

We write in respect to the Article captioned 'Millions spent on 9-member committee appointed to draft new constitution' which appeared in the front page of the Sunday Times of 13th November 2022. The caption and article are misleading as are many similar reports in the media.

The majority of the Members of the Committee opted not to accept any payment whatsoever despite the State offering an honorarium in addition to travel and attendant expenses, where applicable.

The payments included an allowance for the Secretary, allowances for Research Officers and an honorarium to some of the Members (at Rs. 25,000 each per day attended). The Research Assistants were paid Rs.80,000/- [full time] and 40,000/- [part time] per month. The rest of the expenses were paid directly by the Government to the BMICH where a majority of the meetings were held.

As per the Article published, the Cabinet had allocated Rs.158 Million. The Committee was not privy to a breakdown of the actual amounts spent out of this allocation. Unfortunately, as the article too has not given such a breakdown, it conveys the impression that the total allocation was spent by the Members which is far from the truth.

In fact, expenses for traveling and accommodation, were borne by a majority of the Members personally. A case in point is when meeting the Venerable Mahanayakes to obtain their views.

It should be obvious that the major expenses would have been for the payments made for halls at the BMICH when the Committee met with delegations. The Committee was obliged to meet at the BMICH as per Government direction, and Committee meetings were held at a room outside the main building to save expense. Though the Committee did not ask for any room for its deliberations, it was allocated 5 rooms out of which 4 were returned, leaving only one till the end of its term. It will be appreciated that the payments were a transfer of funds from one Government institution to another.

Thus it is hurtful when the impression is given that millions have been spent on the Committee. As for the time frame, the Committee was appointed in October 2020 and met immediately thereafter.

The Constitution could have been drafted in a matter of months, if it was to only contain the views of the Committee. However the draft Constitution had to reflect the views of the Country. Thus, the views of the public were sought and time given for response. There were approximately 840 lengthy written Memoranda which had to be studied.

The Committee met all Political Parties represented in Parliament save the SJB which refused to present their views. In addition, the Committee met the four Venerable Mahanayakes, the Catholic Bishops' Conference, delegations from the Church of Ceylon which included Most Rev. Bishop Rodrigo and the National Christian Council of Sri Lanka which included Rev. Ebenezer Joseph, President of the Methodist Church, and delegations from the Buddhist, Hindu and Muslim Communities including representatives from the All Ceylon Buddhist Congress, Hindu Cultural Association, the All Ceylon Jamiyyathul Ulama, the Supreme Council of Sufi Tareeqas, and Mr. M U M Rizwan Naleemi, AAL. The Committee met with delegations from the Communist Party of Sri Lanka, the All Ceylon Makkal Congress, the Sri Lanka Podujana Peramuna, the Jathika Nidahas Peramuna, the Pivithuru Hela Urumaya, the United People's Party, the Democratic Left Front, the Tamil National Alliance, the Sri Lanka Muslim Congress, the Jathika Hela Urumaya, the Eelam

People's Democratic Party, the Tamil Progressive Alliance [the Democratic People's Front and the National Union of Workers], the Socialist Alliance, the Up Country People's Front, the Mahajana Eksath Peramuna, the Thamil Makkal Viduthalai Pulikal, the Ceylon Workers Congress, the Sri Lanka Freedom Party, the Lanka Samasamaja Party, the Sri Lanka Mahajana Pakshaya, the Thamil Makkal Theshiya Kuttani. The Committee also met with a delegation which was representative of experts on Finance / Economic matters which included Dr. P.N. Weerasinghe, Former Deputy Governor, Central Bank of Sri Lanka [CBSL], Hon Ajith Nivard Cabral, State Minister of Money & Capital Market and State Enterprise Reforms, Mr. S. R. Attygalle Secretary to the Treasury and Ministry of Finance, Deshamanya Prof. W.D. Lakshman, Governor, Central Bank of Sri Lanka, Dr. Rane Jayamaha, Member, Monetary Board of the CBSL and senior officers of the CBSL [*all designations as they then were*], a delegation representative of the business community, which included the founder of Dilmah Tea, Director of the Commercial Bank of Sri Lanka, Chairman/CEO of John Keells Holdings PLC, Chairman/CEO of Hayleys PLC, Chairman of CIC Holdings PLC, Chairman and a Director of Sri Lanka Telecom PLC, the Emeritus Managing Director of the DSI Samson Group, Founder Chairman of Laugfs Holdings Limited, the Corporate Executive Vice President and Group Chief Executive of Dialog Axiata PLC, the CEO of Brandix Lanka Limited and the Chairman of Tokyo Cement Company (Lanka) PLC, delegations from the Buddha Sasana Karya Saadhaka Mandalaya and other Bhikkus and religious groups for clarifications on written Memoranda submitted by them to the Committee, a group of professionals for clarifications on written Memoranda submitted by them to the Committee including Lt. Col Anil Amarasekera (Retd.), Mr. Rajpal Abeynayake, Mr. Harindra Dunuwille, AAL, former MP and Mayor, Mr. Prasantha Lal de Alwis, PC, Dr. S.F.A. Cooray, a delegation comprised of individuals and organizations who had submitted proposals on Fundamental Rights including the Enable Lanka Foundation, Emeritus Professor Savithri Goonasekera, Prof Sarath Mathilal de Silva, Prof. Deepika Udagama, Prof. Saroj Jayasinghe and Dr. Asoka Bandarage, a delegation representing the EFL and other experts on Environmental Law and preservation including Dr. Jagath Goonawardana, AAL and Dr. Kokila Konasinghe, the then Hon. Minister of Justice, delegations representing the GMOA and the OPA, Dr. Sakunthala Kadirgamar representing the Law and Society Trust, a delegation representing PAFFREL, and delegations representing the Hon. Attorney-General's Department, and the UNICEF.

Then unfortunately there was the outbreak of the pandemic which slowed the work of the Committee. The Committee report was ready in December 2021 (which was just a year after the appointment). However the report and the draft Constitution had to be sent to the Legal Draftsman's Department for *inter alia* translation.

The draft Constitution was handed over to the then President, His Excellency Gotabaya Rajapaksa in April 2022 and with his consent handed over to *inter alia* the four Venerable Mahanayaka Theros, the Catholic Bishop's Conference, Right Rev. Bishop Rodrigo, Rev. Ebenezer Joseph and other religious dignitaries. It was also handed over to Hon. Sajith Premadasa (Leader of the Opposition), Hon. R. Sampanthan, Hon. Wigneswaran, Hon. Ranil Wickremasinghe [as he then was] and Hon. Wijedasa Rajapakse, Minister of Justice, among others.

It is indeed unfortunate that the draft Constitution was not deliberated upon. It is a holistic Constitution which deals with and reflects the views of the People of this country and provides solutions to a number of issues.

The Committee is willing to present the Constitution to a Sub-Committee of Parliament or to the Cabinet if called upon, or to the public.

We have no doubt that you would publish this response in your paper with equal prominence.