

## **FINAL REPORT**



# DEMOCRATIC SOCIALIST REPUBLIC OF SRI LANKA

# Parliamentary Elections 17 August 2015



The information and views set out in this report are those of the author(s) and do not necessarily reflect the official opinion of the European Union. Neither the European Union institutions and bodies nor any person acting on their behalf may be held responsible for the use which may be made of the information contained therein.



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# EUROPEAN UNION ELECTION OBSERVATION MISSION

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#### EUROPEAN UNION ELECTION OBSERVATION MISSION

### 17 August 2015 Parliamentary Elections Democratic Socialist Republic of Sri Lanka

#### FINAL REPORT

#### I. SUMMARY

The 17 August parliamentary elections in Sri Lanka were well administered and offered voters a genuine choice from among a broad range of political alternatives. While the campaign rules were overly restrictive, these were, according to most interlocutors, the most peaceful and most efficiently conducted elections in the country's recent history.

The 225-member parliament is elected for a five-year term through a proportional representation system. First, 196 members are elected from 22 multi-member districts where voters can vote for a list of candidates and also indicate their preference for up to three candidates. Second, the remaining 29 seats are distributed among parties' national lists of candidates in proportion to the votes received in the whole country. These mandates can be allocated to any candidate from the national list or any district. Such a practice in which parties award seats not bound by any order of candidates or the number of votes cast for them results in voters not knowing which candidates are likely to get seats as a result of their support. This limits the transparency of the system and the right of voters to make an informed choice.

The legal framework for the 2015 parliamentary elections comprises mainly the Constitution and the Parliamentary Elections Act. Overall, the legal framework provides an adequate basis for the conduct of democratic elections, in line with international standards and commitments adhered to by Sri Lanka. However, there are a number of deficiencies – including undue restrictions to suffrage rights, such as the blanket denial for people with criminal convictions, and the withdrawal of candidate rights for holders of double citizenship – which contradict international standards. Party and campaign finance are not regulated, and there are no deadlines to adjudicate pre-Election Day complaints, which could compromise a timely and effective remedy. Campaign rules are restrictive, there are no legal provisions for domestic and international observers, and the sanctions for some electoral offences appear disproportionate, such as the suspension of the right to vote and stand for up to seven years if a voter shows a marked ballot.

The elections were administered by the Commissioner of Elections and his staff. While the 19<sup>th</sup> Amendment to the Constitution, approved in April 2015, envisaged the establishment of an

independent three-member Election Commission, this provision is yet to be implemented. The Commissioner and his staff administered the elections in a transparent and impartial manner, enjoying the broad support and trust of stakeholders. The election administration at district level was perceived as impartial, competent and well organised. The Commissioner played a central role not only in co-ordinating administrative preparations but also in regulating the campaign environment and overseeing media coverage. As such, the Commissioner demonstrated strong leadership and control of all aspects of the electoral process, which was appreciated by most stakeholders including candidates and civil society representatives. On the other hand, the decisions of the Commissioner were at times vague and impracticable, and not always consistent with provisions contained in statutory laws.

Sri Lanka has an active voter registration system. The revision of the voter register begins annually on 1 June. While the voter registration for 2015 started on 1 June, it could not be completed before the 17 August parliamentary elections, therefore the voter register from 2014 was used (as in the presidential election in January 2015). The number of registered voters was 15,044,490 (51 per cent women), of the total population of approximately 21 million. The registration system foresees no revision period before an election, thus an estimated 300,000 citizens who turned 18 in the interim were disenfranchised.

Candidate registration was inclusive. In total, 3,653 party candidates and 2,498 independent candidates contested the elections. A total of 35 political parties and alliances and over 200 independent groups submitted lists. Only four political parties/coalitions – the United People's Freedom Alliance (UPFA), the United National Party (UNP), the People's Liberation Front (JVP) and the Frontline Socialist Party – submitted lists in all 22 electoral districts. Of 312 lists of candidates submitted by political parties in all electoral districts, 12 were rejected, and of 225 lists of independent candidate groups, 24 were rejected. The rejections were attributed mainly to technical errors such as incomplete documentation or missing signatures.

The campaign environment was positively assessed by most stakeholders as well as by EU EOM observers. A vibrant campaign was conducted, with activities organised mainly by candidates of the UNP, UPFA and to a lesser extent by the JVP. The Tamil National Alliance (TNA) was most visible in the Northern province. Candidates and their activists focused on small-scale meetings with voters, the distribution and display of campaign materials and door-to-door canvassing. In the Northern province, there were several reports by domestic observer groups, confirmed by the EU EOM, of violent incidents perpetrated by supporters of the All Ceylon Muslim Congress, a member of the UNP-led coalition (Mannar district), against ACMC competitors. Although the campaign was assessed by stakeholders as largely peaceful, there were incidents involving firearms that resulted in several deaths as well as numerous cases of assault and arson. The major incidents, however, appeared to be isolated and did not lead to an escalation of violence.

The electoral law provisions on campaigning are overly restrictive and thus not fully in line with international standards as they unduly limit freedom of campaigning. Political parties are prohibited from organising "processions", and candidates and their family members are not allowed to engage in door-to-door campaigning or canvass in person. Candidate leaflets and

posters can be displayed only at party or candidate campaign offices; there were no designated public places for this purpose. Candidates had therefore limited possibilities to communicate their messages and their numbers on the candidates' list to voters. Many ignored these restrictions, which led to minor violent incidents and arrests of party activists.

While abuse of state resources for campaign purposes remained significant, there were fewer instances compared to previous elections, according to interlocutors. Domestic observers reported that some 1,200 government officials ranging from executive-level officers to clerical staff were involved in campaigning. In addition there were reports of state vehicles and buildings being used to hold campaign activities, and numerous allegations of promotions and transfers of public officials.

Party and campaign finance are not regulated. The laws establish no limits on contributions or spending, and there are no disclosure requirements. This results in a lack of transparency and accountability and does not contribute to a level playing field between candidates, contrary to international standards. According to interlocutors, election campaigning was very costly and some candidates allegedly spent over EUR 500,000 each. Domestic observers reported that some candidates spent even more than SLR 300 million (EUR 2 million) and that the average expenditure of a candidate from the main coalitions was around EUR 100,000.

Sri Lanka's media is divided along ethnic and linguistic lines, with outlets publishing and/or broadcasting in one or more of three languages: Sinhala, Tamil and English. The media landscape is diverse and coverage vibrant. Influence exerted by previous governments meant self-censorship was prevalent and readers and audiences were often not offered a plurality of viewpoints, particularly on state outlets. Restrictions eased following the presidential election in January, and journalists welcomed the freer environment in which they currently work; the unblocking of websites; and the government's invitation to exiled journalists to return. The private media landscape is characterised by a concentration of big groups, which impedes pluralism, and is heavily politicised.

The Commissioner of Elections issued media guidelines during the campaign. While these were welcomed by interlocutors, some of the guidelines were vague and impracticable, and the sanctions of up to three years in jail for breaching them were excessive. The results of the EU EOM's media monitoring show state TV channels Rupavahini and ITN favoured the UNP-led coalition in terms of both quantity and tone of their coverage (*see Media Monitoring Results*). While this may be partly explained by news coverage of government activities in the run-up to the elections, such extensive, positive exposure represents an imbalance. However, the accommodation of a plurality of views and the move towards balanced coverage were positive developments. The guidelines and the election law are silent on the allocation of advertising space. On most monitored outlets, state and private, advertisement space was monopolised by the UNP-led coalition. Women received low levels of coverage across all outlets.

A very low number of election-related cases were brought before the court. Most notably, 29 provincial ministers were charged with misuse of state resources over the use of official vehicles

for campaign purposes. Three complaints pertaining to candidate registration filed with the Court of Appeal were dismissed as ungrounded. On the other hand, the Complaint Centres established by the Elections Secretariat in every district were actively utilised. Over 1,600 complaints were submitted, most alleging violation of campaign rules. Although the centres worked efficiently, they lacked a detailed regulatory framework, resulting in their inconsistent operation throughout the country.

The participation of women during the entire process was extremely low. While the main parties adopted a gender chapter in their manifestos including the promotion of women's development and social welfare, fewer than 10 per cent of the candidates were women. Of 556 female candidates, only 13 entered parliament. Of these, 11 hail from influential political families with strong connections in their constituencies. According to the world classification index on women in parliament 2015, Sri Lanka ranks 131<sup>st</sup> out of 141 countries, with the lowest percentage of women in parliament in South Asia at 5.8 per cent, well below the world's 22 per cent average and that of Asia at 19 per cent.

Election Day was peaceful despite some minor incidents and 35 arrests reported by the police. Voting took place in an orderly, efficient and transparent manner and the overall assessment of EU observers was "very good" to "good". Polling procedures were mostly followed; there were some procedural irregularities which, according to EU EOM observers, did not have an impact on the integrity of the process. However, polling procedures included the recording of each voter's registration number on the counterfoil of the ballot paper, which makes all marked ballots traceable, undermining the secrecy of the vote. Moreover, in some 35 per cent of polling stations observed, the positioning of the polling booths gave polling staff a clear view of voters marking their ballots, further undermining the secrecy of voting. Counting was conducted in a transparent, well-organised and fast manner in the presence of representatives of political parties, independent groups and observers.

Voter turnout was 77.66 per cent. The United National Party received 46 per cent of votes while the United People's Freedom Alliance received 42 per cent. In nine out of 22 electoral districts the percentage of invalid votes was more than five per cent. In Vanni and Jaffna electoral districts (Northern province) it was 9 and nearly 8 per cent respectively. According to EU EOM observers and interlocutors, the main reason was the lack of understanding of ballot-marking procedures and the confusing layout of the ballot papers. Most interlocutors realised rather too late in the process that there had been a serious lack of voter education prior to the elections.

