

**MANOJKEET ART - THE DIGITAL PORTRAIT**



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# the morning



**IMPLICATIONS OF IMPUNITY FOR PAST PRESIDENTS**  
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**KAPRUKA TO USE IPO PROCEEDS FOR FOUR NEW INITIATIVES**  
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**SOUTH AFRICA CRICKET LEGENDS ACCUSED OF RACISM**



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## Allegation that US Envoy intervened unethically in Yugadanavi deal



- Yugadanavi petitions taken up at Supreme Court
- Attorney cites June letter to Presidential Secretariat
- Elle Gunawansa Thera/Cardinal raise transparency concerns
- AG calls for petitions to be thrown out

**BY PAMODI WARAVITA**  
**P**resident's Counsel (PC) Manohara de Silva, appearing on behalf of the Ceylon Electricity Board (CEB) unions at the hearing of the petitions against the Kerawalapitiya Yugadanavi Power Plant-related agreement between the Government of Sri Lanka and a US-based energy company, has claimed that the US Ambassador made an unethical intervention regarding the said agreement last year.

De Silva PC said that the cabinet memorandum regarding the matter was first presented on 14 June 2020. He added that on 22 June 2020, the US Ambassador had written a letter about it to the Presidential Secretariat.

*Contd. on page 2*

## Health Ministry warns about post-festival wave

• Three more Omicron cases confirmed

**BY BUDDHIKA SAMARAWERA**  
**T**he health authorities have warned of a serious situation in terms of the state of the pandemic in the country within the next few weeks, if the people do not adhere to the Covid-19-related health guidelines during the upcoming festive season.

Addressing a media briefing held yesterday (16), Health Ministry Communications Director, Public Health Services Deputy Director General, and Disaster Preparedness and Response Division Head Dr. Hemantha Herath said: "If we adhere to the health

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guidelines, we will be able to enjoy this festive season without any problems, but if not, we will have to face a serious situation in the next few weeks."

He also pointed out

that everyone should act responsibly so that there is no serious Covid-19 spread after this festive season, as it did after this year's festive season.

Meanwhile, Sri Lanka confirmed three more cases of the Omicron variant of Covid-19 (B.1.1.529), said University of Sri Jayewardenepura Department of Immunology and Molecular Medicine Director Dr. Chandima Jeewandara yesterday.

The new development brings the total number of Omicron cases detected in the country to four.

*Contd. on page 2*

## Draft reforms to Nat. NGO Secretariat by mid 2022

**BY PAMODI WARAVITA**  
**N**ational Secretariat for Non-Governmental Organisations (NGOs) Director General Attorney-at-Law Raja Goonaratne said yesterday (16) that the final draft of the reforms to strengthen the Secretariat will likely be ready by June 2022.

"We are in the drafting stage at the moment. We have completed consultations with many stakeholders, including written consultations. We hope that the final draft will be ready by June 2022," Goonaratne told *The Morning* yesterday.

*Contd. on page 2*

### ALLEGED WOMEN STERILISATION CONTROVERSY



Dr. Shafi Shihabdeen at the Kurunegala Magistrate's Court in 2019  
PHOTO PRADEEP DAMBARAGE

## Dr. Shafi Shihabdeen of Kurunegala to be paid salary plus arrears

• Health Secretary instructs and demands explanation from Kurunegala TH Director

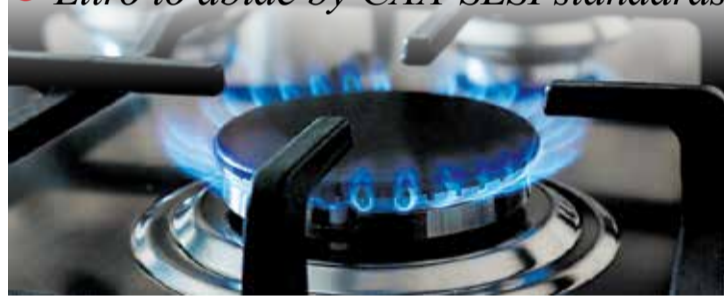
**BY BUDDHIKA SAMARAWERA**  
**T**he Ministry of Health has instructed the Kurunegala Teaching Hospital (TH) Director to continue the salary of Dr. Shafi Shihabdeen, who is currently on compulsory leave after being accused of allegedly performing illegal sterilisation operations on women while working at the Kurunegala Teaching Hospital, and also to pay salary arrears, *The Morning* learnt.

Speaking to *The Morning*, Ministry of Health Secretary Maj. Gen. Dr. Sanjeeva Munasinghe said that he has instructed the Kurunegala Teaching Hospital...

*Contd. on page 2*

## SLSI to decide on LPG ratio on Monday

• Litro to abide by CAA-SLSI standards



**BY PAMODI WARAVITA**  
**S**enior State Counsel Manohara Jayasinghe, representing the Consumer Affairs Authority (CAA) in the Court of Appeal yesterday (16), when the hearing of the petition against Litro Gas Lanka Ltd. was called for the third consecutive day, has said that the Sri Lanka Standards Institute (SLSI) will have a meeting on 20 December to decide on what the gas composition (butane:propane ratio) of liquefied petroleum gas (LPG) cylinders should be.

*Contd. on page 2*

## Chinese Ambassador visits Northern Province

**C**hinese Ambassador to Sri Lanka Qi Zhenhong engaged in a tour of the Northern Province of Sri Lanka yesterday (16), the Chinese Embassy in Colombo said.

Relations between China and Sri Lanka are widely believed to be at its lowest ebb in at least 15 years due to the rejection of a Chinese fertiliser stock by Sri Lanka as well as three energy projects in the north being taken away from China belatedly due to India stepping in as a funder. The Ambassador started his first visit to the Northern Province from the Jaffna Public Library. Laptops and books were donated to enhance capacity building and enlarge the collection of this well-known library in Asia, it said.

*Contd. on page 2*

## Task Force to study chem fertiliser impact


• Agriculture-Health Ministries at the helm  
• Adverse effects on the body to be reported on

**BY BUDDHIKA SAMARAWERA**  
**T**he Agriculture and Health Ministries have reached an agreement to set up a Task Force headed by Director General of Health Services (DGHS) Dr. Asela Gunawardena to study and prepare a report on the adverse effects of chemical fertilisers and agrochemicals including pesticides, fungicides, and herbicides/weedicides on the human body.

*Contd. on page 2*

## Cabinet to discuss info presented by experts on Yugadanavi

**BY PAMODI WARAVITA**  
**M**inister of Tourism Prasanna Ranatunga said yesterday (16) that the next meeting with the Cabinet of Ministers will discuss the information presented by experts and officials at the last cabinet meeting...



*Contd. on page 2*

## Essential drugs enough for six months despite forex issue

**BY BUDDHIKA SAMARAWERA**  
**T**he Production, Supply and Regulation of Pharmaceuticals State Ministry has said that Sri Lanka is currently in possession of essential pharmaceuticals which are sufficient for six months, despite any foreign exchange issues.

When queried whether the country would see a shortage of pharmaceuticals due to such issues in the coming days, he said that the country is currently in the possession of essential pharmaceuticals which are sufficient for six months.

While admitting that there are certain issues with regard to the purchase of pharmaceuticals given the shortage of foreign exchange reserves in the country, the State Ministry said, however, that such issues will be addressed with the said State Ministry's intervention.

*Contd. on page 2*

## LPG testing labs urged to apply for accreditation

• No accredited LPG testing labs in the country: SLAB

**BY PAMODI WARAVITA**  
**T**he Sri Lanka Accreditation Board for Conformity Assessment (SLAB) said yesterday (16) that it has requested all labs operating in Sri Lanka to submit their applications for accreditation for the testing of liquefied petroleum gas (LPG) as soon as possible, considering the national importance of the ongoing issues related to LPG.

"Up to date, there are no labs in Sri Lanka which have been accredited by the SLAB for LPG-related testing."

*Contd. on page 2*

## Arrears owed to fertiliser importers to be settled

• Yala fertiliser imports affected due to lack of funding

**BY BUDDHIKA SAMARAWERA**  
**A**griculture Minister Mahindananda Aluthgamage is to hold discussions with the Finance Ministry to facilitate the settlement of a portion of arrears payments owed by the general Treasury to fertiliser importers, before 5 January 2022, as fertiliser imports targeting the Yala cultivation season have been affected due to the lack of funding.

According to the Agriculture Ministry, a discussion was held at the Agriculture Ministry yesterday (16) to discuss the issues faced by fertiliser importers and local fertiliser manufacturers.

*Contd. on page 2*

## Booster ineffective if those infected take before 6 months

**BY BUDDHIKA SAMARAWERA**  
**P**ointing out that a person infected with Covid-19 should receive the third dose of a Covid-19 vaccine six months after recovery, the Ministry of Health has said that if such a person obtains the booster third dose before six months of recovery, the vaccine's protection can be neutralised by the antibodies created due to the Covid-19 infection.

Speaking to *The Morning* yesterday (16), Ministry of Health Communications Director and Deputy Director General of Public Health Services Dr. Hemantha Herath said that according to the latest circulars, a person infected with Covid-19 should receive the third dose six months after recovery.

*Contd. on page 2*

## Rights group to file writ against IGP over Lohan

• Seeks Ratwatte's arrest over Prison incident

**BY BUDDHIKA SAMARAWERA**  
**T**he Committee for Protecting the Rights of Prisoners (CPRP) is to file a writ of mandamus petition in the Court of Appeal, seeking an order directing Inspector General of Police (IGP) Chandana D. Wickramaratne to arrest State Minister Lohan Ratwatte and produce him in court over the incident where Ratwatte had allegedly entered the Anuradhapura Prison and intimidated several inmates there last September, if the IGP fails to perform the above tasks within a period of seven days from yesterday (16).

Ratwatte is the former Prison Management and Prisoners' Rehabilitation State Minister and incumbent Gem and Jewellery-Related Industries.

*Contd. on page 2*

**COVID-19 CASES**

ACTIVE CASES	16,288
DEATHS	14,698
RECOVERED	546,498
TOTAL CASES	577,484

SOURCE: HEALTH PROMOTION BUREAU THE ABOVE STATISTICS ARE CONFIRMED UP UNTIL 9.30 PM, ON 16 DECEMBER 2021



DGHS Dr. Asela Gunawardena



State Minister Lohan Ratwatte



**AT A GLANCE**

**G.L. PEIRIS APPOINTED AS ACTING FINANCE MINISTER**

Foreign Minister Professor G.L. Peiris has been appointed as the Acting Minister of Finance. He has been appointed to the position as Finance Minister Basil Rajapaksa is currently on a foreign visit. Basil Rajapaksa, accompanied by his wife, is reportedly travelling to the US, although the Finance Ministry was unable to confirm this. The exact purpose of his journey is thus unknown.

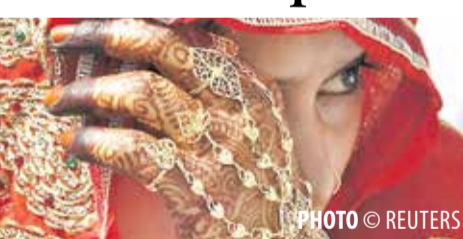
**STF RECOVERS LARGE CACHE OF AMMUNITION FROM KILINOCCHI**

The Police Special Task Force (STF) has recovered a huge cache of ammunition from Ramya Road in the area of Kilinochchi. According to the Police, 84 boxes in total, each containing 750 rounds of ammunition used for T-56 firearms, were unearthed from a plot of land where concrete structures are made. In addition, 46,000 rounds of T-56 bullets removed from the shells, 800 bullets used for M-60 machine guns, and 400 rounds of MPMG ammunition were also unearthed by the STF personnel. It is believed that this cache of ammunition had been buried during wartime. On Monday (13), two boxes containing T-56 bullets were recovered from the same location. After presenting submissions to the Kilinochchi Magistrate's Court on the matter the following day, the STF personnel attached to the camp at Araviyanagar in Kilinochchi had carried out further excavations at the site which led to this recovery. Kilinochchi Police is conducting further investigations in this regard.

**LOW-PRESSURE AREA OVER SEAS SOUTHEAST OF SRI LANKA**

A low-level atmospheric disturbance south of Sri Lanka has intensified into a low-pressure area and it is currently located southeast of the island, said the Department of Meteorology. Under the influence of this system, cloudy skies can be expected in the southern half of the island. Showers will occur at times in the Northern, North Central, Eastern, Central, and Uva Provinces. Fairly heavy rainfall of above 50 mm can be expected at some places in the Northern, Eastern, and Uva Provinces. Meanwhile, showers or thundershowers will occur elsewhere during the evening or night. Fairly heavy rainfall above 75 mm can be expected at some places in the Sabaragamuwa Province and in the Galle and Matara Districts. The general public is kindly requested to take adequate precautions to minimise damages caused by temporary localised strong winds and lightning during thundershowers.

