist short-hand skills to undertake their responsibilities and do not have access to modern day technology (such as voice recognition or translation software) that is commonplace in other Commonwealth Legislatures. As part of its wider efforts to digitise, the Parliament should ensure that hard-working officials in the Hansard Department have the digital tools they require moving forward that will enable them to continue their impressive work in maintaining Parliament's official records.

COMMITTEES

Organisation

As per its Standing Orders (Numbers 93-132⁷²), the Parliament of Sri Lanka establishes at the commencement of each new Parliament following Parliamentary Elections a wide network of Committees to consider and report on matters referred to them by the Legislature, matters which fall under their designated subject area, and matters which (in the opinion of the Committee) require further consideration by the whole House.

The Parliament operates five main types of Committees: Legislative Standing Committees⁷³ (which review all draft Bills); Ministerial Consultative Committees⁷⁴ (focused on business relevant to individual Ministries); Sectoral Oversight Committees⁷⁵ (which assess the effectiveness of Government policy); Select Committees⁷⁶ (for in-depth review of specific legislation); and Special Purpose Committees⁷⁷ (which examine politically significant issues not covered elsewhere).

Most Committees are thematic and last the full parliamentary term, while others are ad hoc and time-limited. Alongside these principal Committees, the Parliament also establishes Sub-Committees and, in 2022, created a National Council⁷⁸ to determine the general priorities of Parliament to guide the formulation of short, medium, and long-term national policies.

Positively, all Committees within Parliament appear to meet regularly and reflect the political composition of the Legislature with certain Committees, as per the Standing Orders, also being chaired by Opposition Members (others are appointed by the Speaker or elected from among the Committee's membership). In a further demonstration of sound parliamentary practice, the majority of Committee deliberations are, for the most part, both open and accessible to external stakeholders and members of the public.

Each Committee in the Legislature is assigned a Clerk from the parliamentary administration to help with holding meetings and coordinating its activities however, due to the large number of Committees that typically operate within the Parliament, the CPA team learned that some of these officials often end up clerking more than one Committee. Given the heavy workload involved in clerking a Committee, this is sub-optimal and could reduce the efficacy of important Committee work in the Parliament. To help improve the performance of its Committees, the Parliament could look to reduce the total number of Committees across Parliament (perhaps by merging related Committee portfolios or encouraging joint meetings of more than one Committee) or, alternatively, dedicate more resource and human capital to a bespoke Committee Department within the Legislature's organisational structure.

71 Parliament of Sri Lanka – Hansard Records. [online]. Available at: www.parliament.lk/business-of-parliament/hansards.

72 Standing Orders of the Parliament of the Democratic Socialist Republic of Sri Lanka (Amended 2022). [online]. Available at: www.parliament.lk/files/pdf/standing-orders-en.pdf.

73 Parliament of Sri Lanka – Legislative Standing Committee. [online]. Available at: www.parliament.lk/en/component/committees/categories?id=5&Itemid=106.

74 Parliament of Sri Lanka – Ministerial Consultative Committees. [online]. Available at: www.parliament.lk/en/component/committees/categories?id=2&Itemid=106.

75 Parliament of Sri Lanka – Sectoral Oversight Committees. [online]. Available at: www.parliament.lk/en/component/committees/categories?id=6&Itemid=106.

76 Parliament of Sri Lanka – Select Committees. [online]. Available at: www.parliament.lk/en/component/committees/categories?id=4&Itemid=106.

77 Parliament of Sri Lanka – Committees for Special Purposes. [online]. Available at: www.parliament.lk/en/component/committees/categories?id=3&Itemid=106.

78 Parliament of Sri Lanka – National Council. [online]. Available at: www.parliament.lk/en/component/committees/categories?id=14&Itemid=533.

Power and Resources

Committees in the Parliament of Sri Lanka play an important role in the passage of legislative Bills brought before the Legislature (a detailed overview of which is provided later in this Report). After their Second Reading on the Floor of the House, draft Bills are routinely considered in granular detail by the Legislative Standing Committee which, in turn, can solicit additional input/expertise from one of the Legislature's other parliamentary Committees. Members of these Committees consider the merits of draft pieces of legislation, potentially recommend the inclusion of amendments to them, and report back to the Legislature as a whole, which will then vote on whether to accept the legislation as amended or in its original form. All legislation is referred to the Legislative Standing Committee. Each Committee can summon persons, papers, and records—demonstrating a broadly fit-for-purpose structure.

That said, during stakeholder discussions, the CPA team identified some areas in which the current Committee set-up could be improved:

- While the Standing Orders (Number 111⁷⁹) explicitly prevent Cabinet Ministers from serving on Sectoral Oversight Committees, they are less clear on membership stipulations relating to other parliamentary Committees. Some stakeholders suggested that Cabinet Ministers have previously served on Committees of the Legislature and, under its current Committee framework, Cabinet Ministers in fact chair the relevant Ministerial Consultative Committee. Best practice demonstrated by other Commonwealth Legislatures is for Cabinet Ministers to be prohibited from comprising the membership of any parliamentary Committee. This not only helps establish a clear separation of powers between the Executive and Legislature but also avoids potential issues of impartiality around Cabinet Ministers scrutinising the merits of their own Executive's legislative agenda.
- Although the majority of Committees in Sri Lanka's Parliament appear active in their activities relating to the scrutiny of draft legislation, stakeholder discussions suggested that some could be more proactive in undertaking independent inquiries into issues of national interest. In instances where this is currently lacking, it was partially attributed to a lack of resource at staff level but also Committees not having sufficient financial means to employ external experts where doing so could be beneficial. Ensuring that Committees in the Legislature have both the capacity and expertise to fully meet their legislative responsibilities would improve the Parliament's alignment with respect to various relevant CPA Benchmarks.
- Regarding external activities, stakeholder discussions also noted a lack of financial resource being made available to Committees for them to conduct certain activities away from Parliament in support of their legislative work. Should a Committee wish to visit other parts of Sri Lanka to undertake a public consultation or participate in citizen engagement activities, the CPA team was told that a specific funding request must be made to the Ministry of Finance, which stakeholder discussions suggested is sometimes declined. Best practice demonstrated by other Commonwealth Legislatures dictates that parliamentary Committees should have their own budget, independent of the Executive, that can be apportioned to supporting important outreach activities and engagement programmes. This is another area in which the Parliament should seek to increase the level of resource available to its Committees so that they can fulfil their legislative responsibilities to maximum effect.
- During their time at Parliament, the CPA team learned that not all Committee meeting rooms are equally equipped with the digital infrastructure required to livestream proceedings for the benefit of interested stakeholders who cannot physically attend Committee meetings in person. The Parliament should look to rectify this moving forward (particularly for Sri Lankans who live in remote parts of the country or those citizens who have a disability that makes visiting the parliamentary precinct prohibitively challenging).

RECOMMENDATION 7

The Parliament of Sri Lanka should strengthen the effectiveness of its Committees by removing Cabinet Ministers from membership, enhancing staff support, and ensuring adequate resources – both financial and digital – are in place to support their work and accessibility.

(Benchmark 3.1.2 – The Legislature's assignment of Committee Members on each Committee shall include both majority and minority party Members and reflect the political composition of the Legislature / Benchmark 3.1.5 – All Committee votes and substantive decisions, and the Committee's reasons for them, are made public in an accessible and timely manner / Benchmark 3.2.4 – Committees shall have the right and sufficient resources to consult and/or employ experts / Benchmark 3.2.5 – Committees shall seek and receive submissions from the public about the business before them and provide reasonable time for written submissions to be prepared / Benchmark 3.2.6 – Committees hear evidence from people who wish to be heard, if practicable, or at least ensure that hearings cover the diverse perspectives of submitters / Benchmark 3.2.7 – Committees hear evidence in public unless there is good reason to hear particular submissions in closed session).

