

## BRIEFING NOTE

# Disaster Management in Sri Lanka

## A CASE STUDY OF ADMINISTRATIVE FAILURES



*Photo credit: Sun Quan Huang*

The Economics Research Team of Verité Research compiled this study.

The team comprised of Ashani Basnayake, Lahiri Jayasinghe, Thashiya Nauki and Sureni Weerathunga. Editorial support was provided by Shamara Wettimuny. Overall research and editorial supervision was provided by Subhashini Abeysinghe and Nishan de Mel.

For comments and feedback, email [publications@veriteresearch.org](mailto:publications@veriteresearch.org).

## 1. Overview

Critical failures in Sri Lanka's governance are often ascribed to critical problems in policy, regulations and legislation. Consequently, addressing these three problems has often been the major focus of interventions. This case study identifies a fourth problem that is foundational for Sri Lanka: the problem of weak administration. It accordingly focuses on Sri Lanka's administration of disaster management. It may, however, be a window to other areas of administration as well.

### 1.1. The global context

The Global Risk Report published by the World Economic Forum ranked extreme weather events as the number one risk faced by the world for three consecutive years; 2017, 2018 and 2019. The report in 2019 ranks extreme weather events, the failure of climate change mitigation, and natural disasters as the top three global risks in terms of likelihood, and three of the top ten risks in terms of negative impact.<sup>1</sup>

The Germanwatch Global Climate Risk Index, which assesses the impacts of extreme weather events for 183 countries, ranked Puerto Rico, Sri Lanka and Dominica as the top three most affected countries in 2017.<sup>2</sup>

The term 'disaster management' is used to refer to risk-mitigation frameworks that are intended to mitigate the destructive impacts of natural, man-made, technological and biological hazards.

### 1.2. The Sri Lankan context

Floods, droughts and landslides, the three most common natural disasters that occur every year in Sri Lanka, affect the lives and livelihoods of a large number of people. According to available data, around 1.98 million people were affected annually by floods, droughts, and landslides between 2009 and 2018.<sup>3</sup> The economic losses from disasters in Sri Lanka for the period 1998-2017 is estimated to be around 0.3% of GDP annually.<sup>4</sup>

Following the country's most devastating natural disaster, the 2004 tsunami, Sri Lanka enacted the Disaster Management Act, No. 13 of 2005 (DM Act).<sup>5</sup> The Act laid the foundation for the disaster management framework in Sri Lanka. The framework's aim is to 'protect human life and property of the people and the environment of Sri Lanka from the consequences of these disasters.'<sup>6</sup>

The high risks and high impact that Sri Lanka faces makes it particularly important for the country to have a well-designed disaster management framework, and have it implemented effectively.

### 1.3. Case study

Consequent to the Act of 2005, Sri Lanka has had an adequate disaster management framework in place. As stipulated by the Act, there is a National Council for Disaster Management (NCDM), which is the apex body responsible for ensuring disaster management. The following information partially explains why this framework did not translate into effective disaster management in practice.

**Method:** Verité Research used the instrument of Right to Information (RTI) to obtain insights into how the disaster management framework was being put into action in Sri Lanka, at the administrative level.<sup>7</sup>

**Findings:** The investigation found two key administrative failures in the NCDM that are undermining disaster management in Sri Lanka:

1. The NCDM did not convene to make decisions; and
2. The NCDM neglected its critical responsibilities.

### 1.4. Administrative failure

This case study finds that successive governments failed to administer the provisions of the existing disaster management framework in Sri Lanka.

The lessons from this case study can be generalised to other sectors as well. Similar patterns of administrative weakness are evident in several other sectors in Sri Lanka, ranging from waste disposal and electricity generation, to environmental protection and national security.

It implies that every year in Sri Lanka, lives and livelihoods are lost – sometimes with crippling impact on the economy – not due to the absence of legislative, regulatory or institutional frameworks, but due to the failure to administer the frameworks already in place.

This case study suggests that in Sri Lanka, while much time is spent on introducing new laws, regulations and institutional frameworks, the critical gap in governance that needs to be addressed is the deep-rooted problem of administrative weakness and failure.

