

## DEMOCRATIC NATIONAL ALLIANCE

### CONSTITUTION



#### PREAMBLE

Whereas at present the masses have been made to live below the poverty line and in fear and harassment, whilst a few political opportunists are enjoying the national wealth, the country being riddled by corruption, nepotism and wastage. and

Whereas the fixed wage earners, public servants, pensioners are totally forgotten and left to fend for themselves, and

Whereas the agricultural sector consisting of farmers, estate workers, small holders are compelled to seek out an existence; and

Whereas the powers that be seem totally unconcerned and oblivious about the welfare of the disabled, disadvantaged, under employed, unemployed and under privileged sectors of the population, and

Whereas the industry has ceased to be productive due to lack of proper policies, lack of governmental encouragement, burdensome regulatory measures and bribery, and

Whereas the country is now facing total collapse of economy affecting the entire social and moral fabric of the country leading to anarchy and disorder never seen before.

Whereas the open dissection to the constitution by the President has seriously undermined all democratic institutions especially that of Parliament paving the road to a dictatorial Police state, and

Whereas the non resolution of the ethnic question and continuing war has become the single most obstacle to the economic and social development of our country, and

Whereas the culture of impunity prevalent in Sri Lanka today has led the near total collapse of the law and order situation especially in view of the mounting number of human right violation, and

Thus therefore the time has now come to form a broad alliance of all progressive force to combat this evil and to bring in stability, social harmony, to free the people from want and leading to prosperity and well being.

## 01. AIMS AND OBJECTIVES

1.1 To safe-guard and Maintain the territorial Integrity and sovereignty and National Unity of Sri Lanka.

1.2 To make the Executive including the President effectively responsible to Parliament and responsive to people's opinion.

1.3 To establish and strengthen Parliamentary control over Finance and Public spending.

1.4 To establish economic independence and provide equal opportunities to all citizens.

1.5 To protect political freedom and the freedom of expression and to safeguard democratic rights.

1.6 To Establish cultural freedom in society and protect children's and women's rights so as to give equal treatment to all irrespective of ethnic, religious, language and cultural divergence and to protect the rights of various sections of society.

1.7 To create a clean and transparent administrative machinery free of bribery and corruptions.

1.8 To successfully negotiate and implement a Political settlement which would lay the foundation for durable peace based on principles of Democracy, pluralism and multi ethnicity within the "indivisible Sri Lanka"

1.9 To restore the rule of Law by making the Police and the Judiciary completely free of political interference in an environment where justice could be carried out without fear or favour.

## 02. PRINCIPLES OF THE ALLIANCE

### AN INDIVISIBLE SRI LANKA

An indivisible Sri Lanka based on the principles of Unity in Diversity the resolution of the national question remains the most compelling and pressing problem in Sri Lanka today. Therefore the Alliance will be committed to implement Political settlement based on the principles democracy, Pluralism and multi ethnicity within an indivisible Sri Lanka

### 2.2 A FREE STATE

Establishment of a democratic, peaceful and free State with an independent national administrative machinery which will respect and protect the fundamental human rights of all our peoples.

### 2.3 A STATE WITH RELIGIOUS FREEDOM

Protecting religious freedom whilst giving Buddhism the religion practiced by the majority its due and proper place.

### 2.4 A PROSPEROUS STATE

Providing state assistance in order to achieve professional excellence to provide increased job opportunities in the short term with the view to enhance per capita income and thereby liberate the oppressed public from poverty and haplessness.

### 2.5 A STATE WITH BENEFITS TO ALL

Protection of industries specially small and medium and encourage large scale investments in the private sector in regard to agricultural supplies and other services, increasing of productions and service supplies in all sectors through such activities.

### 2.6 A HEALTHY STATE

Taking measures to safeguard the health of the nation. Enlistment of measures for alleviating malnutrition which has spread extensively and to promote national level nutrition including medical services for children and women.

### 2.7 A STATE WITH SHELTER FOR ALL

Implementation of schemes which helps the houseless public to own a permanent house and to build up an administrative machinery to achieve this.

### 2.8 A STATE WITH AN EDUCATED CITIZENRY

Implementation of a state policy to create a national education system suitable for the 21 century which ensures education to all.

### 2.9 A PEACEFUL STATE

Creation of a peaceful society which establishes freedom free from violence, threat, harassment and fear.

## 2.10 A STATE WHICH PROTECTS INDIGENOUS CULTURAL VALUES

Implementation of a scheme which protects and promotes indigenous cultural values of Sri Lankan people with a history of 2500 years.