⁷⁹ Standing Orders of the Parliament of the Democratic Socialist Republic of Sri Lanka (Amended 2022). [online]. Available at: www.parliament.lk/files/pdf/standing-orders-en.pdf.

POLITICAL PARTIES AND PARTY GROUPS

Political Parties

Formal political parties do exist in Sri Lanka and, as mentioned earlier in this Report, the country's political landscape is now dominated by the National People's Power Party (NPP) following Parliamentary Elections in November 2024. All political parties in Sri Lanka planning to run candidates in an election or campaign in a referendum must be registered with the country's Election Commission⁸⁰. The Commission not only mandates the registration of political parties in this regard and monitors their financial activities to ensure that these comply with national electoral law⁸¹, but it also obliges political parties to produce statutory reports of their financial activities within 90 days of a national election or referendum being held.

Once in Parliament, alongside the Prime Minister, the position of Leader of the Opposition is also formally recognised, allocated dedicated resources from the Legislature's budget, granted priority speaking time in plenary debates, and consulted by the Speaker on wider decisions taken concerning the administration of the Legislature and its precinct. These are all positive demonstrations of model legislative practice for which the Parliament of Sri Lanka should be praised.

Caucuses and Interest Groups

During their time in Sri Lanka, the CPA team explored the rights of legislators to form broader caucuses and interest groups based on common issues or concerns. At present, the Parliament has caucuses established along party lines but also a positive culture of non-partisan interest groups bringing together Members from across the House to coordinate actions, discuss policy issues, and devise collective strategies on shared legislative priorities.

While the Legislature's Standing Orders make no provisions for the establishment of such bodies, the previous Parliament saw several non-partisan caucuses in operation which focussed on, among other areas, issues relating to Women, Youth, Persons with Disabilities, National Heritage, Human Rights, Animal Welfare, and Climate Change⁸². Despite the current Parliament only being in its early months following last year's Parliamentary Elections, positive steps have already been taken to advance the work of its well-established Women Parliamentarians' Caucus⁸³ and further develop its more recently created Parliamentary Caucus for Persons with Disabilities⁸⁴. To this end, it is recommended that the Parliament of Sri Lanka make use of relevant CPA guidance on how to maximise the effectiveness of its Women's Caucus⁸⁵ and Persons with Disabilities Caucus⁸⁶ moving forward.

More broadly, during stakeholder discussions held by the CPA team, elected Members and parliamentary staff positively acknowledged the idea of Parliament continuing to modernise its approach to such bodies. Generally speaking, doing so was viewed as having two main benefits: firstly, preventing unnecessary duplication in the mandates of parliamentary Committees (where a caucus or interest group would be a more efficient vehicle for considering cross-subject issues); and, secondly, providing Parliament with more scope to effectively address often apolitical topics of common interest. Continuing to establish further mechanisms and encourage an even more positive culture that supports the increased efficacy of these bodies is undoubtedly something that the Parliament of Sri Lanka appears committed to advancing moving forward.

PARLIAMENTARY STAFF

Recruitment and Management

The Speaker sits at the Head of the Parliamentary Administration and is, in effect, responsible for all political activities undertaken in the Legislature. Alongside the Speaker, the Secretary-General serves as the Parliament's most senior official with wide-ranging responsibilities relating to administrative operations in support of House business and the delegation of work among fellow parliamentary staff. Sri Lanka's Constitution (Article 65⁸⁷) provides for the position of Secretary-General, who is appointed by the President, and can remain in office until unless or until they resign, reach the compulsory retirement age of 60, or are removed by the President on the grounds of physical/mental infirmity.

80 Election Commission of Sri Lanka – How is a Political Party Registered? [online]. Available at: www.elections.gov.lk/en/political_party/political_party_how_register_party_E.html.

81 Transparency International Sri Lanka – Election Campaign Finance in Sri Lanka. [online]. Available at: www.tisrilanka.org/wp-content/uploads/2019/05/CampaignFinance.pdf.

82 Parliament of Sri Lanka – Caucuses and Other Committees. [online]. Available at: www.parliament.lk/en/component/committees/categories?id=13&Itemid=533/.

83 Parliament of Sri Lanka – Women Parliamentarians' Caucus. [online]. Available at: www.slwpc.org.

84 Parliament of Sri Lanka – Parliamentary Caucus for Persons with Disabilities. [online]. Available at: www.beta.parliament.lk/en/business-of-parliament/committees/700.

85 Commonwealth Parliamentary Association – How to Start a Women's Caucus. [online]. Available at: www.cpahq.org/knowledge-centre/blogs/how-to-start-a-women-s-parliamentary-caucus/.

86 Commonwealth Parliamentary Association – Disability Inclusive Communications Guidelines for Parliamentarians. [online]. Available at: www.cpahq.org/media/zm2hwjqe/2024_disabilitycomms_final.pdf.

87 Constitution of the Democratic Socialist Republic of Sri Lanka (Revised 2023). [online]. Available at: www.parliament.lk/files/pdf/constitution.pdf.

As of this Report, the Parliament of Sri Lanka has a Secretariat comprising approximately 1000 staff (spread across nine Departments), who are talented, dedicated, and non-partisan, providing strong support for many aspects of the Legislature's operations. As per the Parliamentary Staffs Act of 1953⁸⁸, which outlines legal provisions for the administration of Parliament as a distinct and separate institution from the Government, staff in the Legislature are formally (and positively) classified as public officials as opposed to Executive civil servants. Within Parliament, a Staff Advisory Committee⁸⁹ exists to take policy decisions relating to the administration, resourcing, personal development, and wellbeing of staff to enable them to effectively perform their functions in Parliament. This body is chaired by the Speaker and also comprises the Leader of the House, Leader of the Opposition and Minister of Finance, as well as Parliament's Secretary-General.

At the time of writing, Sri Lanka's Parliament enjoys a healthy degree of autonomy when it comes to recruiting, promoting, and retaining its staff. This was positively demonstrated by the CPA team meeting several officials who had worked in the Legislature for 20, 25, or even 30 years. All staff appear to view serving Parliament as a privilege and, positively, embody high degrees of professional conduct in line with the Parliament's Code of Ethics for Parliamentary Staff. While the Legislature's Administration Department⁹⁰ effectively oversees many aspects of staff employment within Parliament, the CPA team identified or had shared with them some areas in which the Parliament could further develop various provisions relating to its officials:

- **HR:** while the aforementioned Code of Ethics for Parliamentary Staff should be positively acknowledged, the Legislature currently lacks bespoke corporate/HR regulations relating to equality and diversity, bullying and harassment, sexual misconduct, and related means of safeguarding. The suggested introduction of these proved popular with parliamentary staff during stakeholder discussions.
- **Resources:** given that Parliament's budget is ultimately established and overseen by Sri Lanka's Ministry of Finance, the Legislature's means of providing key services (office space, research/Library facilities, ICT provisions, and professional development opportunities) to all staff on the parliamentary precinct are, in some cases, limited. During stakeholder discussions, many officials noted current shortcomings in these areas and wanted to see improvements made.
- **Staff Advisory Committee:** while the long-standing existence of the Staff Advisory Committee is positive, there should be greater scope for more of Parliament's senior management (including Directors for each of the nine Departments) to fully participate in its proceedings. Having a Cabinet representative (Minister of Finance) sitting on the Committee also limits its independence vis-à-vis the Executive.