**India to raise legal marriage age for women; activists sceptical**



The Indian Government has cleared a proposal to raise the minimum age of marriage for women from 18 to 21, according to media reports, as women's rights activists fear the move could lead to a "real disaster". The decision to raise the age was made during a cabinet meeting on Wednesday (15), the reports said. Currently, the minimum age of marriage for men is 21 and 18 for women.

Following cabinet approval, the Government is likely to introduce an amendment to the Prohibition of Child Marriage Act of 2006, and consequently bring amendments to the Special Marriage Act and personal laws such as the Hindu Marriage Act of 1955. During his Independence Day speech in August last year, Prime Minister Narendra Modi mentioned the proposal, saying the Government "is constantly concerned about the health of daughters and sisters". "To save the daughters from malnutrition, it is necessary that they are married at the right age," Modi had said. Earlier this year, hundreds of girls from the northern state of Haryana, which has one of the lowest gender ratios of females to males among Indian states, had written to Modi, urging him to raise the marriage age from 18 to 21. (Al Jazeera)

**Court orders ban of human rights celebration event**

• Event was to be held to appreciate prisoners' families | • Human Rights Office Kandy looking to reschedule/amend event

BY PAMODI WARAVITA

**An order was issued by the Kandy Magistrate's Court on 9 December to stop the annual event conducted by the Human Rights Office Kandy (HROK) to commemorate International Human Rights Day, which falls on 11 December 2021.**

"We have been holding the Human Rights Day celebrations every year for 10 consecutive years now. Over the years, we have recognised human rights activists and groups of people. For example, in 2018, we awarded tokens of appreciation to the families of the disappeared who work with us in pursuit of justice. This court order is a serious violation of fundamental rights. We were informed that the issue was that we had planned to give

tokens of appreciation for families of prisoners at this year's event," Catholic Church's Kandy Diocese-based HROK group Founder and Director Fr. Nandana Manatunga told The Morning yesterday (16). This year's theme for the event had been "Ensure the Prisoners their Dignity and Rights to Humane Conditions". Manatunga said that the family members who were to receive tokens

of appreciation were from different ethnic and religious groups, and that the nature of the crimes their family members were suspected, accused, or convicted of was not to be considered when presenting the tokens of appreciation to the family members. "Some of these families have worked with our office for years. Even after they found the justice they



were looking for, they continued to work with us and help other families who needed support. This is why we wanted to show them our appreciation," said Manatunga. The court order

had cited Section 106 (1) of the Code of Criminal Procedure Act ("to prevent or tends to prevent obstruction, annoyance, or injury, or risk of obstruction, annoyance, or injury to any persons lawfully employed, or danger to human life, health or safety, or a riot or an affray"). Invitees for the event had included former prisoners, families of prisoners, clergy, lawyers, United Nations (UN) staff, police officers, and prison officials. The HROK is currently discussing the possibility of holding the event on another date, including any changes that would possibly be required about the nature of the event.

Chief Government Whip and Highways Minister Johnston Fernando yesterday (16) called on chairmen and top officials of gas companies to tell people the truth about the prevailing crisis.

**Johnston calls out gas firms over LPG issue**



Minister Johnston Fernando at the inauguration of construction of the Werahera bridge on Colombo-Horana Road yesterday (16)

Speaking to the media during a ceremony in Werahera to lay the foundation stone for the construction of Werahera bridge in Colombo-Horana Road, the Minister said that the top officials and chairmen of gas companies have a responsibility to find solutions for the problems related to the gas crisis. "I saw on TV how one such chairman could not even be contacted. There is no point in hiding. They need to give answers. That is a part of their job. They have not been given those positions to go into hiding when there are problems of gas shortages or mishaps created by their products. I saw one such chairman of a gas company who was very upstart and rhetoric about corruption, but he too cannot be found to give solutions for the problems faced by people. They are not paid to play the hero by giving voice cuts to the media, but to provide services to the people. Their irresponsibility

puts people and the Government in difficulty," the Minister said. Asked to comment on the Opposition's criticism against the Government for proroguing Parliament sessions, the Minister said: "I saw Chief Opposition Whip Lakshman Kiriella telling the media that it was wrong to prorogue Parliament when there are political crises. I ask him to name such a crisis if there are any. Parliament has been prorogued more than 50 times since 1947.

extension is only for seven days. "The Opposition says that they could discuss solutions if Parliament is kept open. Have they given any usable or effective solution for any problem during any day that the House met in the recent past? There is a crisis triggered by a dollar shortage. This problem will not last forever and we are working out solutions. If the Opposition has any alternative, a better one, I challenge them to tell the nation about it." The No. 9/2 Werahera bridge in Colombo-Horana Road is estimated to be completed at a cost of Rs 285 million. Minister of Power Gamini Lokuge was also present at the foundation laying ceremony. The length of the bridge that had been seven metres would be increased to 43.60 metres. It would be 22 metres in width, enabling a four-lane route. The bridge is to be completed in 15 months and to end flood threats to Boralessgamuwa and adjacent areas.

**Thilina Gamage cleared on elephant calf case**



Thilina Gamage

The Colombo High Court yesterday (16) ordered to acquit and release interdicted Magistrate Thilina Gamage from the case filed over the illegal possession of an elephant calf. Delivering the decision yesterday, Colombo High Court Judge Damith Thotawatte stated that the prosecution had failed to prove the allegations against the defendant Thilina Gamage beyond reasonable doubt. Therefore, the court ordered to acquit and release him from the case. However, the court decided not to acquit the other defendants named in the case, including former Wildlife Conservation Department Assistant Director Upali Pathmasiri, the clerk in charge of the Elephant Registration at the department Priyanka Sanjeevani, and

Chandraratne Yatawara, who is said to be the first owner of the elephant calf. The High Court Judge ordered them to present their defence when the case is taken up before the court once again on 21 January 2022. Former Additional Magistrate of Colombo Thilina Gamage had been sent on compulsory leave in May 2016 due to the ongoing investigation into the case while he had surrendered to court the following month and was granted bail the same day. In July 2019, the Attorney General had filed the indictments against the interdicted magistrate and the three other defendants on 25 counts, accusing them of committing a crime under the Public Properties Act by keeping the elephant calf named "Sakura" using a forged licence.

**Researchers urge third dose after Omicron study**

Researchers in Hong Kong have urged people to get a third dose of Covid-19 vaccine as soon as possible, after a study showed insufficient antibodies were generated by the Sinovac and BioNTech products to fend off Omicron. Tuesday's (14) release of the results of a study by scientists in the Microbiology Department of the University of Hong Kong was the first published preliminary data on the impact of Sinovac's vaccine against the Omicron variant of coronavirus. None of the serum of the 25 Coronavirus vaccine recipients contained detectable antibodies that neutralised the new variant, according to the preprint study that has been accepted for publication in the journal *Clinical Infectious Diseases*, the researchers said. Just 20% to 24% of BioNTech vaccine recipients had detectable neutralising antibodies against Omicron, the study found. "The public is advised to get a third dose of the vaccine as soon as possible while waiting for the next generation of a more matched vaccine," the researchers said in a news release. The study, funded by the Hong Kong Government, was

carried out by microbiologists Yuen Kwok-yung, Kelvin To, and Chen Honglin. Sinovac did not immediately respond to questions on the study, but a spokesperson said its own laboratory testing showed a third dose of its vaccine was effective in producing Omicron antibodies. BioNTech did not immediately respond to questions on the study. The fast-spreading Delta variant remains dominant worldwide, and it is unclear if Omicron is inherently more contagious, the World Health Organisation (WHO) said in a brief last Sunday (12). Scientists say it is still too early to know if Omicron causes more or less severe Covid-19 than previous variants. A study of real-world data published on Tuesday showed Pfizer-BioNTech's Covid-19 vaccine was less effective in South Africa at keeping out of hospital those infected with the virus since the Omicron variant emerged last month. Last week, the two firms said a three-dose course of their vaccine had neutralised Omicron in a laboratory test, an early sign that booster shots could be key for protection against it. (Reuters)

**Chinese Envoy visits Northern Province**



Ambassador Qi Zhenhong in discussion with Northern Province Governor Jeewan Thiagarajah

Chinese Ambassador to Sri Lanka Qi Zhenhong engaged in a tour of the Northern Province of Sri Lanka yesterday (16), the Chinese Embassy in Colombo said. The Ambassador started his first visit to the Northern Province from the Jaffna Public Library. Laptops and books were donated to enhance the capacity building and enlarge the collection of this well-known library in Asia, it said. The Embassy said that Ambassador Qi Zhenhong also held a discussion with Northern Province Governor

Jeewan Thiagarajah on how to enhance mutual co-operation and improve local Tamil community livelihoods. The Chinese Embassy has donated five reverse osmosis (RO) water purification mobile plants to five districts in the Province. Ambassador Qi Zhenhong had also paid homage to the historic Nallur Kandaswamy Kovil in Jaffna. He made a donation to the Kovil and shared pooja with the needy citizens outside after his visit, the embassy tweeted.

**UN ASG Kanni Wignarajah meets PM**

UN Assistant Secretary General (ASG), United Nations Development Programme (UNDP) Assistant Administrator, and UNDP Regional Bureau for Asia and the Pacific Director Kanni Wignarajah called on Sri Lankan Prime Minister (PM) Mahinda Rajapaksa on Wednesday (15). At the meeting, Wignarajah reinforced Sri Lanka's longstanding partnership with UNDP while renewing the organisation's commitment and engagement towards building a digital-driven, innovative, human-centric, and greener development pathway for Sri Lanka, a statement said. She was accompanied by UNDP Resident Representative in Sri Lanka Robert Juhkam and UNDP Deputy Resident Representative in Sri Lanka Malin Herwig. Also present at the meeting was Foreign Minister Prof. G.L. Peiris and Secretary to the Prime Minister Gamini Senarath. The UN Assistant Secretary General had arrived in Sri Lanka on Monday (13) for a five-day official visit to the island.



UN ASG Kanni Wignarajah and PM Mahinda Rajapaksa

She is visiting Sri Lanka with the aim of better understanding country priorities and exploring new avenues of support from UNDP to Sri Lanka - particularly focusing on follow up to the recently concluded UN Climate Change Conference COP26, post-Covid-19 socio-economic recovery in the region, and leveraging of more development financing to the country. The official visit will focus on the human development agenda and the acceleration of the Sustainable

Development Goals (SDGs) also given Covid-19 socio-economic impacts, while importantly celebrating the human development achievements of Sri Lanka. During her visit, ASG Wignarajah is scheduled to meet with high-level government officials and other partners, and to have a first-hand look at some of the UNDP-supported work on the ground. She had also met with Sri Lanka's Finance Minister Basil Rajapaksa on Monday.

# No more excuses, scapegoats, and blame games

Speculation is rife that President's Secretary Dr. P.B. Jayasundera is considering resigning from his post in the face of mounting pressure from a number of members of the Government.

Certain uncorroborated media reports claim that this situation is caused by various allegations against Dr. Jayasundera, including taking decisions that have caused governmental failures, and not being available for discussion, and that the current Irrigation Ministry Secretary Anura Dissanayake is to be appointed to that position.

Whether the allegations that Dr. Jayasundera's actions have caused certain failures on the part of the Government that have resulted in the Government being inconvenienced are legitimate is yet to be confirmed. However, given his very specific role as the President's Secretary, how much damage he could possibly do is a question. Even though what a secretary's remit includes may vary depending on who they are being a secretary to, the nature of a secretary post does not usually warrant action without or outside instructions, and the extent to which a secretary can act on their own accord, is unclear. As far as Dr. Jayasundera's case is concerned, there is no record of how he acted in a manner he was not supposed to, or in a manner that resulted in adverse outcomes.

Even though in what way he has caused the Government to fail is a mystery, if he was in fact responsible for such an act, why can the Government not reveal it to the country? Doing so would not only save the Government from the shame he has allegedly caused, it would also show accountability on the part of the Government, which the people would be happy to see.

