

## Electoral Reform Debate



January-February 2008

CPA organized a workshop on *“The Electoral Reform Debate in Sri Lanka: Recent Developments”*, 17th January at SLFI. This was a part of a project to document the issues and reform initiatives on the law, practice and institutions relating to elections at all levels of government and referenda in Sri Lanka. Key speakers at the workshop were Rohan Edrisinha and Asanga Welikala, while the panel included Hon. Dinesh Gunawardene MP, Chair, Parliamentary Select Committee on Electoral Reform, Jayampathy Wickremaratne, PC, and P. P. Devaraj. This project is funded by Friedrich Naumann Stiftung Fur Die Freiheit.

## New Media Towards Advocacy



CPA's path-breaking new media initiatives *Groundviews*, *Vikalpa*, *Vikalpa Video* and *Voices of Reconciliation Radio* registered significant growth in readership in Sri Lanka and internationally over the past couple of months. *Groundviews* got over 144,280 page views and close to a million hits in 2007. In December 2007 the site was awarded an Award of Excellence in New Communications from the Society for New Communications Research (SNCR) based in Boston. “*Groundviews* exemplifies the mission of this awards program: the successful and innovative use of



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Appropriate By-laws -Staff Article	New Publications at CPA Papers written	CPA in the NEWS	A Glance at Programmes	Calandar of Events



# appropriate by-laws

In the transport of cattle by train or other conveyance a space of about 6 inches is required to be left between individual animals. Ironically, human commuters in the country are forced to travel in buses and trains packed like sardines with scant regard to personal hygiene. This could be an example of the strength of the humble By-law!

STAFF ARTICLE – MANJULA GAJANAYAKE

## “Appropriate By-laws -a Pressing Need for Today”

The issue of the devolution of power in Sri Lanka has lately become far more controversial perhaps due to opportunist politics and personal agendas being given priority over national interests. In any form of devolution of power the importance of the network of Local Authorities cannot be undervalued. It is a major force to be reckoned with. At present there are more than 300 local bodies comprising Municipal Councils, Urban Councils and Pradeshiya Sabhas throughout the island.

One principal objective behind the setting up of Local Government institutions is admittedly to involve the people in the decision making process at least in the context of regional development. Overriding control exercised by the Local Government Ministry however means that it is actually doubtful in practice as to whether the local government institutions actually enjoy adequate independence in their affairs. The Provincial Councils too have become a decisive factor. Although the 13<sup>th</sup> Amendment to the Constitution requires all Provincial Councils to devolve as much power as practical to these local bodies, this is yet to happen.

The issue of by-laws is also worthy of discussion. These are regionally specific laws which Local Authorities have the power to formulate and should ideally be created with citizen involvement where possible. Regional By-laws tend to be a neglected aspect of local governance, often archaic and inappropriate to current developments in the country.

In a significant development following from a series of workshops on awareness raising, organised by CPA, 20 prominent local government institutions have undertaken the arduous task of

drafting fresh by-laws

in spheres where crucial requirements for such have been identified.



By definition, by-laws are enacted supplementary and never contradictory to the parent legislation which must remain intact without any alterations or addition. Wider powers have been delegated to Local Authorities under the 13<sup>th</sup> Amendment to the Constitution but most of the provision in the Municipal and Urban Council

Ordinances and Pradeshiya Sabha Act have become

obsolete and are in dire need of revision to suit the changing dynamics of modern times.

To give just one example, certain serious offences listed in statute books decades ago still carry the same fine of Rs 500/= despite the current cost of living taking away all deterrent value of such a sum and rendering it absurd.

By-Laws dealt with by the Local Authorities come under the category of subsidiary /delegated legislation. Local bodies are authorized to formulate these by-Laws, but to become law the draft legislation prepared by the various local bodies on the advise of the Local Government Commissioner, will be referred to the Minister in Charge. Draft by-Laws gazetted with the ministers approval will have to be passed by Parliament to become laws proper. By-Laws should always conform to the parent legislation since any deviation is not warranted.

A Local government body is not expected to get involved in the technicalities of by-Laws as it is always pre occupied with public duties. In such situations the unbiased consultancy and assistance is to be rendered by Non Governmental Organisations and is indeed beneficial.