## 2. Key findings

The NCDM is the apex body within the disaster management framework. It is responsible for approving disaster management policies and plans, ensuring implementation of programmes, and responding to emergencies (refer Annex 1 for a detailed list of key functions of the NCDM). It is the body that directs, coordinates and monitors the activities of the key institutions that administer the disaster management framework. These institutions include: (i) the Ministry of Disaster Management, (ii) the Disaster Management Centre (DMC), (iii) the Meteorological Department, and (iv) the National Building and Research Organisation.<sup>8</sup>

The President and Prime Minister of Sri Lanka serve as the Chairman and Vice-Chairman of the NCDM respectively. The remaining members include relevant subject matter ministers, the opposition leader, representatives of the opposition and provincial representatives.<sup>9</sup> Thus, the NCDM is an embodiment of the principle ‘all of government representation’ advocated for by the Sendai Framework for Disaster Risk Reduction. This framework was one of the main agreements endorsed following the 2015 Third UN World Conference on Disaster Risk Reduction (WCDRR).<sup>10</sup>

There are two main findings: (a) the NCDM did not convene to make decisions; and (b) the NCDM neglected its critical responsibilities.

### 2.1. The NCDM did not convene to make decisions

The DM Act provides the NCDM with the unique and overarching responsibility and ability to approve plans and make decisions in relation to disaster management.

The information collected from the RTI investigation revealed that there were two critical ways in which the NCDM failed to make decisions: (a) by failing to convene as statutorily required, and (b) by failing to have a decision making quorum at meetings.

#### 2.1a. NCDM failed to convene as statutorily required

Section 5 (1) of the DM Act states that the NCDM ‘shall meet as often as may be necessary, but not less than once in every three months’. This means the NCDM is statutorily required to meet at least four times a year. Therefore, since the DM Act was certified in May 2005, up until December 2018, it should have met at least 54 times.<sup>11</sup>

The RTI-based investigation revealed that the NCDM met 13 times up until December 2018 – 75% less than the statutorily required minimum. There is not a single year in which it had met the statutorily required four sittings. The NCDM failed to meet even once in 2006, 2008, 2014 and 2016. Furthermore, it met only once in 2005, 2007, 2009, 2010, 2012, 2013, 2015 and 2018. There were 31 disaster events recorded in Sri Lanka since the inception of the NCDM. However, the NCDM has met only 13 times, during which only nine of these disaster events were discussed.<sup>12</sup>

This failure to convene is despite the fact that according to section 5 (3) of the DM Act, the absence of the Chairman (i.e. the President) and the Vice Chairman (i.e. the Prime Minister) is not an impediment for convening meetings. In the absence of both the President and Prime Minister, the Council members present at the meeting can elect a fellow Council member to preside over such meetings.<sup>13</sup>

#### 2.1b. NCDM failed to have a decision making quorum

According to section 6 (1) of the DM Act, NCDM meetings require at least one third of the Council’s members to constitute a quorum.<sup>14</sup> The Council has 43 members, therefore, at least 14 members are required for the NCDM to function. The RTI-based investigation yielded attendance lists for 10 of the 13 meetings of the NCDM. Of these 10 meetings, only six had the number required for a quorum.

Even in the six out of 13 meetings in which the NCDM met, when there was a quorum, a number of the Subject Ministers (who are the Members, and can support and ratify decisions at cabinet level) were not present in person. Instead, they were represented by Deputy Ministers, Additional Secretaries and other government officials, who attended the meetings on their behalf.

### 2.2. The NCDM neglected its critical responsibilities

According to the DM Act, the NCDM is expected to take ‘all steps necessary to counter any disaster or impending disaster.’<sup>15</sup> It is the body that is empowered to follow up on plans and actions of the Disaster Management Centre (DMC), and designated authorities such as the Ministry of Disaster Management (MDM) and the Meteorological Department (refer Annex 2). The proper functioning of all these institutions is critical for implementing disaster management initiatives; and the NCDM is the authority to which these institutions are accountable in the area of disaster management plans

and activities.