Lacking full independence and autonomy from the Executive Branch of Sri Lanka's Government was a broader shortcoming identified by the CPA team in terms of how the Parliament currently runs some of its affairs. Stakeholder discussions highlighted a desire to update the existing Parliamentary Staffs Act and, beyond this, there is a strong case to be made for developing legislation that provides for the Parliament to establish its own fully operational corporate body responsible for fully independent management of key parliamentary activities/priorities, and complete autonomy when it comes to governance of the Parliamentary Administration. Doing so would more markedly delineate Parliament from the Executive and further enhance the separation of powers between two of Sri Lanka's three branches of Government⁹¹.

In this regard, best practice is to legislate for the establishment of a Parliamentary Service Commission⁹² that would enable the Legislature to have complete independent authority of its corporate operations, allocate resources/build capacity across the parliamentary precinct without Executive restriction, and further entrench non-interference from the Executive across other related legislative functions. The CPA team discussed the merits of establishing a Parliamentary Service Commission (or equivalent corporate body) with key Legislature personnel during their visit to Sri Lanka, and this proposal broadly received positive support from both Members and staff.

RECOMMENDATION 8

The Parliament of Sri Lanka should establish a Parliamentary Service Commission (or equivalent corporate body) with responsibility for the Legislature's internal governance and key related parliamentary services.

(Benchmark 5.1.4 – Members and staff of the Legislature shall have access to sufficient research, library, and ICT facilities / Benchmark 5.4.3 – The Legislature should, either by legislation or resolution, establish a corporate body responsible for providing services and funding entitlements for parliamentary purposes and providing for governance of the parliamentary service).

88 Laws of Sri Lanka – Parliamentary Staffs Act 1953. [online]. Available at: www.srilankalaw.lk/revised-statutes/alphabetical-list-of-statutes/866-parliamentary-staffs-act.html.

89 Parliament of Sri Lanka – Secretariat. [online]. Available at: www.parliament.lk/en/secretariat.

90 Parliament of Sri Lanka – Department of Administration. [online]. Available at: www.parliament.lk/en/component/organisation/dept/departments?depart=3&id=3&Itemid=107.

91 Commonwealth Parliamentary Association – Latimer House Principles on the Three Branches of Government. [online]. Available at: https://www.cpahq.org/media/kaf14zuf/commonwealth_principles_cpa_sept_2023-v2_single.pdf.

92 Commonwealth Parliamentary Association – Model Law for Independent Parliaments: Establishing a Parliamentary Service Commission. [online]. Available at: https://www.cpahq.org/media/usdnwcqp/model-law-for-independent-parliaments_final.pdf.

III. FUNCTIONS OF THE LEGISLATURE

LEGISLATIVE FUNCTION

Legislative Process

Pursuant to Article 75 of the Constitution⁹³, the Parliament is vested with the supreme authority to legislate, with retrospective effect, and make constitutional amendments. The drafting of legislation in Sri Lanka is overseen by the Cabinet of Ministers as Government Bills and further divided into Ordinary Bills and Urgent Bills. Bills brought forward by Parliament are categorised as Private Members' Bills and are introduced under Order 21 (3) of the Standing Orders⁹⁴.

Comparable with other Commonwealth legislatures, the Parliament of Sri Lanka follows the process of draft Bills being read three times, providing scope for scrutiny of the legislation and constituent consultations in Plenary and Committees. The legislative process is readily available on the website of the Parliament, including information on Bills passed by the House⁹⁵. A unique feature of the Sri Lankan system is the constitutional requirement that once Bills are placed on the Order Paper for First Reading, they are held for 14 days to allow for citizens to raise any objections to the proposed legislation via the Supreme Court. Despite this 14-day notice period, any objections raised by Sri Lankan citizens can only relate to the Bill's constitutionality (and not the merits of its content). Throughout discussions held by the CPA team, there was an appetite for more room to be provided for citizen engagement in the legislative process through providing views, submitting petitions, or proposing amendments to legislation during more extensive consultation periods.

Despite most Members being entirely new to Parliament and Executive Governance, those interviewed by the CPA team demonstrated an understanding of their legislative processes and lawmaking responsibilities. That said, Members of Parliament, Ministerial, and Parliamentary Officials throughout meetings with the CPA team expressed a strong desire for the introduction of pre and post-scrutiny of laws with the aim of measuring its practicality and effectiveness – facilitating policy review, fostering accountability, and ensuring the normative aims of policies are reflected in the legislation implemented alongside whether its intended aims have been achieved. While the legislative process in Sri Lanka is robust, the CPA team identified a few areas in which improvements could be made to enhance the already strong system in place:

- **Pre and Post-Legislative Scrutiny:** Pre-legislative scrutiny can take various forms but has a number of benefits including creating opportunities for Parliament to influence legislation at an early stage, drawing upon particular policy expertise that individual Members might have, and providing a key tool for Civil Society Organisations and wider members of the public to engage with crafting the laws that ultimately shape their lives. All of these measures together act as a form of quality control to ensure that legislation is in its best possible form before entering into force. Post-legislative scrutiny has the aim of ensuring that Acts of Parliament have done, or are doing, what they were originally intended to achieve. It heightens accountability that those tasked with implementing particular laws are doing so effectively and offers an opportunity to evaluate whether alternative means of reaching intended goals could be pursued.
- **Equality Impact Assessment:** The inclusion of this type of assessment in the legislative process ensures consideration of the impact of new laws and policies on different segments of the population such as women, ethnic minority groups, the youth and seniors to promote enhanced equitability.
- **Opportunities for Public Input:** Despite the constitutional 14-day notice period referenced above, more extensive frameworks could be explored to provide Civil Society organisations (and by extension Sri Lankan citizens) with greater opportunities to participate in the legislative process through formal consultation periods and more direct means of engaging with legislators.

RECOMMENDATION 9

The Parliament of Sri Lanka strengthen its legislative process by enhancing Pre and Post-Legislative Scrutiny to assess the quality and impact of laws, and by widening opportunities for public consultation during the drafting and review of legislation.

(Benchmark 6.1.5 – The Legislature shall encourage the process of equality impact assessment with respect to the development of legislation, policies and budgets / Benchmark 6.2.5 – The Legislature shall establish procedures for systematic monitoring of the effective implementation and consequences of legislation / Benchmark 6.3.1 – Opportunities shall be given for public input into the legislative and Committee process, including the budget process).

93 Constitution of the Democratic Socialist Republic of Sri Lanka (Revised 2023). [online]. Available at: www.parliament.lk/files/pdf/constitution.pdf.

94 Standing Orders of the Parliament of the Democratic Socialist Republic of Sri Lanka (Amended 2022). [online]. Available at: www.parliament.lk/files/pdf/standing-orders-en.pdf.

95 Parliament of Sri Lanka – Legislative Process for Government Bills. [online]. Available at: <https://www.parliament.lk/en/how-parliament-works/government-bills>.

OVERSIGHT FUNCTION

Oversight of the Executive

The Constitution of Sri Lanka and Parliament's Standing Orders establish the necessary frameworks for oversight of the Executive branch and other Governmental agencies. In Sri Lanka, the Cabinet is collectively responsible and answerable to Parliament. Positively, there are clear mechanisms and structures in the Standing Orders for oral and written questions and, during stakeholder discussions, the CPA team was of the view that the current framework for the responses of Ministers is fit for purpose. That said, as per Article 44 of the Constitution⁹⁶, the size of Cabinet is decided by the President and the Prime Minister. As such, the Legislature should consider introducing provisions which ensure that the size of the Executive Cabinet is always in proportion to that of Parliament.

