

First Interim Report

Provincial Council Elections

North-central and Sabaragamuwa Provinces

Introduction:

The provincial council election held on 10th May, 2008 ended leading to number of elections. Elections of North-central and Sabaragamuwa Provinces, which are due to be held on 23rd August, 2008, are coming up. Last elections to elect members for these two provinces, which represent historically and economically special zones, were held on 24th April, 2004. Thus, these two people's representative institutions, which were due to be dissolved in August, 2009 along with the completion of five year term have been dissolved with effect from 12.00 midnight of 09th June, 2008. These two geographical areas are inherited with features of dissimilar nature to large extent in human behavior and activities, North-central being geographically the largest province and consisting of number of threatened villages adjoining the Northern Province which experiences armed confrontations and, Sabaragamuwa being a province with ethnic variety and enriched with unique mineral resources.

Calling of nominations for these two distinctive provinces, for which elections are due to be held on 23rd of August, 2008, was commenced on 27th June, 2008 and closed at 12.00 noon on 04th of July, 2008. The timeframe for elections has already been published by the Department of Elections. Thus, calling of applications for postal voting was commenced on 24th June, 2008 and continued up to 10th of July, 2008. Now, dates for postal voting have been fixed. Dates are 7th and 8th of August, 2008. Number of voters eligible for postal voting is 51,248. The distribution of postal ballot papers is due to commence on 28th of July. The election campaign, which was officially got underway from the date of nomination, will be wound up at 12.00 midnight of 21st August, 2008. Subsequently, from 7.00 a.m. to 4.00 p.m. on 23rd of August, the people of these two provinces will cast their votes elect the new provincial council members.

About 10% of the total numbers of present voting population of Sri Lanka are due to vote on that day. Therefore, we considered it appropriate to present some statistics that may be relevant to the provincial council elections of these two provinces. That is with the view to facilitate a clear assessment on the present ground situation of these areas. Thus, the following Table with demographical statistics would provide a picture on the unique position prevails in these districts.

Provincial Council Elections – 2008.

Demographic Statistics Related to

Provincial Council Elections of North-central and Sabaragamuwa

Province/District	No.of Electorates	No.of Voters	No.of Polling Stations	No.of Provincial Councilors to be elected	No.of Contesting Political Parties	No.of Candidates
Anuradhapuraya	7	569,398	527	21	12	456
Polonnaruwa	3	277,056	231	10	10	234
North-central	10	846 454	758	31	22	690
Rathnapura	8	713 205	541	24	12	567
Kegalle	9	605 621	473	18	11	441
Sabaragamuwa	17	1 318 826	1014	42	23	1008

As clearly indicated in the above Table, the total number of persons eligible to vote at the upcoming provincial council elections is 2,165,280. This is about 10% of the total number of voters in Sri Lanka. Therefore, the outcome of these elections will be able to make strong impacts on the voters and their dependants. In that sense, local governance that would represent the expectations of the people of both provinces will be resulted in only if the provincial council elections would be held in due time, systematically and freely. Paffrel Organization observes these elections with those views as well as the impact that would have and also the precedence that contributes towards the total democracy of the country

02' Standpoint of the Paffrel and the nature of interference:

We have clarified our standpoint in the press statement issued by us on two days after the dissolution of North-central and Sabaragamuwa Provincial Councils, which were due to be dissolved in August, 2009. We believe that the basic points that were mentioned in that statement should be emphasized, even briefly. Because, that some predictions that we had made are, at present, becoming realities at the ground level. Those points are as follows.

01. The standpoint of the Paffrel is that provincial council elections should be held after the approval of the 17th amendment and dissolving all provincial councils and hold the elections at the same time. We had expressed our objections on dissolving individual provincial councils.
02. A bleak and an undesirable message is communicated through the dissolution of provincial councils, in accordance with the whims and fancies and political requirements of the central government, rather than opening avenues for the minorities towards their participation in the governance and strengthening the provincial councils, which had been introduced as a solution to the ethnic problem.
03. The opinion of the voters, which is extracted by sensitizing them through the focusing of massive publicity campaign, utilizing boundless pecuniary and official strengths by all political parties, including government parties and, especially through the misappropriation of government properties, vehicles, fuel, and government media by the governing party, in to one or two provinces, could not be interpreted as an innate opinion.
04. The severe unforgivable struggle done by different political parties within a narrow geographical area to acquire the power will cause social stress and will lead to menacing deeds. Bursting and ripping up all socio ethical bonds, hatred, personal insults, vengeance, egotism, disregard of the law, threats, warnings, commotions and rowdiness would prevail.

Therefore, the Paffrel Organization has a stricture against the government for the decision taken to conduct elections in staggered out manner. Anyway, now election contest has been started. Paffrel Organization has to observe whether the conduct of the contest in the arena would be free and fair. Our observing activities basically organized in the following manner.

We discussed with different leaders and political parties with the view of explaining them the manner of the contribution of the Paffrel Organization at the election also to enable us to understand, from the viewpoint of political parties, the system of their preparations and the problems faced by them.

The discussion we had with the Commissioner of Elections, to explain him our observational methodology was also a unique one. It was here that the suggestion to consider the recommendation of the observers to cancel the elections of polling stations where the election is conducted in abusive manner was discussed very seriously. It was through this discussion that the attention was drawn to the basis for the change of temporary identity cards and it was to become a reality.