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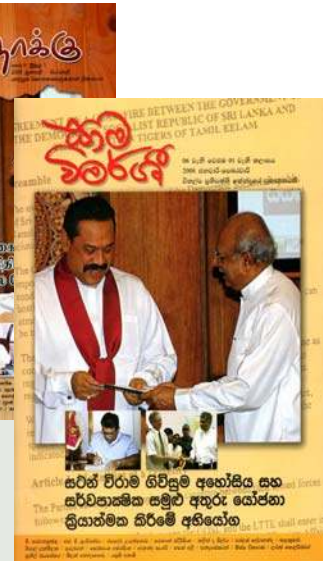
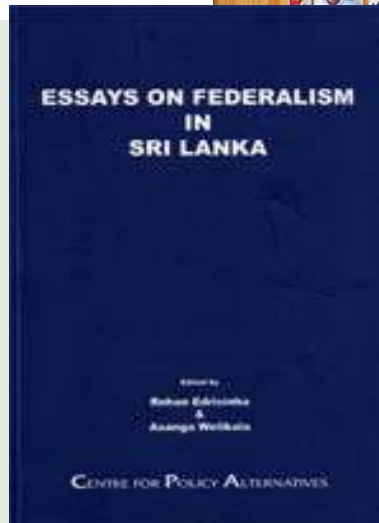
# LIBRARY NEWS *This month*

Whats new in the world of books

**Essays on Federalism in Sri Lanka** brings together some of the research and conference papers, speeches, newspaper articles and opinion pieces written in support of the federal idea and federal type constitutional options for and in Sri Lanka in the recent past. The collection has the modest aim of serving as a convenient reference for arguments already made, but which are in need of reiteration.

The table of contents is available for download here -

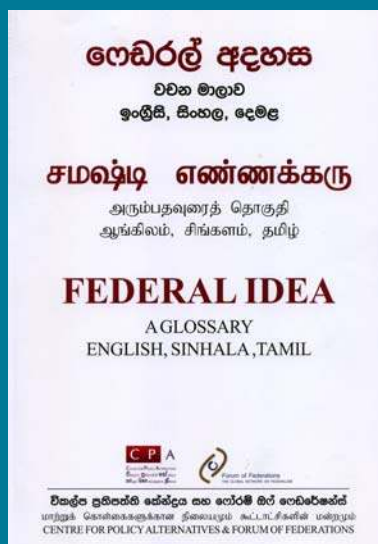
[http://www.cpalanka.org/publications/Essays\\_on\\_Federalism\\_in\\_Sri\\_Lanka\\_Contents.pdf](http://www.cpalanka.org/publications/Essays_on_Federalism_in_Sri_Lanka_Contents.pdf)



SAAMA VIMARSHI and  
SAMADANA NOKKU  
on the APRC and  
the abrogation of  
the CFA

## New Titles from Governance and Anti Corruption Programme (Sinhala and Tamil)

- "Let us Identify Oppose and Eradicate Corruption" (D.M. Dissanayake, Attorney at Law)
- "Increasing Public Awareness on Anti Corruption" (D.M. Dissanayake and Jagath Liyanarachchi)
- One Day Training Module for Officer and Elected Representatives of Local Government Authorities on Increasing Pradeshya Sabha Budget Transparency (Jagath Liyanarachchi, Attorney at Law)
- One Day Training Module for CBO leaders and Tax Payers on Increasing Pradeshya Sabha Budget Transparency



## LEXICON on the Federal Idea

*Federal Idea – A Glossary; English, Sinhala, Tamil*

This publication consists of identified words and terms used in the power-sharing debate in Sri Lanka translated into Sinhala and Tamil. This was a consequence of the *Workshop on the Federal Idea & Challenges in Translation*, held in June 2007. This is a useful guide for students and lecturers in political science, law, international relations and conflict studies, as well as politicians, translators and linguists.



***"A Bloody, Decisive Year Ahead"* by Dr P. Saravanamuttu  
Morning Leader Jan 2nd**

**Turning Back to 88; who is correct? by Sunanda Deshapriya Jan 20th Ravaya**

**The Year of The Rat has Begun- Dr Saravanamuttu Jan 30th Morning Leader**

**Ethos or Demos? Questioning Tamil Nationalism - A Welikala Montage, Feb 2008**

**Statements  
&  
Press Releases  
Joint statement: Abrogation of Ceasefire Agreement Will Escalate Spiral of Violence**

<http://www.cpalanka.org/Statements/Abrogation of Ceasefire Agreement Will Escalate Spiral of Violence.pdf>

**Joint statement: Civil Society Solidarity with International Humanitarian Organisations**

<http://www.cpalanka.org/Statements/Civil Society Solidarity with International Humanitarian Organisations.pdf>



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**● staff articles**

Accordingly, the Outreach Unit of the Centre for Policy Alternatives, has for a number of months been providing legal and technical support to 20 Local Authorities in the formulation of much needed By-Laws.

Local Government Commissioners, Secretaries, Chairmen and Vice Chairmen who participated in some of the Awareness Raising workshops held in the regions have committed support to this endeavor .

**Problems that confront the local bodies vary in character and scope. For example Medirigirya Pradeshya Sabha is seriously affected by the lack of any regulation on parking of three wheel vehicles, whilst the Gampola Urban Council faces a grave threat posed by its stray dog populations.**

It is the duty of both civil and voluntary organisations to extend support to such local bodies that are committed to public welfare and safety .