#### A. PRIORITY RECOMMENDATIONS

• The electoral law provisions on campaigning could be reviewed to abolish the restrictive rules that prohibit direct canvassing by candidates and their family members and direct door-to-door campaigning. Local authorities could assign places where candidates can post campaign posters besides the party or candidate offices.

- finance rules could be developed, establishing allowed and forbidden sources of financing, ceilings on donations and expenditures, and disclosure requirements.
- The establishment of rules of procedures for the preparation and publishing of decisions/instructions issued by the Commissioner of Elections would enhance the transparency and integrity of the process.
- The introduction of temporary special measures could be considered to increase the representation of women in politics as well as their role in key positions in the public sector through quotas and programmes to support their participation in public life. Greater incentives for political parties should also be introduced to encourage increased representation of women in leadership positions and as candidates for elections.
- The establishment of an independent broadcasting regulator is recommended. Its tasks could include the formulation of comprehensive legislation to provide for, *inter alia*, a clear and transparent process regarding the allocation of broadcast licences; a complaints mechanism for state and private broadcasters; and obligations on broadcasters to be balanced and impartial. Such a transformed licensing system could be used to facilitate the development of community/associative broadcasters and websites. Systematic media monitoring during campaign periods would assist the regulatory body in its tasks.
- Consideration could be given to include in the legal framework for elections the right of domestic and international observers to observe all stages of the electoral process.

#### II. INTRODUCTION

On the invitation of the Commissioner of Elections of Sri Lanka, the European Union established an Election Observation Mission (EU EOM) to observe the 17 August 2015 parliamentary elections. The EU EOM was headed by Mr Cristian Preda, Member of the European Parliament from Romania. The EOM was established on 15 July, with its headquarters in Colombo. In total, the mission comprised 85 observers from all 28 EU member states, plus Switzerland and Norway, and included a delegation of six members of the European Parliament, chaired by Mr Ignazio Corrao.

Observers were deployed across the country to all nine provinces and met election officials, candidates, political parties, media representatives, domestic observers and voters. On Election Day they visited polling stations and counting centres in all 22 electoral districts. The EU EOM issued a preliminary statement on 19 August and remained in the country to observe post-election developments until 3 September 2015. This report provides details of the EU EOM's findings and presents recommendations for future elections.

The EU EOM wishes to express its appreciation for the co-operation and assistance received during the course of its work from the citizens of Sri Lanka, the Government and the

Commissioner of Elections, the political parties and civil society organisations, the EU Delegation in Colombo and the Embassies of EU member states in Colombo and New Delhi.

#### III. POLITICAL BACKGROUND

#### A. POLITICAL CONTEXT

The 17 August 2015 parliamentary elections followed the crucial presidential election held on 8 January 2015 which resulted in the victory of Maithripala Sirisena, the common opposition candidate of the New Democratic Front (NDF) against the then incumbent, President Mahinda Rajapaksa of the Sri Lanka Freedom Party (SLFP). The victory of Mr Sirisena, former General Secretary of the SLFP, ended the 10-year rule of President Rajapaksa, and marked a significant transition in Sri Lankan politics while also giving rise to an extremely complex political scene.

Following his election, President Sirisena became chairman of the SLFP and leader of the United People's Freedom Alliance (UPFA), which is led by the SLFP. However, he asked the leader of the United National Party (UNP), Ranil Wickremesinghe, to form a government. A minority government was formed comprising UNP members and allies as well as some representatives of the UPFA.

In April the parliament approved the 19<sup>th</sup> Amendment to the Constitution, introducing changes to the political system which narrowed the powers of the president. A few months later the minority government was challenged by the strong UPFA parliamentary faction still backing Mr Rajapaksa. Fearing a no-confidence motion against the government, President Sirisena dissolved parliament on 26 June and called early elections. The UPFA entered the campaign divided between those members supporting Mr Rajapaksa and those who backed Mr Sirisena. The 17 August elections would reveal whether the electorate supported the reform process begun under President Sirisena.

#### B. MAIN POLITICAL ACTORS

Sri Lankan politics have in recent decades been dominated by the competition between the SLFP and the UNP. There are more than 60 political parties registered in Sri Lanka, the majority of them small. Political alliances are common. The two main parties formed pre-election coalitions with a number of small parties to reach a parliamentary majority. Of the 225 seats in the outgoing parliament, 144 seats belonged to the UPFA, 60 to the UNP-led coalition, 14 to the Tamil National Alliance (TNA-ITAK) and seven to the Democratic National Alliance (DNA) led by the People's Liberation Front (JVP).

The UPFA coalition comprises several parties led by the SLFP. President Sirisena, as SLFP chairman, became leader of the UPFA shortly after the presidential election. The UPFA was significantly weakened because its main coalition partners, the Jathika Hela Urumaya (JHU), the Buddhist Sinhala nationalist party, the Sri Lanka Muslim Congress (SLMC) and the All Ceylon Muslim Congress (ACMC) joined the UNP coalition prior to the parliamentary elections. The most important partners of the SLFP in the current UPFA coalition are the Ceylon Workers' Congress, traditionally supported by Sri Lankan Tamils of Indian origin, and the National Freedom Front, the splinter party from the leftist JVP. The leading SLFP party draws its support mainly from the majority Sinhala community.

The UNP formed the United National Front for Good Governance (UNFGG), a broad coalition consisting of five parties. Its main partners were the Tamil Progressive Alliance (TPA), the coalition of parties that represents mainly the Indian Tamil community, the main Muslim parties SLMC and ACMC, and the JHU. The UNFGG was joined also by several prominent SLFP members of parliament who decided to contest the elections under the UNP ticket. The UNP, led by Prime Minister Ranil Wickremesinghe, is seen as more liberal and pro-market-oriented than the SLFP.

The TNA – an alliance of four Tamil parties that fielded candidates under the name of Illankai Tamil Arasu Kachchi (ITAK) – represents the Tamil ethnic minority in Sri Lanka and is the dominant political force in the Northern province. It also has significant support in the Eastern province, mainly in Batticaloa district. The TNA won 80 per cent of the votes in the Northern provincial council in 2013. The alliance supported Mr Sirisena during the presidential election.

The JVP is a leftist nationalist party that established itself as an alternative to those disillusioned with mainstream politics. In the 2010 presidential election, the JVP formed a coalition with the UNP to support General Sarath Fonseka. Prior to the 2010 parliamentary elections it formed the Democratic National Alliance with the Democratic Party (DP) of General Fonseka. The JVP had six MPs in the outgoing parliament and, like its former ally the DP, contested the 2015 elections separately.

#### IV. LEGAL FRAMEWORK

#### A. ELECTORAL SYSTEM

The 225-member unicameral parliament is elected for a five-year term through a proportional representation system. First, 196 members are elected from 22 multi-member districts under an open-list system. The number of members elected in each district is proportional to the number

of voters registered in the district.<sup>1</sup> Voters can vote for a list of candidates and they could also indicate their preference for up to three candidates. Seats are allocated to candidate lists that receive more than five per cent of votes in a district (using the d'Hondt allocation method). The order of winning candidates is determined by the number of preferential votes. Second, the remaining 29 seats are allocated among parties or groups that registered national lists of candidates, in proportion to the number of votes received in the whole country.

In a positive development, the Commissioner of Elections announced that, unlike in previous elections, mandates would be allocated only to registered candidates.<sup>2</sup> As provided for in the Constitution, competing lists can be awarded mandates won under the national vote share, allowing for the possibility to choose any candidate from the national list or from any district list. Such a practice in which parties award seats not bound by any order of candidates or the number of votes cast for them results in voters not knowing which candidates are likely to get seats as a result of their support, which limits the transparency of the system and the right of voters to make an informed choice.

#### B. INTERNATIONAL PRINCIPLES AND COMMITMENTS

Sri Lanka is signatory to the main universal and regional human rights instruments relevant to elections. These include the Universal Declaration of Human Rights (UDHR), the International Covenant on Civil and Political Rights (ICCPR), the Convention on the Elimination of All Forms of Racial Discrimination (CERD), the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), the Convention on Rights of Peoples with Disabilities (CRPD), the Charter on Democracy of South Asian Association for Regional Cooperation (SAARC), the IPU Declaration on Criteria for Free and Fair Elections, and the Commonwealth Charter. Since its independence in 1948, Sri Lanka has remained a member of the Commonwealth of Nations.

#### C. ELECTORAL LEGAL FRAMEWORK

The legal framework for the 2015 parliamentary elections comprises the Constitution of the Democratic Socialist Republic of Sri Lanka of 1978, and the Parliamentary Elections Act No.1 of 1981 (hereafter the election law), the Registration of Electors Act No. 44 of 1980, the Registration of Electors (special provisions) Act No. 27 of 2013, and is supplemented by decisions, orders, guidelines and directives issued by the Commissioner of Elections.

Colombo elected 19 MPs, Gampaha 18, Kalutara 10, Kandy 12, Matale 5, Nuwara Eliya 8, Galle 10, Matara 8, Hambantota 7, Jaffna 7, Vanni 6, Batticaloa 5, Digamadulla 7, Trincomalee 4, Kurunegala 15, Puttalam 8, Anuradhapura 9, Polonnaruwa 5, Badulla 8, Monaragala 5, Ratnapura 11, Kegalle 9.

In previous elections there were instances when mandates were allocated to individuals who were not registered as candidates.

The Constitution guarantees fundamental rights and freedoms of assembly, association, expression and movement and outlines the basic features of the electoral system. Statutory laws cover key aspects of the electoral process that include the registration of voters, political parties and candidates, the election administration, campaign rules, electoral offences, and petitions.

