

Ravaya Public Petition for Reforms

The Alliance of the Opposition should ensure the general public that the Common Candidate it fields for the Presidential Election will carry out the reforms under mentioned within the first three months of his victory.

1. Right for Information

The 'Information Act' approved by the Cabinet of the Ranil Wickramasinghe Government which was unable to be enacted owing to dissolution of Parliament should be enacted.

2. Law of Assets and Liabilities

The Law of Assets and Liabilities should also be amended introducing new provisions with rigorous punishments to the offenders of this law in place of the existing simple punishments set out in it.

Simultaneously,

- (a) the Form supplied to those who are bound to declare their assets and liabilities should be revised in keeping with present day requirements.
- (b) submitting Declarations of Assets and Liabilities with their nominations should be made compulsory for the candidates contesting Elections.
- (c) all declarations of the declarers of assets and liabilities should be published in a web site for the convenience of their public examination and the Auditor General should be made responsible for maintaining a formal website for that purpose.

3. Instructions Contrary to the Law

Issuing instructions contrary to the law and following such instructions should be enacted as a criminal offence.

- (a) the citizens should be given the right to institute legal action against violation of such laws without instructions of the Attorney General.

4. Causing Damage to National Harmony.

The Bill presented by Vasudeva Nanayakkara to legalise that expression of ideas conducive to creating insulting and aggressive sentiments damaging inter-ethnic or inter-religious harmony is a punishable offence, should be enacted.

5. Independent Commissions

18th Amendment should be abrogated and the 17th Amendment should be re enforced taking into consideration also the recommendations of the DEW Gunasekera Committee.

6. **Reformations in the Electoral System**

The recommendations presented by the Dinesh Gunawardena Committee to reform the electoral system should be legalised with required revisions.

7. **Media and Media Freedom**

The television and radio services of the Government should expeditiously be turned into free, independent public mass media services ridden of the Government control, founded on professional journalism and responsible only to the general public. The arrangement necessary to provide independent administrative structures and financial resources for this purpose should be made by an Act to be passed in Parliament.

The Parliamentary debates should be live telecast through public service electronic media or Parliamentary electronic media specifically set up for this purpose enabling the general public be aware ,without censoring, of how the representatives they have elected perform their functions related to legislative enactments and financial control. All business pertaining to the Parliamentary Standing Committee and Selection Committee Meetings should be exposed to the journalists facilitating them to report same to the general public.

8. **Auditing**

The 'National Audit Act' of the Auditor General prepared in 2004 by S.C.Mayadunne for which the Cabinet is avoiding granting approval should be enacted.

9. **Education**

The very fact that the country has turned out to be a place with an ending shedding of blood, a place where the rule of law is absent and inefficiency and corruption has become the order of the day suggests that the system of education has failed to build politicians, public officers as well as citizens with democratic and pluralistic attitudes. The country is at a regrettably poor position also in the Global Innovation Index on New Products. A five member commission should be appointed to critically review the entire system of education and make recommendations on the reforms to be made in the field of education.

The said Commission, among other things, should take the following into consideration.

- (a) about the differences existing in the school system and how to eliminate the disparities created by such differences.
- (b) on measures to be taken to eliminate the discordance including common occurrence of taking bribes in admission of children to Grade one.
- (c) on archaic nature of modes and courses of teaching and steps to be taken to overcome that discordance.

- (d) on steps to be taken to turn the student generation to be one with modern, pluralistic and democratic attitudes shedding off communal, fanatic and caste based mind-set.
- (e) on steps to be taken to lead the students unwilling to pursue or unskilled in academic education towards an industrial and technological education.
- (f) on steps to be taken to turn teachers to a generation that is efficient and that continuously renews their knowledge.
- (g) on steps to be taken for an efficient administration in school education as well as in University education.
- (h) on measures to be adopted to enhance quality of higher education.
- (g) on the percentage of provisions to be allocated through the Budget for the purpose of keeping school education and higher education at an acceptably high standard.

10. **Public Health**

The Public Health Services that remained at an acceptable standard at a time are poor and inefficient today. A Commission of inquiry should be appointed also to probe into this matter and recommend required solutions which, among other things, should probe into the following.

- (a) Health Service is a team work. Physicians, professions supplementary to medicine, Para medical services, nurses and minor employees belong to that team. Instead of unity, there is an antagonistic environment among the members of this team. That is also a crucial factor which has affected very much to mess up the Public Health Service. The steps to be taken to eradicate this situation.
- (b) The patients getting treatment from government hospitals have to buy all or most of the medicines prescribed. Although the provisions allocated for medicine at government hospitals may be insufficient, a situation is there where a considerable portion of provisions so allocated flow into the pockets of corrupt people. This has aggravated the shortage of medicine. Parallely, there is a practice in operation where the patients are instructed to get a majority of medical laboratory tests to be done by government hospitals from private institutions. The measures to be taken to prevent corruption occurring at the above said instances.
- (c) There appears to be a long waiting list for certain patients such as heart patients, kidney patients etc. requiring surgeries. The measures to be taken to do away with this waiting list system by inquiring whether it is a result of unavoidable circumstances or a false system created to rob the patients.