We have established four District Offices, one for each district, for four districts of two provinces. 26 Divisional Offices, which conduct the coordination and monitoring of observational activities complying with the basic guidelines laid down by the Paffrel Organization, and adjusting to special conditions of the district, are providing the leadership for observational activities at the ground level. Whether an election was held freely and fairly and without pressure is not decided only on the conditions prevailed on the day of the election. The mentality imposed on the people of the area in the pre-election period definitely affects the nature of the election day. Therefore, 160 competent observers have been deployed for pre-election observations in Sabaragamuwa Province and 100 in North-central Province. Basic training activities have already been completed to train 2,500 observers in two provincial council areas. This number consists of at least one voter attached to each polling station established in both provinces and two for polling stations identified as stations with risks of election offences. As in other elections, it is one of our tasks to employ mobile observers to observe incidents and conditions in areas outside the polling stations. This will be done with employing 300 mobile observers, using 52 mobile observation vehicles and additional 08 vehicles with the participation of persons with national level recognition.

In addition to above, mention should be made on one special matter which is expected to be implemented. That is, more importance and responsibility are imposed on the duties of the observers stationed in polling stations. The Senior Presiding Officer will issue a form in two copies to the Paffrel representative who will attend to observe the election to observe election malpractices and violence. At the end of the election, the Senior Presiding Officer will collect one of the completed forms and the second copy will be handed over to the Paffrel observer. He or she will direct his/her copy to the Head Office of the Paffrel before 8.00 p.m. and the Paffrel Organization will submit it to the Commissioner of Elections, depending on the importance of the contents of the form. The Commissioner of Elections will pay special attention to these reports, when arriving at a decision on whether the election of any particular polling station should be cancelled or not.

Paffrel Organization shall apply the observation methodology that has been used by the Paffrel Organization right through its history of observations. Although this methodology has not been explained

in detail here, this has been proved acceptable and was explained in number of our reports earlier. In this process, we have completed necessary structural and designing changes to make the observation more fruitful. Accordingly, all required preparations, from the Paffrel Organization, are being done.

03. The role of the Election Commissioner:

We take this an opportunity to submit our observations on Commissioner of Elections and his staff. There is a double-edged issue in our society where the Commissioner of Elections has to perform the duties expected from a future Independent Election Commission, under the situation where the 17th amendment is still not being implemented. Even within such constraints, the Department, headed by the Commissioner of Elections, is taking steps to conduct elections, fairly and freely, with their maximum capacity and strategies. New steps that the Commissioner is expected to follow in cancelling the polls in polling stations where irregularities and election frauds are taken are one of the examples.

The procedure that prevailed was to take the decision based on the recommendation of the Senior Presiding Officer who is in charge of the polling station, whether the election of a particular polling station is valid or not. But, during last number of elections, it could be observed that in spite of receiving strong evidence that could be proved on election frauds through external sources, due to some reason or other, these had not been included in the reports of Senior Presiding Officers. As a remedy, a new system which was approved by the Commissioner of Elections will be made use of this time. The Commissioner of Elections has made arrangements to consider the cancellation of elections of such polling booths where, in spite of non-reporting of election frauds by the Senior Presiding Officer, if the Paffrel election observer confirms that incidents strong enough to cancel the election had taken place in that electoral area. Paffrel Organization wishes to express its gratitude to him for this inspiring step.

Further, new arrangements had been taken to issue temporary identity cards with the approval of the Assistant Election Commissioner of the district, to avoid irregularities and lack of coordination in issuing temporary identity cards by Divisional Secretaries, on the recommendations of the Grama Niladhari.

04 ' Pre-election violence and irregularities.

Midst of strict instructions issued by the Commissioner of Elections to act complying with the Election Law, several irregularities and violence have been reported to us at this moment where election campaigns are being taken place. By number it may be small. But in spite of the fact that there are 23 days more for elections, it is all important that majority of these incidents are related to beating. By number it is 18. If these incidents are on beating by one person of another person only, we do not have to worry about it. In almost every incident it was groups of people that had taken part. This is the issue. Although these are reported as beating, what is being happening are

conflicts among groups. These are not brawls by individuals to curb their feelings but done well planned, intentional and with the confidence that there is a political force behind them to provide them the safety. We are in a risky situation that this group mentality could be extended and operated up to any limit. That is why we should be disturbed. The Table below with some data confirms this statement.

Provincial Council Elections – 2008.

Provincial Councils of North-central and Sabaragamuwa

Complaints received form the Nomination Day

Nature of Incidents	Anuradhapura	Polonnaruwa	North-Central (Total)	Rathnapura	Kegalle	Sabaragamuwa (Total)	GRAND TOTAL
Beating	5	5	10	4	4	8	18
Threatening and Frightening	1	1	2		1	1	3
Damages to movable properties	3		3		1	1	4
Destroying decorations	4		4		1	1	5
Destruction and arson of political party offices		1	1	1		1	2
Disturbances to political campaigns		1	1				1
Misuse of Government properties	2	1	3	1		1	4
Misuse of government authority		1	1				1
Other	1		1				1
TOTAL	16	10	26	6	7	13	39