What is more, we cannot forget the fact that the incumbent Government is one of the most powerful governments that came to power in the recent past. It received the support of two-thirds of Parliament to pass the 20th Amendment to the Constitution, despite the Amendment being highly controversial, and is ruling the country at a time the Opposition is largely divided. Furthermore, the 20th Amendment has made President Gotabaya Rajapaksa the most powerful President since J.R. Jayewardene, and the people willingly vested this power in him with the expectation that he would use it to get things done.

In the context of such unprecedented power being held by a government, and its chief executive in particular, is it reasonable for so much blame, from so many angles, to be placed on one individual that does not even occupy the top seat? If Dr. Jayasundera could actually cause failures on the scale of an entire Government, that begs the question as to how powerful he was in his position, what powers he had been vested with, and most of all, why he had not been removed all this time, considering the severity of the charges against him. We have not seen Secretaries to former Presidents being blamed for failures on the part of the relevant Government or President.

Is Dr. Jayasundera about to become the latest of many scapegoats past Governments and the incumbent Government has presented in order to cover their failures and inadequacies, is a concern anyone who wants to know exactly what he is being accused of may have. It is not at all a new practice in Sri Lanka's political system, and there are many examples. Even in extremely sensitive cases such as the Easter Sunday attacks, the heads of the then-United National Front (UNF)-led Government could be seen trying to place the blame for the failure to avert the attack on then-Inspector General of Police (IGP) Pujith Jayasundera and then-Defence Secretary Hemasiri Fernando, and before the Presidential Commission of Inquiry appointed to look into the Easter Sunday attacks, it was stated that Pujith Jayasundera was offered a diplomatic post if he took the fall for the Easter Sunday attacks.

The whole story about Dr. Jayasundera's potential resignation and replacement is still in an unclear state, and thus far, no official statement has been issued in this connection. However, if Dr. Jayasundera is being a scapegoat for the Government's failures, or if he is being replaced because the Government is under the wrong impression that changing the person performing as the President's Secretary is a solution to its failures – and in the same token, retaining him if he is in fact the cause of unspecified Governmental ills – that is certainly not the right path to take.



**BY RAJPAL ABEYNAAYAKE**

**The hijinks that went on at the Board of Investment (BOI) were bizarre even by the standards of what's going on these days. The entire institution was brought to the brink of chaos, at a time the country needed investment as never before.**

The BOI's unravelling came to a head in the last month or so, after its Board of Directors resigned. These included some key personalities such as Harsha Cabral, Harsha Subasinghe, etc. The drama seems to have finally ceased after the President's recent appointment of Raja Edirisuriya as the new BOI Chairman. However, what brought matters to this pass was the appointment of previous BOI Chairman Sanjaya Mohottala by the Government some time ago.

Mohottala seemed to have neither the experience nor the record to manage the key organisation that brings in foreign investment into the country. He was supposed to have acquired some qualifications, but his main qualification appeared to be that he was from the same village as the President. Besides that, he was also supposed to be a close relative of a longtime confidant of the ruling family, who was holding a top post close to the governing duo.

From day one, Mohottala seemed to be quite the suave act. He had the debonair looks of a well-groomed, well-mannered technocrat, and seemed to know how to smooch around bigwigs and speak in clipped tones.

But other than his mannerisms, he didn't appear to deliver anything. True that things became a very difficult task after the pandemic set in, and that he didn't have a very investor-friendly environment to deal with. But then, instead of treading cautiously and trying to cajole whatever investors he could in a not-so-business-friendly conjuncture, he, true to his identity as a flashy Johnny-come-lately, began doing some of the most bizarre things that have been done in that institution that J.R. Jayewardene set up as the country's key investment hub in the '70s.

He started recruiting an entire cabal of friends and former acquaintances, paying them enormous salaries and placing them over the heads of the management veterans of the institution that had been there for decades. Now, it's all well and good to attract new talent and infuse some energy into an institution that needed to perform much better than it had done.

But, to make any radical changes, Mohottala had to prove that he was able to deliver with the new team that he was paying an arm and a leg to attract.

But the new players neither had



Sanjaya Mohottala assuming duties on 9 December 2020 as the 21st Chairman of the Board of Investment

the credentials, nor were they able to deliver. In fact, the team was made up of neophytes who, just like Mohottala, were fresh faces with slicked-down hair who had not so much as run a mom-and-pop shop before, leave alone carry the experience to attract big business in a competitive global business environment that didn't exactly care for the "face value" of some self-annointed BOI whiz-kids.

The non-delivering merry-go-round of highly paid and much ballyhooed new entrants prancing around, earning top dollar but contributing nothing substantial to the organisation, proved the last straw – the old guard was livid. It may have been correct that the institution needed an infusion of new blood to deliver, but what Mohottala had instead achieved was to make it more leaden and unresponsive to any changes from the top, because the top consisted now of neophytes who were getting paid massive salaries, but doing nothing significant to bring in investment.

This institution should not have come to this pass, particularly at this hour. Countries such as Vietnam were attracting all the new investment that was coming out of China. Sri Lanka should have been able to grab at least an iota of that exodus of investment opportunity, as we badly needed it. It was vital that we grabbed a slice of that pie not just because the pandemic was shedding investment opportunities from China, but because this trend was offering us a brand new opportunity to reinvent ourselves as an investment hub.

But the callow new "talent" at the BOI guaranteed an early full stop to any such possibility. Was this a way to manage one of the critical investment gateways in the country – or the most crucial, to be precise? Most definitely not. But here was the much-touted meritocracy of the new dispensation at work. Meritocracy it was not; a den for nepotism and buddy-system propagation of mediocrity, it was.

It was particularly galling that the Government that had advertised for the best talent, saying they were making an apolitical experiment to draw the best talent the country has, ended up this way, promoting and glorifying whiz-kids because they were from the same village, or were the relatives of somebody who was a somebody in the inner sanctums, where the powerful decided who was to be axed and who was to be elevated.

The BOI had hitherto been an organisation that had been untouched largely by crass politics, at least relatively speaking. For example it was not like SriLankan Airlines, just to take one instance of an organisation that was often packed with questionable political choices at management level.

It would be a stretch of the imagination for one to say Mohottala hired people at astronomical salary points because he wanted delivery. If that was the case, he should have hired neutral persons who had a previous record of delivering the goods. In contrast, he hired newbies – neophyte young lawyers who had never had any previous sales,

business, or investment experience for instance – who were his known friends and associates.

There is no question about it. He messed up big time and didn't seem to have any scruples whatsoever about making a state organisation a happy hunting ground to position his friends and comrades-in-arms so they could draw top salaries and enjoy fat perks.

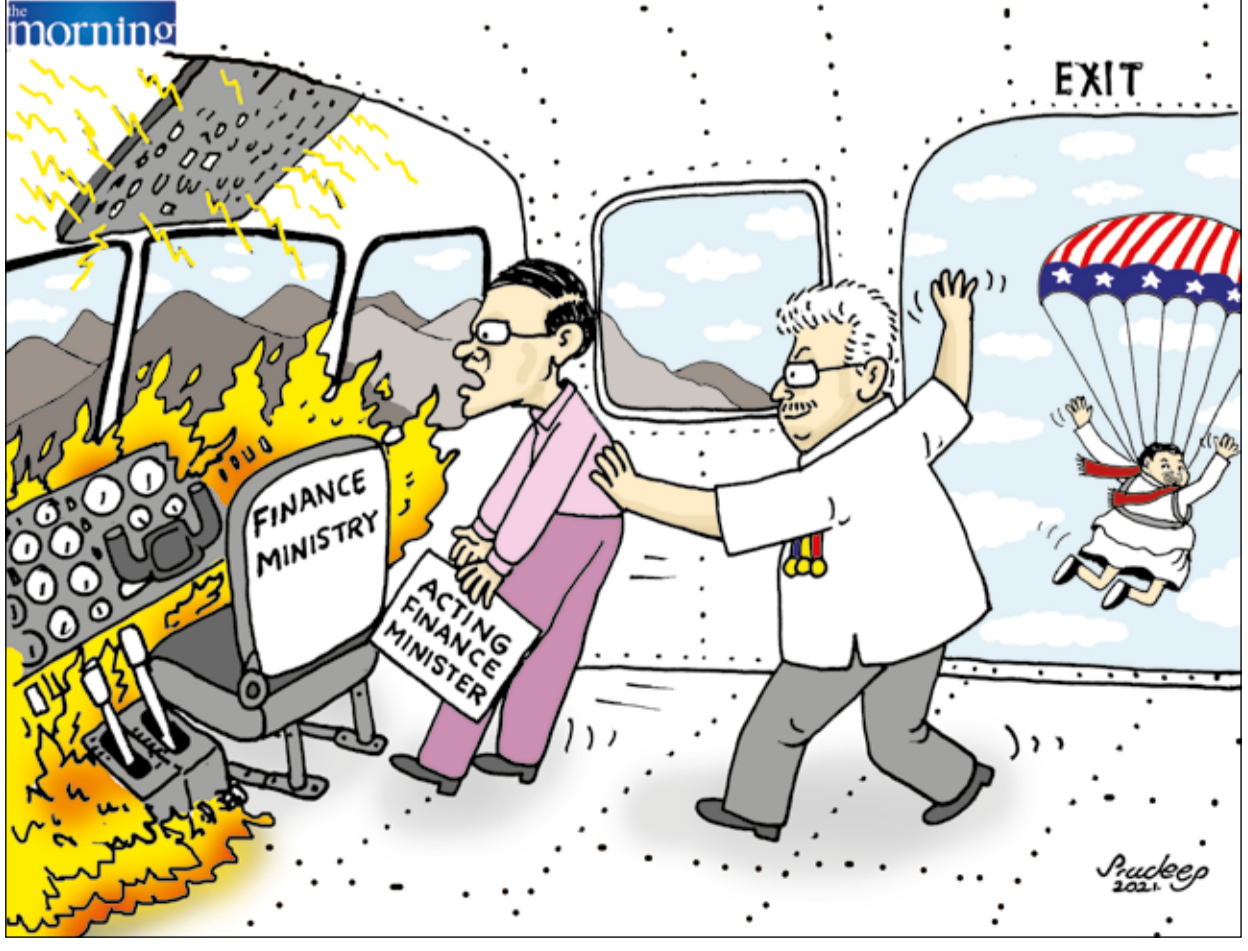
After Mohottala stopped reporting to work after submitting his resignation, some of the persons he appointed still continued to draw their oversized salaries, which is what resulted in the BOI being in a continuous state of disarray – something the Government could ill afford at this crucial juncture.

The BOI should be the last place for this type of corrupt practice – and yes, packing an organisation with your friends, at high salary points, is corruption too. It's a misuse of state largesse and falls under the rubric of corruption. The problem is that this Government has apparently made it a practice of plonking people of questionable talent in key state institutions, just because they are known to somebody in the inner circle of power. There are only a handful of institutions in which the meritocracy principle has applied – all others have been packed with cronies, and useless cronies at that.

It is difficult to expect anything more from a dispensation that has insisted on appointing a pardoned convict, the week after his pardon, as the Chairman of the Housing Authority. But, what's most unfortunate is that the Government was expected to deliver a Singapore-type miracle, and ended up making all these ridiculously inept moves.

But more than inept, these appointments are brazen. They openly scoff at a public that expected great things from a Government that was offering clean and efficient governance. The BOI fiasco is a prime example of how all that turned out. The BOI was made into a little slush fund, in other words, into which friends of Mohottala could dip in at pleasure. And who was Mohottala? The chosen one – you could even say, the ne'er-do-well from a well-connected family. "Well-connected" means well-connected to the correct people at this point in time, not well-connected in the generic sense. Now, that alone seems to be what it takes, in this very peculiar meritocracy.

*(The writer is a former Editor-in-Chief of three national English language publications and a practising Attorney-at-Law. He is an Editors' Guild award-winning columnist, and contributing writer and columnist for Nikkei Asian Review and South China Morning Post, while his editorials have been published in The Australian) The views and opinions expressed in this column are those of the author, and do not necessarily reflect those of this publication.*



# Implications of impunity for past presidents

● *International perspectives on the thorny law on post-tenure immunity to heads of state*



Serious allegations have been levelled against former President Maithripala Sirisena with regard to the 2019 Easter attacks

PHOTO © GETTY IMAGES

BY SUMUDU CHAMARA

**One of the most common values that legal systems in almost every country uphold is that no citizen is above the law and that every citizen is equal before the law. Sri Lanka's Constitution also states the same, and it has been the foundation of many of the cases, in particular fundamental rights (FR) cases.**

However, whether that value is upheld in reality has been questioned throughout history, and when it comes to heads of states – both in power, and retired from a certain position or from politics – this concern has been raised frequently. There are certain instances in Sri Lanka's history where high-ranking politicians were prosecuted, and Sri Lanka is currently discussing a case where serious allegations have been levelled against the former Head of State, namely, former President and incumbent Sri Lanka Podujana Peramuna (SLPP) Government Parliamentarian Maithripala Sirisena, with regard to the Easter Sunday terror attacks during the tenure of the United National Front (UNF)-led Government.