The 19<sup>th</sup> Amendment to the Constitution, passed in April 2015, curtailed the president's vast executive powers, which had been expanded by the 18<sup>th</sup> Amendment of 2010, and introduced substantial changes affecting elections. In particular, the terms of both president and parliament were reduced from six to five years, and the two-term limit on presidential office was reintroduced, as was the prohibition for the president to dissolve the parliament before four and a half years of its mandate.

The 19<sup>th</sup> Amendment establishes a Constitutional Council which will, *inter alia*, oversee an appointment of a three-member Election Commission.<sup>3</sup> A new electoral system is being discussed through a proposed 20<sup>th</sup> Amendment. Although there seems to be consensus among interlocutors on the need for electoral reform, the debate over the new system – a mix of proportional representation and first-past-the-post – is ongoing.<sup>4</sup>

Overall, the legal framework provides an adequate basis for the conduct of democratic elections, in line with international standards and commitments adhered to by Sri Lanka. However, there are a number of legal deficiencies. Undue restrictions to suffrage rights, such as the blanket denial for people with criminal convictions and the withdrawal of candidacy rights for holders of double citizenship, contradict international standards;<sup>5</sup> party and campaign finance are not regulated; there are no deadlines to adjudicate pre-Election Day complaints, which could compromise a timely and effective remedy; campaign rules are restrictive; there are no legal provisions for domestic and international observers; and the sanctions for some electoral offences appear disproportionate, such as the suspension of the right to vote and stand for up to seven years if a voter shows a marked ballot.

Also, the Constitution mandates the Commissioner to "secure the enforcement to all laws relating to the holding of any election". The Commissioner is given the authority to instruct any state institution and official, including the police, during elections (*see Election Administration*).

The proposed changes discussed in the parliament on 24 June 2015 envisaged 125 seats elected in single-mandate constituencies in first-past-the-post system, 25 elected proportionally in a nationwide constituency, and 75 seats elected under a proportional-representation system from multi-mandate districts.

The Constitutional Council yet to be appointed will comprise seven members of parliament and three nonmembers.

See Articles 25 and 26 of the ICCPR. The UN Human Rights Committee, in a case related to Sri Lanka, concluded that the prohibition on the right to be elected or to vote for seven years after conviction and completion of a sentence are unreasonable and thus amount to a violation of article 25(b) of the ICCPR. CCPR/C/93/D/1373/2005, Dissanayake v. Sri Lanka.

#### V. ELECTION ADMINISTRATION

#### A. STRUCTURE OF ELECTION ADMINISTRATION

The parliamentary elections were administered by the Commissioner of Elections, appointed by the President in 2011, and supported by the Department of Elections. At central level, the Commissioner was assisted by a Deputy, three Assistant and three Additional Commissioners. The Commissioner appointed Deputy/Assistant Commissioners and Returning Officers in charge of organising the elections in all 22 electoral districts. Each Returning Officer was supported by two or more Assistant Returning Officers to co-ordinate the electoral activities such as the nomination of candidates, the preparation and conduct of polling, counting and tabulation of results. A Senior Presiding Officer and a Chief Counting Officer were in charge of each of the polling and counting stations respectively.

While the 19<sup>th</sup> Amendment to the Constitution envisaged the establishment of an independent three-member Election Commission, this provision is yet to be implemented. According to the 19<sup>th</sup> Amendment, the current Commissioner of Elections would remain in office and perform the functions attributed to the independent Election Commission until its official establishment.

The Commissioner of Elections is responsible for running all types<sup>6</sup> of elections in Sri Lanka and preparing and certifying on an annual basis the voter register. Among other powers and duties, the Commissioner ensures the enforcement of the election law and the relevant election legal framework and the co-operation of all state authorities, including the police, in order to ensure law enforcement. Deployed police officers act under the direction and control of the Commissioner during the election period. In addition, the Commissioner can make recommendations to the President regarding the deployment of armed forces if this is necessary for the conduct of "free and fair elections". The Commissioner has the legal authority to issue directives prohibiting the use of state resources by candidates, political parties or independent groups and has the power to issue guidelines regarding broadcast media or newspapers in order to ensure "free and fair elections". Further, those who refuse or fail without reasonable cause to co-operate with the Commissioner or to comply with his directions or guidelines are guilty of an offence punishable with a fine not exceeding one hundred thousand rupees or with up to three years' imprisonment or both. These directives consisted of binding regulations including directions on the use of state assets, guidelines for the media, and a wide number of decisions issued on an ad-hoc basis throughout the campaign.

The decisions of the Commissioner were at times vague and impracticable, and not always consistent with provisions contained in statutory laws.<sup>7</sup> The absence of codified procedures paved the way for unilateral decisions to be made by the Commissioner. This, combined with the

Presidential and parliamentary elections, provincial council and local authority elections and referenda.

For example, the Commissioner banned campaigning after 8pm, threatened to impose sanctions on candidates who failed to submit a declaration of assets before Election Day even if the law provides for a period of three months, and warned he would order the arrest candidates who did not return state cars.

lack of consistency in publishing such decisions, led to confusion and an overreliance by candidates and voters on media reports for information, which compromised the principles of accessibility, legal certainty and clarity. For example, the Commissioner requested users of social media not to promote a political party, independent group or a candidate using Facebook or any other social media network during the campaign silence, with uncertain implications for failing to comply with his appeal. Also, the Commissioner had announced that candidates should submit their declaration of assets by 30 July, warning that failure to comply with this decision would result in their disqualification as candidates. However, he extended the deadline to 5 August as only 60 per cent had submitted the declaration. Candidates were then warned that failing to submit the declaration would prevent them from having agents inside polling stations. By Election Day some 80 per cent of candidates had submitted the declaration.

#### B. ADMINISTRATION OF THE ELECTIONS

The Commissioner and his staff administered the elections in a transparent and impartial manner, enjoying the broad support and trust of stakeholders. The election administration at district level was perceived as impartial, competent and well organised. The Commissioner played a central role not only in co-ordinating the administrative preparations but also in regulating the campaign environment and overseeing media coverage. As such, the Commissioner demonstrated strong leadership and control of all aspects of the electoral process, which was appreciated by most stakeholders including candidates and civil society representatives. The Commissioner's presence in the media and firm instructions to the police to implement the election law contributed to the impartiality and integrity of the process. The Commissioner also maintained regular contacts with representatives of political parties/ independent groups, civil society, media and the police.

Technical preparations were accomplished within the operational and legal deadlines. A total of 12,314 polling stations were established mainly in schools, administrative buildings and temple areas. Counting took place in 1,509 counting stations operating in 44 counting centres across the country. Counting stations were divided into regular and postal voting counting stations.

The recruitment and training of polling and counting staff were completed with no particular problems. The majority of polling and counting staff were teachers with wide experience from previous elections, and mostly women. EU EOM observers attended several such trainings, assessing them positively and of good quality but lacking interactivity.

All electoral materials including ballot papers were produced and distributed to the district offices on time and secured under police custody. In addition to some 95,000 polling and counting staff, a total of 75,000 police personnel were deployed for election duty.

Postal (early, in-person) voting took place on 3, 5, 6 and 8 August for 566,823 voters – members of the security forces/police and government employees. As reported by all interlocutors and EU observers, it was successfully completed. There were 9,322 postal voting polling stations across

the country. Some 10 per cent of postal voting applications were rejected due to missing or incorrect data. EU EOM observers who followed the postal voting process in 105 postal voting polling stations assessed positively the implementation of procedures, which was conducted in a calm, orderly manner in the presence of party representatives and domestic observers.

However, proper safeguards to ensure the secrecy of the postal vote were lacking: the serial number of the ballot paper was recorded in several places, such as on the declaration of identity and the envelope where the marked ballot paper was inserted. Further, the ballot paper's serial number is printed on the counterfoil where the voter registration number was recorded during the issuance of the ballot paper. Thus, in theory it is possible to trace a ballot back to the voter. Postal voting took place in work premises/military camps, usually under supervision of a head of institution or military commander. In many cases, the number of voters per location was below 10 and in some cases even one. The turnout of 98 per cent may indicate that some voters felt obliged to vote as they were voting in their working places — a non-neutral environment. Moreover, if their vote could be identified before or during counting, some of them might be intimidated into not voting as they had actually intended. A secret vote is the key integrity safety measure as it allows voters to cast their ballot with full independence.<sup>8</sup>

The legal framework does not explicitly anticipate a mandate for the Commissioner of Elections to take on responsibility for voter education. However, a voter information campaign was conducted by the Commissioner's office mainly through the media, social media and public notices. The voter information campaign focused on the date of elections and polling hours and how to correctly mark the ballot. An additional form of voter information was the distribution by post of the polling card that included the polling station's location together with a list of candidates running for each political party/independent group in the district. However, most of the polling cards were delayed at the post offices and most of the lists with the names of candidates never reached the voters, according to EU EOM interlocutors. Civil society organisations organised some small-scale voter education activities in the districts. Prior to Election Day, most EU EOM interlocutors were of the opinion that there was no need for voter education/information programmes due to the high level of literacy and experience from previous elections. However, a comparative analysis of the percentage of invalid votes since the introduction of the current electoral system indicated a considerable increase in invalid votes per election (*see Announcement of Results*).

There are 1.7 million persons with disabilities in Sri Lanka, including some 28,000 military personnel wounded during the conflict. Sri Lanka has signed but not yet ratified the Convention on the rights of Persons with Disabilities. The election law contains provisions that provide for special measures for voters with disabilities. However, accessibility to the electoral process,

Article 25 (b) of ICCPR states: ... to vote and to be elected at genuine periodic elections which shall be by universal and equal suffrage and shall be held by secret ballot, guaranteeing the free expression of the will of the electors, and General Comment 25 of the UN Human Rights Commission: ... States should take measures to guarantee the requirement of the secrecy of the vote during elections, including absentee voting, where such a system exists.