Therefore, the failure of the NCDM to convene, even at the minimum required frequency, can easily have a cascading impact – resulting in the failure of advance preparation and planning to reduce and mitigate disaster events. Two critical consequences of this pattern of failure, (i.e. failing to convene, and failing to have a decision-making quorum at meetings) are: (a) the chronic delay in critical approvals; and (b) stalled implementation.

### 2.2a. The NCDM chronically delayed critical approvals

Extended gaps between the meetings of the NCDM have led to chronic delays in finalising key strategic pathways, for which the NCDM is accountable.

For example, according to the overarching strategy document ‘Towards a Safer Sri Lanka, Road Map for Disaster Management 2005 – 2015’, the formulation of the (i) Overall Policy, (ii) National Disaster Management Plan (NDMP), and (iii) National Emergency Operations Plan were to be completed within two years. This Road Map was published in December 2005. Therefore, the above actions/approvals were due by December 2007 at the latest. However, the Overall Policy and the National Disaster Management Plan were completed only in 2010 and 2012 respectively. Moreover, according to the meeting minutes of the NCDM, not even a draft version of the National Emergency Operations Plan has been

presented to the NCDM for its approval at the time of writing this brief.

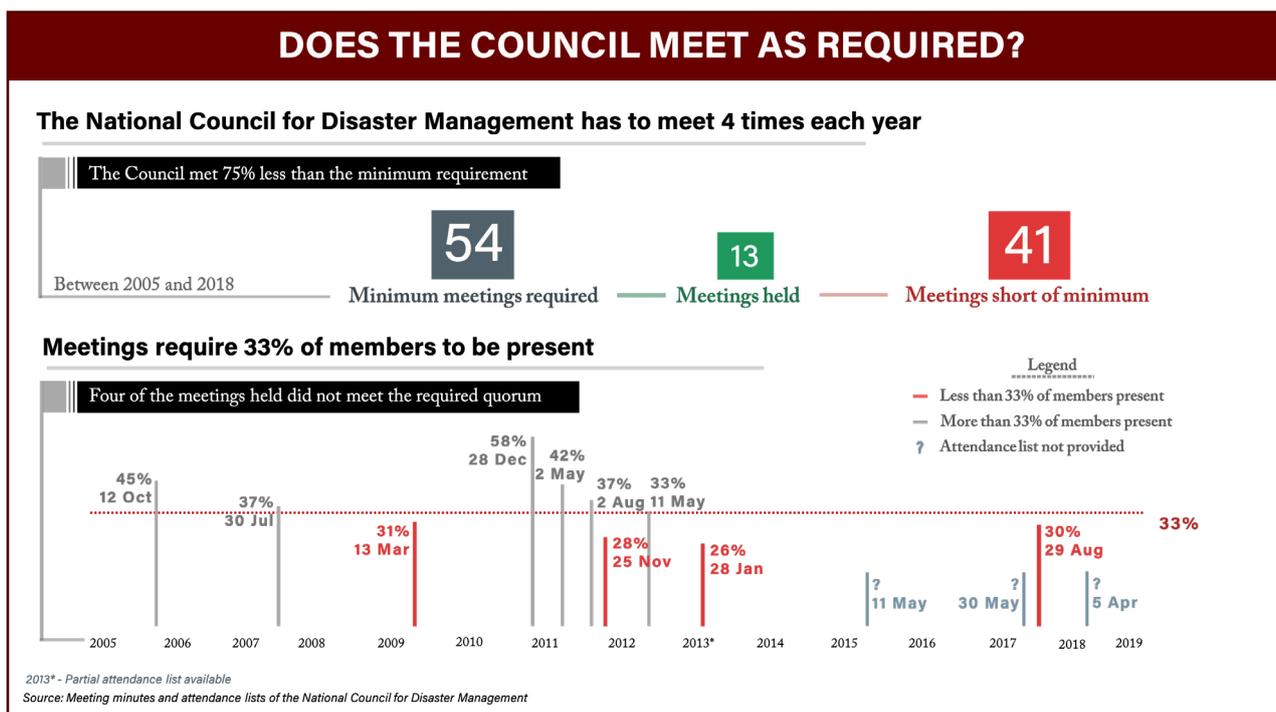
The minutes obtained through RTI requests reveal that Action Plans of the DMC got approved only after much delay. In certain cases, by the time approvals were obtained, the planning cycles had already passed. For example, the Annual Action Plans of the DMC for both 2014 and 2015 were approved by NCDM only during the meeting held on 11 May 2015.