- (d) CTB buses arrive daily to Karapitiya hospital in Galle carrying patients from remote areas with difficulties that are outside Galle district. Many patients out of them return only on the following day. This is not a situation limited only to Southern Province but a common situation in every province. This is an indication of the unsuccessful nature in certain Base Hospitals in these Districts. The measures to be adopted to change this irregularity.
- (e) The kidney trouble prevalent in Rajarata area can be considered as a national calamity to be attended on priority basis. Still, the attention paid to it is almost inconsiderable. The amount spent on the reservoir built by destroying some half of Bellanvila reserve and its surrounding Weressa River Development Project completed including attractive walking tracks for physical exercise seekers, which is relatively less important, is Rs. 14,200 million excluding spendings on labour. This shows that there is a situation prevalent in the country where the monies are spent lavishly on insignificant projects whereas the really essential and important issues are left unattended and with step-motherly treatments. The measures to be taken to provide necessary relief to Rajarata kidney patients and to prevent spreading of the ailment.

11. Security of the Pensioners

An institutional system should be set up where the pensioners can securely deposit their pension gratuities and Provident Funds and where a rate of interest higher than the rates provided by the banks is provided for such deposits. It is the pensioners who very often are subject to deceptions of the bogus finance companies. The pensioners should not be driven to an extent where they invest their above said money that can be considered as the only fund available to them to make a bare living, in risky businesses. A system should be established where their funds can be deposited with an assurance of a rate of interest higher than the average bank rates. Restrictions may be imposed on the investments on which they may deposit their money.

12. Enquiring into the Offences and Injustices Committed.

There are a vast number of serious offences committed from the Independence to date. Upcountry Indian estate workers were made deprived of their civic rights even before ink was dried up in the Soulbury Constitution. 8 years after, the Tamils were made deprived of their language rights. Everybody who took part in the General Strike in 1980 was divested of the jobs. That broke up the backbone of the Union movement. The crooked referendum in 1983 also extended the term of office of the Parliament. A number of gruesome chauvinistic clashes took place up to Aluthgama - Beruwala conflict in 2014. Two Sinhala uprisings occurred in South and also a long drawn out Tamil revolt took place in North. An enormous loss of lives took place both on the part of the rebels as well as their suppressors. Robbing public property became the order of the day in state governance from 1978. The judiciary turned out to be an institution violating public rights instead of protecting them. It became the general practice to suppress strikes and other protests through court orders. It should be enquired as to why all these happened in this way. A Commission should be appointed for this purpose as well which should be a

Commission enquiring into the serious offences committed in recent history rather than one penalizing the offenders. It should be a Commission that listens to and reports the grievances and complaints of the general public.

13. Settlement of Land Disputes

Violent conflicts prevailed in North Eastern areas of the country for a long time. There was prolonged dual governance. Various groups of people who lived in those areas had to desert the areas they lived in. This has caused gigantic complications on ownership and use of land. The LTTE as well as the security forces acquired land of the people for security purposes. Therefore, a Land Commission should be established to inquire into the complications created in the ownership and use of land and take action to settle them. Also the people's land acquired by the security forces should be returned to their rightful owners. If there are lands further to be kept in charge of the security forces, their owners should be proportionally compensated.

14. Setting up a New System of Governance

A Commission consisting of five members well experienced in the subject of constitutional drafting should be appointed to prepare the first draft of the new Constitution also receiving the views of the public.

- (a) The Commission should prepare the said draft within 06 months.
- (b) The specimen draft should be published for the information of the general public.
- (c) Thereafter, that draft should be presented to the Parliament to be elected under the new electoral system. The Parliament should also publish the second draft to be prepared pursuing it and it should be sent also to the Provincial Councils for their recommendations.
- (d) The final draft prepared taking also the recommendations of the Provincial Councils into consideration should be re sent to the Provincial Councils for approval and then it should be presented to the Parliament, which, upon passing in Parliament with or over a two third majority, should be taken approved again through a referendum.
- (e) The process of drafting the Constitution should be finalised within a period not exceeding a year.

The Commission preparing the first draft may also take the following into consideration in designing the system of governance.

I. Public Policies

- (a) All citizens should be accepted as people with equal rights and equal respect.
- (b) In view of the fact that the caste system is a disgraceful and outdated system, the requirement to eradicate its recognition should be accepted.