<sup>9</sup> Election law, section 40(2) and section 83(4)(d).

while partially addressed for the first time in these elections, remains an issue. The election law provides for persons with disabilities to be assisted by an adult to mark the ballot paper, and it requires that transportation to polling stations be organised upon request for persons with disabilities, the ill and elderly. However, as reported by EU EOM observers, only a small number of voters with disabilities requested transportation as the information was not efficiently communicated to voters. The Commissioner of Elections also issued a circular ordering that accessibility for people with disabilities be taken into consideration while determining the location of polling stations. According to EU EOM observers, the majority of polling stations observed were suitable for persons with reduced mobility. Despite efforts made by civil society organisations for the introduction of a tactile ballot paper for the visually impaired, this was not realised for these elections.

#### VI. VOTER REGISTRATION

According to the Constitution and the Registration of Electors Act, to be qualified to register as a voter a person should: be a citizen of Sri Lanka; have reached 18 years on the qualifying date (1 June); not have been found or declared to be of unsound mind under any law in force; not have been serving or not served imprisonment during the immediate proceeding seven years; and be ordinarily resident in any electoral district on the qualifying date (1 June). In addition, no person may have his name entered or retained in more than one voter register or more than once in the same voter register.

There are no provisions for voting abroad or for homebound or hospitalised persons. Proxy voting is explicitly forbidden by the law. The legal framework suspends the right to vote for seven years for those who have served a prison term, regardless of the offence or the sentence. This disqualification is unreasonable and disproportional and in contradiction with international standards. <sup>10</sup>

Sri Lanka has an active voter registration system.<sup>11</sup> The revision of the voter register begins annually on 1 June. The Commissioner of Elections appoints an Assistant Commissioner to direct and control the revision of the voter register in each electoral district and the District Secretaries of the respective electoral districts as Registering Officers. The Registering Officer appoints enumerators to visit houses to compile voters' names. Following the enumeration exercise, the new register is displayed for 28 days for claims and objections. The certified voter

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The General Comment of article 25(14) of the UN Human Rights Committee states: ...If conviction for an offence is a basis for suspending the right to vote, the period of such suspension should be proportionate to the offence and the sentence.

In an active voter registration system, voters must take action to register with the relevant authority their intention to participate in elections, either prior to each electoral event, or on an ongoing basis. In order to register in such a system, voters must fill out specific registration forms and submit them to the respective authorities within a given time frame, or otherwise take affirmative steps to ensure their names will be included on the respective voter list.

register of each electoral district is valid for all elections taking place until the next register is certified and gazetted. Since 2007 the voter register has been computerised but not fully centralised and the vast majority of duplicates have reportedly been removed. The Department of Elections plans to have a fully centralised voter register by 2016.

While voter registration for 2015 started in each district on 1 June, it could not be completed before the 17 August elections, therefore the voter register from 2014 was used (as in the presidential election in January 2015). The number of registered voters was 15,044,490 (51 per cent women), of the total population of approximately 21 million. The registration system foresees no revision period before an election, thus an estimated 300,000 citizens who turned 18 in the interim were disenfranchised. Although no additions or changes could be introduced to the register, updated information on voters in case of death, living abroad, postal voting and suspension of voting rights due to court decisions were signalled with marks against their names.

EU EOM interlocutors raised no concerns regarding the reliability, accuracy and inclusiveness of the register, and the exclusion from it of people who turned 18 in the intervening period did not raise much controversy.

#### VII. REGISTRATION OF CANDIDATES

The nomination of candidates for parliamentary elections is under the responsibility of the district election officers and the Commissioner of Elections. The election law prescribes a sevenday period for the submission of candidates' lists within which omissions and clerical errors might be corrected. The number of candidates on each list must correspond with the number of seats in the electoral district in question plus three candidates.

Candidate registration was conducted in an inclusive manner, offering voters a genuine choice from among a broad spectrum of political alternatives. In total, 3,653 party candidates and 2,498 independent candidates contested the elections. A total of 35 political parties and alliances and over 200 independent groups submitted lists within the prescribed period (6-13 July) to the Commissioner of Elections. Only four political parties/coalitions – the United People's Freedom Alliance, the United National Party, the People's Liberation Front and the Frontline Socialist Party – submitted lists in all 22 electoral districts. Of 312 lists of candidates submitted by political parties in all electoral districts, 12 were rejected, and of 225 lists of independent candidate groups, 24 were rejected. The rejections were attributed mainly to technical errors such as incomplete documentation or missing signatures.

In addition to nomination lists submitted in 22 electoral districts, 17 political parties submitted a national party list during the nomination period.

The General Comment of article 25 of the UN Human Rights Committee: States must take effective measures to ensure that all persons entitled to vote are able to exercise that right.

#### VIII. ELECTORAL CAMPAIGN

#### A. CAMPAIGN ENVIRONMENT

The campaign environment was positively assessed by most stakeholders as well as by EU EOM observers. A vibrant campaign was conducted, with activities organised mainly by candidates of the UNP, UPFA and to a lesser extent the JVP. The Tamil National Alliance was most visible in the Northern province. Candidates and their activists mainly focused on small-scale meetings with voters, the distribution and display of campaign materials and door-to-door canvassing. Political parties represented in the previous parliament organised a high number of rallies across the country. The campaign leaders of both main alliances, Mr Wickremesinghe of the UNFGG and Mr Rajapaksa of the UPFA, took part in numerous large rallies to gain support for local candidates. As reported by EU observers, in most electoral districts with a majority Sinhala population, UNP/UNFGG candidates' campaigns and posters were more visible than the UPFA's.

Few barriers to free campaigning were reported. In the Northern province, domestic observer groups made several reports, confirmed by the EU EOM, of violent incidents perpetrated by supporters of the All Ceylon Muslim Congress, a member of the UNP-led coalition (Mannar district), against competitors. Both main Muslim political parties – the Sri Lanka Muslim Congress (SLMC)<sup>14</sup> and All Ceylon Muslim Congress (ACMC) – were part of the UNP-led coalition. There were reported incidents of violence perpetrated by activists and supporters of the Chairman of ACMC, Rishad Bathiudeen, <sup>15</sup> aimed at obstructing the campaign activities of his opponents. There were also several reports of intimidation and obstruction of campaign activities at Kayts Island <sup>16</sup>, part of the Jaffna electoral district.

The electoral law provisions on campaigning are overly restrictive and thus not fully in line with international standards as they unduly limit freedom of campaigning. <sup>17</sup> Political parties are prohibited from organising "processions", and candidates and their family members are not allowed to engage in door-to-door campaigning or canvass in person. Candidate leaflets and posters can be displayed only at party or candidate campaign offices; there were no designated public places for this purpose. Candidates had therefore limited possibilities to communicate

Up to 25 party/candidate agents were allowed to conduct door-to-door campaigning. Candidates and their family members were not allowed to canvass door-to-door in person.

In Vanni electoral district, which includes the Mannar area, the SLMC contested elections independently from the UNP coalition.

Rishad Bathiudeen was a member of the UPFA and UNP-led government who left the UPFA prior to the presidential election. He contested these elections as a candidate of the UNP coalition.

This area is a traditional stronghold of the leader of the Eelam People's Democratic Party (EPDP).

Article 25 ICCPR, United Nations Human Rights Commission, General Comment No. 25, paragraph 25: The free communication of information and ideas about public and political issues between citizens, candidates and elected representatives is essential... including freedom... to campaign.

their messages and their numbers on candidates' list to voters. Many ignored these restrictions, which led to minor violent incidents and arrests of party activists.

Although the campaign was assessed by stakeholders as largely peaceful, there were incidents involving firearms that resulted in several deaths as well as numerous cases of assault and arson. The major incidents, however, appeared to be isolated and did not lead to an escalation of violence.

In general, the numbers of voters turning out for campaign events was lower than for the presidential election. EU observers reported that the atmosphere was calm in comparison to previous elections with a much lower number of violent incidents or other election irregularities. Domestic observers said there was a gradual increase in violent incidents in the campaign closer to Election Day. The most serious of these occurred on 31 July when a UNP campaign team was attacked by gunmen in Colombo, resulting in the shooting dead of two people and up to a dozen injured, some seriously.

The police played an active role in maintaining campaign rules. They were quick to respond to calls by the Commissioner of Elections to remove illegal posters and address other breaches. In comparison, police activity was more heavy-handed during previous election periods. However, many opposition candidates from the UPFA criticised the police for being slow to take up their complaints. EU EOM observers reported that often police did not act in a consistent manner across the country. Some 700 arrests were made in connection with election law violations. More than 100 arrests were related to election violence. At least 11 candidates were arrested for breaching campaign rules.

Most arrests were linked to the illegal display of posters, campaign materials on vehicles, and the unauthorised use of loudspeakers for election propaganda. The majority of minor electoral incidents were related to the illegal posting of posters and their removal by party activists. Internal party struggles over poster placement were a major factor behind many violent incidents. Party leaders in an electoral district or candidates with a stronghold in certain areas were known to engage in the questionable practice of blocking other candidates from the same party/coalition from using the party offices to display posters with their numbers. The JVP was the only party whose candidates and party structures were campaigning together, thus avoiding internal battles.