The Legislature exercises its oversight of the Executive in various ways including from Ministerial Question Time to the work of its Parliamentary Committees, all of which provide robust scrutiny into sectoral affairs, issues of public finance, and matters relating to state owned enterprises and public corporations. The Parliament has also established the Sectoral Oversight Committee on Governance, Justice and Civil Protection⁹⁷ and the Ministerial Consultative Committee on Defence⁹⁸ to ensure that necessary oversight of the Ministry of Defence takes place. While these Committees do meet periodically to question responsible Ministers and approve the annual reports of relevant Government institutions⁹⁹, the Legislature could consider strengthening this oversight further by ensuring similar scrutiny of the general military, security and intelligence services takes place to maintain accountability and promote the democratic legitimacy of these restricted sectors of Government.

Sectoral Oversight Committees are empowered under Article 152¹⁰⁰ of the Constitution to examine any Bills, treaties or reports that fall under their purview, thus ensuring the oversight of Parliament regarding the state's compliance with treaties. Parliament could, however, consider the inclusion of the UN Sustainable Development Goals (SDGs) in its broader oversight structures to ensure the effective implementation and achievement of these important nationwide sustainable development ambitions and extend the Legislature's role in translating this international agenda into bespoke national policies and frameworks for Sri Lanka.

RECOMMENDATION 10

The Parliament of Sri Lanka should consider including the UN Sustainable Development Goals (SDGs) as part of its oversight framework to ensure that sectoral and budgetary policies and priorities are in line with the SDGs and that Sri Lanka's broader compliance with the SDGs are duly monitored.

(Benchmark 7.1.5 – The oversight authority of the national Legislature shall include effective oversight of compliance with international treaties and obligations, including international human right instruments and the Sustainable Development Goals (SDGs)).

Financial and Budgetary Oversight

The Parliament of Sri Lanka has clear established procedures for budgetary oversight of the annual Appropriation Bill and its allotment of days in the Standing Orders and in Articles 148-150¹⁰¹ of the Constitution, both of which provide the Legislature with important supremacy over public finances. These budgetary processes are well entrenched and positively feature in Parliament's annual calendar.

As an acknowledgement to the Legislature's commitment to parliamentary fiscal transparency, and with the aim of achieving the objectives of national budget proposals, the Parliamentary Budget Office Act¹⁰² (enacted in 2023) has the ambition of assisting the Legislature in its constitutional performance of public finance responsibilities by providing independent and non-

96 Constitution of the Democratic Socialist Republic of Sri Lanka (Revised 2023). [online]. Available at: www.parliament.lk/files/pdf/constitution.pdf.

97 Parliament of Sri Lanka – Sectoral Oversight Committee on Governance, Justice and Civil Protection. [online]. Available at: <https://www.parliament.lk/en/component/committees/committee/showCommittee?id=707&type=committee&Itemid=106>.

98 Parliament of Sri Lanka – Ministerial Committee on Defence. [online]. Available at: <https://www.parliament.lk/en/component/committees/committee/showCommittee?id=666&type=committee&Itemid=106>.

99 Parliament of Sri Lanka – Sectoral Oversight Committee on Governance, Justice and Civil Protection: News. [online]. Available at: [www.parliament.lk/news-en/view/4551#:~:text=Code%20\(Amendment\)%20Bill,Sectoral%20Oversight%20Committee%20on%20Governance%2C%20Justice%20and%20Civil%20Protection,Criminal%20Procedure%20Code%20\(Amendment\)%20Bill&text=The%20Office%20for%20Reparations%20is,reports%20of%203%20government%20institutions](http://www.parliament.lk/news-en/view/4551#:~:text=Code%20(Amendment)%20Bill,Sectoral%20Oversight%20Committee%20on%20Governance%2C%20Justice%20and%20Civil%20Protection,Criminal%20Procedure%20Code%20(Amendment)%20Bill&text=The%20Office%20for%20Reparations%20is,reports%20of%203%20government%20institutions).

100 Constitution of the Democratic Socialist Republic of Sri Lanka (Revised 2023). [online]. Available at: www.parliament.lk/files/pdf/constitution.pdf.

101 Constitution of the Democratic Socialist Republic of Sri Lanka (Revised 2023). [online]. Available at: www.parliament.lk/files/pdf/constitution.pdf.

102 Parliament of Sri Lanka – Parliamentary Budget Office Act 2023. [online]. Available at: <https://www.srilankalaw.lk/revised-statutes/alphabetical-list-of-statutes/3026-parliamentary-budget-office-act.html>.

partisan analyses relating to the annual budget process and medium term economic/fiscal outlooks. This commendable initiative (which highlights the Parliament's commitment to further strengthening its scrutiny and oversight of public finances) should be congratulated, although it is worth emphasising that the PBO must be adequately resourced to ensure its effectiveness once fully operational.

In accordance with constitutional provisions and procedures outlined in the Legislature's Standing Orders¹⁰³, the Annual Budget Presentation (and its related debate) takes precedence over most other legislation and motions. The Finance Bill (as commonly carried out across the Commonwealth) goes through the stages of first, second and third reading. This is also in addition to Article 121¹⁰⁴ of the Constitution applying to this process which means that any citizen may also challenge the constitutionality of the Appropriation Bill within the 14-day notice provided for in the lawmaking process. A maximum of seven days debate is provided for with allocations given to the Government and Opposition after which a vote is taken for the subsequent referral of the Bill to the Committee of the Whole House.

Sri Lanka's Government customarily distributes Progress Reports of activities undertaken by respective Ministries and Departments to Parliamentarians which ensures that the Legislature receives and assesses both annual and medium-term budget strategies from the Executive. Furthermore, financial Bills considered by the Public Finance Committee also provides for strong engagement with the Ministry of Finance whereby stakeholders provide insight and input into this process.

Overall, the Parliament plays a commendable role in financial oversight, however the level of legal expertise available to relevant Committees could be further strengthened to increase their capacity and efficacy. This should include fostering increased engagement of its Committees in organisations such as the Commonwealth Association of Public Accounts Committees (CAPAC)¹⁰⁵, strengthening their collaboration with the Auditor-General, and ensuring that the recently established Parliamentary Budget Office has the resources it needs to carry out its important work moving forward¹⁰⁶.

RECOMMENDATION 11

The Parliament of Sri Lanka should seek to further improve the efficacy of its financial oversight activities by increasing the engagement of its Committees with CAPAC, strengthening their collaboration with Sri Lanka's Auditor-General, and ensuring that its newly established Parliamentary Budget Office has the expert resource it requires to carry out its work effectively.

(Benchmark – 7.2.6 The Legislature shall have access to sufficient financial scrutiny resources and/or independent budget and financial expertise to ensure that financial oversight is conducted effectively).

Oversight of Independent Constitutional Bodies

Sri Lanka has established several independent constitutional bodies such as Offices of: the Auditor-General; the Parliamentary Commissioner for Administration (Ombudsman); the Election Commission; the Human Rights Commission; the National Police Commission; the Public Service Commission; the Audit Service Commission; the Commission to Investigate Allegations of Bribery or Corruption; the Finance Commission; and the Right to Information Commission.