- (c) The requirement of a policy to allay racial and religious differences in order to create a united Sri Lankan nation should be accepted.
- (d) It should be treated as the responsibility of the government to look after all people belonging to the category of the 'helpless' (parentless orphan children, the aged without refuge and the disabled).
- (e) The policy of levying taxes should be fair and taxes should be levied only from those who are able to pay them.
- (f) It should be the responsibility of the government to maintain a system of free education with modern techniques of education catering to the present day needs and a system of free health.
- (g) It should be the duty of the government to alleviate poverty.
- (h) A foreign policy promoting well being and safety of Sri Lanka should be adopted in view of the strategic importance the country has received, being situated as an island.
- (i) Since the climatic changes occurring due to the breakdown of balance in environment is a serious threat the whole world has encountered, it should be treated as the responsibility of the government to maintain a strong eco-friendly policy for the safety not only of the country but also of the entire earth.

II. Fundamental Rights

- (a) A comprehensive Human Rights Charter should be incorporated into the Constitution.
- (b) The facility to claim compensation commensurate with the damages caused by violation of rights through court proceedings that are not too expensive should be ensured at the instances where the rights are violated.
- (c) Provisions must be made to reform the Human Rights Commission in keeping with recognised international standards and develop an institutional system in it where complaints can be lodged without assistance of the attorneys, and they are enquired into and the verdicts issued can be enacted.

III. Structure of the Government

- (a) The Republic of Sri Lanka should be an independent State consisting of a Central Government and a number of secondary Provincial Council Governments.
- (b) The Provincial Council Government system should be re organised, in consultation with the Government of India, so that an efficient and standard administration can be ensured and the rightful political prospects of the Tamils can be met.

- (c) A system of Village Councils parallel to Indian *Panchayat* system should be formed in order to entrust the villages with the administration of matters related to village level development.
- (d) It should be one of the key responsibilities of the Government to protect, sovereignty autonomy and territorial integrity and democracy of the Republic and to build and develop a society with a Sri Lankan identity by preserving multi ethnic, multi religious, multi lingual and multi cultural nature of Sri Lankan society.
- (e) The sovereignty of the Republic should rest with the people and it should be a power that cannot be divested from them.
- (f) The Republic should be materialistic, limited only to worldly affairs.

IV. Nature of the System of Government

- (a) The Presidential system of government should be abolished and a Parliamentary system of the 'Westminster' model or 'Conventionalist' model practiced in the countries such as Germany, Netherlands and Sweden should be established.
- (b) The Legislature should be bicameral.
- (c) While the Prime Minister to be elected by the Parliament becomes the Chief Executive of the Government, the President to be elected by a electoral college should be the Chief Executive of the State.
- (d) Since the Prime Minister will always be elected out of the community of the majority up to a certain period of time, the Presidency should be a position reserved for the minorities.
- (e) All powers and functions of the President should be administered under the instructions of the Prime Minister. The President should reserve his discretionary power only to be used at very special occasions.
- (f) The Cabinet headed by the Prime Minister elected by Parliament consisting solely of the Members elected by vote should function as the centre of State power.
- (g) The maximum number of members in the Cabinet should be 25. The number of Deputy Ministers should not exceed 30.
- (h) Provisions should be made contributing to promoting women's representation in all institutions of public representation including Parliament.

V. The Judiciary

- (a) A three-member Committee should be appointed to probe into the massive degradation that has taken place in the Judiciary and to recommend required reforms and the Judiciary should be turned into an institution which protects rights of the people and functions partially to law and independently based on such recommendations.
- (b) The Judiciary in the new system of government should be established in such a way that it could not be subject to the clutches of the Executive or the Legislature.
- (c) The Judiciary should have the power to annul any act contrary to the law.
- (d) The Judiciary should have full power of review.
- (e) A system of removal of the Judges of the Superior Courts on charges of misconduct should be established in keeping with international standards.
- (f) The United Nations Convention of Civic and Political Rights to which Sri Lanka is a signatory should be enacted in the country.

VI. Bribery and Corruption

- (a) In order to eliminate bribery and corruption in a methodical way, a Commission of Eliminating Corruption should be established in place of the present Commission to Investigate Allegations of Bribery or Corruption, that follows the example of the Commissions for Eliminating Corruption in Hongkong and Singapore where there are no room for political interferences, which acts independently and which is constantly under examination of the Parliament and the general public and which is responsible only to the Parliament.
- (b) Ministries, Departments, Statutory Boards, Parliament, Provincial Councils and Local Authorities and the transactions taking place in all such institutions as well as judges, judicial and public officers should be made subject to the authority of that Commission.

I, agree to the views expressed at the Ravaya Public Petition on Government Reforms to be made

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