#### B. MISUSE OF STATE RESOURCES

The abuse of state resources for campaign purposes remained significant in the elections. Local NGO activists reported that some 1,200 government officials, ranging from executive-level officers to clerical staff, were involved in campaigning. Transparency International Sri Lanka (TISL) reported that more than 450 state vehicles were used by candidates and a high number of

For example, hundreds of illegal posters of the prominent UNP candidate were not removed for weeks during the campaign period in Galle electoral district.

buses of the state Sri Lanka transport company were used to transport supporters of the main parties to rallies. In addition, there were reports of the use of state buildings to hold campaign activities and numerous allegations of promotions and transfers of public officials in violation of guidelines issued during the campaign by the Commissioner of Elections.

Despite a number of cases of misuse of state resources reported by local observers, almost all candidates interviewed by EU observers claimed there were far fewer incidents of misuse of state vehicles, offices and employees compared to previous elections. The Commissioner of Elections was praised by party representatives as well as by civil society representatives for being active in trying to resolve such cases.

#### C. CAMPAIGN FINANCE

Party and campaign finance are not regulated. The laws establish no limits on contributions or spending, and there are no disclosure requirements. This results in a lack of transparency and accountability and does not contribute to a level playing field between candidates, contrary to international standards for transparency of campaign finance.<sup>19</sup>

The law provides for state financial assistance to registered political parties that have polled at least one per cent of the valid votes in an electoral district in the previous elections. However, this support is rather symbolic – SLR 0,5 per vote received. As candidates covered their own costs with little or no support from the party, only those with access to financial resources could afford to mount a high-profile campaign. Only the UNP- and SLFP-led coalitions were able to avail fully of the opportunity to set up offices in all villages, excluding areas with large Tamil populations. The JVP was the only party that also visibly campaigned in the majority Sinhala areas across the country. However, their candidates' activities were much more low-key.

According to EU interlocutors, election campaigning was very costly and some candidates allegedly spent over EUR 500,000 each. TISL reported that some candidates spent even more than SLR 300 million (2 million EUR), and that the average expenditure of a candidate from the main coalitions was around EUR 100,000.

Article 25 ICCPR, United Nations Human Rights Committee, General Comment No. 25, and paragraph 19: Reasonable limitations on campaign expenditure may be justified where this is necessary to ensure that the free choice of voters is not undermined or the democratic process distorted by the disproportionate expenditure on behalf of any candidate or party. See also Article 1 (i), ECOWAS, Protocol on Democracy and Good Governance, 2001 and Article 5 of the 2001 Inter-American Democratic Charter.

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#### IX. MEDIA ENVIRONMENT

#### A. MEDIA LANDSCAPE

reports 1999-2009.

Sri Lanka's media is divided along ethnic and linguistic lines, with outlets publishing and/or broadcasting in one or more of three languages: Sinhala, Tamil and English. The media landscape is diverse and coverage vibrant. Influence exerted by previous governments meant self-censorship was prevalent and readers and audiences were often not offered a plurality of viewpoints, especially by state outlets. Restrictions on the media eased following the presidential election in January, and journalists welcomed the freer environment in which they now work; the unblocking of websites; the 19<sup>th</sup> Amendment to the Constitution recognising the right of access to information; and the government's invitation to exiled journalists to return. However, journalists reporting on war-related issues such as alleged rights abuses and missing persons say they still work under threat. Sri Lanka is ranked 165th out of 180 countries on the Reporters Without Borders World Press Freedom Index (180 being the least free), while Freedom House views the country's press as "not free", with a 2015 score of 76 out of 100 (100 being the worst).

The state is a major media stakeholder, with three broadcasting companies and a publishing firm. Between them the broadcasters – Sri Lanka Rupavahini Corporation, Independent Television Network and Sri Lanka Broadcasting Corporation – operate four TV channels and 19 radio stations (nine national and 10 regional and other local and shortwave services). State publisher Lake House produces three daily papers, news and lifestyle weeklies and monthly magazines. The chairmen, boards and top management at all state media were replaced in January.

The private media landscape is characterised by a concentration of big groups, which impedes pluralism.<sup>20</sup> A lack of regulation and transparency combined with political influence in the granting of broadcast licences has resulted in a largely politicised broadcast sector, with many outlets linked to politicians and/or the main political families of Sri Lanka.<sup>21</sup> A similar situation prevails in Jaffna, Sri Lanka's most active media hub outside Colombo.<sup>22</sup> The absence of

For example, the Capital Maharaja Organisation Ltd operates three TV and four radio channels; EAP Broadcasting Company Ltd operates two TV and three radio channels; Asia Broadcasting Corporation operates one TV and five radio stations. All maintain online news sites. Wijeya Newspapers operates four daily and two Sunday newspapers. "The monopoly or excessive concentration of ownership of media in the hands of a few is to be avoided in the interest of developing a plurality of viewpoints and voices." – UN special rapporteur on the promotion and protection of the right to freedom of opinion and expression,

The news adviser of Tamil-language Shakthi TV (Capital Maharaja) is J. Sri Ranga, leader of the Citizens' Front Party, which contested independently. Mr Ranga was on the UPFA national list. Carlton Sports Network and Singha FM are owned by sons of former president Rajapaksa. Three former senior journalists at Sinhala-language Sirasa TV were candidates and featured widely in Sirasa's electoral coverage: Susil Kindelpitiya (Tamil United Liberation Front), Buddhika Pathirana (UNP) and S.M. Marikkar (UNP).

Jaffna-based DD TV is owned by Douglas Devananda, founder of the Eelam People's Democratic Party; members of former president Rajapaksa's family hold a controlling stake in satellite channel DAN TV.

community and independent regional broadcasters represented a significant gap in local information sources for voters. A predominance of electoral information sourced in Colombo, combined with the prevalence in TV coverage of well-known, predominantly male candidates and party leaders, narrowed the possibilities of access to the media by lesser-known candidates with fewer resources, especially women and those running outside the capital.

The print industry, also with political influences, <sup>23</sup> is vibrant and influential with daily newspapers in all three languages enjoying wide readership. While only 22 per cent of Sri Lankans were internet users in 2014 (internetworldstats.com), much political debate takes place on social media and there are several news websites.

#### B. LEGAL FRAMEWORK

The legal framework relating to media during elections comprises the Constitution, the election law and media guidelines issued by the Commissioner of Elections. The Constitution guarantees freedom of expression (Article 14), and confers media oversight powers during elections upon the Commissioner (Article 104B)(5)(a). The election law, which contains provisions regarding state media obligations, gives powers to the Commissioner to provide for circumstances "unforeseen" by the law itself (Article 129). There is no broadcasting regulator.

The Commissioner issued media guidelines during the campaign, which covered, *inter alia*, editorial neutrality and balance, right of reply, and the use of state resources. These were binding for state media. There is no accountability mechanism where private media are concerned. Failure by state outlets to abide by the guidelines constituted an offence punishable by up to three years in jail, which is excessive. While the guidelines were welcomed by interlocutors, including private media, some of the guidelines were vague and impracticable,<sup>24</sup> while others outlined scenarios that highlighted the excessive nature of the potential sanction in relation to the offence.<sup>25</sup> The guidelines and election law are silent on the allocation of paid advertising. The Department of Elections did not carry out media monitoring during the campaign.

The election law provides for two of the state broadcasters to allocate airtime to political parties. The time-slots outlined are 30, 60 and 90 minutes over the campaign period, depending on the

For example, the chairman of Wijeya Newspapers is an uncle of Prime Minister Ranil Wickremesinghe and the father of UNP MP Ruwan Wijewardene; the CEO of Upali Newspapers is Nimal Welgama, whose family is closely involved with the pro-Rajapaksa faction of the SLFP; TNA MP E. Saravanapavan owns the Jaffna-based Uthayan newspaper group. Tamil daily *Thinamurasu* is owned by EPDP leader Douglas Devananda.

For example, when publishing interviews of politicians with poor language proficiency, print media shall not create uncomfortable situations to them. Information obtained through vague and incomprehensible questions should not be published, or such questions should never be asked.

For example, When a ... representative of a party refuses to participate at a discussion or interview and chooses not to offer reasons . . . the media institution shall respect his/her decision. Drama-like situations such as displaying of an empty chair etc. should not be employed.

party's number of candidates. It is not stated if this airtime should be free. Also, while the law stipulates that these slots may be availed of until 72 hours before polling day, it is not specified whether these 72 hours constitute the official campaign silence period. (The Commissioner's guidelines stipulate 48 hours.) The provision in the election law to deny suffrage and candidacy rights for up to three years to anyone who publishes a false statement about a candidate or party where the statement is "capable of influencing" the election result is disproportionate. <sup>26</sup>

Complaints about media coverage of the campaign were made directly to the Commissioner of Elections, who met regularly with a committee comprising journalists from across the media sector. While journalists welcomed this consensual approach, the broad interpretation of the Commissioner's powers, including the possibility to order state media outlets to halt broadcasts, challenged recently attained media freedoms. During the campaign the Commissioner told broadcasters to stop retransmissions of a speech by President Sirisena. The Commissioner also ordered state radio broadcaster SLBC to halt political broadcasts on the recently established Election FM. As the channel was devoted to election coverage, this would in effect have shut it down. The order followed a complaint by the UPFA alleging biased reporting. SLBC received no warning. The Commissioner later agreed to allow the channel to continue broadcasting.

The decision of President Sirisena in July to reinstate the defunct Press Council, which has powers under the Press Council Law (1973) to imprison journalists for up to two years, further jeopardises new media freedoms. The new council has yet to be formed, and its future role is unclear. However, all media interlocutors lamented the decision, and many pointed to the work of the Press Complaints Commission as already adequately fulfilling the role of press watchdog.

The Press Complaints Commission is an independent body that encourages self-regulation in the print and online media sector. A number of print and online journalists' representative groups are signed up to the Editors' Guild of Sri Lanka's code of professional practice, which covers the areas of accuracy and integrity.

