

There is no developed democracy in a society with poor civil activism

Today discussion on election campaign finance is very important for us, as the Election Commission. However, our opinion is that in reaching of the objective to bring about a mechanism with better function, at least the reporting of the facts should be of improved quality. If the candidates and the political parties are ready to report the financial sources, and the manner of expenses and for what the expenses were done, it indeed will be a good initiative to overcome these challenges.

Mr. Victor Ivan who spoke a while ago, stated his view on the reports of assets and liabilities and accused the then Election Department. That is because the above stated reports are prepared with much effort, but are never publicized. Actually, it should be mentioned that there is a loophole in the law related to the matter. So, if anybody who is acting upon this matter, intends to go to the courts and get some decision, I suggest that there is no harmful aftereffects of it. This act itself mentions that this will not be misused in filing cases. Therefore we make sure that a letter is obtained from the people who submit these. At the same time, I personally think that overcoming these challenges are far easier with the enforcement of the Right to Information Act. This act is relatively more powerful than the other acts. The set of people who see the requirement of this should strive to obtain a court decision using this.

The Election Commission has been working on enforcing election laws since a long time. There is a committee appointed to work upon that, and the political parties also make sure that their members take part in the committee regularly. One of the decisions taken by the committee is to tighten the punishments on the people who do not report their assets and liabilities. The second fact is that according to this act itself, the candidates who do not submit their assets and liabilities reports cannot take seats in the house.

Actually I suppose it will be important to formulate a regulation which necessitates even for the defeated candidates to submit the reports within a given time. Otherwise, at least their civil rights or the opportunity to become a candidate again should be terminated even for a short term. The statements on assets and liabilities up to 31 March, should be submitted by 30 June generally, and it is informed so. We once decided that if the reports are not submitted by 15 July, we would not enter the names of those officers to the list. Actually there are instances where even the officers have not submitted the statements in three or four years. So there is no point in putting the blame merely on politicians. As the administrative and accountant officers have a certain understanding on the matter, they tend to submit their assets and liabilities reports regularly. People in local income tax and legal sector too are showing a considerable keenness on the cause. However, it is questionable whether the professionals in some technical fields are paying required attention on this. Such situations are quite risky. The reason for that is, not making such a statement can deprive them of their job even. Unfortunately, there is no sufficient keenness on this matter. Only Victor Ivan and few others

are striving for this. Hence, there is much the civil society can do to pioneer in taking these discussions forward.

My opinion is that limiting the expenses on election campaigns is not a difficult task as it seems to be. There can be nothing difficult in collecting the expenses done on newspaper advertisements, posters and electronic media advertisements and preparing a report on election expenses. The wages of employees, expenditure on fuel and food too can be added to this. According to the election law that existed in the country until 1974, the candidates from each electorate should handover a report on their election expenditure to the election officials. If I am not mistaken this law existed until the election of Horowpathana electorate. That is where we have taken the expenditure report for the last time. This practice came to an end with the end of proportional representative system. If we are able to collect these reports regularly and properly by 2020, there is a possibility for us to create a suitable mechanism to regulate this. It is more effective to gradually come up with a proper mechanism rather than looking for a huge mechanism at once. We should not forget that even an enormous ocean fills drop by drop.

This is an adoption of the speech done by the chairman of the Election Commission, Mahinda Deshapriya, at the program organized by the Centre for Monitoring Election Violence for Election Financing, on 31 December 2016, in Colombo. Please note that he did a long speech and only an adopted version is presented here.