One Local Government Commissioner commented that one of the local bodies in his area was facing difficulty in the drafting of a by-Law for the last ten years, caused somewhat by not having access to a sufficiently qualified legal translator, to present the Tamil and English versions of the document.

Local government bodies should, in theory, be easily accessible to the people to ensure their participation in community projects, and to give meaning to Local Government

In conclusion effective updated by-laws are in fact absolutely necessary in the proper administration of local bodies. ●

**Manjula Gajanayeka is Assistant Co ordinator to the Outreach Unit**

Please email staff articles to [chandrika@cpalanka.org](mailto:chandrika@cpalanka.org)

## New Media -Cont

*new communications solutions and social media practices to enhance communications and relationships” commented Mike Manuel, SNCR Best Practices committee chairman. Groundviews is currently referenced on 62 other blogs globally and has a Technorati (<http://www.technorati.com>) rank of 119,246 out of the over 70 million blogs Technorati indexes and ranks. Further, *Groundviews* is the only civil society and citizen journalism website in Sri Lanka to be directly indexed on Google News (<http://news.google.com>) and ranked Number 1 on Google itself by keyword. Articles on the site are regularly republished in other local media, including media websites such as InfoLanka News, Tamil Canadian and*

*Tamilnet. “For ongoing analysis of the conflict, the citizen journalism site [groundviews.org](http://groundviews.org) provides interesting and often tragic reporting” says the renowned press freedom organisation Freedom House of *Groundviews* on its blog (<http://blog.freedomhouse.org/weblog/2008/02/weekly-governan.htm>).*

*The videos on CPA’s Vikalpa YouTube Video Channel (<http://www.youtube.com/vikalpasl>) have been viewed tens of thousands of times. Vikalpa Video is the first and to date only example in Sri Lanka of civil society using short videos filmed*

*using a mobile phone and distributed through the web on alternative perspectives on war, peace and governance. Some of these videos have highlighted the ground situation in the embattled North and East of Sri Lanka, for example this video on life in Jaffna (<http://www.youtube.com/watch?v=YwmjYWTorRU>). These videos complement original writing on the *Vikalpa* blog (<http://www.vikalpa.org>). The readership for Sinhala and Tamil citizen journalism is growing apace and the blog now registers over 200 pageviews a day, mostly from Sri Lanka.*

*We were pleased to note that Voices of Reconciliation Radio (<http://radio.voicesofpeace.lk>) was chosen as the primary vehicle for the online dissemination of the *Lifeline* radio programmes on humanitarian information and work in Sri Lanka, produced in Sinhala and Tamil by INTERNEWS. The VOR Radio site has archives of over 400 hours of programming in Sinhala and Tamil, in the form of free downloadable podcasts, of content related to conflict transformation and democratic governance.*



A  
GLANCE AT  
programmes

*photos from G&ACPs  
Pottuvil Workshop,  
Jan 2008*

## PRADESHIYA SABHA BUDGET TRANSPARENCY

- G&AC  
programme

## TRIAMS

## Tsunami Beneficiary Satisfaction Survey

- Social Indicator

ISSP

International Social Survey Programme

As part of the cross-national “International Social Survey Program (ISSP) Religion Study – 2008”, the Sri Lanka leg of the survey will evaluate the perceptions, attitudes, opinions on the religious beliefs and religiosity of Sri Lankans aged 18 and above who are resident in the Provinces other than the North and East. The ISSP series of cross national studies develop topical modules dealing with important areas of social science as supplements to regular national surveys in more than 20 countries.

## ● *January*

Rohan Edrisinha spoke at the **International Seminar on Human Rights in Conflict Situations** organized by Centre for the Study of Human Rights, University of Colombo, in collaboration with the Justice of Peace Commission, India, the Human Rights Education Consortium International, New York and the Institute for Community Organization and Research, India. This was held at Hotel Renuka from the 11th to the 13th of January 2008. Ramaaya Salgado and Anita Nathan of the Legal Unit also attended this seminar.



# Staff @ the Centre

## ● *February*



Pradeep Peiris, Head, Social Indicator was invited by FNST to attend the Conflict Management and Conflict Resolution Seminar held 1st-4th Feb 2008 in Gummerbach, Germany. Participants attending from various conflict zones around the world, shared their experiences in conflict resolution and compared lessons and observations. Seminar reports are available at the FNST website.

## ● *March*

**17th -18th March**, Sriyanie Wijesundara attended a workshop on the Right to Information conducted by the Public Affairs Centre, Bangalore. The objective of the workshop was to give a new impetus to right to information activities in Bangladesh, India, Nepal, Pakistan and Sri Lanka.

## ● *Staff Changes*



Mr.DM Dissanayake, Attorney at Law left after serving the G& AC Programme as a Legal Consultant for 1 ½ years.

Mr.Jagath Liyanarachchi, Attorney at Law, joined G&AC Programme from February, 2008 as Assistant Coordinator.



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