#### C. MEDIA MONITORING FINDINGS

The EU EOM monitoring unit carried out a quantitative and qualitative analysis of a range of TV channels, radio stations and newspapers, <sup>27</sup> and a qualitative analysis of news websites <sup>28</sup> and social media. Freedom of expression was respected during the campaign. Negative campaigning between and within parties featured prominently. An indicator of the significant changes taking

Parliamentary Elections Act (84).

TV channels Rupavahini, ITN, Swarnavahini, Shakthi and Sirasa were monitored from 6pm to midnight from 24 July to 14 August; FM radio stations City, Sooriyan, Hiru, and Election were monitored from 6am to noon from July 27 to August 14. Newspaper coverage monitored from 27 July to 14 August comprised the main news sections of the following: Daily Mirror; Daily News; Divaina; Uthayan; Thinakkural; Sunday Observer; Sunday Lankadeepa; and Sunday Times.

Groundviews; Colombo Telegraph; Asian Mirror; Lankaenews.

place in Sri Lanka's media environment was that all state outlets provided a platform for various political parties in a wide range of newspaper articles, news programmes, debates and talk shows. Women received low levels of coverage across all outlets.

The results show state TV channels Rupavahini and ITN favoured the UNP-led coalition in terms of both quantity and tone of their coverage. While this may be partly explained by news coverage of government activities in the run-up to the elections, such extensive, positive exposure represents an imbalance. However, the accommodation of a plurality of viewpoints and the move towards balanced coverage were positive developments.

Rupavahini devoted more than half its political coverage (51 per cent) to the UNP-led coalition in a largely positive (90 per cent) tone. Some 29 per cent of airtime was accorded to the UPFA: 25 per cent to political actors within the coalition who declared their allegiance to Mr Rajapaksa, and 4 per cent to those supporting Mr Sirisena. The tone of this coverage varied. For those supporting Mr Sirisena it was largely positive (83 per cent) or neutral (16 per cent); for those supporting Mr Rajapaksa 63 per cent was positive and 27 per cent negative. While Rupavahini's news segments heavily favoured the UNP and focused on corruption allegations against the previous regime, its political talk show 225, featuring academics and journalists, was informative and more balanced. Of the 13 per cent of airtime allocated to the JVP, the tone was mostly positive (93 per cent).

ITN devoted 44 per cent of its election coverage to the UNP-led coalition in a largely positive (81 per cent) tone. Some 29 per cent of airtime was accorded to the UPFA: 22 per cent to supporters of Mr Rajapaksa, and 7 per cent to those backing Mr Sirisena. Its debate programme, *Giraya*, gave equal time to candidates. State-run Election FM provided a broad platform for discussion involving political actors from throughout the country as well as academics, representatives from civil society and activist groups.

Private TV Sirasa accorded 36 per cent of election coverage to the UNP-led coalition in a largely positive (87 per cent) tone. Candidates who featured most frequently – slightly more, for example, than Prime Minister Wickremesinghe or former president Rajapaksa – included three former senior journalists at the channel: Susil Kindelpitiya (Tamil United Liberation Front), Buddhika Pathirana (UNP) and S.M. Marikkar (UNP). On its influential debate programme *Satana*, speakers for the UPFA's pro-Rajapaksa camp tended to face a tougher line of questioning than others. Sirasa did not distinguish paid advertising from editorial content.

The most featured political actor on privately owned Tamil-language Shakthi TV was J. Sri Ranga, the channel's news advisor and leader of the Citizens' Front party, which contested the elections independently. Mr Ranga was also on the UPFA national list. The tone of the 17 per cent of airtime devoted to the CF party was 100 per cent positive.

While the state-run Sunday Observer newspaper accorded the largest portion of its elections space to the Rajapaksa faction of the UPFA, 60 per cent of this coverage was negative. The Rajapaksa camp also received mostly negative coverage in the privately run Sunday Times (79 per cent). Jaffna-based Tamil newspaper Uthayan, owned by TNA MP E. Saravanapavan,

devoted almost half (49 per cent) of its political coverage to his party in an entirely positive tone. Private Tamil radio Sooriyan accorded 54 per cent of airtime to the UNP-led coalition. The most featured political actor on this channel was Palani Digambaran, a candidate for the Tamil Progressive Alliance, part of the UNP coalition.

The media guidelines and election law are silent on the allocation of paid advertising. On most monitored outlets, state and private, this space was monopolised by the UNP-led coalition. For example, on the two state TV channels, Rupavahini and ITN, the coalition received 88 per cent and 78 per cent of this space respectively; on Sirasa TV 71per cent; Shakthi TV 62 per cent; Swarnavahini TV 65 per cent; on Sooriyan FM 86 per cent; in the private Daily Mirror 67 per cent; and in the state-run Daily News 68 per cent.

Coverage accorded to female political actors was low. The two state TVs, Rupavahini and ITN, devoted relatively more airtime than other channels – but only 10 per cent and nine per cent respectively. Private TV channels Shakthi and Sirasa each devoted five per cent; state-run City FM, private Sooriyan FM and Tamil daily national paper Thinakkural three per cent each; private TV Swarnavahini two per cent; Sunday Lankadeepa newspaper one per cent; and private Hiru FM less than one per cent.

Much political discussion took place on internet fora. Groundviews, a citizen journalism site offering mostly opinion and analysis pieces, was well moderated and provided informative and insightful articles. The London-based Colombo Telegraph site, which was blocked during the previous regime, is moderated to a lesser extent but nonetheless offered a wide range of news and features. Despite its affiliations with the JVP, the Asian Mirror site provided a plurality of viewpoints in a variety of news and opinion pieces. Lankaenews, a website owned by UNP minister Mangala Samaraweera, published much negative campaigning against the Rajapaksa faction of the UPFA. Users of social media networks such as Facebook recirculated a lot of negative and misogynistic content from website Gossip Lanka.

#### X. ELECTION DISPUTE RESOLUTION

#### A. ELECTORAL OFFENCES

Election-related offences, corrupt and illegal practices and their corresponding sanctions are outlined in part VI of the Parliamentary Elections Act and in Chapter IXA, Section 169, of the Penal Code, and are prosecuted through the standard criminal or misdemeanour procedures in lower-level courts. Sanctions for the violation of electoral rules include fines, imprisonment and bans to participate in elections for up to seven years for offences such as bribery, undue influence, treating (distribution of goods), illegal voting, intimidation etc. In addition, if an elected candidate is found guilty of committing any of these practices, his/her election is

declared null and void.<sup>29</sup> Under the 19<sup>th</sup> Amendment to the Constitution, non-compliance with the guidelines issued by the Commissioner of Elections to public officials constitutes an offence punishable with up to three years' imprisonment.

Some of these sanctions appear disproportionate as offences subject to the suspension of electoral rights for seven years also include, for example, voters wilfully showing a marked ballot. Also, there is a lack of harmonisation between provisions of the penal code and the election law that regulate election-related violations, as they provide for different penalties for the same offence.<sup>30</sup>

On 6 July, the Elections Secretariat established election complaints centres in every district. During the pre-election period, the centres received some 1,600 complaints contending breaches of electoral rules, most of them alleging the illegal display of campaign material, the participation of state officials in campaign events, appointments and promotions of state officials not allowed during the electoral process, and the misuse of state property. The highest number of complaints was recorded in Colombo. The police conducted a number of arrests in relation to the complaints reported, including that of 12 candidates.

On Election Day, complaints centres received 226 complaints regarding minor irregularities such as problems with the ink, gatherings outside polling stations, and the distribution of campaign materials. There were also a few allegations of more serious violations such as bribery and intimidation.

The complaints centres worked efficiently and acted upon all complaints received. Reports of illegally displayed campaign material, gatherings or processions were forwarded to the police to halt them. Sixty state institutions were called upon by the Commissioner of Elections to suspend alleged transfers, promotions or wage increases until the electoral process was over. Police and district returning officers were instructed to confiscate official vehicles improperly used for campaign purposes. Institutions and parties had to submit a report to the Commissioner on the action taken by them to comply with instructions or requests given by the Commissioner. The complaints centre at the Elections Department compiled and made available at its office to the public a report with details of each complaint received by phone, fax, email or by letter and the response given. Reportedly, some 20 per cent of the complaints were false allegations.

The complaints centres, however, lacked codified procedures and a detailed regulatory framework which resulted in their inconsistent operation throughout the country. In some districts, the centres were more pro-active in verifying complaints while in others they merely recorded them and forwarded them to the police. The police conducted some 700 arrests in

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Election law, section 81.

For instance, under the penal code, "treating" is punished in a summary conviction by a fine not exceeding SLR 200 whereas the election law provides that treating be convicted by the High Court and subject to imprisonment for a term not exceeding six months; a fine not exceeding SLR 500; an incapability of voting at any election for a period of seven years; and vacation of seat if he/she has been elected to the parliament.

relation to the complaints reported, including that of 15 candidates. All suspects were presented before magistrate courts and were released on bail or fined.

Over the entire period, few cases were brought before the courts. Most notably, 29 provincial ministers were charged for the misuse of state resources over the use of official vehicles for campaign purposes.

#### B. COMPLAINTS AND APPEALS

Legislation provides for complaints and appeals processes that are generally in line with the international principle of judicial review and second instance. However, election-related complaints go through regular administrative procedures, with no specific election-related deadlines, which may undermine their timely and effective remedy.<sup>31</sup>

Complaints against decisions, actions and inactions of election administration officials can be challenged through a writ application before the Court of Appeal with the power to review and annul administrative acts issued by any public official or compel an institution or a public official to perform an act.<sup>32</sup> The Supreme Court has sole and final jurisdiction over any matter that may arise in the exercise of powers by the Commissioner of Elections.<sup>33</sup> While there are no deadlines for writ applications before the Court of Appeal, the Constitution regulates that complaints against the Commissioner of Elections shall be filed within one month from the date the act being challenged occurred. The Supreme Court must bring a decision within two months.