### 2.2b. The NCDM impeded rather than advanced implementation

The irregularity of NCDM meetings has also constrained the ability of institutions such as the DMC to effectively plan and carry out the tasks that are assigned to it.

Section 10 (3) of the DM Act empowers the NCDM to issue a Gazette that instructs every ministry, government department and public corporation to prepare and submit detailed Disaster Management Plans (DMPs), and to specify the time frames for compliance.<sup>16</sup> This is expected to be an early step in setting up disaster management preparedness.

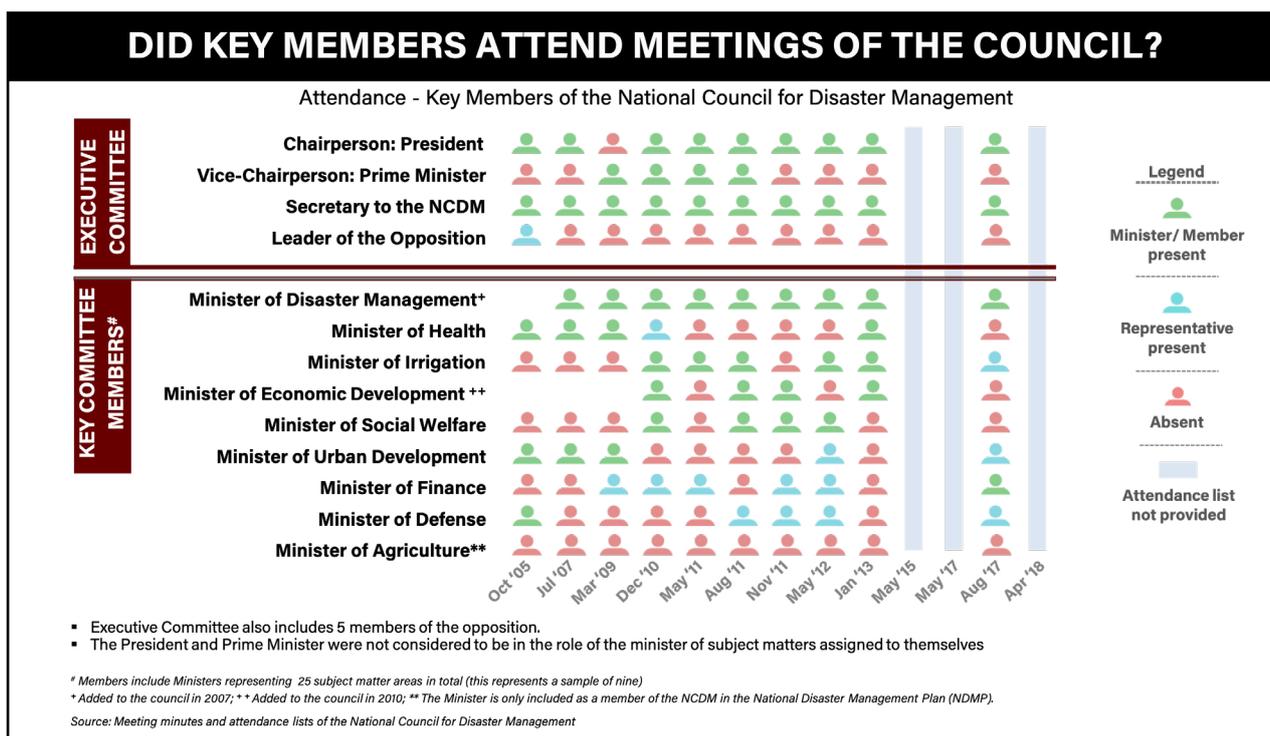
‘Every ministry, government department and public corporation shall on or before such date as determined by the Council by order published in the Gazette, submit to the centre, a detailed disaster management plan relating to



the disaster counter measures proposed to be taken by such Ministry, Gov department, public corporation, as the case may be, to counter any disaster or impending disaster'

However, since December 2005, almost 14 years into the process, the NCDM is yet to issue that initial Gazette notification to set the process in motion. Therefore, the delays not only to approve, but also to formulate specific, actionable disaster management plans, are again linked to the NCDM's inaction.

