

A Presentation by **Controller, Immigration & Emigration of Sri Lanka**

Sri Lanka Immigration - in brief

At present, an International Passport is an important document to cross borders. This gives the authorities at borders to identify the person crossing the line. I believe every state has the right to know who is coming in and who is going out from a country.

Therefore, I would like to comment about the evolution about our passport systems to the present status.

Automating Sri Lanka Passport issuing Systems

As there were certain weaknesses in the G, H, J, K series passports which were hand written documents, in the year 1992 we were able to introduce the "L" series passport which went into issue of 1,000,000 passports. This document was machine readable and manufactured to the ICAO specifications at that time. This had more security features than the manually issued passport was with a lamination over the photograph and the bio-data page to prevent phot-substitution and alteration.

We further developed the passport with more security features when we introduced the "M" series passport in the year 1996 and the present issue of "N" series passport was made after analyzing all the weaknesses from the previous issues and this issue began in the year 2003.

Main Entry/Exit Point

Bandaranayake International Airport (BIA) remains the main Entry/Exit point and in the year 2003 we were able to implement a fully automated Border Control System at BIA.

This system is directly linked with the passport issuing system and visa issuing system in Colombo and hence make it a very effective system. We maintain an Alert List to identify the persons whose travel is restricted. It should also be mentioned that 80 nationalities can arrive in Sri Lanka without prior entry visas.

Training for Border Controller Officers

It became very important for us to prepare Immigration Officers to face the new challenges. In this direction along with the assistance and support from the Government of Sri Lanka (GOSL) and the International Organization for Migration, (IOM) We were able to establish a fully equipped training centre and were able to embark on many training programs and this will be a continuing process. Further to support this process the IOM trained six senior Immigration personnel as Trainers. With my guidance along with the Training Manager, they will be responsible to identify the training needs from time to time to keep the pace with the ongoing trends.

Present Challenges

1. Forge/fake visas
2. Substituting the Data page of passports
3. Impersonation
4. Using transit area for irregular boarding
5. People smuggled through un-approved exit points, mainly by boats
6. Arrest and removal of persons who overstays their entry visas

The above are some of the challenges we face and all possible action has been taken to minimize these activities. Towards this end we have increased the number of staff and strengthen the compliance branch. all officers are in constant training schedules to meet the rapid increase of challenges.

Legal Amendments and Department of Immigration & Emigration and the Criminal Investigation Department (CID) participation in combating immigration related crime.

Several amendments to the Immigrants and Emigrants Act of 1948 had been made to discourage persons breaching the Immigration regulations.

The main amendments are

- 1) Immigrants and Emigrants (Amendment) Act No. 16 of 1993. This amendment made the following Acts a punishable offence.
 - a) being the holder of a travel document, residing outside Sri Lanka, dispatches or transmits such travel document to a person residing in Sri Lanka, through the post or through another person, without the prior approval in writing of the Controller;
 - b) being the holder of a travel document, residing in Sri Lanka, dispatches or transmits such travel document to a person residing in any country outside Sri Lanka, through the post or through another person, without the prior approval in writing of the Controller;
 - c) has in his possession, more than one travel document for the time being in force, issued to him;
 - d) being in possession of a travel document issued to him, and for the time being in force, applies for the issue of a travel document;
 - e) without lawful authority, has in his possession a travel document of any other person;

f) during the pendency of an order under section 51c, impounding a travel document issued to such person, applies for the issue of another travel document;

2) Immigrants & Emigrant Amendment Act No. 42 of 1998

under these amendments offences under section 45 of this Act, a mandatory prison sentence from 1 year to 5 years and a fine of Rs. 50,000/- to Rs. 2,000,000/- was enforced.

3) Penal Code (Amendment) Act No. 16 of 2006

The following offences were incorporated in the Amendments and human trafficking was made a punishable crime.

a) Any person who is guilty of the offence of trafficking shall on conviction be punished with imprisonment of either description for a term not less than two years and not exceeding twenty years and may also be punished with fine and where such offence is committed in respect of a child, be punished with imprisonment of either description for a term not less than three years and not exceeding twenty years and may also be punished with fine.

The penalties have been increased for violating the Immigrant and Emigrants Act, which runs a mandatory fine and imprisonment. Further amendments to the Act are to be implemented soon to strengthen the teeth to combat illegal migration, human trafficking and human smuggling.

The Criminal Investigations Department (CID) is doing a highly commendable role to combat Immigration related crime. Since CID was called into handle major investigations and prosecution work, the law enforcement arm of the state has been strengthened. While the Criminal Investigation Department is doing a highly commendable role to combat immigration related crimes, the Department of Immigration also has taken steps to increase the capacities of the Legal Branch and the Investigation Branch to carry out the tasks needed immediate response to combat human smuggling the trafficking.

Co-ordinated Meetings

Once a month the Secretary of our Ministry chairs a meeting of all stakeholders involved in the border control matters, including the diplomatic community, to discuss issues of importance. The diplomatic community too holds a meeting once a month with all the stakeholders to find solutions for various problems arising in this area.

Establishment of Integrated Enquiry Management System

The Department has embarked on a new computerized system for data and information exchange among stakeholder agencies with the assistance of International Organization for Migration (IOM). The migration related information, which is electronically stored in the main system of the department, has been made available to the diplomatic missions in

Sri Lanka and abroad in order for them to make use of such information in their internal decision making processes. The live run of this items was launched in February 2007 and any enquiry, relating to Travel Documents issue details, lost passports, boarder control data, etc. is effectively responded within the day itself. The diplomatic agencies highly appreciate the system and its support extended to them. (Contact details of Integrated Enquiry Management Unit - Tele/Fax: 011-2674623. e-mail: enquiry@immigration.gov.lk)

The Future

The idea of one world, one religion, one nationality and one common language for all mankind, though laudable, is not a practical concept.

Every nation understandably attempts to retain its unique identity based on its culture, language, religion and economic well-being. The need for "Border control" in other words, Immigration and Emigration, is to preserve this identity.

Therefore, when we examine carefully what every nation does is to protect it's people who had selected it as their home and to develop their economic well being. Coordination between states is very important to achieve these ends.

It had been our experience that the human smugglers and traffickers always change their methods to mislead or overcome resistance. Therefore, the authorities need to have effective surveillance and identify these methods in advance to control these crimes.

Constant training, exchange views and experiences and continuing dialog of border control authorities in the world is very important. I am sure the Bali Process is very significant in this direction.

I believe the world have had enough experiences of acts of terrorism. We being from a country, which terrorism does enormous damage to human life and property believes well, strengthened and improvised border control systems can always assist to control terrorism to a greater extent. Therefore, I request all my friends here to join hands to strengthen this process. I would like to thank the Co-Chair countries, New Zealand and Australia, and all the participants who make this event a success.

Thank you.

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