## Sri Lanka's case

It was reported this week that the Criminal Investigation Department (CID) is unlikely to record a statement from Sirisena with regard to the complaint lodged by the Catholic church regarding a statement made by Minister of Tourism Prasanna Ranatunga, implying that Sirisena is fully responsible for the Easter Sunday terror attacks and that the law should, therefore, be enforced against Sirisena.

**Lack of common practices, policies regarding investigations, legal actions against former heads of state**

When queried whether Sirisena would be summoned before the CID,

or whether a statement would be recorded from him in this connection, Public Security Ministry Secretary Maj. Gen. (Retd.) Jagath Alwis, told *The Morning*: "I don't think so. It is like this. There is a commission report (a reference to the report of the Presidential Commission of Inquiry [PCoI] into the Easter Sunday terror attacks) with the Attorney General (AG). So, if there is anything, the AG will direct us on what to do. Just because someone makes an allegation about a former head of state, we cannot do it. We will have to wait since there is an ongoing process."

*The Morning* reported yesterday (16): "The church on 10 December lodged a complaint with the CID, seeking an impartial and comprehensive investigation into a statement made by Ranatunga that Sirisena is fully responsible for the said terror attacks. The complaint in question was filed by Colombo Archdiocese Social Communication Director Rev. and Fr. Jude Christantha Fernando on the Catholic church's behalf, and through the complaint, he requested an impartial and comprehensive investigation into Ranatunga's statement and legal action against Sirisena."

"Despite the fact that government officials, security chiefs, and top political authorities in charge of national security had received intelligence information confirming that a terrorist attack had been planned targeting Catholic churches on 21 April 2019, they did not take action to prevent the attacks. Sirisena, who was the then President, Armed Forces Commander-in-Chief, and Defence Minister, is one of the main parties accused of negligence and the dereliction of duty to prevent the said attacks," the complaint read.

## Legal action, investigations against former heads of state

World history provides ample examples of legal action against former heads of state by the legal systems of their own countries or international bodies. While some of them have resulted in prosecution, some ended with acquittal.

Among them are the house arrest of former Myanmar Leader Aung San Suu Kyi following allegations of corruption and violating state secrets, legal action against former Kosovar President Hashim Thaci in 2020 over multiple allegations of war crimes, the International

Criminal Court's (ICC) trial of former Ivory Coast President Laurent Gbagbo over allegations of crimes against humanity, the conviction and annulment of the conviction of former Guatemalan President Efraín Ríos Montt over crimes during that country's civil war, the conviction of former Egyptian President Hosni Mubarak for premeditated murders of protesters engaged in the Arab Spring, legal action against former Sudanese President Omar al-Bashir for organising a campaign of mass violence against non-Arab ethnic groups, and the conviction of former Iraqi President Saddam Hussein for several charges including ordering a large number of executions.

The most recent of such incidents is the legal action against former US President Donald Trump, who, according to foreign media reports, faces more than 12 high-profile lawsuits and investigations, where a *Washington Post* report said that the total number of pending cases against Trump is 29. Cases against him pertain to sexual harassment, business and fraud-related allegations, and the Capitol riots and the 2020 US Presidential Election.

International legal experts and researchers familiar with the aforesaid legal action say that most of the time, legal action against former heads of state have been largely politicised, and that this aspect depends on several factors including whether the Head of State in question is still in politics, and how active they are in the political system.

Moreover, the capacity in which the alleged offences were committed by heads of state, and what outcomes those acts have led to, as far as the personal interests of heads of state as well as public interest are concerned, have been pointed out in some of the above-mentioned incidents.

Moreover, it is notable that the nature of the legal action against heads of state varies depending on whether it is the international laws (heard at an International Court such as the ICC), or domestic laws (heard at local courts or local bodies entrusted with the task of hearing those cases) that is applicable. Reports also show multiple incidents where the decisions and/or recommendations issued by one legal body or structure, from among the two mentioned above, being annulled or reconsidered by the other. Further, the lack of consensus and co-ordination among the two legal frameworks has

led to situations where certain high-profile cases, such as those pertaining to genocide, concluding with no final verdict.

However, there are no internationally accepted common procedures and policies specific to legal action and other forms of investigations against former heads of state. Moreover, there is a lack of consensus among different legal researchers in this regard, based on whether post-tenure immunity applies to former heads of state, and if it does, to what extent.

## Post-tenure immunity

Landmark cases that discussed the post-tenure immunity of former heads of state, especially the matter of whether Executive immunity can or should continue even after a President leaves his/her post, include the Estrada vs. Desierto and Estrada vs. Arroyo cases.

**Lack of consensus among countries' legal systems regarding post-tenure immunity or related privileges**

In the cases between former Philippines President Joseph Ejercito Estrada (petitioner) and former Philippines Ombudsman (respondent), the Supreme Court of the Philippines had stated: "We now come to the scope of immunity that can be claimed by the petitioner as a non-sitting President. The cases filed against petitioner Estrada are criminal in character. They involve plunder, bribery, graft, and corruption. By no stretch of the imagination can these crimes, especially plunder which carries the death penalty, be covered by the alleged mantle of immunity of a non-sitting President. The petitioner cannot cite any decision of this Court licensing the President to commit criminal acts and wrapping him with post-tenure immunity from liability. It will be anomalous to hold that immunity is an inoculation from liability for unlawful acts and conditions.

"The rule is that unlawful acts of public officials are not acts of the State and the officer who acts illegally is not acting as such but stands on the same footing as any trespasser. Indeed, critical reading of current literature on Executive immunity will reveal a judicial disinclination to expand the privilege especially when it impedes the search for truth or impairs the vindication of a right.

"In the 1974 case of *US v. Nixon*, US President Richard Nixon, a sitting President at the time, was subpoenaed to produce certain recordings and documents relating to his conversations with aides and advisors. Seven advisors of President Nixon's associates were facing charges of conspiracy to obstruct justice and other offences, which were committed in a burglary of the Democratic National Headquarters in Washington's Watergate Hotel during the 1972 presidential campaign. President Nixon himself was named an unindicted co-conspirator. President Nixon moved to quash the subpoena on the ground, among others, that the President was not subject to the judicial process and that he should first be impeached and removed from office before he could be made amenable to judicial proceedings. The claim was rejected by the US Supreme Court (SC). It concluded that 'when the ground for asserting privilege as to subpoenaed materials sought for use in a criminal trial is based only on the generalised interest in confidentiality, it cannot prevail over the fundamental demands of the due process of the law in the fair administration of criminal justice'.

"In the 1982 case of *Nixon v. Fitzgerald*, the US SC further held that the immunity of the President from civil damages covers only 'official acts'. Recently, the US SC had the occasion to reiterate this doctrine in the case of *Clinton v. Jones* where it held that the US President's immunity from suits for money damages arising out of their official acts is inapplicable to unofficial conduct. There are more reasons not to be sympathetic to appeals to stretch the scope of Executive immunity in our jurisdiction.

"One of the great themes of the 1987 Constitution is that a public office is a public trust. It declared as a State policy that 'the State shall maintain honesty and integrity in the public service and take positive and effective measures against graft and corruption'. It ordained that 'public officers and employees must at all times be accountable to the people, serve them with utmost responsibility, integrity, loyalty, and efficiency and act with patriotism and justice, and lead modest lives'. It sets the rule that 'the right of the State to recover properties unlawfully acquired by public officials or employees, from them or from their nominees or transferees, shall not be barred by prescription, laches (a defendant asserts that the claimant has delayed in asserting their rights, and that because of this delay, is no longer entitled to bring an equitable claim) or estoppels (a legal principle that prevents someone from arguing something or asserting a right that contradicts what they previously said or agreed to by law)'.

"These constitutional policies of the Philippines will be devalued if we sustain the petitioner's claim that a non-sitting President enjoys immunity from suit for criminal acts committed during his incumbency."

However, there are also examples for different stances expressed by legal systems of different countries such as the US and also legal researches which have supported the idea of post-tenure immunity, especially when legal actions are based on an act which can be identified as part of an official duty the former high-ranking politician or the Head of State performed.

With regard to Sri Lanka's situation, the Constitution, in Article 35 relating to the immunity of President from suits, states that while any person holds office as the President, no proceedings should be instituted or continued against him/her in any court or tribunal in respect of anything he/she has done or omitted to be done by him/her either in his/her official or private capacity. However, cases can still be filed against the AG with regard to the President's actions.

The law should be enforced against every person regardless of their powers or positions, and what the public are concerned more about is not what the law says, but how it is enforced or what it delivers. Investigations into high-ranking politicians or heads of state, on which prosecutions depend, also need to pay attention to the equality clause in Sri Lanka's Constitution which guarantees both equality before the law and equal protection of the law to all and sundry.

# Aged male pedestrians often encounter bike collisions outside crossing lines: Local study

• Researchers advocate strict rules/regulations for safe pedestrian road use and attitudinal change among pedestrians



Pedestrians' attitudes towards road safety have become a matter of concern to prevent related morbidities, especially among senior citizens

BY RUWAN LAKNATH JAYAKODY

**I**t is male pedestrians of extreme age groups that most often collide with motorbikes while crossing roads but not at pedestrian crossings, and therefore, there should be strict rules and regulations regarding the use of roads in this manner by pedestrians in order to minimise related morbidities.

These findings and recommendations were made by C.T. Mahanama and D.T. De Silva (both attached to the Karapitiya Teaching Hospital's Judicial Medical Officer's Office), and J. Warushennadi (attached to the Ruhuna University's Medical Faculty's Forensic Medicine Department) in an original article on the "Injury patterns of pedestrians who collided with motor bicycles who were admitted to the Karapitiya Teaching Hospital" which was published in the *Medico-Legal Journal of Sri Lanka* 7 (2) in December 2019.

Pedestrians are a common casualty when it comes to traffic accidents reported to hospitals and according

to the Police Department statistics in 2017, there were 963 pedestrian deaths out of 3,147 traffic-related fatalities. B. Zainb's "Analysis of pedestrian crash characteristics and contributing causes in Central Florida, United States of America", the majority of the pedestrian crashes (64%) along roadways had occurred when the pedestrians were crossing at locations with no pedestrian crossings. Furthermore, A.S. Kumarage, S.M. Wickramasinghe and P. Jayarathne, in their "Analysis of road accidents in Sri Lanka 2002" found that motorcycles are the commonest offending vehicle when it comes to the vehicles involved in accidents and per the Motor Traffic Department statistics, in 2015, there were 10,147 motorcycle-based accidents which constitute a gradual increase from 2012. Mahanama et al. therefore noted that the involvement of pedestrians with motorcycles is high.

Hence, Mahanama et al. conducted a descriptive study on pedestrians who had collided with motorcycles and were admitted to the Karapitiya

Teaching Hospital, from 2017 to 2019.

A total number of 432 patients were studied. Gender wise, the majority was male (299 – 69%) while 133 were females. Age wise, the majority (112 – 26%) were between 60 to 70 years of age, followed by those between the ages of 40 and 50 years. In terms of the primary impact site, in the case of the majority (51%), it was on the lower limbs followed by the abdomen (13%), thigh (10%), forearm (7%), chest (4%) and head (2%). The majority of child pedestrians under the age of 10 years (9%) had the primary impact sites in the upper parts of the body such as the chest, forearm, and head. A total of 153 (35%) of the pedestrians did not have any visible primary impact injuries. The commonest primary impact injury was the bone fractures (20%), followed by contusions, abrasions and lacerations. Further, all the fractures were on the legs and the majority were compound fractures (94%) associated with lacerations. When calculating the height of the primary impact injury from the heel,

the majority (65%) was between 20 to 30 centimetres (cm) above the heel. The commonest external injury on different anatomical areas on the body was the abrasion. A total of 99% of the pedestrians had not consumed alcohol prior to the incident. That said, 43 (10%) pedestrians who collided with motorcycles and who had vision problems were in the age group between 60 and 89 years while eight (2%) who had hearing problems were in the age group of 70 to 89 years. Half of the pedestrians (48%) had collided with motorbikes while crossing the road in locations where there was no pedestrian crossing while 30% of the collisions were while walking along the street. The least number (8%) of accidents had occurred at pedestrian crossings. The majority of pedestrians (70%) had fallen after colliding with motorbikes and 28% had been thrown away. As far as the time of the accident was concerned, 45% of the incidents had occurred between 12 p.m. and 6 p.m. while 31% were between 6 a.m. and 12 p.m., and only 2% of accidents were between 12 a.m. and 6 a.m. The majority (55%) of the injuries were non-grievous while 42% were grievous injuries and 3% were categorised as endangering life.

