



## Emergency Regulations and Local Government Elections

*August 16, 2011, Colombo, Sri Lanka:* CPA notes the decision of the Elections Commissioner to hold elections in October to twenty-three local authorities, after elections to these authorities were effectively postponed for more than a year through the use of Emergency Regulations. The Commissioner's decision was made while a number of cases, including one filed by CPA's Executive Director Dr. Paikiasothy Saravanamuttu challenging the failure of the Commissioner to hold elections, were pending before the Supreme Court.

Whilst we are relieved that elections will finally be held, we wish to reiterate our outrage over the continued use of Emergency Regulations to interfere with the functioning of local authorities. In this respect, we are extremely concerned over the promulgation on 8 August 2011 of 'The Emergency (Administration of Local Authorities) Regulation', No. 7 of 2011. This Emergency Regulation vests the administration of the affairs of the local authorities for which elections are to be held in Competent Authorities selected by the President.

We have on previous occasions highlighted the illegality and danger of using Emergency Regulations to interfere with the functioning of local government and local government elections. We are of the view that the use of emergency powers in day-to-day governance in peacetime is an abuse of Presidential powers and unacceptable in a democracy. In a statement issued on 11 May 2011 we raised our concerns in the following terms:

The use of emergency regulations to execute the presidential fiat in relation to local government is not only plainly illegal and beyond the scope of the powers conferred by the Public Security Ordinance, but it is also a partisan usurpation of and interference with the democratic structures that are closest to the people. This evinces not only the dangers of the continuation in force of the state of emergency and the normalisation of these extraordinary powers in civil administration, but also the government's tendency to centralisation and executive unilateralism.

While CPA calls upon the government to end emergency rule and formally rescind extant Emergency Regulations – specifically those that interfere with the franchise -we also call on all citizens of Sri Lanka to diligently and relentlessly safeguard their civil liberties by expressing their outrage at any attempts to undermine those freedoms.

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The **Centre for Policy Alternatives** (CPA) was formed in the firm belief that there is an urgent need to strengthen institution- and capacity-building for good governance and conflict transformation in Sri Lanka and that non-partisan civil society groups have an important and constructive contribution to make to this process. The primary role envisaged for the Centre in the field of public policy is a

pro-active and interventionary one, aimed at the dissemination and advocacy of policy alternatives for non-violent conflict resolution and democratic governance. Accordingly, the work of the Centre involves a major research component through which the policy alternatives advocated are identified and developed.