The DMC, in its 2010 Corporate Plan, states that its operations are 'severely constrained by the difficulty in convening regular meetings of the NCDM as stipulated in the Act.'<sup>17</sup> This analysis was also echoed in an outcome-based evaluation of the disaster management programme in 2011 by the United Nations Development Programme (UNDP).<sup>18</sup> These observations are consistent with the findings of the RTI investigation summarised in this brief.



### 3. Key insight

The failure of the NCDM is part of the explanation for why various disasters have been poorly managed, and why the country remains unprepared in the face of even regular, known disaster risks/events. This failure of administration has significant human and economic ramifications for Sri Lanka.

Since 2005, there have been more disasters in Sri Lanka than meetings of the NCDM (refer Annex 4). The NCDM did not convene to make decisions, and neglected critical responsibilities of approvals, directives

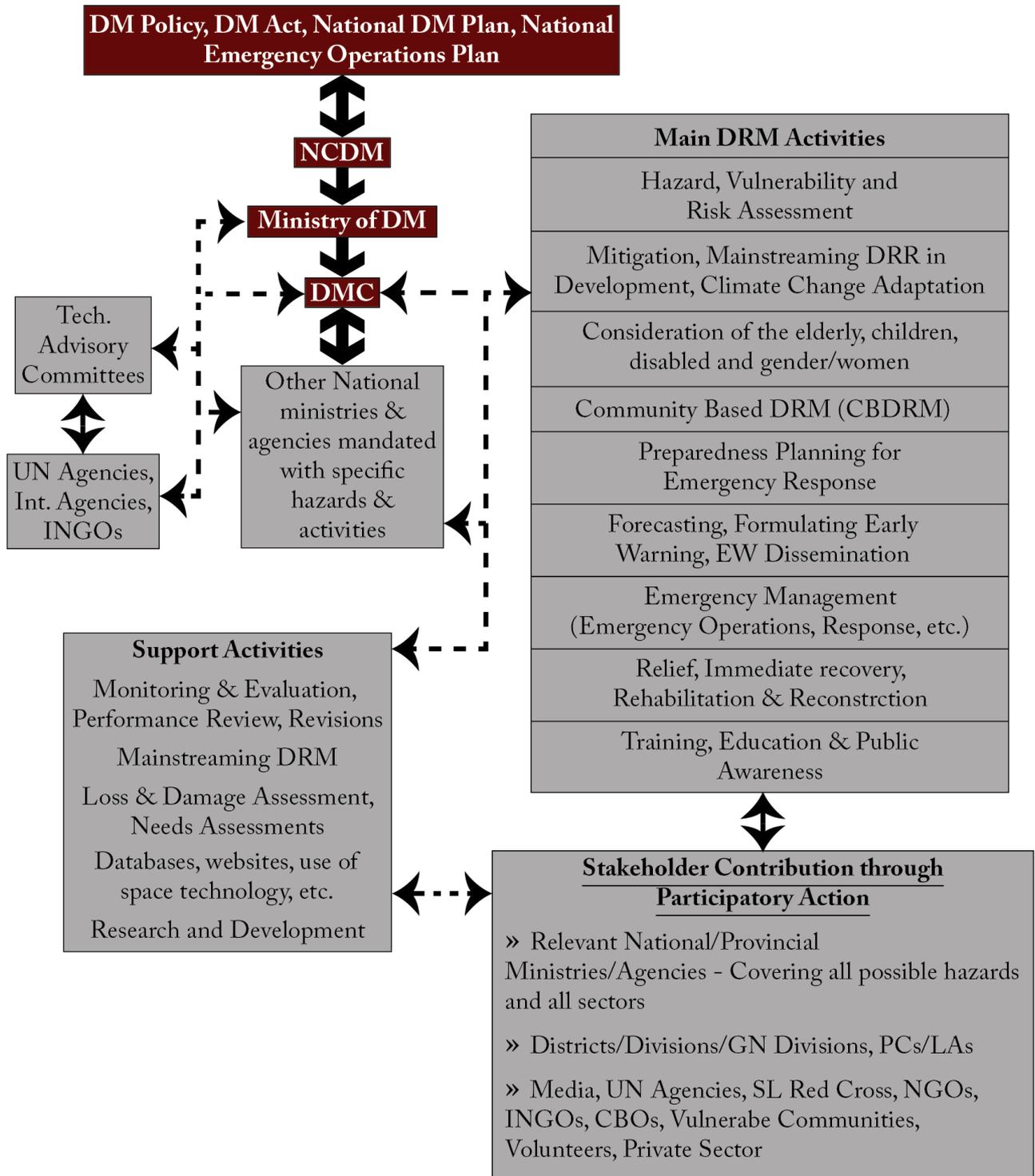
and oversight. There is a continuing administrative failure to have in place the requisite proactive measures. This keeps Sri Lanka ill-prepared in terms of disaster risk management. The administrative failure creates a situation in which failing to plan disaster management becomes a plan to fail in disaster management.