Article 153¹⁰⁷ of the Constitution provides for the necessary establishment and appointment of an Auditor-General who also heads the Audit Service Commission. The ability for the Auditor-General to fully exercise their independence requires further exploration in relation to the 2021 World Bank Report on the World Bank's Supreme Audit Institution Independence Index (InSAI)¹⁰⁸. The Commission, in accordance with Articles 153-154 of the Constitution¹⁰⁹, is mandated to produce a report of its activities annually and submit this to Parliament on the performance and discharge of its duties and functions. This includes being provided with the necessary resources and legal authority to conduct audits. In addition, the Legislature's Standing Orders outline clear procedures for how Reports of the Auditor-General are required to be considered by the Committee on Public Accounts and

103 Standing Orders of the Parliament of the Democratic Socialist Republic of Sri Lanka (Amended 2022). [online]. Available at: www.parliament.lk/files/pdf/standing-orders-en.pdf.

104 Constitution of the Democratic Socialist Republic of Sri Lanka (Revised 2023). [online]. Available at: www.parliament.lk/files/pdf/constitution.pdf.

105 Commonwealth Association of Public Accounts Committees – Homepage. [online]. Available at: www.capac-portal.com.

106 Commonwealth Parliamentary Association – Handbook on Parliamentary Financial Oversight. [online]. Available at: <https://www.cpahq.org/media/wchb4uv5/handbook-on-parliamentary-financial-oversight.pdf>.

107 Constitution of the Democratic Socialist Republic of Sri Lanka (Revised 2023). [online]. Available at: www.parliament.lk/files/pdf/constitution.pdf.

108 World Bank – Supreme Audit Institutions Independence Index. [online]. Available at: https://insai.worldbank.org/sites/default/files/2021-07/InSAI%202021%20Final%20Report_1.pdf.

109 Constitution of the Democratic Socialist Republic of Sri Lanka (Revised 2023). [online]. Available at: www.parliament.lk/files/pdf/constitution.pdf.

the Committee on Public Enterprises. During stakeholder discussions, both of these processes were noted as being positive and generally well adhered to.

Article 156¹¹⁰ of the Constitution makes provisions for the establishment of the Office of the Parliamentary Commissioner for Administration (Ombudsman). The Commissioner is charged with investigating and reporting upon complaints or allegations of infringement of fundamental rights. The Human Rights Commission of Sri Lanka is also established within the Constitution and governed by the Human Rights Commission of Sri Lanka Act 1996¹¹¹. The Commission is mandated to inquire into and investigate infringements of fundamental rights, as well as to advise Sri Lanka's Government in formulating legislation and administrative directives for the promotion and protection of these.

The reports produced by the Commissions and independent bodies mentioned above are mandated to be submitted to and scrutinised by Parliament. For the most part, stakeholder discussions suggested that these processes by in large operate well. During their time in Sri Lanka, the CPA team met various representatives from the Election Commission and Right to Information Commission. While positive strides have undoubtedly taken place to strengthen these institutions, some areas of improvement were identified:

- The Right to Information Commissions budget is currently under a ministerial budget line. Despite this being for practicality, best Commonwealth practice is to provide such Commissions with the financial autonomy and adequate funding they require to control their resources and use them to maximum effect.
- The Election Commission has developed and is exploring improvements to electoral processes. Further resources should be provided to the Commission to ensure that these positive operational plans come to fruition, including the modernisation of the Commission through the adoption of new voting technologies.

RECOMMENDATION 12

The Parliament of Sri Lanka should seek to secure sufficient administrative/fiscal autonomy for Independent Constitutional Bodies to ensure their independence and strengthen the efficacy of their activities moving forward.

(Benchmark 7.1.9 – The Legislature shall ensure that independent constitutional bodies receive adequate resources, and the work of such institutions are not subject to political pressure from the Executive).

No Confidence and Impeachment

Sri Lanka's Constitution provides for the impeachment of the Executive branch (specifically the President) in Article 38¹¹² on certain grounds such as constitutional violation, treason, bribery, misconduct/corruption, unlawful offences, and mental/physical unfitness. The resolution for impeachment follows the process of being tabled in and voted on by Parliament. Both procedures require a two-thirds majority of Members present to be successful. After going through the necessary checks and balances, which include review by the Supreme Court, the President is removed from office.

Linked to this, Article 49 (2)¹¹³ of the Constitution makes further provisions for procedures relating to the impeachment of Judges and other constitutional officials, which are specifically given in the Standing Orders (84-85¹¹⁴) of Parliament as well. Similarly, there are provisions for the removal from office of the Secretary-General of Parliament, the Auditor-General, the Commissioner of Elections, and the Parliamentary Commissioner for Administration. During discussions held by the CPA team, stakeholders raised no particular areas of concern regarding the applicability of these processes and procedures.

110 Constitution of the Democratic Socialist Republic of Sri Lanka (Revised 2023). [online]. Available at: www.parliament.lk/files/pdf/constitution.pdf.

111 Parliament of Sri Lanka – Human Rights Commission of Sri Lanka Act 1996. [online]. Available at: <https://www.hrcsl.lk/wp-content/uploads/2025/03/HRCSL-Act-English.pdf>.

112 Constitution of the Democratic Socialist Republic of Sri Lanka (Revised 2023). [online]. Available at: www.parliament.lk/files/pdf/constitution.pdf.

113 Constitution of the Democratic Socialist Republic of Sri Lanka (Revised 2023). [online]. Available at: www.parliament.lk/files/pdf/constitution.pdf.

114 Standing Orders of the Parliament of the Democratic Socialist Republic of Sri Lanka (Amended 2022). [online]. Available at: www.parliament.lk/files/pdf/standing-orders-en.pdf.

REPRESENTATIONAL FUNCTION

Representation of Constituents

The Parliament of Sri Lanka serves as a vital representational institution that encapsulates the interests and concerns of Sri Lankan citizens within the broader framework of national governance. This representation is achieved through the active involvement of Members from across the House. Positively in Sri Lanka, there is an invariably strong link between elected Members of Parliament and the local communities they represent. Representing the interests of constituents is a fundamental responsibility of every Member of Parliament.

Elected representatives are responsible for advocating for the needs, interests, and concerns of those they represent, addressing the challenges that arise within their communities. Many parliamentarians in Sri Lanka work closely with their communities to address local issues and implement relevant policies. This collaboration takes various forms, some of which occur take place at Parliament with others targeted at and delivered in local constituencies across Sri Lanka. This is a positive demonstration of sound parliamentary practice which should be praised.

Throughout meetings held by the CPA team in Sri Lanka, Members of Parliament expressed a high degree of satisfaction with the services provided to them by the Parliamentary Administration that help support their representative functions as an elected politician. Members noted a clear distinction between non-partisan officials in the Legislature that facilitate activities in Parliament and those party-political staff that help support constituency-related work.

Members also recognised the digital resources provided by the Parliament (such as a phone and laptop) that enable them to maintain a direct link with voters in their respective constituencies but voiced a desire for the Parliament to pursue further means of using more modern technologies to facilitate further improvements in how the Legislature supports Members in their representative role and shares important information with the electorate at large. Various means of doing so are discussed elsewhere in this Report.



Representation of Women

Sri Lanka has constitutionalised gender equality through Article 12(2)¹¹⁵, which prohibits discrimination on the grounds of sex, and Article 12(4)¹¹⁶, which allows for affirmative action for the advancement of women. The Constitution further guarantees the fundamental right to equality before the law and equal protection of the law for all persons. Sri Lanka is also a signatory to key UN Conventions and International Human Rights Treaties, which are dedicated towards a unified commitment to gender equality and women's empowerment. This includes ratification of the UN Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)¹¹⁷.