During the electoral process a very low number of cases were brought before the court. Three complaints pertaining to candidate registration were filed with the Court of Appeal, which dismissed all three cases as ungrounded. The Supreme Court took up a Fundamental Rights Petition invoking the right to equality against former President Rajapaksa. The petitioner alleged the number of vehicles and security arrangements assigned to Mr Rajapaksa as former president provided him an undue advantage in the campaign. However, the petitioner withdrew the application on 14 August.

#### C. PETITIONS

The right to judicial review is explicitly defined by the electoral legislation only in one case: the possibility to challenge final results by candidates before the Court of Appeal within 21 days after results are *gazetted* and within 28 days after the alleged irregularity occurred. The court

Article 2(3), ICCPR: Any person whose rights or freedoms [...] are violated shall have an effective remedy.

Constitution, article 104.

<sup>33</sup> Constitution, article 104H.

must deliver a ruling no later than six months after a petition is filed. Decisions of the Court of Appeal can be challenged before the Supreme Court within a month.

Although not specified by law, jurisprudence of the Supreme Court has established that any person or organisation may challenge the validity of an election through a Fundamental Rights Application before the Supreme Court by invoking the right of freedom of expression.<sup>34</sup> Thus far, there was only one complaint submitted to the Supreme Court regarding the results of the elections. On 26 August, a Fundamental Rights Application was filed seeking an order to suspend the appointment of the 12 UPFA national list nominees to parliament. The petitioner, Mahajana Eksath Peramuna (People's United Front) vice-president Somaweera Chandrasiri, argued that the appointment of candidates whose name had not been on the national list submitted to the Commissioner of Elections constituted a violation of his fundamental rights and that of the public.

A request to re-count preference votes lodged by high-profile UNP candidate and former minister of children's affairs Ms Rosy Senanayake was rejected by the Commissioner of Elections as the law does not provide for recounts, and the difference in votes between the elected candidate and the claimant was over 4,000. The election law, however, regulates that the Commissioner of Elections order a re-polling if irregularities detected on Election Day are likely to affect the results. No application requesting re-polling was submitted.

#### XI. PARTICIPATION OF WOMEN

Sri Lanka has signed key international instruments for equality between women and men, and the principles of equality and non-discrimination are constitutionally protected. Sri Lanka became the first country in Asia to grant women the right to vote in 1931, and elected the world's first woman prime minister in 1960, Sirimavo Bandaranaike. However, the percentage of women in parliament since independence in 1948 has not exceeded 6.5 per cent.

There are no legal barriers for the participation of women in elections as candidates or as voters, and while the Constitution affords for special provisions being made by law for the advancement of women, the legal framework contains no affirmative action measures. The only article in the election law mentioning the inclusion of women refers to the requirement of having one or more women office bearers for the registration of political parties.<sup>36</sup>

The Supreme Court exercises fundamental rights jurisdiction exclusively in relation to the fundamental rights expressed in the Constitution. These fundamental rights include freedom of thought, conscience and religion; freedom from torture; right to equality; freedom from arbitrary arrest, detention and punishment; prohibition of retroactive penal legislation; and freedom of speech, assembly, association and movement. Case law has established that the right to vote is part of freedom of expression.

MP belongs to the UPFA coalition.

Election law, section 7(4)(d).

The participation of women during the entire process was extremely low. While women made up 51 per cent of the electorate and the main parties adopted a gender chapter in their manifestos including the promotion of women's development and social welfare, fewer than 10 per cent of the candidates contesting these elections were women. Of a total of 556 female candidates, just 13 entered parliament; 11 elected from district lists representing 10 of the 22 electoral districts, and two appointed through the national list. Of these 13, 11 are from influential political families with strong connections in their constituencies. According to the world classification index on women in parliament 2015,<sup>37</sup> Sri Lanka ranks 131st among 141 countries with the lowest percentage of women in parliament in South Asia at 5.8 per cent, well below the world's average at 22 per cent and that of Asia at 19 per cent. In the executive, women make up six per cent of the government.<sup>38</sup>

Women were also under-represented at senior and middle levels of the election administration management. One Additional Commissioner and an extremely low number of Senior Presiding Officers were women. In contrast, women were better represented at lower levels of the administration, making up most of the polling and counting staff. While women were also actively involved in election monitoring, comprising above 50 per cent of domestic observer groups, EU EOM observers assessed the participation of women in the campaign as very low overall. Their attendance at campaign events was limited, and few were involved in canvassing or in door-to-door campaigning.

According to EU EOM interlocutors, in addition to cultural and gender stereotypes and socio-economic considerations, the political culture of violence prevalent in previous elections is a major hindrance to women's participation in politics. The absence of campaign finance rules, resulting in high campaign spending from candidates' own resources, was also cited by women's groups as a barrier to female participation in elections. The groups also claimed that media coverage of the campaign had a negative effect on female candidates, firstly because women were not given equitable access to the media, and secondly because female candidates were invited to participate in programmes and talk shows to discuss themes traditionally considered to be women's issues while the debates involving wider political themes were conducted exclusively between male candidates. The EU EOM's media monitoring results confirm that male political actors dominated the campaign in the media (see Media Monitoring results). In the last days of the campaign, a "vote for women" project was launched by civil society but with little success.

Although EU EOM interlocutors generally agreed with the inclusion of temporary special measures to enhance the participation of women in politics, the proposed 20<sup>th</sup> Amendment to the Constitution on electoral reform includes no provision for women. The current electoral system and the one devised in the proposed Amendment make gender quotas difficult to implement. A

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See http://www.ipu.org/wmn-e/world.htm

In the interim government, out of 40, 2 ministers are women (the minister of Women's Affairs, and Foreign Employment), one state-minister out of 14 (Children's Affairs), and two deputy ministers out of 23 (Women's Affairs and Irrigation and Agriculture).

draft bill on a Women's Commission drafted by the Ministry of Women's Affairs has been put before the cabinet for approval. It foresees an independent women's commission with 13 commissioners whose mandate is framed under CEDAW with competencies similar to that of the Human Rights Commission.

## XII. PARTICIPATION OF INTERNALLY DISPLACED PERSONS AND MINORITIES

The legislation provides for special measures to ease the participation of internally displaced persons in elections and the Constitution provides for the use of both national and state languages. Internally displaced persons (IDPs) and minorities were able to exercise their right to franchise without administrative hindrances.

Between 1977 and 2009 Sri Lanka witnessed conflict-induced displacement with numbers of the displaced fluctuating annually. The Ministry of Resettlement in charge of granting IDP status upon an application submitted with district secretariat offices reported that 44,934 persons are yet to be resettled as of May 2015.<sup>39</sup> However, according to the Internal Displacement Monitoring Centre the number of IDPs was above 73,000 in July 2015.<sup>40</sup> According to the ministry, the IDP population originates in the districts of Northern and Eastern provinces of Jaffna, Kilinochchi, Vavuniya, Mullaitivu, Mannar, Trincomalee, Batticaloa and Ampara.

The Registration of Electors Act No. 44 of 1980 section 4 provides that citizens are entered into the register of electors where they are residents on 1 June. In 2013 the Registration of Electors (special provisions) Act No. 27 was enacted to exempt internally displaced persons from certain requirements that would enable them and their children to vote in the electoral district in which their permanent places of residence were situated prior to their displacement. The Act applies to the Northern and Eastern provinces and provides for an initial application of two years, which can be extended by the government. Also, pursuant to section 127 B of the election law, through a media release of 30 June 2015, the Commissioner of Elections informed about "procedures for casting a vote where there is fear or a reasonable inability to cast a vote at a given polling station due to conditions prevailing in the area within which his polling station is situated." Although the law provides that applications should be submitted within a week of the notice of nominations, 26 June, the deadline was extended until 10 July. As a result, 17 special (absentee) polling stations were made available for IDPs in Puttalam district who cast ballots for the district of Vanni.

The latest census of 2012, the first one conducted in Sri Lanka in 31 years, categorises the population in the following ethnicities: Sinhalese (74.9 per cent), Sri Lankan Tamil (11.2 per

http://resettlementmin.gov.lk/site/index.php/en/statistics.html

http://www.internal-displacement.org/south-and-south-east-asia/sri-lanka/

cent), Indian Tamil<sup>41</sup> (4.2 per cent), Sri Lankan Moor (9.2 per cent), Burgher (0.2 per cent), Malay (0.2 per cent), Sri Lankan Chetty, Bharatha and other (0.1 per cent).<sup>42</sup> Sinhala is spoken by 74 per cent of the population and Tamil by 18 per cent.

The Constitution defines Sinhala and Tamil as official and national languages and orders that the language of the administration be both.<sup>43</sup> Accordingly, electoral material was produced in Sinhala and Tamil. However, some EU interlocutors in the Northern province claimed declarations of the Commissioner of Elections were made available only in Sinhala, which could constitute a barrier to the process as the majority of the population there speaks only Tamil.

#### XIII. ELECTION OBSERVATION

Civil society organisations in Sri Lanka are very active and play a pro-active role in constitutional and electoral reforms. The main domestic organisations – the People's Action for Free and Fair Elections (PAFFREL), the Center for Monitoring Election Violence (CMEV), the Campaign for Free and Fair Elections (CaFFE) and Transparency International Sri Lanka (TISL) – carried out large-scale monitoring of misuse of public resources, campaign violations and incidents of electoral violence, and produced detailed reports on a regular basis. They were also engaged in limited voter education/information projects and in Election Day and postal (early, in-person) voting observation.