B.K. Mandal and B.N. Yadav's "Pattern and distribution of pedestrian injuries in fatal road traffic accidental cases in Dharan, Nepal" too observed that male pedestrians were more commonly involved in traffic accidents than females. In the instant study, children and elderly persons were found to be more vulnerable as pedestrians to traffic related accidents as opposed to other age groups. Mahanama et al. explained that the dependent behaviour of the children and the physical weaknesses such as hearing and visual problems among the elderly persons may be the contributory causes for the higher number of accidents among the extreme age groups. Mandal and Yadav also found that the most common primary impact site is the lower

extremities, specifically the legs, with the commonest injury being a fracture. Projection parts from the vehicle are, B. Chakravarthy, S. Lotfipour and F.E. Vaca's "Pedestrian injuries: Emergency care considerations" noted, responsible for the primary impact injury (motorcycle front wheels which are around 25 to 30 cm above the ground cause the primary impact with the legs). It is a known fact that alcohol is a major contributory factor in traffic-related injuries; however, in this study, alcohol usage among pedestrians who had collided with motorbikes is as low as 0.7%. Mahanama et al. elaborated however that the evidence of alcohol consumption was obtained from the history given by the patient, adding that notes from the clinical records and the transfer forms may not be accurate as they may give incorrect data. "The absence of legal provisions for blood alcohol analysis is a huge failure in determining the level of intoxication in the victims," they emphasised. According to K. Masoumi, A. Forouzan, H. Barzegari, A.A. Darian, F. Rahim, B. Zohrevandi and S. Nabi's "Effective factors in the severity of the traffic accident-related traumas: An epidemiologic study based on the Haddon matrix (a brainstorming tool that combines the epidemiology triangle of the host, agent, environment and levels of prevention, and provides a way to look at planning for injury interventions and prevention strategies by way of phases in the time of the event)", most pedestrian accidents occur when crossing the road. Since similar results were present in the current study, Mahanama et al. pointed out that this indicates the necessity of strict road rules and a change in the attitude of pedestrians regarding the safe way of using the road. The most common time period of accidents was the afternoon between 12 p.m. and 6 p.m. which are the peak traffic hours. Abrasion was the commonest external injury which is caused due to the impact with a rough surface such as the road.

## The downgrading of the HRCSL



BY BASIL FERNANDO

The downgrading of the national Human Rights Commission of Sri Lanka (HRCSL) by the International Co-ordinating Committee of National Institutions for the Promotion and Protection of Human Rights, which is the international Body that regulates national human rights institutions is not surprising at all. This Coordinating Committee has reduced Sri Lanka's status from Grade A to B which means that the HRCSL will only have an observation status.

True sources who have been closely watching the HRCSL have in the recent two years, in particular, seen the deliberate neglect of the HRCSL by the Government of President Gotabaya Rajapaksa. That again is not by accident. The entire orientation and policy direction of the new Government is to strengthen its authoritarian position and to regard the violations of human rights as matters that do not require recognition by the state. Instead, the Government has a clean record, which means to give an image to the world that Sri Lanka is a country where human rights violations are not happening to any significant degree.

This is not the first time that the



HRCSL has been downgraded. Earlier also this was done when the situation of the malfunctioning of the HRCSL had become so obvious that it was no longer possible to treat it with respect. Despite the process of such downgrading, upgrading and again downgrading, there are very serious questions that have not been addressed about the nature and the function of the HRCSL in terms of the overall Constitutional structure of Sri Lanka.

The 1978 Constitution is built on principles which are opposed to democracy and the rule of law. This Constitution has created a position of a Head of State (and Executive President) who is above the law and the jurisdiction of the courts. The praising of a person who has the function of running the state above the law resulted

in upsetting the entire process of the state structure in Sri Lanka. Within this state structure, all institutions suffered a severe downgrading. The Parliament itself was downgraded and also the judiciary. They were all made subordinate to the Executive President who was in no way bound to respect any law whatsoever.

The downgrading of public institutions has taken place ever since the 1978 Constitution and as time goes by, this has reached a level where the rule of law does not seem to matter at all. The public commissions that were appointed at various stages were made within the context of this overall state structure within which the very fundamental notions of accountable governance were completely displaced.

Today, we could say without any hesitation that we have a policing system which, if there was an international committee to judge its quality, would easily downgrade it to perhaps the lowest degree. Similar downgrading can also be made concerning institutions which are dealing with criminal investigations like the Criminal Investigation Department (CID) and other security agencies.

Thus, what is happening to the public institutions is a mere byproduct of a Constitutional system which is made to support a political system which is bound by no law, international norms or standards.

This brings the issue as to how much the international community dealing with human rights has not fully grasped

the enormous Constitutional crisis that exists in Sri Lanka. Within this overall Constitutional setup, independent commissions cannot simply function. At times, if a limited liberal atmosphere prevails, some space may be given by a more liberal regime for a limited functioning of such commissions. The HRCSL has never gone beyond that stage even at the best of times. In fact, it was not possible for it to go beyond that due to the overall situation that is prevailing within the country's legal system.

Local and international organisations which are concerned about thousands of people who suffer all kinds of human rights violations need to pay attention to the ultimate cause of all such problems in the Sri Lankan context. That ultimate cause is the supreme law of Sri Lanka itself, that is the Sri Lankan Constitution.

The Sri Lankan Constitution provides the environment for intense forms of human rights violations. It also must necessarily prevent investigations and the pursuit of any other remedies for these violations. These two aspects are two sides of the same coin.

No amount of downgrading of the HRCSL could result in removing the ultimate causes that prevent its

proper functioning. The international monitoring Committee of the National Institutions needs to address these kinds of unique problems which exist under certain circumstances in some countries such as Sri Lanka. Mere recommendations to make things better while the overall legal obstacles to any agency that tries to deal with violations of human rights that exist will only result in creating some illusion of human rights protection. In reality, all those who resort to such institutions for a remedy are bound to have the bitter experience of not only suffering from violations of human rights done by state agencies but they will also have to suffer the humiliation of learning that there is no capacity within the Sri Lankan state structure to remedy their grievances.

Thus, the downgrading of the HRCSL poses extremely difficult problems for both those who are concerned with human rights locally, as well as internationally.

*(The writer is the Asian Human Rights Commission's Policy and Programmes Director)  
The views and opinions expressed in this article are those of the author, and do not necessarily reflect those of this publication.*

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-0.64%	-0.49%	234,224,395
		Turnover
		8,395,238,778.50



## 'Queen of Asia' is likely to be displayed at Dubai Expo

● Owner of the sapphire yet to give consensus | ● Gemologists' Association assesses the sapphire stone

**BY IMSHA IQBAL**  
Discussions are currently being held regarding displaying the recently discovered natural corundum blue sapphire, named "Queen of Asia", at Expo 2020 Dubai, *The Morning Business* learns.

stated on Tuesday (14): "It has been requested to display this (Queen of Asia) at the Dubai show (Expo 2020 Dubai)." He said that the Expo is expected to hold "Sapphire Day" and the gem has been requested to be displayed on the said day.

However, Weerasinghe said that a final decision has not been taken and that they are still at the discussion stage. Meanwhile, discussions are being carried out on whether to auction the blue sapphire corundum.

This natural blue sapphire corundum is considered the world's largest blue sapphire and weighs about 310 kg, as announced last Sunday (12). Responding to an inquiry regarding the worth of the gem, Weerasinghe noted that studies

are being carried out along with the Gemologists' Association of Sri Lanka (GASL). Following the research, the estimated value would be finalised within less than a month. In addition, Weerasinghe said that such discoveries of sapphires – also referring to the prior discovery of a star sapphire cluster, named "Serendipity Sapphire" – have paved the

way for global recognition of the gem and jewellery industry of Sri Lanka. Speaking on this global recognition, Weerasinghe said that although these recently unearthed gems are not getting sold, overall, the demand for the gems in Sri Lanka has significantly increased. Referring to the "Serendipity Sapphire", he added that the attention of the foreign buyers was garnered while its publicity was applauded locally. Moreover, he noted that in spite of the Covid-19 pandemic, the gem industry of Sri Lanka has been able to report a boost as a result of the aforesaid sapphire cluster that was discovered earlier this year.

Contd. on page 10

# Kapruka to utilise IPO proceeds for four new initiatives



● Aims to become distributor for established SL brands

● Projects include used goods platform, B2B commerce

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**K**apruka Holdings Ltd. will be using the capital raised through its initial public offering (IPO) to fund four new initiatives, Kapruka Holdings Founder and CEO Dulith Herath stated at the investor forum held yesterday (16).

Explaining further, he claimed: "I'm not going to invest that Rs. 500 million raised in our existing business and try to improve that, because this on its own is very efficient. Some of it will be used for infrastructure

upgrades, but a majority of it goes into four projects." The first project is business-to-business (B2B) commerce. Herath focused on the potential of this venture by pointing to the fact that B2B e-commerce

in the world is eight times the business-to-consumer (B2C) e-commerce market. The second project is a used goods platform which will be done under a separate brand called "soldout.lk", in order to ensure that the Kapruka brand isn't diluted. The third project is for Kapruka to become the distributor for established brands in Sri Lanka that possess global demand...

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## First Capital Treasuries IPO oversubscribed

First Capital Treasuries PLC, a subsidiary of First Capital Holdings PLC, saw its initial public offering (IPO) being oversubscribed 4.5 times within hours on its opening day, and the offering was closed on the same day, as indicated in the prospectus. First Capital Treasuries received 1,991 applications amounting to Rs. 1.3 billion for the 7,695,000 ordinary voting shares that were offered at Rs. 39 per share. The allocation of shares was concluded on Wednesday (15). Managed by the corporate finance division of the First

Capital Group, the issue was aimed at helping First Capital Treasuries broaden its ownership base and strengthen its brand identity. The company extends its gratitude to the investors for their trust and confidence placed in the First Capital Group. First Capital Treasuries boasts an illustrious history as the pioneer licensed primary dealer appointed by the Central Bank of Sri Lanka (CBSL) to deal in government securities. First Capital is a member of the Janashakthi Group.

## LOLC General Insurance IPO subscription closed

● Oversubscribed on opening day  
The initial public offering (IPO) of LOLC General Insurance Ltd., which opened yesterday (16), was oversubscribed within the first few hours of the day, following which the subscription list was closed at the end of the day. LOLC General Insurance offered 120 million ordinary voting shares at a price of Rs. 7.9 per share to raise a capital of Rs. 948 million. According to the FY2021 Annual Report of LOLC Holdings PLC, LOLC General Insurance had reported strong growth in gross written premiums (GWPs) in contrast to the industry which had reported a negative growth. Accordingly, LOLC General

Insurance had achieved a growth of 15.3% in FY2021, while the general insurance industry in the country had suffered a negative 1.5% decline. Consequently, the GWPs of LOLC General Insurance surpassed Rs. 6.1 billion, a feat achieved in less than 10 years. Thereby, LOLC General Insurance obtained the distinction of becoming the fastest to achieve the Rs. 6 billion milestone in the Sri Lankan general insurance industry. In terms of GWPs, the company is ranked fifth amongst the general insurance industry players despite being one of the youngest general insurance providers.

Contd. on page 10

## Very little progress made on CBSL road map: ICRA

● Says Govt. left with extremely narrow options  
● Insists to consider IMF assistance  
● 'SL may enter a high era of inflation'

The steps taken by the Government so far to address the existing external sector issues, including the six-month road map, have yielded very little progress, and consequently the country is left with an extremely narrow set of options to find a way out of the current crisis, said ICRA Lanka in its "Monthly Economic Update: November 2021".

Given this scenario, Sri Lanka should consider an International Monetary Fund (IMF)-assisted programme, as the looming debt default would be catastrophic to the country, it added. Explaining further, ICRA Lanka claimed that the external sector troubles of Sri Lanka are on the brink of breaking point.