Despite these commendable provisions, there is currently no requirement for a gender balance in the Sri Lankan Parliament or available provisions for quota systems where it concerns the representation of women. That said, the current Parliament has 22 women parliamentarians (out of a total of 225) which constitutes 9.8% female representation in the House¹¹⁸. Throughout meetings held during the Self-Assessment, stakeholders expressed positive comments towards the recent increase in women parliamentarians for the 10th Parliament in comparison to the 12 of the 9th Parliament. The current number of female Members represents an historic high.

Despite this positive milestone, a number of stakeholders underlined the importance of continuing concerted efforts to further encourage more female participation in the politics in Sri Lanka. At present, women comprise 52% of Sri Lanka's population and 55% of the country's eligible voters. While the recent increase in the number of women parliamentarians sees Sri Lanka perform positively against other Legislatures in the Southern Asian region (they have an average of 14.7%), the country still falls below the current international average of 27.2%¹¹⁹.

While in Sri Lanka, the CPA team met with parliamentarians from the Women's Parliamentary Caucus, all of whom expressed a strong commitment towards reviewing resources available on the parliamentary precinct (such as childcare facilities) for both Members and staff, and security services for female Members working in their constituencies that may have experienced hate speech, gender-based violence or are at risk of these threats. The promotion of women activism and the necessity to review certain national provisions pertaining to maternity leave that are disadvantageous to women was also highlighted during the Self-Assessment. Positively, the CPA team witnessed genuine efforts from a wide range of stakeholders (Members, officials, and wider Civil Society) to continue taking positive strides towards further increasing female representation in Parliament and the role of women more broadly in the politics of Sri Lanka.

To this end, it is recommended that the Sri Lankan Parliament increases its engagement with the CPA's Commonwealth Women Parliamentarians Network¹²⁰ and disseminates among Members the CPA's associated Gender Sensitising Parliaments Guidelines¹²¹.

RECOMMENDATION 13

The Parliament of Sri Lanka should increase engagement and capacity building opportunities for its female Parliamentarians to strengthen the exchange of best practices with Women Caucuses in other Commonwealth Legislatures, as well as review its current facilities to cater for the particular challenges and needs that female Members and staff experience on the parliamentary precinct.

(Benchmark 8.1.1 – The Legislature shall be organised in such a way as to enable the substantive representation of women in its work).

115 Constitution of the Democratic Socialist Republic of Sri Lanka (Revised 2023). [online]. Available at: www.parliament.lk/files/pdf/constitution.pdf.

116 Constitution of the Democratic Socialist Republic of Sri Lanka (Revised 2023). [online]. Available at: www.parliament.lk/files/pdf/constitution.pdf.

117 United Nations – Convention on the Elimination of All Forms of Discrimination Against Women. [online]. Available at: www.ohchr.org/en/instruments-mechanisms/instruments/convention-elimination-all-forms-discrimination-against-women.

118 Inter-Parliamentary Union – Data on Women. [online]. Available at: <https://data.ipu.org/parliament/LK/LK-LC01/data-on-women/>.

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120 Commonwealth Parliamentary Association – Commonwealth Women Parliamentarians (CWP). [online]. Available at: <https://www.cpahq.org/our-networks/commonwealth-women-parliamentarians/>.

121 Commonwealth Parliamentary Association – Gender Sensitising Parliaments Guidelines: Standards and a Checklist for Parliamentary Change. [online]. Available at: <https://www.cpahq.org/media/s20j1lws/cwp-gender-sensitizing-guidelines.pdf>.

PARLIAMENTARY ASSISTANCE AND NETWORKING

Commonwealth Connections

Sri Lanka is a member of the Commonwealth of Nations, both joining the organisation and establishing its CPA Branch¹²² in 1948. The Parliament is one of eight Legislatures in the CPA's Asia region. Throughout stakeholder meetings, it was clear to the CPA team that both Members and staff across Parliament are cognisant of the importance of strong international relations and demonstrated a strong commitment towards strengthening these further with other Legislatures in the South Asian region, across the Commonwealth, and around the world.

The Parliament is an active member of the CPA and regularly attends a number of CPA events, including the annual Commonwealth Parliamentary Conference. The Legislature also hosted the inaugural CPA Parliamentary Academy Advanced Residency Programme for Leadership in Parliament (June 2024¹²³) which brought together over 40 Commonwealth Clerks and parliamentary officials to enhance skills on topics ranging from leadership and strategic thinking to project management and conflict resolution.

Further afield, Sri Lanka's Parliament has established strong relationships with other international Legislatures through its association with the Inter-Parliamentary Union¹²⁴ and the implementation of several friendship associations (Japan¹²⁵ and Switzerland¹²⁶ being two recent examples). Accordingly, Sri Lanka's Parliament has a well-established right to seek and receive development assistance to strengthen the institution and, positively, this is monitored by a cross-party Advisory Committee appointed by the Speaker.

Parliamentary diplomacy is a crucial component of strengthening the role of Legislatures and for the sharing of best practices among them. While both Members and staff in the Parliament seek to positively engage in a range of interparliamentary activities, their means of doing so are sometimes limited due to resource constraints discussed elsewhere in this Report. In recent years, the Parliament has sought to address these issues through soliciting technical assistance from international partners (including the CPA), but more could be done so that the Members and staff of Parliament can maximise the wide-ranging benefits enjoyed from strong interparliamentary cooperation with fellow Legislatures across the Commonwealth.

To this end, the CPA team shared information about the resources for assistance, networking, learning and development available to the Parliament as a dedicated member of the CPA. Some of the capacity building and technical assistance opportunities available have already been mentioned in the Professional Development section earlier in this Report but, as discussed during stakeholder conversations, the Parliament should seek to engage further with the CPA, perhaps by way of a Technical Assistance Programme following successful completion of the Benchmarks Self-Assessment exercise.

RECOMMENDATION 14

The Parliament of Sri Lanka should continue to strengthen its international relations with fellow Legislatures across the Commonwealth while ensuring that opportunities to participate in various inter-parliamentary activities are widely and equitably shared among its Members and staff.

(Benchmark 9.1.3 – Members and the staff of Parliament shall have the right to receive technical and advisory assistance, as well as to network and exchange experience with individuals from other Legislatures).

122 Commonwealth Parliamentary Association – Parliament of Sri Lanka. [online]. Available at: www.cpahq.org/directory/sri-lanka/.

123 Commonwealth Parliamentary Association – First CPA Parliamentary Academy Residency Programme takes place in Sri Lanka. [online]. Available at: www.cpahq.org/news/2024_06-parl-acad-residency-sri-lanka/.

124 Parliament of Sri Lanka – Sri Lanka Delegation at the 150th Assembly of the Inter-Parliamentary Union. [online]. Available at: www.parliament.lk/en/news-en/view/4498?category=6.

125 Parliament of Sri Lanka – Sri Lanka-Japan Parliamentary Friendship Association. [online]. Available at: www.parliament.lk/en/news-en/view/4503?category=6.

126 Parliament of Sri Lanka – Sri Lanka-Switzerland Parliamentary Friendship Association. [online]. Available at: www.parliament.lk/en/news-en/view/4499?category=6.

IV. VALUES OF THE LEGISLATURE

ACCESSIBILITY, OPENNESS AND ENGAGEMENT

Citizens and Public Engagement

In a modern democracy, legislative systems must be based on and characterised by three principal tenants: Accessibility, Openness, and Engagement. Across all Commonwealth Parliaments, these values are embraced in many different ways. At the Parliament of Sri Lanka, there is an appreciation and adherence to the importance of citizens having meaningful opportunities to participate in the process and, for the most part, the Parliament of Sri Lanka performs relatively well against various relevant CPA benchmarks. Positively, the Speaker, Secretary-General, and wider parliamentary staff are all committed to further improvement moving forward.