The case study and associated research does not suggest there were unique constraints that explain the administrative failure of disaster management. Instead, it suggests that these types of administrative failures might be a systematic feature of the current public sector.

## **Annex 1: Functions of the NCDM**

1. Formulate a national policy and programme on the management of disasters.
2. Prepare and formulate the National Disaster Management Plan and the National Emergency Operation Plan.
3. Monitor the implementation of the National Disaster Management Plan and the National Emergency Operation Plan.
4. Facilitate emergency response, recovery, relief, rehabilitation and reconstruction in the event of any disaster.
5. Take all steps to counter any disaster or impending disaster, in accordance with the plans.
6. Direct, co-ordinate and monitor the activities of the Disaster Management Center and the appropriate organizations.
7. Ensure that adequate publicity is given to the National Disaster Management Plan and the National Emergency Operation Plan.
8. Specify guidelines to be complied with by every Ministry, Government Department and public corporation in the preparation of Disaster Management Plans under section 10.
9. Promote public awareness campaigns relating to disaster management and funding of research and development on disaster management.
10. Facilitate and support local and community self-reliance in the event of any potential or actual disaster.
11. Facilitate liaison with organizations and persons pursuing hazard, vulnerability and risk reduction studies and implementing action programmes and commissioning such studies and action programmes.
12. Assign functions and responsibilities to the Disaster Management Centre (DMC).
13. Initiate programmes relating to prevention and mitigation of disaster and the provision of relief, rehabilitation and reconstruction.
14. Appraise the Cabinet of Ministers on all relevant matters connected with any potential and actual disasters.
15. Recommend the allocation of funds for disaster management from the relevant authorities and bodies and the Reconstruction and Rehabilitation Fund Act, No. 58 of 1993.

## Annex 2: Functions of the NCDM



## Annex 3: Attendance of the NCDM 2005-2018

Number of meetings attended out of the ten meetings held	Members or representatives**
Zero	Opposition Leader Four members out of the five nominated from the opposition Minister in charge of Agriculture* Minister in charge of Highways
One	Minister in charge of Fisheries and Aquatic Resources Chief Ministers/Governors of the North-Western, Eastern, Southern and Sabaragamuwa provinces Minister in charge of Defence and Police Minister in charge of Finance
Two	Minister in charge of Environment and Coast Conservation Minister in charge of Land Minister in charge of Power Minister in charge of Foreign Affairs Minister in charge of Resettlement <sup>19</sup> Chief Ministers/Governors of the Northern, Central and Uva provinces
Three	Minister in charge of Science & Technology Minister in charge of Housing Minister in charge of Urban Development Minister in charge of Education Minister in charge of Industries <sup>20</sup>
Four	The Prime Minister Minister in charge of Social Welfare Minister in charge of Rehabilitation and Reconstruction Minister in charge of Home Affairs Minister in charge of Health Minister in charge of Economic Development <sup>21</sup> One member out of the five nominated from the opposition Chief Ministers/Governors of the Western and North-Central provinces
Five	Minister in charge of Irrigation
Six	None
Seven	Minister in charge of Water Supply
Eight	None
Nine	The President
All	Minister in charge of Disaster Management and National Building <sup>22</sup>