Contd. on page 10

## PMI improves after pickup in orders

The Manufacturing Purchasing Managers' Index (PMI) continued to expand in November 2021 and recorded an index value of 61.9, driven by new orders, particularly in the manufacture of food and beverages, said the Central Bank of Sri Lanka (CBSL). The Statistics Department of the CBSL said that significant increases in

production, new orders, and stock of purchases subindices were mainly contributed to this improvement in the PMI. Many respondents in this sector mentioned that they secured more orders in November 2021 than the previous month for the upcoming festive season. Further, production, especially in the manufacture of textile

and clothing apparel, increased during the month. Many respondents in this sector highlighted that their production levels were able to increase in November 2021, catering to the seasonal demands. Meanwhile, employment expanded at a slower rate compared to the previous month.

Contd. on page 10

## Apparel eyes \$ 8 b export earnings in four years

Sri Lanka's apparel industry expressed confidence in reaching its target of \$ 8 billion in export earnings by 2025, by implementing the concerted initiatives put in place by the sector, in collaboration with the authorities. These views were expressed by a panellist at the "Resetting the Export Portfolio" session at the Sri Lanka Economic Summit 2021, the flagship event of the Ceylon Chamber of Commerce (CCC), held on 6

and 7 December 2021 under the theme "Springboard for revival: Opportunity to reset". Sri Lanka Apparel Exporters' Association (SLAEA) Chairman and Hirdaramani Group Director Aroon Hirdaramani said: "At present, Sri Lanka accounts for around 1% of the global market share of apparel exports. We are confident that we can reach the industry's target of \$ 8 billion in export earnings by 2025 by executing the correct strategies." Hirdaramani noted that the

efforts to strengthen backward vertical integration of Sri Lanka's apparel value chain through initiatives such as the Eravur Fabric Processing Park are critical, particularly in the current context. This would pave the way for the industry to reduce lead times and significantly increase its domestic value addition – which currently stands at around 55%. The latter would also enable Sri Lanka to make greater use of preferential tariff concessions,

such as the Generalised Scheme of Preferences Plus (GSP+) of the European Union (EU) – a critical market for Sri Lanka in general and apparel in specific. "We are working very hard to attract key players in the fabric segment to invest in the new zone, as well as more broadly in fabric mills in Sri Lanka," Hirdaramani revealed, noting that the zone is expected to be positioned strongly in terms of environmental sustainability.

Contd. on page 10



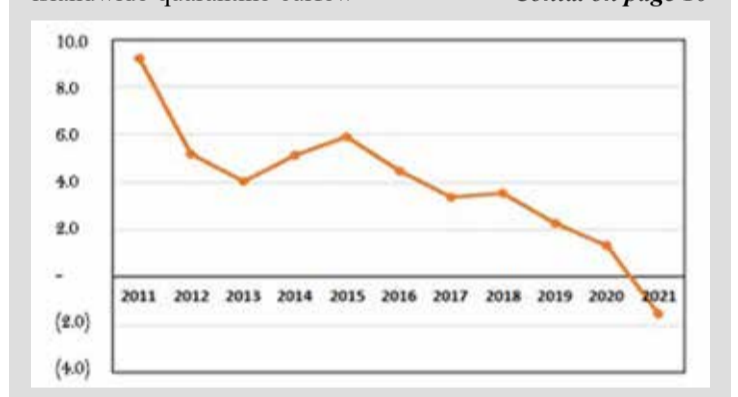
SLAEA Chairman and Hirdaramani Group Director Aroon Hirdaramani

## Curfew, import restrictions contract GDP by 1.3% in Q3

Driven by a 41-day lockdown and increase in input prices due to import restrictions, the gross domestic product (GDP) rate of Sri Lanka for the third quarter of 2021 has contracted by 1.3%, according to the Department of Census and Statistics (DCS). The DCS added that infected patients with the Delta strain were reported to exceed local hospital capacity, with an increase in the number of deaths, which had a negative impact on the expanding economic activities in the "new normal". It further noted that due to the spread of the pandemic throughout the country, the Government imposed an islandwide quarantine curfew

from the midnight of 20 August 2021 to control the spread. The quarantine curfew was extended from time to time and lasted for 41 days until 1 October. The Government allowed agricultural activities, many manufacturing industries, construction, and selected services to continue even during the quarantine curfew period with the objectives of maintaining the essential commodity supply chain, protecting foreign exchange inflow, and ensuring household income. "It was observed that the majority of the people exercised self-restraint to escape the danger of this pandemic."

Contd. on page 10



## 'Pattipola Tourist Comfort Centre' photo is from 2018: Sri Lanka Tourism

Issuing a statement yesterday (16), Sri Lanka Tourism stated that a photograph that has been circulating on social media of a tourist sleeping on a trolley at the Pattipola Tourist Comfort Centre, attached to the Pattipola Railway Station, has been brought to their attention, and added that while few people tried to showcase this as a photograph taken recently and mentioned "the state of tourism", the photograph was actually taken back in 2018. At the time, the incident was deemed "unfair and unfounded" by then Minister of Tourism John Amaraturunga on Facebook on 29 March 2018. "We at Sri Lanka Tourism, together with the industry stakeholders, collectively strive always to offer the best experience to any traveller who would visit our beautiful island. Sri Lanka is ready and Sri Lanka is open for all," the statement noted.



John Amaraturunga 29 March 2018  
Pattipola Tourist Comfort Centre: Social Media Criticizes Unfair and Unfounded  
The Ministry of Tourism and Development and Christian Affairs sent a special team of officials to look into the status of the "Tourist Comfort Centre" attached to the Pattipola Railway Station, operated by the Department of Railways.  
A picture taken at the facility, where a foreigner was seen sleeping on a trolley, went viral on social media platforms and

Then Minister of Tourism John Amaraturunga's Facebook post published on 29 March 2018 regarding the photo taken that year

Contd. on page 10



Unit trust prices at 15 December 2021

Table with columns: Fund name, Unit selling price, Unit buying price. Lists various unit trusts like Astrue Active Income Fund, Assetline Income Fund, etc.

Unit holders can contact relevant Fund Managers to obtain Unit Prices for redemptions within short duration from the date of investment where exit fee is applicable.

Exchange Rates 16 December 2021

Table showing average rates of various currencies and GULF currencies against the US\$ as of 9.30 a.m. on 16 Dec 2021.

Market Indicators 16 December 2021

Table of market indicators including CSE All Share Price Index, S&P 500, TRI on All Share (ASTRI), and various turnover and sales figures.

1. Overnight Money Market Transactions

Table showing Call Money Market and Repo Market transactions, including Weighted Average Rate, Minimum Rate, and Maximum Rate.

2. Use of the CBSL Standing Facility

Table showing Standing Deposit Facility and Standing Lending Facility amounts in Rs. million.

3. CBSL Treasury Bill/Bonds Holdings

Table showing Face Value and Book Value of CBSL Treasury Bill and Bonds Holdings in Rs. million.

TOP 10 GAINERS

Table listing the top 10 gainers in the market, including Multi Finance, Senkadagala, and York Arcade.

TOP 10 LOSERS

Table listing the top 10 losers in the market, including Blue Diamonds, C M Holdings, and Anilana Hotels.

CSE Price List 16 December 2021

Main CSE Price List table with columns: Volume, V.W.A. Previous, Open, High, Low, V.W.A. Today's, Change (Rs.). Lists numerous stocks like A.SPEN.HOT.HOLD, ABANS, ACCESS ENG SL, etc.

Table listing various security stocks such as TALAWAKELLE, TANGERINE, TEEJAY LANKA, etc.

SECOND BOARD

Table listing stocks from the Second Board, including ABANS FINANCIAL, AMBEON CAPITAL, BROWNS BEACH, etc.

EMPOWER BOARD

Table listing stocks from the Empower Board, including CHRISWORLD, EML CONSULTANTS, etc.

DIRI SAVI BOARD

Table listing stocks from the Diri Savi Board, including AGSTAR PLC, ALUMEX PLC, AMANA LIFE, etc.







BY FRED FERNANDO

**Marvel Studios' recent offering *Shang Chi and the Legend of the Ten Rings* had some remarkable action scenes that paid homage to martial arts cinema throughout the ages. One scene in particular stood out and was utilised heavily in the film's promotional materials; the infamous bus fight sequence.**

For the most part, the credit of that scene goes to the stunts team along with its stunt coordinator, Andy Cheng who was on *Junkyard Theory* recently. Andy shared insights into how they pulled off that sequence and also his journey in the action industry.

**Origins**

Andy revealed that he started from TV, working at a channel in Hong Kong called TVB. With a background in Taekwondo, Andy has represented Hong Kong at the Asian Games and the World Games. Having worked for six years at TVB, he got the opportunity to work with action movie legend Jackie Chan in *Mr. Nice Guy* (1997).

Andy was flown into Australia to double Jackie who had sustained a neck injury. He revealed that he got along so well with Jackie that he was asked to join him on his subsequent movies and moved to the US. Andy eventually joined Jackie Chan's stunt team and credits the experience during his time as a member which contributed



Andy on the set of 'Shang Chi and The Legend of The Ten Rings'

# Worlds of action

to his growth as a stunt person, actor and also stunt coordinator.

**'Shang-Chi and The Legend of The Ten Rings'**

When questioned about his involvement on *Shang Chi and the Legend of the Ten Rings*, Andy revealed that the project was a bigger scale than most other films he had worked on, therefore they had a bigger budget and more time to prep. Destin Daniel Cretton, the director, spoke to Andy about the character Shang-Chi and how to create a unique style for the martial arts master. Going down to the character's storyline, they used Hung Ga for the fight scenes with the Mandarin and the softer Tai Chi movements for Shang's mother. They borrowed inspiration from Jackie Chan and also Bruce Lee, on whom the character was initially based on.

The bus fight sequence was prepped a year in advance, Andy revealed. Based on the script's requirements, they went back and forth with multiple preview sequences altering as the director wanted and even while they were shooting, they would still make changes on set. Andy added that the sequence was shot in different locations; the exteriors in San

Francisco, the interiors on a soundstage many miles away in Australia and that too on two separate rigs.

With the Covid-19 pandemic affecting the production, the sequence took nearly a year to film albeit in different segments. Andy attributes the success of that scene to everybody who worked tirelessly on creating it.

**East and west**

Having worked in Hong Kong and then subsequently in Hollywood, Andy is one of the rare people with feet in both worlds which are technically and literally worlds apart. He described working on Hong Kong films as very spontaneous with very little prep time. "If Jackie asks 'Can we do this?', we do it." No one says no. The spontaneity of Hong Kong sets constantly keeps you on your toes as opposed to Hollywood where people prep quite a lot more and things happen in a more systematic manner. Andy admitted that working in Hollywood was easier due to less pressure since you go onto set knowing very well what to expect. But having worked in Hong Kong, he credits being able to quickly come up with changes on any film set – he compared it to a fight where you don't really have time to think about whether you're going



Andy Cheng on the Junkyard Theory

to throw a punch or a roundhouse kick, you act on the spur of the moment.

Andy admitted that both Hollywood and Hong Kong styles have their pros and cons but that he still prefers the Hong Kong style due to the excitement and spontaneity.

**Martial arts and transferable skills**

Andy talked about how martial arts contributed to his filmmaking, he credits the discipline gained from the sport as a primary skill that has been a part of his life since day one. And by amalgamating martial arts to film, he has made a living whereas by simply competing it was more for the glory. He added that there is something more tangible in making movies as opposed to simply getting an award.

However, he also revealed that he was the first recipient of the Bruce Lee Award which was presented to him in October by Shannon Lee. Andy admits that there is a long road ahead despite having come so far from humble beginnings and that he aims to direct more films down the line.

*Junkyard Theory is Sri Lanka's first and only film education platform that brings on veteran filmmakers from Hollywood as guest speakers.*

*Their webinars, hosted by Akash Sunethkumara, have been recognised on industry sites such as "No Film School", and the team now runs film courses for upcoming filmmakers in the country.*



The full interview is now available on the Junkyard Theory YouTube channel. Scan the code to watch it now.



*Huawei offers MeeTime, an all-purpose video calling application*

Huawei offers users a new feature, Huawei MeeTime, a video calling application that comes loaded with Huawei's newest EMUI 10.1 version allowing consumers to make 1080p HD video calls using either Wi-Fi or mobile data. An anytime, all-purpose video calling application in all its splendor, MeeTime supports HD voice and video calls on smartphones, tablets, smartwatches, and Visions, making it easier than ever to stay in touch with loved ones. The calls remain clear and fluid even under poor network conditions, keeping you connected wherever you go.

