



PAFFREL RECOMMENDATIONS ON THE LOCAL AUTHORITIES ELECTIONS (AMENDMENT) BILL

PAFFREL is a recognized and leading election watch organization with long years of experience in monitoring elections and has contributed towards establishing responsive local governance in Sri Lanka. We welcome the initiative taken to improve the performance of local authorities through the amendments to the Local Authorities Elections (amendment) bill and the Local Authorities Elections Ordinance, both of which may be passed soon.

We strongly support the reintroduction of the Ward System that would enable the elected candidates to be responsive to the needs of voters of a specific geographic area within the local government.

The Ward System to elect members is likely to reduce violence and campaigning cost of candidates. We also note that the new system will be a hybrid with first past the post (FPP) for wards and another smaller set of members selected on the basis of proportional votes among those defeated in the FPP process. We note that the new system is not designed as the old one to provide bonus seats according to the winning vote but rather to represent those not represented through the FPP vote.

The voters may also have greater confidence in the results if counting of votes takes place at the polling station itself under their observations. Sufficient security should be provided at the counting stations. It would be opportune to permit voters to observe and monitor the counting process. This can create greater confidence in the results, among the voters and the candidates, and reduce allegations of frauds during counting by the losing candidates.

The declaration of assets with the submission of nominations of candidates or within a week of being declared a candidate can contribute to improved accountability and transparency of the candidates and lend credibility to this electoral process.

We also note with appreciation that in the draft bill that a rejection of a candidate during nominations will not result in the rejection of the entire list of candidates.

However, there are other concerns that we have about the amendment bills that need to be addressed. They are noted below.



1. ESTABLISHING OF A DELIMITATION COMMITTEE

- The minister should announce the criteria for selecting and removing members to the National and district Committees and there should be provisions to select representatives from minority groups.
- District Delimitation – There should be Tamil and Muslim representatives in the Eastern and Northern provinces and representation of the interests of the plantation populations in districts where they are a significant part of the population.
- Include a system of appeal of decisions taken by the Committees.
- There should be a clear definition of the criteria for delimitation and this should be published.
- Electoral lists to be finalized before the district and national delimitation committees begin their work
- Use the existing number of members of a specific local authority for purposes of the delimitation.

2. NOMINATIONS

- Reconsider granting opportunity for individuals or groups to contest part of the total local government territory.
- Consider reducing the value of the deposit for an individual and independent member to contest.
- Consider disqualification from candidacy, those who have served in the local authority area as public officers involved in distributing community level social services.

3. FILLING THE VACANCIES

- We suggest that vacancies should be filled through bye-elections to fill the vacancies according to the FPP system.

4. QUOTA FOR WOMEN AND YOUTH FOR NOMINATIONS

- We suggest that there should be at least 30% quota for Women and Youth in the nomination list and to make it mandatory.
- We suggest when selecting members through Proportional Representatives from the 30% of that to grant a 60% quota for Women and Youth.



5. SELECTING OF MAYOR, CHAIRMAN AND VICE CHAIRMAN

- We suggest that the representatives of the local body should select these positions as the norm.
- Methods to fill these vacancies at the time of resignation should be democratic and a system of election is the preferred option.

6. MULTI MEMBERS WARD

- We suggest that there should be clear criteria to define Multi Member Wards.

7. ASSET DECLARATION

- We suggest that the declaration of assets to be submitted at the time of handing over the nomination or at least within a week after nominations are handed over.
- The names of the nominees who have declared assets to be published outside the polling station.
- Nominations of candidates who fail to make the required declarations of assets should be disqualified.

8. PROPORTIONAL REPRESENTATIONS

- We suggest 60% under FPP and 40% for PR be considered.
- We suggest that the delimitation committee should consider the current figure (the number of members) as a fixed number and out of that number 60% could be used for demarcation under the FPP and 40% for PR system.

9. CAMPAIGNING

- We suggest that a proposal be introduced to limit the spending for campaigning or electioneering for each candidate.

10. COUNTING OF VOTES

- We propose that counting of the votes in the first instance should be at the relevant polling stations in the presence of representatives of contesting political parties, independent groups and observers from recognized EMOs. The process could be open to observation of the competent and interested public.
- The results should be displayed publicly at the polling stations or PS offices.
- We strongly recommend at least three security persons with arms to be provided at each polling station.



- We suggest that the chief counting officer should not be appointed from among the same polling officers and also should not be from the same polling area.
- This process should also be open to scrutiny/ monitoring / observations by representatives of contesting political parties, independent groups and observers from recognized EMOs.

We also would like to note that more time and opportunity be given to interested stakeholders including political parties, EMOs and other CSOs to discuss the amendments and submit their proposals to the Minister before the bill is discussed in parliament to make it a part of the process and to submit their suggestions as the effort to improve the future system.