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பாராளுமன்றம்
PARLIAMENT

07.02.2024

Chairman
Election Commission

Dear Chairman,

Preventing misuse of public property and creating the necessary environment for holding free and fair elections

We know that the local government elections have been disrupted by the government by not providing the necessary funds. But a period during which an election has been declared as per the election law is a duration in which the election law is in force.

02. Furthermore, the Election Commission will get the official power to declare the Presidential Election constitutionally in less than a month. An election must be held between that date and 17th October 2024. However, knowing this situation, the government is using public funds targeting the elections to promote parties and candidates under the guise of regional development. that is,

- i. Provisions in decentralized budgets for members of parliament have been issued only to selected members, depriving some member of their right to equal opportunity.
- ii. Preparing a mechanism to misuse public funds for former Pradeshiya Sabha members - that is, for the candidates who have already been nominated for the Pradeshiya Sabha Elections - by forming a so-called committee called Regional Development Committee. (We learned that, by accepting our request and immediately intervening in this regard, the Election Commission has issued instructions not to involve the former local councilors in these community development committees.)
- iii. Action was taken to transfer an amount of Rs. 8750 million from other heads of expenditure to the head of expenditure of the President last week, purportedly to be used for regional development activities.
- iv. Illegally appointing former Councilors of Provincial Councils and members of Local Government bodies (many of whom have submitted nominations for the Local Government Elections this time) as Coordinators of the Governor to monitor development activities in the area for the Governor, thus being eager to misuse public property for election propaganda purposes.

03. We have mentioned only a few points above. In addition to this, the government has implemented many display projects such as "Urumaya", providing rice to low-income earners, "Decade of Upcountry", providing fertilizers free of charge and "Jayagamu Sri Lanka". Although these programs are carried out under the guise of people's welfare events, most of them factually operate as political programs initiated by regional politicians. Also, all state media outlets are controlled by political cronies. Accordingly, every media space has become a trumpet of the government

04. More attention should be paid to how law and order will be implemented during the election period. An Inspector General of Police who was arbitrarily appointed by the government is still engaged in duties in the office of the Inspector General of Police. (The efforts on the part of the government to grant a service extension to the Attorney-General somehow or other became a failure.) Also, many of the chiefs of the armed forces have been given service extensions, and the Defense Secretary is a figure who was engaged in politics on public political platforms. The Election Commission must assist these defense mechanisms to enforce election law. Therefore, we would like to know about the preliminary measures taken by the Election Commission to ensure that the rule of law is soundly ensured in the upcoming election period.

05. We would like to draw your attention to the powers vested in the Election Commission by Articles 103 (2) and 104 B (1), (3), (4) (A) and (B) of the Constitution. We sincerely hope that you will implement the powers vested in you by these Articles and the provisions of the law by various election laws to hold free and fair elections in order to provide equal opportunity to all political parties.

06. Considering all the above points, I kindly request your urgent attention to take the following measures to prevent the use of public tax money to promote one party or candidate and to ensure a free and fair election.

- i. To issue necessary prior instructions and orders to prevent the use of public property and public officials in such a way as to promote candidates or parties contesting elections;
- ii. To inform the public that the expenses incurred for the projects carried out under the guise of regional development are carried out with public tax money, so that they should not favor a particular political group or candidate (as was done during the last election period);
- iii. To provide necessary instructions to be transparent and not to perform the activities in a showy manner promoting the image of individuals in utilizing public resources for government jobs and other recruitments.

We, as political parties and alliances, expect the Election Commission to take maximum measures to ensure a free and fair election.

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| 01. Commissioner General of Elections, Election Commission | - | For information |
| 02. All election monitoring organizations | - | For information |

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