The Parliament makes extensive efforts to ensure that it is accessible and open to Sri Lankan citizens and representatives of the Media¹²⁷. The Communications Department (consisting of Media and Outreach teams) provides tours and caters for around 5000 visitors a day to Parliament. These engaging tours of Parliament primarily target university students, high school pupils, and youth groups from different constituencies in Sri Lanka. There are ongoing initiatives for a bespoke 'Student Parliament', which takes place once a year, and the creation of tailored content and resources such as the 'Birds of Parliament'¹²⁸ book – published to attract younger children to learn about the role and functions of Parliament. There are also efforts (with the Women's Parliamentary Caucus) to further establish initiatives to engage with women in society and encourage their participation in public/political life, albeit these would benefit from further strengthening (as references elsewhere in this Report).

The work of the Communications department is impressive and commendable efforts to engage with the public and provide citizens access to Parliament are to be congratulated. That said, there are challenges for persons with disabilities to access the parliamentary premises (also references earlier in this Report). As such, improvements to infrastructural facilities should be considered in order to make the building more accessible and inclusive for person with disabilities. For example, the public toilets in different areas of the Parliament could be renovated to be wheelchair accessible and generally revamped for the comfort of Members and staff. The legislative precinct would also benefit from more wheelchair ramps access to the premises, accessible security checkpoints, and means of providing those individuals using wheelchairs with full access to the plenary Chamber and associated public viewing galleries.

That said, the Media and Outreach teams in Parliament maintain close ties with Sri Lanka's blind schools, organising tailored visits to Parliament to help understand their particular challenges. This is particularly important given that recent cuts in USAID funding have made it more difficult to pursue development projects relating to accessibility and inclusivity (such as having parliamentary documents available in braille and running a parliamentary outreach bus that would be tasked with travelling to rural areas with the ambition of further engaging these citizens on the role of Parliament). Despite these challenges, the Parliament has positively managed to integrate sign language coverage of its proceedings and is currently expanding on this service through a recent CPA Capital Investment Fund¹²⁹ grant.

On a separate (and positive) note – Parliament's Standing Orders (Number 13¹³⁰) specifically provide for the use of multiple working languages at Parliament. Accordingly, necessary resources are dedicated to ensuring that Hansard reports and documentations of legislative proceedings are provided in Sinhalese, Tamil and English. This includes the publishing of the Order Paper and other parliamentary documents in each of the three stipulated languages.

The Media

In a parliamentary democracy, the Media plays an essential and multifaceted role that significantly contributes to the overall strength and health of the democratic system. One of its primary functions is to act as a watchdog, diligently monitoring the actions of public officials and Government entities to ensure they are held accountable for their decisions and conduct. This oversight is vital in maintaining the integrity of the democratic process and preventing abuses of power.

Throughout relevant stakeholder discussions held by the CPA team, there were lots of positive comments made regarding the accessibility of Parliament to representatives of the Media. It was clear that the relationship between Parliament and the Media was an open one, with modern, high-end, and non-partisan facilities provided for journalists to work in and report on Parliament.

127 Commonwealth Parliamentary Association – Engagement, Education & Outreach Handbook for Commonwealth Parliaments. [online]. Available at: www.cpahq.org/media/sbif14kt/engagement_education_outreach-handbook_final.pdf.

128 Commonwealth Parliamentary Association - The Parliamentarian Issue One 2023. [online]. Available at: <https://issuu.com/the-parliamentarian/docs/parl2023iss1finalonlinesingle/76>.

129 Commonwealth Parliamentary Association – CPwD Capital Investment Fund. [online]. Available at: www.cpahq.org/our-networks/commonwealth-parliamentarians-with-disabilities/cpwd-capital-investment-fund/.

130 Standing Orders of the Parliament of the Democratic Socialist Republic of Sri Lanka (Amended 2022). [online]. Available at: www.parliament.lk/files/pdf/standing-orders-en.pdf.

The Parliament of Sri Lanka has a dedicated room for the Media to access during Sittings, which includes a fully equipped broadcast studio that can be used for interviews and filming purposes by the parliamentary Media team and assembled journalists. The dissemination of information to the Media is done so freely, in a timely fashion, and underpins what is a positive working relationship Parliament and Sri Lanka's Association of Parliamentary Reporters. An additional area in which the Parliament performs strongly is the regularity with which it updates information on the parliamentary website and disseminates further materials via its various social media platforms. Once again, these positive working practices should be positively acknowledged and maintained moving forward.

One area for potential improvement that was raised during stakeholder discussions concerned how the Parliament could provide training opportunities for journalists to improve their understanding of the Legislature and strengthen the link between elected Members and representatives of the Media. During stakeholder discussions, it was highlighted that providing journalists with opportunities to explain their work (perhaps by being included as part of rolling learning and development schemes) would bring considerable value to improving the relationship between parliamentarians and the Press in a mutually beneficial way that helps Members promote the important legislative work they are carrying out and improves the quality of reporting being conducted by journalists following the Legislature's proceedings. To this end, the CPA team also recommended that Parliament's senior management staff take steps towards producing a companion guide/handbook for representatives of the Press. This initiative (which could include information on parliamentary practice and procedure, guidance for press access and Member interaction, and resources linked to parliamentary publications and related media outputs) has been undertaken in other Commonwealth jurisdictions (such as Tonga¹³¹ and Samoa¹³²) to great effect.

RECOMMENDATION 15

The Parliament of Sri Lanka should look to further improve its working relationship with the Media by producing a bespoke companion guide for journalists on parliamentary practices/procedures and providing opportunities for representatives of the Press to engage with Members of Parliament at their initial orientation programme.

(Benchmark 10.1.5 – The Legislature shall promote the public's understanding of the work of the Legislature).

ETHICAL GOVERNANCE

Transparency and Integrity

Ethical governance within a Parliament emphasises the importance of its Members' conduct and behaviour. It encompasses the principles of transparency, accountability, and integrity, guiding how parliamentarians manage their personal and professional affairs. This governance framework requires Members to openly share information regarding their decisions and actions, ensuring that their dealings are accessible and understandable to the public they serve.

The Parliament of Sri Lanka ably fulfils the CPA Benchmarks relating to Freedom of Information (FOI) through a robust regime which is enshrined in Article 14A¹³³ of the Constitution and through the establishment of the Right to Information Commission, which is extensively used by the public and governed by the Right to Information Act 2016¹³⁴. In stakeholder discussions facilitated by the CPA team, it was evident that despite long-running challenges relating to the initial establishment of this body, the Commission has developed strongly and noticeably contributed to the FOI regime in Sri Lanka with many high-profile cases and regular ongoing workload. Despite this noteworthy progress, further consideration to the budgetary independence of the Commission (discussed earlier in this Report) should be evaluated, including reviewing the remuneration and resources provided to the Commission to ensure its institutional efficacy and longevity.

In other stakeholder discussions, broader concerns were expressed on the negative impact of the behaviour of some Members of Parliament which has contributed to reduced public trust and confidence in the institution. There are several CPA benchmarks relating to integrity and transparency, some of which would benefit from further enhancement:

131 Parliament of Tonga – Parliamentary Reporter Handbook. [online]. Available at: https://falealea.to/images/parliament_handbook/TonganParliamentaryHandbookEnglish.pdf.

132 Parliament of Samoa – Journalist Handbook. [online]. Available at: <https://www.palemene.ws/pdfs/Samoa%20Parliamentary%20reporting%20guide.pdf>.