\*It is important to note that the Minister of Agriculture is not listed as a member of the NCDM in the DM Act, article 3(1)(d). The Minister of Agriculture however has been included as a member of the NCDM in the National Disaster Management Plan (NDMP) approved by the NCDM.

\*\*For the purposes of this analysis, the President's and Prime Minister's attendance of council meetings was considered to solely represent his role as the Chairman and Vice-Chairman respectively. The President and Prime Minister were not considered to act in the role of the minister of subject matters assigned to themselves. It should be noted that article 3(5) states that 'where a subject referred to in subsection (1) is a subject which the President has assigned to himself or is a subject which has been assigned to the Prime Minister, a person nominated by the President or the Prime Minister, as the case may be, shall represent the President or the Prime Minister at the Council.'

## Annex 4: Major disasters since the establishment of the NCDM\*

Date	Type of disaster	People affected	Areas affected
September 2018	Drought	890,000	17 districts - Puttalam, Anuradhapura, Mannar, and Mullaithivu are most affected
December 2018	Flood	75,000	Mullaithivu, Kilinochchi, Mannar, Vavuniya and Jaffna
May – June 2018	Floods and landslides	175,000 – 26 deaths	19 districts - Puttalam, Gampaha, Ratnapura, Colombo, Kurunegala, Kalutara and Kegalle are most affected
May – August 2017	Floods and landslides	415,600 – 213 deaths	12 districts including Gampaha, Galle, Hambantota, Kalutara, Kegalle, Matara and Ratnapura
October 2016 – October 2017	Drought	2,200,000	19 districts – Mainly East, North and North-central provinces
May 2016	Floods and landslides	301,602 – 104 confirmed dead 99 missing (includes Aranayake)	22 districts
October – November 2015	Floods and landslides	138,676	14 districts – Jaffna most affected
December – January 2015	Floods and landslides	1,100,000 – 39 deaths	22 districts
April – December 2014	Drought	1,800,000	16 districts
June – November 2014	Floods and landslides	104,476 – 27 deaths	11 districts
July 2013	Storm – Warning not issued	54 deaths of fishermen	South-west coast
May 2013	Storm	3,881 - 7 dead	Northern and Eastern province
December 2012	Floods and landslides	300,000 – 36 deaths	20 districts
October - December 2012	Drought	1,800,000	7 districts
April 2012	Tsunami warning**		
March 2012	Storm	896 families	Vavuniya district
November 2011	Storms and floods	66,286 – 29 deaths (22 deaths of fishermen reported)	14 districts
November 2010 – February 2011	Floods	1,200,000	18 districts - Trincomalee, Batticaloa, Ampara and Polonnaruwa most affected
May 2010	Floods	693,000	6 districts – Gampaha and Colombo most affected
November 2009	Flash floods	50,000 families	Eastern province
August 2009	Flash floods	20,000 IDPs – Vavuniya, 652 families - Ratnapura	Vavuniya, Ratnapura, Kalutara
October 2008	Floods	75,000	Gampaha, Kalutara, Colombo, Matara and Puttalam

<b>June 2008</b>	Floods	418,354 – 23 deaths	Colombo, Gampaha, Kalutara, Ratnapura, Kegalle, Galle and Matara
<b>April 2008</b>	Floods		
<b>December 2007</b>	Floods	250,000	Batticaloa
<b>May 2007</b>	Floods	50,000 – 11 dead	Coastal region
<b>January 2007</b>	Floods	87,032 – 13 deaths	East, Central, Uva and Southern provinces
<b>December 2006</b>	Floods	32,087	Ampara and Hambantota
<b>November 2006</b>	Landslide		
<b>October 2006</b>	Floods		
<b>November 2005</b>	Floods	8,345 families	Colombo, Gampaha, Trincomalee districts

\* The list of disasters was compiled by the authors using reports collated on ReliefWeb, a specialised digital service of the UN Office for the Coordination of Humanitarian Affairs (OCHA) and any additional information gathered through news articles. The types of disasters considered was limited to droughts, storms, cyclones, floods, and landslides.

