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The Gazette of the Democratic Socialist Republic of Sri Lanka EXTRAORDINARY

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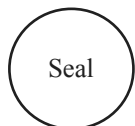
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PART I : SECTION (I) — GENERAL

Proclamations & C., by the President

P. S. No. : PS/CSA/00/4/7/1

BY HON. RANIL WICKREMESINGHE
PRESIDENT OF THE DEMOCRATIC SOCIALIST REPUBLIC OF SRI LANKA



RANIL WICKREMESINGHE

To :

Hon. Justice Wewage Priyasath Gerard Dep Esquire, PC - Retired Chief Justice
Suntharam Arumainayaham Esquire
Senanayake Alisandaralage Esquire
Nalin Jayantha Abeysekara Esquire, PC
Rajitha Naveen Christopher Senaratna Perera Esquire
Ahamed Lebbe Mohamed Saleem Esquire
Madam Sagarica Delgoda
Madam Esther Sriyani Nimalka Fernando
Vitharanage Deepani Samantha Rodrigo Esquire



GREETINGS !

WHEREAS, in terms of the provisions of Section 2 of the Commissions of Inquiry Act, No. 17 of 1948 I, Ranil Wickremesinghe, President of the Democratic Socialist Republic of Sri Lanka, have by warrant dated 15th October 2023, appointed you to the Commission to obtain information, investigate, inquire into and report on making recommendations for the amendment of election laws, upon examination of existing election laws, formulation of media standards for the appropriate use of media by political parties and independent groups, introduction of a code of conduct for political parties, independent groups and their membership in performing political and public affairs, and strengthening of laws and regulations related to registration of political parties and their operations in a manner that elicits trust and public accountability;

AND WHEREAS, multiparty democracy is a vital infrastructure of Parliamentary democracy because of fulfilling the intermediate role between the citizens and the State by participating and forming peoples political opinions;

AND WHEREAS, credible political parties are a prerequisite for the exercise of franchise by the people as enshrined in the 1978 Constitution of the Democratic Socialist Republic of Sri Lanka;

AND WHEREAS, rapid escalation of financial costs of election campaigns including elections have resulted in growing concerns on the role of money in politics and possibilities in policy capture;

AND WHEREAS, there is a growing concern of criminal elements entering political parties;

AND WHEREAS, stable political parties are being replaced by short term political fronts contributing to instability in politics;

AND WHEREAS, it is necessary to establish and maintain at all times a mutual trust between the Sri Lankan electorate and Political Parties;

AND WHEREAS, it is necessary for reforms to ensure the transparency and the accountability of political parties to the electors having regard to the laws and practices of other countries including establishing legal criteria for granting and cancelling the recognition of political parties, thereby regaining the confidence of the people;

AND WHEREAS, a number of globally reputed organisations including the Inter Parliamentary Union have specified criteria for the transparency and accountability of political parties;

AND WHEREAS, I am of the view that it is necessary to expand the scope of the mandate of the Commission of Inquiry appointed by warrant in terms of Section 2 of the Commissions of Inquiry Act, No. 17 of 1948 and published in *Extraordinary Gazette* No. 2354/06 dated 16th October 2023;

AND WHEREAS, I have identified that the number of Commissioners currently holding office is not adequate to more efficiently and speedily execute the functions of the Commission which has been vested with an enhanced role;

NOW THEREFORE, I, Ranil Wickremesinghe, President of the Democratic Socialist Republic of Sri Lanka, do in pursuance of the provisions of Section 3 of the Commissions of Inquiry Act, by these presents, appoint Alan Carmichael Vere David Esquire, reposing great trust and confidence in his prudence, ability and fidelity, to be the Commissioner of the Commission of Inquiry constituted in terms of the Warrant referred to above.

AND, I Ranil Wickremesinghe, President of the Democratic Socialist Republic of Sri Lanka do hereby direct you, Commissioners of the said Commission of Inquiry appointed in pursuance of provisions of sections 2 and 3 of the Commission of Inquiry Act, No. 17 of 1948 as amended,

1. Hon. Justice Wewage Priyasath Gerard Dep Esquire, PC - Retired Chief Justice
2. Suntharam Arumainayaham Esquire
3. Senanayake Alisandaralage Esquire
4. Nalin Jayantha Abeysekara Esquire, PC
5. Rajitha Naveen Christopher Senaratna Perera Esquire
6. Ahamed Lebbe Mohamed Saleem Esquire
7. Madam Sagarica Delgoda
8. Madam Esther Sriyani Nimalka Fernando
9. Vitharanage Deepani Samantha Rodrigo Esquire
10. Alan Carmichael Vere David Esquire

to obtain and submit information, investigate, inquire into, and report on the following matters, namely;

1. Examine all existing election laws and regulations and make necessary recommendations for the amendment of election laws to suit current needs, giving special consideration to following factors as well.
 - i. Increase women and youth representation.
 - ii. Reduce the period between the time of declaration of an election and the release of results after conducting such election.
 - iii. Provide an opportunity for electronic voting using modern technology instead of the printed ballot paper.
 - iv. Provide facilities for voting by Sri Lankans in overseas.
 - v. Enable a person to contest elections for both Provincial Councils and Parliament for the selection of people's representatives and have the opportunity to represent Provincial Councils and the Parliament at the same time if elected (eg. to give an opportunity for a person elected to Parliament to also contest a Provincial Council election, and if elected, have the opportunity to represent the Provincial Councils and Parliament at the same time).
 - vi. Provide an opportunity for voters serving in Public Corporations/ State Owned Enterprises/ Private Sector, who are engaged in provision of election related services on election day, to use postal voting.
 - vii. Formulate an appropriate mechanism blended with the first-past-the-post voting system for the election of people's representatives, not limiting to the proportional representation system, but taking into consideration the plural nature of society, and reflecting such plural characteristics.
2. Make recommendations for the formulation of media standards for the appropriate use of media by political parties and independent groups.
3. Make recommendations for the introduction of a code of conduct for political parties, independent groups and their membership in performing political and public affairs.
4. Make recommendations for the strengthening of laws and regulations related to registration of political parties and their operations in a manner that elicits trust and public accountability.
5. Make recommendations including proposed legislation on following factors;
 - i. Strengthening the multi party system of Sri Lanka based on credible and stable political parties similar to other multi party democracies
 - ii. The role of money in politics and prevention of policy capture, as well as public funding of political parties
 - iii. The accountability of the leadership to the members of the political parties

- iv. The reduction of the expenditure incurred on election campaigns
- v. The role of the political parties in strengthening national unity by promoting cooperation and mutual confidence among all sections of the people
- vi. The promotion of policy based political parties by having the following factors as the objectives
 - a. safeguarding the sovereignty and independence of Sri Lanka
 - b. political and economic stability
 - c. a Sri Lankan identity and
 - d. raising the social and economic standards of the people by transformation into a developed economy

Given at Colombo under the seal of the Democratic Socialist Republic of Sri Lanka on this 02nd Day of November Two Thousand and Twenty Three.

By order of the Hon. President,

E. M. S. B. EKANAYAKE,
Secretary to the President.

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