Huawei MeeTime offers video calls that are crystal clear, even in poorly lit environments, and it has a wide range of handy features, including beauty mode, and 360-degree background switching. Users can divert calls between a range of devices including tablets, speakers, and smart TVs, and even use drones and motion cameras to share videos in real-time. This platform, further enhanced with EMUI 11, allows users to access it in more markets.

Huawei MeeTime provides low-light enhancement, so users can enable the onscreen light bulb icon to illuminate their surroundings and bring new details to light at all hours.

Huawei MeeTime is supported on the following devices; Huawei P40, Huawei P40 Pro, Huawei P40 Pro+, Huawei Mate 30, Huawei Mate 30 Pro, Huawei Mate 30 Pro 5G, Huawei MatePad Pro, Huawei MatePad Pro 5G, Huawei Mate 40, Huawei Mate 40 Pro, Huawei Mate 40 Pro+, and Huawei Mate 40 RS.

**THE FILM JUNKYARD**

*WNPS provides life and disability cover for DWC staff*

In 2020, Wildlife and Nature Protection Society (WNPS) initiated Sri Lanka's first-ever life insurance policy for employees of the Department of Wildlife Conservation (DWC). The programme which continues in its second year has so far provided life, permanent, and partial disability cover to 2,670 DWC employees. The cover is for Rs. 500,000 per incident and for an employee to be covered, the incident would have to occur during active duty of the DWC employee.

The Department of Wildlife Conservation (DWC) is the government body mandated to protect Sri Lanka's natural heritage. The DWC protects Sri Lanka's flora and fauna across 62 sanctuaries, 26 national parks, nine nature reserves, and three strict nature reserves.

**A never-ending battle to save Sri Lanka's wildlife**

With increasing agricultural expansions and new development projects being rolled out in wildlife areas, the human-wildlife conflict in Sri Lanka has escalated rapidly in recent years. Sri Lanka's human-elephant conflict (HEC) is said to be the worst in the world with an elephant a day falling victim to HEC and over 80-90 humans losing their lives annually. The field officers carry out a thankless job on the



Wildlife and Nature Protection Society (WNPS) President Spencer Manuelpillai (centre) and General Secretary Jehan Canagaretna (left) handing over the MoU to Department of Wildlife Conservation (DWC) Director General Chandana Sooriyabandara

frontlines, with some field officers working 24 hour shifts and often putting their lives on the line during poaching raids. Tragically eight departmental officers have died and 54 have been involved in various accidents during the last five years of service.

WNPS is deeply grateful for the challenging and selfless work put in by these brave field officers and hopes the life insurance scheme will offer strength and peace of mind during their daily work. WNPS is committed to supporting the DWC towards the common goal of protecting Sri Lanka's precious biodiversity.

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*Daraz spreads magic with carols in the city*

A brightly lit open double decker bus driven around the city, with a choir singing Christmas carols, became a common sight in the past few weeks in the city of Colombo and Negombo. Initiated by Daraz, the #darazcarolingbus took to the streets every weekend evening, greeting holiday shoppers at various places in the city. People flocked around the bus to enjoy the singing and received gifts from Santa, adding to the magic of the season.



reach out to the public as we spread the magic of Christmas. It has been a great experience so far, as we see people enjoying the whole event; they come to listen to the carols, and the waves and smiles as the bus passes are moments that truly make us happy because we realise we have brought them joy," stated Daraz Head – Marketing Heshan Perera.

Daraz continues to make online shopping in Sri Lanka a one-of-a-kind experience for its users, as it takes entertainment and customer engagement to a different level. The #darazcarolingbus is yet another novel feat for the largest online shopping platform in the country, as it strengthens the concept of shoppertainment among its users.

# { TRAVEL }

## SRI PADA DURING OFF SEASON

*Taking the Sandagalathenna trail*

BY DIMITHRI WIJESINGHE

**Sri Lanka is an island paradise, and while we may be best known for our easy-to-access travel destinations with its natural beauty and wildlife, a lesser-known aspect of our island is our adventure travel destinations.**

While there are many types of travellers, some enjoy the serene outdoors, opting to wade across beautiful natural terrain; there are many who are looking for a challenge. One such adventure experience that Sri Lanka has to offer is travelling up Sri Pada or Adam's Peak during the off season.

Climbing Adam's Peak is a mixed experience; it really does depend on how you choose to tackle the terrain. The weather and time of day really makes a big difference on what kind of experience you will be getting, too.

The official Sri Pada season begins in December and ends in April – the period with the best weather. However, it is commonly shared amongst adventure travellers that an off-season climb is extremely rewarding, considering the complete and utter isolation from civilisation and human contact until you reach the peak, which creates a euphoric atmosphere that is unlike anything else.

However, choosing to travel during the monsoon is incredibly dangerous, and the path can get extremely hazardous to pass during the monsoon months.

Sharing their unique experience,

Nimesh Chaminda and Nadun Tennakoon regaled us with their story of climbing up Sri Pada during the monsoon. They shared how a group of 13 planned extensively to safely experience the wonders of the trail but learned the important lesson of how Mother Nature is second to absolutely nothing, where she unleashes her wrath whenever she feels fit.

The group consisted of university friends who got together for this very purpose of conquering Sri Pada during its off season and they had the added element of getting to know each other along the way. Nimesh and Nadun shared

that they planned the trip together and decided to take the lesser-taken path across Sandagalathenna in Rajamale.

"The journey starts from the Nallathanniya Road, through the Mulgama Junction. You must make it through the Murray Tea Estate and travel about 9 km through the thickest of forest to finally arrive at the beginning of our trail," they said.

They shared that it was a spiritual experience as they chose to stay deeply connected with nature and offer respect and worship along the way, somewhat akin to a pilgrimage. They abstained from eating any meat and engaging in any activities that would be considered debauchery (i.e. they did not consume in alcohol and maintained a holy lifestyle to the point of their trip to show their respect to the trail).

The duo shared that all 13 of them, while facing some extreme challenges due to the incredibly harsh weather that befell them, managed to make it to the top. They provided that their shared experience strengthened their bond and it is likely that this would be a memory that will continue to bond them all for many years to come.

Finally, when they reached the peak, having gone through all the adversity of braving the weather – the cold, the rain – and having very minimal breaks to have a meal and rest, the reaching of the summit was an unparalleled experience that was incredibly rewarding. The duo encouraged any and all, if they wish to experience something that is truly unique, to give it a try. However, they cautioned travellers to do their research and make sure they're at peak physical fitness or have the necessary support to complete the journey.

## Who will be the next Emirates Skywards millionaire?



Emirates Skywards, the award-winning loyalty programme of Emirates and flydubai, is offering five lucky members a chance to become Skywards millionaires this Dubai Shopping Festival. For a chance to take home one million Skywards Miles every week – shop at more than 1,300 retail stores, dine at more than 200 restaurants, enjoy unique attractions at The Dubai Mall, or spend with more than 1,300 Skywards Everyday partners – an app that let's members earn Miles on everyday spend.

### Become a Skywards millionaire this Dubai Shopping Festival

To enter the weekly draw, customers will need to spend AED 100 or more at The Dubai Mall or Skywards Everyday partners. Members can also double their chances of winning by simply spending with Skywards Everyday partners at The Dubai Mall. Every AED 100 spent will qualify as one entry into the draw. The offer is valid on all spends made between 15 December 2021 and 30 January 2022. One winner will be announced every week, starting 3 January 2022.

Emirates Skywards Credit Card holders can also earn additional Skywards Miles with every purchase made, and 1 Tier Mile for every 4 Skywards Miles earned. The offer is applicable on all participating bank partners across the UAE, Kuwait, KSA and US. Members can also earn even more bonus Skywards Miles on tax refunds via the utu Tax Free app.

### Visit Dubai

Dubai remains one of the most popular holiday hotspots and a dream shopping destination. From world-class shopping malls, fine

dining experiences, and eclectic landmarks – the city has something for everyone. Travellers will have even more reason to visit the vibrant city this year with the mega-event, Expo 2020 Dubai, taking place until March 2022.

Shop, win and be entertained as Dubai Shopping Festival (DSF) returns from 15 December 2021 to 30 January 2022 with incredible deals, innovative events, world-class entertainment and life-changing prizes. As the longest running event of its kind, DSF has grown over the last 27 years into a signature celebration for citizens, residents and visitors alike. Featuring the ultimate retail therapy from a wide range of home-grown and global brands as well as live concerts, nightly shows, outdoors markets, pop-up dining and more, this year's DSF experience is not to be missed.

### Offering more than 28 million members exclusive rewards

Emirates Skywards continues to offer its 28 million members worldwide unmatched rewards and privileges. Members can earn and spend Miles on an extensive range of rewards, including flight tickets on partner airlines, flight upgrades, hospitality at sporting and cultural events, and money-can't-buy experiences.

The loyalty programme recently launched an online subscription platform, "Skywards+", to offer members easy access to customised rewards. Registered members also have a chance to earn a mile a minute, for up to 5,000 Miles, during a stopover or holiday stay in Dubai – applicable on all Emirates and flydubai tickets purchased from 1 August 2021 until 31 March, 2022.



## Yashwin Senanayake on breaking into the content creation industry

BY VENESSA ANTHONY

Having started photography just a few years ago in 2016, 21-year-old Yashwin Senanayake has quickly climbed up the ladder and established himself as a well-known photographer and videographer as well.

In conversation with him, he told us that he ventured into the field of videography in late 2017, upon which he was quickly contacted by a bunch of digital marketing agencies and travellers. At a very early age, he was able to hone his skills with the help of professional companies and he later embarked on a tour of Sri Lanka with famous travel blogger Shenelle Rodrigo. On this tour, he was able to capture some breathtaking footage of our island, which then boosted his personal work and portfolio, upon which his name became quite well known in the country. "After this, I was contacted by many hotels around the country, who asked me to do some promotional videography for them, so that tour was actually my stepping



stone into the videography industry," he commented.

Initially, before he discovered his passion for photography and videography, he had an immense love for music. Back when he was in school, he was a musician – and a talented one at that. He was capable of playing seven different instruments, so he had an excellent career as a musician for a while as well. He told us that with music

came the inspiration to create. "I always had a creative eye, so then and there itself I picked up a camera and realised that this is what I really wanted to do."

Back in school, he told us, his life's ambition was to become an architect, but once he focused on videography, he discovered that it



was working out for him, and that's what he settled on as his career.

Although his entrance into the field was through travel tourism work, he has also dabbled in the field of fashion. "I've done some social media work for some fashion brands, companies, and personal blogs, which was different from travel, but it was a welcome learning experience,"

Yashwin told us. His skillset is clearly in a range of fields after his years in the industry.

Last year, he decided to begin his own company by the name of Trust Media, where he and his team focused on doing video production. "The concepts we picked were very unique, and something that hadn't been done as much in Sri Lanka, so this also boosted our company and our name made its way into the ears of many companies, and we were thriving," he informed us. After a good run, they decided to quit while they were ahead and he is currently working at a company called Leap Media as an Art Director.

Even though he now has a nine-to-five job, his love for travel never wavered. "On weekends I still make the time to travel, and use that time to unwind from the busy lifestyle that is a media company. I still work on my personal projects while travelling, but the job at the company I work for is quite fulfilling as well," he told us.

When talking about some of the challenges he faces in his field of

work, he told us that co-ordinating with Sri Lankan clients has been quite challenging. "Right now, the market is very saturated for content creators and art directors because most of the content we create is very niche and we tend to target a very specific audience," he explained. With more and more fresh faces entering the industry, what I've seen is that they tend to cost very low for low-quality content. This makes clients come back to us, but because they're used to these low prices, they constantly try to negotiate a low price point." This is a challenge for him and his team because the work they do is of high quality and costs a lot. He added that videography is their bread and butter, and if clients expect such a low rate as they have been quoted by newer videographers, their work is hindered and can barely scrape by.

Yashwin has plans to further work on his personal portfolio in the coming year and is excited to share his newer content with his audience.