133 Constitution of the Democratic Socialist Republic of Sri Lanka. [online]. Available at: <https://www.parliament.lk/files/pdf/constitution.pdf>.

134 Parliament of Sri Lanka – Right to Information Act 2016. [online]. Available at: https://www.media.gov.lk/images/pdf_word/2016/12-2016_E.pdf.

- There has traditionally been a reluctance from some Members to adhere to the requirements of laws that require the public declaration of assets. This is despite provision being outlined in the Legislature's Code of Conduct for Members of Parliament¹³⁵ whereby a register of Members' Interests is kept and maintained by the Secretary-General. It should, however, be positively acknowledged that the provisions of the Right to Information Act 2016 apply to the publication of any information contained in the register and that the Parliament's performance in this regard has improved significantly since it began enforcing the Anti-Corruption Act of 2023.
- More broadly on the Code of Conduct (which aims to maintain high standards of accountability, transparency, responsibility, and propriety), the CPA team was made aware of challenges in its implementation and enforcement, which has contributed to heightened public mistrust and some negative perception of the Parliament. Reviewing and updating the current Code of Conduct, including how it is properly enforced, would be invaluable in improving ethical standards among Members, as well as ensuring that they maintain the highest standards of conduct while holding elected office.

During discussions held by the CPA team, there was broad support from the majority of stakeholders, including political leaders, to introduce new schemes and strengthen existing ones with the ambition of seeing the Parliament of Sri Lanka meet all relevant CPA transparency and integrity-related Benchmarks. This was encouraging and doing so would not only be a strong demonstration of the Legislature taking proactive steps towards establishing heightened standards for conduct across the parliamentary precinct but also align the House with best practices from other Commonwealth Legislatures¹³⁶.



Hon. Mr. Bimal Rathnayake MP (Leader of the House)

RECOMMENDATION 16

The Parliament of Sri Lanka should review and enhance its Code of Conduct for Members to further strengthen its scope and implementation, ensuring that the highest standards of behaviour are adhered to in Parliament, including provisions relating to the public declaration of assets.

(Benchmark 11.1.1 – Legislators should maintain high standards of accountability, transparency, responsibility, and propriety in the conduct of all public and parliamentary matters including strict adherence to codes of conduct, and interest disclosure rules / Benchmark 11.1.2 – The Legislature shall approve and enforce codes of conduct, including rules on conflicts of interest and the acceptance of gifts / Benchmark 11.1.3 – Legislatures shall require legislators to periodically, fully, and publicly disclose their financial and other relevant interests).

¹³⁵ Parliament of Sri Lanka – Code of Conduct for Members of Parliament. [online]. Available at: <https://www.parliament.lk/files/pdf/code-of-conduct-draft-20170607-en.pdf>.

¹³⁶ Commonwealth Parliamentary Association – Standards for Codes of Conduct. [online]. Available at: www.cpahq.org/media/k4bhbzvd/codes-of-conduct-2024_final.pdf.

RECOMMENDATIONS

Recommendation 1: The Parliament of Sri Lanka should update current national electoral law to include ‘power of recall’ provisions and provide Sri Lankan citizens with greater postal/proxy voting means at future Parliamentary Elections.

Recommendation 2: The Parliament of Sri Lanka should update its parliamentary privilege/immunity provisions to enshrine in law due protections for former Members, while also introducing a citizens’ ‘right of reply’ scheme in relation to adverse references made to individuals during legislative proceedings.

Recommendation 3: The Parliament of Sri Lanka should pass legislation establishing an independent Remuneration Authority that regulates salaries and allowances for Members of Parliament with adequate mechanisms for monitoring and publishing relevant financial disclosures relating to these.

Recommendation 4: The Parliament of Sri Lanka should establish a multiannual Strategic Plan that enables it to uplift and improve the physical and digital infrastructure of its legislative precinct with a particular focus on: providing individual Members with their own office; improving health and safety standards on site; enhancing accessibility services and provisions for persons with disabilities; and ensuring that digital capabilities are modern, resilient, and fit for purpose.

Recommendation 5: The Parliament of Sri Lanka should expand its Professional Development Programmes to include the participation of key external stakeholders, hold these periodically between General Elections, and ensure that such opportunities are open to all Members of Parliament and Secretariat staff.

Recommendation 6: The Parliament of Sri Lanka should seek to modernise its processes around public petitions by producing a designated webpage on the Legislature’s website and establishing electronic means for Sri Lankan citizens to submit petitions to Parliament online.

Recommendation 7: The Parliament of Sri Lanka should strengthen the effectiveness of its Committees by removing Cabinet Ministers from membership, enhancing staff support, and ensuring adequate resources – both financial and digital – are in place to support their work and accessibility.

Recommendation 8: The Parliament of Sri Lanka should establish a Parliamentary Service Commission (or equivalent corporate body) with responsibility for the Legislature’s internal governance and key related parliamentary services.

Recommendation 9: The Parliament of Sri Lanka strengthen its legislative process by enhancing Pre and Post-Legislative Scrutiny to assess the quality and impact of laws, and by widening opportunities for public consultation during the drafting and review of legislation.

Recommendation 10: The Parliament of Sri Lanka should consider including the UN Sustainable Development Goals (SDGs) as part of its oversight framework to ensure that sectoral and budgetary policies and priorities are in line with the SDGs and that Sri Lanka’s broader compliance with the SDGs are duly monitored.

Recommendation 11: The Parliament of Sri Lanka should seek to further improve the efficacy of its financial oversight activities by increasing the engagement of its Committees with CAPAC, strengthening their collaboration with Sri Lanka’s Auditor-General, and ensuring that its newly established Parliamentary Budget Office has the expert resource it requires to carry out its work effectively.

Recommendation 12: The Parliament of Sri Lanka should seek to secure sufficient administrative/fiscal autonomy for Independent Constitutional Bodies to ensure their independence and strengthen the efficacy of their activities moving forward.

Recommendation 13: The Parliament of Sri Lanka should increase engagement and capacity building opportunities for its female Parliamentarians to strengthen the exchange of best practices with Women Caucuses in other Commonwealth Legislatures, as well as review its current facilities to cater for the particular challenges and needs that female Members and staff experience on the parliamentary precinct.

Recommendation 14: The Parliament of Sri Lanka should continue to strengthen its international relations with fellow Legislatures across the Commonwealth while ensuring that opportunities to participate in various inter-parliamentary activities are widely and equitably shared among its Members and staff.

Recommendation 15: The Parliament of Sri Lanka should look to further improve its working relationship with the Media by producing a bespoke companion guide for journalists on parliamentary practices/procedures and providing opportunities for representatives of the Press to engage with Members of Parliament at their initial induction/orientation programme.

Recommendation 16: The Parliament of Sri Lanka should review and enhance its Code of Conduct for Members to further strengthen its scope and implementation, ensuring that the highest standards of behaviour are adhered to in Parliament, including provisions relating to the public declaration of assets.

STAKEHOLDERS

The CPA would like to thank everyone consulted as part of this Self-Assessment:

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Hon. Mr. Bimal Rathnayake MP	Leader of the House (Parliament of Sri Lanka)
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Hon. Mrs. Saroja Savithri Paulraj MP	Minister of Women and Child Affairs (Parliament of Sri Lanka)
Hon. Mrs. Chamindranee Kiriella MP	Member (Parliament of Sri Lanka)
Hon. Dr. Elayathambee Srinath MP	Member (Parliament of Sri Lanka)
Hon. Sugath Wasantha de Silva MP	Member (Parliament of Sri Lanka)
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