\*\* The disaster event did not occur, however issuance of the warning was included as it was discussed by the NCDM.

## Endnotes

- <sup>1</sup> World Economic Forum. 2019. "The Global Risks report 2019, 14th Edition." Available at: <https://www.mmc.com/insights/publications/2019/jan/global-risks-report-2019.html>.
- <sup>2</sup> Germanwatch. 2019. "Global Climate Risk Index 2019." Available at: [https://www.germanwatch.org/sites/germanwatch.org/files/Global%20Climate%20Risk%20Index%202019\\_2.pdf](https://www.germanwatch.org/sites/germanwatch.org/files/Global%20Climate%20Risk%20Index%202019_2.pdf).
- <sup>3</sup> United Nations, DesInventar database, Available at: <http://www.desinventar.lk:8081/DesInventar/profiletab.jsp> [Accessed on: May 2019].
- <sup>4</sup> Germanwatch. 2019. "Global Climate Risk Index 2019." Available at: [https://www.germanwatch.org/sites/germanwatch.org/files/Global%20Climate%20Risk%20Index%202019\\_2.pdf](https://www.germanwatch.org/sites/germanwatch.org/files/Global%20Climate%20Risk%20Index%202019_2.pdf).
- <sup>5</sup> Government of Sri Lanka. 2005. "Report of Sri Lankan Parliament Select Committee on Natural Disasters" Available at: <https://www.parliament.lk/uploads/comreports/1476092317082517.pdf>
- <sup>6</sup> Preamble, Sri Lanka Disaster Management Act, No. 13 of 2005.
- <sup>7</sup> The Right to Information Act, No. 12 of 2016 was enacted in August 2016 was fully operationalised on 3 February 2017. The Act grants Sri Lankan citizens the right of access to information in the possession, custody or control of public authorities.
- <sup>8</sup> The complete list of the functions of NCDM are given in Annexure 1.
- <sup>9</sup> Section 3, Sri Lanka Disaster Management Act, No. 13 of 2005.
- <sup>10</sup> United Nations Office for Disaster Risk Reduction. 2015. "Sendai Framework for Disaster Risk Reduction 2015-2030". Available at: [https://www.unisdr.org/files/43291\\_sendaiframeworkfordrren.pdf](https://www.unisdr.org/files/43291_sendaiframeworkfordrren.pdf).
- <sup>11</sup> The NCDM would have been required to meet in the last two quarters of 2005, and each quarter in the 13 year period from 2006 to 2018.
- <sup>12</sup> The analysis of disaster events and response of the NCDM is given in Annexure 4.
- <sup>13</sup> Section 5 (3), Sri Lanka Disaster Management Act, No. 13 of 2005.
- <sup>14</sup> Section 6 (1), Sri Lanka Disaster Management Act, No. 13 of 2005.
- <sup>15</sup> Section 4 (e), Sri Lanka Disaster Management Act, No. 13 of 2005.
- <sup>16</sup> Section 10 (3), Sri Lanka Disaster Management Act, No. 13 of 2005.
- <sup>17</sup> DMC Corporate Plan 2010 – 2014, published 2010. available at: <http://www.dmc.gov.lk/attchments/Corporate%20Plan/document.pdf>.
- <sup>18</sup> UNDP. 2011. "Final Report Outcome Evaluation of Disaster Risk Management Programme of UNDP, Sri Lanka." Available at: <https://erc.undp.org/evaluation/documents/download/5316>.
- <sup>19</sup> The Ministry was co-opted into the NCDM from the meeting from 2007 onwards.
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- <sup>21</sup> The Ministry was co-opted into the NCDM from the meeting from 2010 onwards.
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