## 2.11 A STATE TO EARN THE RESPECT OF THE WORLD

Creation of a sovereign state which will facilitate Sri Lanka to go forward with dignity in a progressive world.

## 03. CONSTITUTION OF THE DEMOCRATIC NATIONAL ALLIANCE

We the members, have agreed to perform under the name and style of "DEMOCRATIC NATIONAL ALLIANCE" (hereinafter sometimes referred to as "Alliance".) to achieve the above political aims and objectives, and do hereby affirm and resolve that it should function as a political party under election laws in force in Sri Lanka and to take all necessary actions jointly under the provisions of this constitution.

3.1 "DEMOCRATIC NATIONAL ALLIANCE" shall be the name of the Alliance constituted by Political parties, groups and organizations whose representatives have signed below and any other Political parties, groups and organizations who will be admitted to this alliance in terms of this constitution. (Herein after referred to as member party of the Alliance)

3.2 The registered office of this alliance shall be at 49/53-8, Şalmal Uyana, kiringiwela Road, Yakkala.

3.3 All correspondence made with this Alliance by member parties, organizations and groups including various other organizations and individuals should be addressed to the respective officers of the Alliance at the registered office.

## 04. EXECUTIVE COUNCIL OF THE ALLIANCE

4.1 Executive Council shall be the Supreme Council of the Alliance which shall have the power of laying down the policies to be followed and taking conclusive decisions on subjects and activities entrusted to the Office Bearers and committees of the Alliance.

4.2 The decisions of the Executive Council as far as possible should be by consensus and when such consensus is not possible, on the basis of majority subject to the provisions of this constitution. The Alliance and the member parties shall be bound to follow such decisions.

4.3 The Executive Council shall at its discretion have power to appoint national and local committees to implement decisions under the supervision of the Executive Council. In

appointing the members of such committees the Executive Council shall do so maintaining the representation of the member parties in the Executive Council and maintain the balance of power. Such committees and their members shall function in accordance with orders and advice of the Executive Council. The Executive Council shall have the power to remove members from committees, to dissolve such committees and to appoint new committees in their place and to dissolve and abolish such committees.

4.4 Written records shall be maintained in regard to all decisions of the Executive Council

#### 4.5 COMPOSITION OF THE EXECUTIVE COUNCIL

\*4.5.1 The Executive Council of the Alliance at its commencement shall consist of members nominated by each signed member parties.

4.5.2 The member Party with largest electoral base as reflected at last general election (Hereinafter referred as the "Largest member party") has the right to appoint members to the Executive Council so as to bring the number of such members in the Council to be Fifty Per Cent + Additional one (50% +1) together with members to be appointed by the said member party.

4.5.3 The other member parties of the Alliance can appoint the remaining members to the Executive Council. However number of members to be appointed by each party shall be decided by the Executive Council in consultation with all parties concerned. In this connection the decision of the Executive Council shall be final and conclusive.

#### 5. OFFICE BEARERS OF THE ALLIANCE

5.1 The Executive Council shall consist of minimum of five (5) members and following office bearers to be appointed from among the members of the Executive Council as mentioned below.

1. Leader of the Alliance

2. Three deputy leaders (Optional)

3. President

4. General Secretary

5. National Organiser

6. Treasurer

7. Five Vice Presidents (Maximum) (Optional)

8. Five Assistant Secretaries (Maximum) (Optional)

9. Executive Members (All other members of the Executive Council exclusive of the office bearers mentioned from 1-8 shall be considered as Executive Members)

5.2 The largest member party has the right to nominate the Leader of the alliance and the General Secretary of the Alliance.

5.3 Deputy Leaders, President, National Organiser, Treasurer, Vice President and Assistant Secretaries shall be elected from among the members of the Executive Council. Such elections should be made so as to represent all member parties as far as possible among the office bearers. Every attempt should be made to make this appointment with unanimity and wherever it is not possible to do so appointments will be made upon the majority votes.

5.4 The political parties who appoint members and office bearers to the Executive Council using their right to do so shall have the power to make a request through their General Secretaries to remove such persons from the membership of the Executive Council or from the office concerned at any time when such political parties decide to do so. When such a request is made by the Secretary such member or office bearer shall be deemed to have been removed from the executive council. The power of appointing a new member or a new office bearer to fill such vacancy shall be vested in the party concerned which shall act through its secretary.