@itsyashwin



the morning sports

BRIEF SCORES

Jaffna Kings: 193/5 in 20 overs (Tom Kohler-Cadmore 92, Upul Tharanga 37, Naveen U Haq 3/27) Colombo Stars: 91 all out in 15.5 overs (Tom Banton 30; Jayden Seales 4/13, Vijayakanth Vijayakanth 3/32, Maheesh Theekshana 2/25) Player of the Match: Tom Kohler-Cadmore

LPL: Jaffna Kings reign supreme

Jaffna Kings reigned supreme yet again when they walloped the Colombo Stars by 102 runs in match 17 of the Lanka Premier League (LPL) 2021 at the R. Premadasa Stadium yesterday (16). Colombo Stars, who pulled off a sensational victory over Kandy Warriors by five wickets barely 48 hours ago, when Seekkuge Prasanna smoked five sixes off six balls including six sixes in row in the last over, were unfortunately befuddled by a performance that could only be produced by a team claiming royalty.



Second Ashes Test: Warner, Labuschagne put Australia in charge

Marnus Labuschagne (95 n.o.) (left) and David Warner (95) ensured that Australia had the upper hand on day one of the second Ashes Test in Adelaide, under lights and with pink ball, with the score at 221/2 yesterday (16).

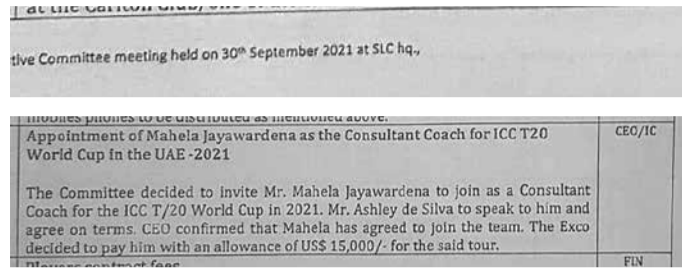
Australia (won toss) 221/2 in 89 overs (David Warner 95, Marnus Labuschagne 95 n.o., Steve Smith 18 n.o.) vs. England

SLC knows how to value national services

● Mahela paid Rs. 3 m for his one week of service? | ● Selectors given Rs. 1 m each as incentive?

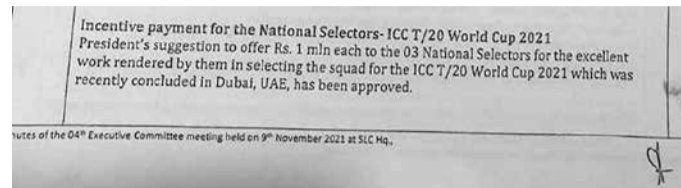
The Sri Lanka Cricket (SLC) Executive Committee had decided to pay Rs. 3 million to former Captain and current prolific Coach Mahela Jayawardena for his services in the 2021 T20 World Cup in the UAE, according to the minutes of a SLC ex-co meeting held in September. In the meantime, the SLC has also allegedly appreciated the services of the national cricket selectors for their services in the World Cup by means of paying them Rs. 1 million each. Jayawardene was Mumbai

Indians Coach at the 2021 Indian Premier League (IPL) that played their last match on 8 October in Abu Dhabi. They did not make it to the IPL play-offs this time. The IPL 2021 ended in Dubai on 15 October. Sri Lanka played their three T20 World Cup qualifying-round matches, against Namibia, Ireland, and the Netherlands, between 18 and 22 October. The World Cup was played in Oman, Abu Dhabi, Dubai, and Sharjah during the period from 17 October to 14 November.



An extract of the minutes of the SLC ex-co meeting of 30 September 2021 are as follows: "The Committee decided to invite Mr. Mahela Jayawardena to join as a Consultant Coach for the ICC [International Cricket Council] T/20 World Cup in 2021. Mr. Ashley de Silva to speak to him and agree on terms. CEO confirmed that Mahela has agreed to join the team. The Exco decided to pay him with an allowance of US\$ 15,000/- for the said tour.

to pay him with an allowance of US\$ 15,000/- for the said tour (sic)." An extract of the minutes of the SLC Executive Committee meeting on 9 November 2021 is as follows: "Incentive payment for the National Selectors - ICC T/20 World Cup 2021 - [SLC] President's suggestion to offer Rs. 1 min each to the 03 National Selectors for the excellent work rendered by them in selecting the squad for the ICC T/20 World Cup 2021 which was recently concluded in Dubai, UAE, has been approved.



The current national selectors overlooking Sri Lanka men's team are Pramodya Wickramasinghe (Chairman), Romesh Kaluwitharana, and Hemantha Wickramaratne. What a remarkable gesture! SLC knows how to value the individuals who are really valuable and also how to show their gratitude towards the honorary national services too. How good on the part of the SLC!

The Morning Sports' attempts to obtain a clarification from SLC on the said payments proved futile. The current national selectors overlooking Sri Lanka men's team are Pramodya Wickramasinghe (Chairman), Romesh Kaluwitharana, and Hemantha Wickramaratne. What a remarkable gesture! SLC knows how to value the individuals who are really valuable and also how to show their gratitude towards the honorary national services too. How good on the part of the SLC!



Man of the Match Lahiru Amarasekara (left) of St. Joseph's, who took five for 36, in action in their one-dayer against St. Peter's at SSC, Colombo yesterday (16)

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47TH BATTLE OF THE SAINTS LIMITED-OVER ENCOUNTER Young Joes thrash Petes to retain title

The 16-year-old Josephian off-spinner Lahiru Amarasekara's match-winning five-for carried a young St. Joseph's College, Colombo outfit to a dominant 85-run victory over St. Peter's College, Colombo in their 47th annual limited-over encounter played for the Rev. Fr. Peter A. Pillai Challenge Trophy at SSC Grounds, Colombo yesterday (16).

despite efforts from Shenal Boteju and skipper Nipunaka Fonseka, they ultimately succumbed to 115 in the 36th over. Joes shake off a horrible start St. Joseph's had a nightmare start to their innings. Danal Hemananda made up for his disappointing performance in the two-day match with two wickets in the very first over. The first wicket of Yesith Rupasinghe was soft, but two balls later, he produced a "jaffer" to catch Hirun Kapurubandara plumb in front for the second wicket. Skipper Sheran Fonseka failed to make an impact as he was caught at extra-covers off Chamelkar De Silva in the 11th over. With their backs against the wall, Thenura and Jayasundara put together a brilliant partnership of 101 in 163 balls. The pair punished some lacklustre fielding from the Peterites and slowly accumulated the runs. When

both Thenura and Jayasundara were dismissed, Peterites came back into the game thanks to some good bowling from Hemananda who ended with a four-for. But a smart knock from Dinal Anuradha made sure that Joes' reach the 200-run mark in the end. Peterites fall apart against the spin

BRIEF SCORES

St. Joseph's College: 200 all out (49.1) (Hiran Jayasundara 58, Mithira Thenura 52, Dinal Anuradha 30; Danal Hemananda 4/35, Chamelkar De Silva 2/27) St. Peter's College: 115 all out (35.2) (Shenal Boteju 48, Nipunaka Fonseka 31; Lahiru Amarasekara 5/36, Deshan Senevirathne 2/14, Yesith Rupasinghe 2/17)

Individual awards

- Man of the Match – Lahiru Amarasekara (SJC) ● Best Batsman – Hiran Jayasundara (SJC) ● Best Bowler – Danal Hemananda (SPC) ● Best Fielder – Sheran Fonseka (SJC)

\*\*SJC = St. Joseph's College; SPC = St. Peter's College

BY RANJIKA PERERA

Their annual two-day "Battle of the Saints" big match, held on its 87th year, ended in a draw in favour of the Joes on Tuesday (14) at the same venue. After winning the toss and electing to bat first, St. Joseph's posted a decent total of 200 in their allocated 50 overs. Mithira Thenura and Hiran Jayasundara registered half-centuries. In response, the Peterites kept losing wickets from the very first over and,

Dialog Schools Rugby Sevens live on Dialog TV

● Massive boost for Sri Lanka schools rugby

All games of the forthcoming Dialog Schools Rugby Sevens will be broadcast live on Dialog Television channel 140, Dialog ViU, ThePapare.com, and the Asia Rugby Facebook page, Dialog noted in a communiqué yesterday (16). "Due to the present Covid-19 pandemic, the Dialog Schools Rugby Sevens tournament will be played behind closed doors. Hence, as the principal sponsor of the event, Dialog Axiata PLC has made arrangements to broadcast the tournament live (on the above-said platforms), in the interest of all present and old boys, parents, supporters, well-wishers, and Sri Lanka's rugby-loving community," the communiqué mentioned.

Gift vouchers for rugby fans The well-wishers will also get the opportunity to vote for the most popular team from each province on their respective match days by visiting dlg.lk/mostpopular. The winning team will be announced before the Cup Final in each province and will be rewarded with Rs. 50,000 gift voucher to purchase sports equipment. Tournament structure Western, Central, North Western, and Southern Provinces will be playing the tourney in a group format, with the top

finishers from the groups challenging one another in a knockout stage, while the Sabaragamuwa Province teams will be playing each other in a league structure to decide the provincial champion.



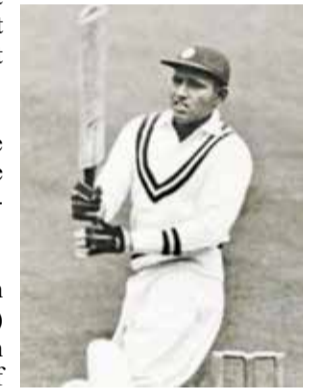
MATCH DATES

- Transmission of all games will commence from 8.50 a.m. onwards. ● Western Province games will be played tomorrow (18) and 19 December at the Royal College Sports Complex ● Central Province games will be played on 27 December at the Pallekelle Grounds, Kandy ● North Western Province games are to be played on 28 December at the Maliyadeva College Grounds, Kurunegala ● Sabaragamuwa Province games will be played on 30 December at the Ruwanwella Public Grounds ● Southern Province games will be played on 31 December at the Maliyadeva College Grounds, Kurunegala

ON THIS DAY



- 1933 Chicago Bears beat New York Giants 23-21 in the US National Football League (NFL) first title game ● 1933 Lala Amarnath scored the first Test century for India, on debut against England in the first Test in Bombay ● 1938 Birth of New Zealand athlete Peter Snell who won three Olympic gold medals in long-distance running ● 1978 Birth of Filipino boxing icon Manny (Emmanuel Dapidran) Pacquiao, the only eight-division world champion in the history of boxing ● 1979 Birth of England women's cricket legend Charlotte Edwards ● 1992 Trinidad spin bowler Phil Simmons hurried Pakistan to defeat in a World Series cricket match in Sydney with amazing figures of 10-8-3-4, which still remains the most economical for a completed 10-over spell in One-Day International (ODI) cricket ● 1992 Birth of South African wicket-keeper batter Quinton de Kock ● 1998 Birth of Norwegian footballer Martin Odegaard, the youngest to play for Real Madrid ● 2012 At the end of a 28-year wait, newly appointed England won the cricket series in India, drawing the fourth Test to clinch series 2-1 ● 2019 England's Fallon Sherrock became the first woman to win a match at the Professional Darts Corporation (PDC) World Darts Championship, beating compatriot Ted Evetts 3-2 at the Alexandra Palace in London



Lala Amarnath scored the first Test-ever century for India in 1933 against England in Bombay



Emmanuel 'Manny' Dapidran Pacquiao was born today



Fallon Sherrock, the first woman to win a match at the PDC World Darts Championship

SUPER LEAGUE 2021 Colombo and New Youngs record wins in week six

Colombo FC 3-1 Defenders FC Mohommad Aakib gave Colombo Football Club (FC) an early lead with a stunning solo goal in the ninth minute in their Super League football fixture in Colombo this week. After receiving the ball from the halfway line, he dribbled past the defence line and beat the keeper on the far post to find the net. The first half was dominated by Colombo and they started off the second half with their second goal. It was Aakib once again who stole the ball from one of the defenders and shot from the middle of the box to beat the keeper for his brace. Defenders responded immediately when Colombo FC goal-keeper conceded a penalty and it was converted by Rifkhan Mohommad. Despite a late surge from Defenders FC, Colombo sealed the game in the 80th minute with the hat-trick goal from Aakib. New Youngs FC 3-1 Ratnam FC New Youngs FC took the lead after half an hour of rusty footy! It was Tharidu Dhanushka whose long-range effort found the top corner in the 35th minute. Ratnam drew level a few minutes later, with Danso Inok scoring from a stunning overhead pass from Chithra Kumar. Both teams struggled in the middle part of the game, but it was New Youngs who broke the shackles with their second goal from Chathura Fernando. He saw the keeper off the line and lobbed the ball over to find the net. Few minutes later, they sealed the game with another lobbed goal by Pahan Fernando in the 82nd minute.