5.5 The Executive Council shall have the power to authorize and maintain Bank Account or Bank Accounts in any Bank/s of Sri Lanka under the name of the Alliance on a motion adopted by it. Opening of such bank accounts maintenance of such Accounts, opening of various Bank Accounts and their maintenance, signing of Cheques and advising banks on bank drafts should be made with the signatures of any two officers from among the Leader, President, Treasurer and the General Secretary of the Alliance not being from the same Party.

## 06. POWERS AND RESPONSIBILITIES OF OFFICE BEARERS.

### 6.1 LEADER OF THE ALLIANCE

Leader of the Alliance shall be the highest office of the Alliance and he shall have the power to represent the Alliance at National and International levels, any political activity and to make statements on the policies affairs and functions of the Alliance, its political vision and to give political leadership to make the Alliance popular among the masses. Further all the political

meetings, discussions and occasions and meetings of the Executive Council shall be headed by him and whenever he is unable to do so he shall nominate a person from among the officers and members of the Executive Council to function as the Leader of the Executive Council and other occasions mentioned above.

## 6.2 DEPUTY LEADERS

Participation and providing Leadership in the Alliance activities as advised and requested by the Leader of the Alliance in accordance with the Executive Council decisions and discharging of ordinary and special responsibilities entrusted by the Executive Council of the Alliance from time to time.

## 6.3. PRESIDENT

6.3.1 Participation and providing Leadership in the Alliance activities as advised and requested by the Leader of the Alliance in accordance with the Executive Council decisions and discharging of ordinary and special responsibilities entrusted by the Executive Council of the Alliance from time to time.

6.3.2 All documents other than those connected with elections addressed by the General Secretary to the Commissioner of Elections, Election Commission, Secretary General to the Parliament and District Returning Officers should be counter- signed by the President. However it is essential to obtain written statement from the Secretary of each political party concerned in every such instance to ensure agreement of other political parties concerned.

## 6.4 GENERAL SECRETARY

6.4.1 Responsibilities of the General Secretary shall include proper maintenance of records and files connected with the Executive Council of the Alliance and all other activities, keeping them in his safe custody, making available representations and letters addressed to the Alliance to all office bearers and party members concerned, replying such letters after obtaining necessary instructions and maintenance of the Alliance Office and correspondence properly.

6.4.2 Responsibilities of the General Secretary includes attending to all duties connected with the alliance and the Commissioner of Elections, Election Commission, Returning Officers, Secretary General to the Parliament, Government Ministries, Institutions and officers, Coordination with them and with such Institutions connected with elections laws, rules and regulations, correspondence with the Parliament and submission of list of candidates at an election duly signed in accordance with the decisions taken by the Executive Council. In performing these duties action should be taken in accordance with the powers granted to the President of the Alliance by this Constitution. Further issue of a statement approved by the Executive Council on behalf of the Alliance duly signed by him shall also be a responsibility of the General Secretary.

6.4.3 A copy of letter sent by the General Secretary shall be addressed to the President. Further copy should also be sent to all Secretaries, of the member parties of the Alliance.

#### 6.5 NATIONAL ORGANISER

6.5.1 Providing Leadership for political activities to be organized at national level as decided by the Executive Council and to organize them.

6.5.2 Organisation and Supervision of national level election activities as decided by the Executive Council on occasions of such elections.

6.5.3 Supervision of duties assigned to local and other committees appointed in connection with the above activities and reporting to the Executive Council on such activities.

#### 6.6 TRESURER

6.6.1 Management of membership fees received from member parties of the Alliance including donations and other monies received by the alliance and maintenance of their proper records are the responsibilities of the Treasurer.

6.6.2 Finding various devices to raise funds for the alliance and operating them with the approval of Executive Council and raising funds for the Alliance shall also be the responsibility of the Treasurer.

6.6.3 He should produce to the Executive Council a report on funds and expenditure of the alliance once a year. When funds are raised for a special activity separate records of accounts should be maintained and it should be submitted to the Executive Council for approval on completion of such activity.

6.6.4 Maintenance of Bank Accounts in a manner prescribed by the Executive Council and keeping all Cheques and other documents in safe custody is also a responsibility of the Treasurer.

6.6.5 In case of dissolutions of the alliance due to whatever reason, all the monies as well as movable and immovable properties of the alliance shall be handed over to a recognized charity to be decided by the Executive Council.

#### 07. MEETINGS OF THE EXECUTIVE COUNCIL.

7.1. The quorum for meetings of the Executive Council shall be 1/3 of the full membership of Council. Leader of the Alliance, President, General Secretary and the Treasurer should essentially participate in such meetings. When an office bearer is unable to participate in such meeting due to personal or other reasons, the party concerned should appoint a member of the



Executive Council to represent such absentee. The Executive Council shall meet once in three months.

7.2 All meetings of the Executive Council shall be convened by the General Secretary on an order made the Leader of the Alliance.

7.3 a written request is submitted to the Leader of the Alliance duly signed by 1/3 of the Executive Council Members or by the President of the Alliance in order to discuss an urgent matter, The Leader of the Alliance shall take steps to convene the Executive Council for discussing such matter.

7.4 It shall be the duty of every member of the Executive Council to participate in every meeting of the council. If a member fails to participate three consecutive meetings/ without obtaining prior permission the executive council has the power to terminate member's membership and inform the said decision to the member party to which the said member belongs.

#### 08. SPECIAL PROVISIONS

8.1 Respective member parties will have the power of taking disciplinary action on each member nominated by such member parties for the list of candidates to be submitted by the Alliance in any election. (inclusive of the National List in case of Parliamentary Election) and the General Secretary of the Alliance shall take action to remove the Member of Parliament concerned after informing the Commissioner of Elections, Election Commission, Returning Officers and Secretary General to the Parliament solely upon the request of each member party.

8.2 Any party member or an organization which violate decisions of the Alliance or infringes provisions of this Constitution may be expelled upon the result of a prior inquiry on a motion adopted by the Executive Council. On such an occasion the Alliance will have no right to take disciplinary measures against a Member of Parliament or a Member of Provincial Council or Local Government Institution elected or appointed under the Alliance List of such party

8.3 When a Member of Parliament or a Member of Provincial Council or a Local Government Institution elected upon the nomination of the Alliance and after such election if that office falls vacant and when the Commissioner of Election or the Election Commission request the General Secretary of the Alliance under the law prevailing at that time, the General Secretary of the Alliance should inform the Commissioner of Elections or the Election Commission or the Returning Officers to fill such vacancy by suggesting a name submitted by the member party whose member was holding the membership of Parliament, Provincial Council or Local Government Institution.

8.4 Taking disciplinary action on Members of Parliament or on Members of Provincial Council or other Local Government Institution elected or appointed upon the nomination of the alliance shall be vested exclusively in the member parties concerned in which they were members at the

time of contesting such elections at all time notwithstanding whether such member party is continued be member of the Alliance or had ceased to be member of the Alliance.

8.5 If a person is expelled by his member party, membership of such person in the Alliance shall automatically be null and void.

8.6 All members of the member parties of the Alliance shall be considered as members of the Alliance and no readmission or payment of a membership fee is required for this purpose.

8.7 When a Member of Parliament or a Member of Provincial Council or any other Local Government Institution elected upon the nomination list of the Alliance is expelled from his party it shall be the duty of the Alliance to inform such expelling to the Commissioner of Elections or the Election Commissioner or the Returning Officer of the Council concerned immediately upon the information received from the General Secretary or the Secretary of the member party about such expelling.

8.8 When Member of Parliament or Member of Provincial Council or Local Government Institution belonging to a member Party of the Alliance, obtains membership of another member party he shall forgo the office of Member of Parliament or Member of Provincial Council or Local Government Institution and further no other member party shall recruit him as a member.

8.9 This Alliance is a political alliance of member parties at national level. Hence branches or organizations of the Alliance shall not be established in electorates or districts. Member political parties of the Alliance should organize their political activities independently in districts, electorates and at village level. parties of the Alliance shall not criticize in public, other member parties of the Alliance, their policies, activities, leaders and members or candidates politically or privately. On submission of nominations by the Alliance for any election, the Executive Council may appoint district committees for carrying out election work in terms of this constitution in order to face such elections. Such district committees should be fully subject to powers and directives of the Executive Council. Committees required for specific political activities can be appointed on the special authority of the Executive Council.

8.10 All member parties, all sub organizations and members of the Alliance shall be bound to formulate and adopt a code of conduct to be observed by the member parties of the Alliance for maintaining unity and corporation, by the member parties, all public representatives of all levels and political leaders of all level, organizations affiliated to Trade Unions and their active members, various media units run by member parties and news papers.

8.11 The party's name can be changed with the approval of the executive committee.

## 09. GENERAL PROVISIONS

9.1 The exclusive power of interpreting the provisions mentioned in this constitution shall be vested in the Executive Council.

9.2 The exclusive power of amending this constitution shall be vested in the Executive Council by consensus and not by majority voting.