The presence of domestic observers contributed to the transparency of the electoral process and enhanced public confidence. The legal framework contains no provision for domestic or international observation. Accreditation for domestic observers is at the discretion of the Commissioner of Elections and this was granted without specific, public or objective criteria. On Election Day PAFFREL and CMEV deployed over 15,000 stationary observers while CaFFE and the National Poll Observation Center (NPOC) some 4,000 mobile observers. Only 300 domestic observers were accredited to observe the counting in just 30 per cent of the counting centres across Sri Lanka. According to civil society representatives, such limited access did not add value in terms of observation findings.

EU EOM observers reported that despite limited technical and financial resources but with a well-established network of observers, domestic observers had an important positive impact in the conduct of the elections.

The Commissioner of Elections issued accreditations for some 175 international observers for the EU Election Observation Mission, the Commonwealth, the Forum of Election Management Bodies of South Asia (FEMBoSA), the Asian Network for Free Elections (ANFREL) and other smaller international delegations.

42 http://www.statistics.gov.lk/PopHouSat/CPH2011/index.php?fileName=pop42&gp=Activities&tpl=3%7Ctitle

This was the category used in the census.

Constitution, article 18 and Constitution, article 19, and article 22.

#### XIV. POLLING AND COUNTING

Election Day was peaceful despite some minor incidents and 35 arrests reported by the police. Voting took place in an orderly, efficient and transparent manner and the overall assessment of EU observers was "very good" to "good". Despite high participation, there was a steady flow of voters. Polling stations observed opened on time. All essential election materials were available. Polling staff performance was assessed in most cases as competent and impartial. While the vast majority of polling assistants were women, there was a very low number of female Senior Presiding Officers.

Representatives from the main political parties and independent groups as well as domestic observers from PAFFREL and CMEV, many of whom were women, were present in the majority of polling stations observed. Although armed police officers were present outside and in many cases inside the polling stations, there were only two cases in which they were playing a pro-active role. EU EOM observers noted only a few cases of campaign materials in polling station vicinities (posters and stickers with the number and photo of candidates).

In the vast majority of polling stations observed (97 per cent), the layout was adequate for the conduct of polling with sufficient space and accessible to voters with reduced mobility (80 per cent). Polling procedures were mostly followed. There were some procedural irregularities that, according to EU EOM observers, did not have an impact on the integrity of the process. In some cases voters were not checked for traces of ink, while in a number of polling stations observed the ink was not strong and visible.

However, polling procedures included recording of the voters' registration number on the counterfoil of the ballot paper. Such a procedure makes all marked ballots traceable which undermines the secrecy of vote. Moreover, in some 35 per cent of the polling stations observed, the layout did not sufficiently protect the secrecy of the vote as the positioning of the polling booths gave Senior Presiding Officers a clear view of voters marking their ballots. EU EOM observers did not observe any intentional breach of the secrecy of vote and interlocutors raised no concern about this practice.

Polling stations observed by EU EOM observers closed on time (16:00) with no voters standing in the queue and closing procedures were properly implemented and assessed as "very good" to "good".

Counting was conducted in a transparent, well-organised and fast manner in the counting centres/stations observed by EU EOM observers in the presence of representatives of political parties and independent groups and domestic observers. Procedures were mainly followed and the counting staff performed well. However, in some cases the counting rooms were too small, were overcrowded and overheated. Results were displayed in the majority of counting centres observed. Counting was completed in less than 24 hours.

#### XV. ANNOUNCEMENT OF RESULTS

The tabulation of results by the Returning Officers was well organised, very efficient and conducted in a transparent manner as reported by EU EOM observers. Procedures were properly implemented in the presence of political party representatives and domestic/international observers, with minor irregularities reported such as small discrepancies between the counting station results and the tabulated results.

The Returning Officers in each electoral district upon completion of the tabulation process announced the results per electoral district and forwarded the results and the names of the elected candidates to the Commissioner of Elections. Countrywide official results per electoral district and the total were uploaded on the Elections Department website. The number and the names of the elected candidates by political party/independent group were published in the official *Gazette* (number 1928/2 and 1928/3) on 19 August 2015.

Voter turnout was 77.66 per cent. The highest turnout was recorded in Hambantota electoral district in the Southern province (81.20 per cent), while the lowest was in Jaffna electoral district in the Northern province (61.56 per cent). A total of 11,684,111 registered voters cast their vote. The United National Party received 45.66 per cent of the valid votes while the United People's Freedom Alliance received 42.38 per cent of the valid votes.

The total number of invalid votes was 4.42 (516,926 votes) per cent. However, in nine out of 22 electoral districts the percentage of invalid votes was more than five per cent. In Vanni and Jaffna electoral districts (Northern province) the percentage of invalids was 9.43 and 7.83 per cent respectively while the lowest was in Galle electoral district, 2.36 per cent.<sup>44</sup>

According to EU EOM observers and interlocutors, the main reason for such a high percentage of invalid votes was the lack of understanding of voting/marking procedures by the voters and the confusing layout of the ballot paper. Due to the high number of candidacies the ballot paper was too long. In addition, independent groups were identified by a number and many voters confused these numbers with the candidates' preference numbers at the bottom of the ballot paper. Most interlocutors realised rather too late in the process that there was a serious lack of voter education on how to correctly mark the ballot paper.

To a lesser extent some ballot papers were intentionally crossed off or left blank. Interlocutors from the Northern province reported that some ballot papers were spoiled on purpose as a form of protest against the inability of the political system to provide redress to Tamil grievances. Likewise, EU EOM observers reported that a few invalid votes in the Central and South provinces were assessed as protest votes.

<sup>4</sup> 

Invalid votes over five per cent per electoral district: Anuradhapura 5.65 per cent, Puttalam 6.08 per cent, Jaffna 7.83 per cent, Vanni 9.43 per cent, Matale 7.21 per cent, Nuwara Eliya 7.79 per cent, Trincomalee 5.52 per cent, Digamadulla 5.35 per cent and Batticaloa 5.36 per cent. (source: Department of Elections official website)

#### A. ALLOCATION OF MANDATES THROUGH NATIONAL LISTS

Thirteen "national" seats were won by the governing UNP-led coalition, 12 by the UPFA, two by TNA and two by the JVP. All four parties awarded some of these mandates to losing candidates, a move that was strongly criticised by representatives of domestic observer organisations. While this is not illegal, they underlined, it was widely perceived as unethical.

Out of 13 seats won by the UNP coalition, 12 went to candidates chosen from the national list submitted during the nomination period and one to a candidate who lost the elections in Puttalam district, even though the party had declared before the elections that no defeated candidate would get a national list seat. Similarly, the JVP appointed one of its two national list seats to a losing candidate, and the TNA gave both mandates to defeated candidates.

The UPFA's national list mandate distribution has come under heavy criticism from UPFA coalition partners who accused the SLFP of not consulting them before submitting the final list. First, 11 of its 12 mandates went to candidates loyal to President Sirisena, leader of the UPFA coalition and of its main party, the SLFP. Only one seat was awarded to a member of the SLFP faction associated with former president Rajapaksa. Second, seven of these newly appointed MPs lost the elections in their districts. This was seen as unfair by smaller parties of the UPFA coalition, other candidates and many party supporters.

The allocation of UPFA national mandates was directly linked to recent decisions by President Sirisena that allowed him to take control of the Alliance. Just a few days before the elections, President Sirisena removed more than 20 members of the SLFP Central Committee and replaced the general secretaries of both the UPFA and SLFP. After the election, a compromise was reached between competing party officials that President Sirisena would have the final say on the composition of the national list.

### XVI. RECOMMENDATIONS

	Context	Recommendation	Change in Legal Framework Required	Key international principle, obligations and commitments or domestic law
LEG	AL FRAMEWORK			
1	The requirements to be a candidate are overly broad and disproportionate. The disqualification based on double citizenship and a conviction served in the 7 years prior to registration is restrictive and	A review of the requirements established to qualify as a candidate could be considered to ensure these are fully in line with international commitments and standards.	Constitution	ICCPR articles 2 and 3
	discriminatory.	The blanket denial of suffrage rights to those with criminal convictions		ICERD article 5
	The blanket denial of suffrage rights to those with criminal convictions is disproportionate.	should be lifted. It is also advisable that the suspension of political rights be sustained only by means of a court ruling.		ICCPR General Comment no. 25, paragraph 15
2	The constitution allowed parties and independent groups to appoint, after elections, the candidates who would receive mandates gained from the nationwide constituency from either the national	In view of the forthcoming electoral reform, it is recommended that, in the case that a closed party list is kept, parties, alliances, and independent groups are required to nominate candidates before elections in the order in which they would be allocated a seat, so that	Constitution Parliamenta ry Elections	General Principle: The right of voters to make an

	Context	Recommendation	Change in Legal Framework Required	Key international principle, obligations and commitments or domestic law
	list or any district list, not bound by any order or the number of votes obtained by candidates. All four parties that qualified to get seats from the nationwide constituency named defeated candidates from district lists to fill "national list seats", hampering transparency and the right of voters to make an informed choice, as voters could not anticipate the candidates who were likely to enter into parliament as a result of their vote.	voters can anticipate the result of their vote.	Act	informed choice.
ELEC	CTORAL ADMINISTRATION			
3	The 19 <sup>th</sup> Amendment to the Constitution, approved in April 2015, envisaged among other things the establishment of an independent three-member	Priority could be given to the timely establishment of the three-member Independent Election Commission as foreseen in the 19 <sup>th</sup> Amendment to the Constitution.	Not required	Constitution
	Election Commission.			ICCPR General

The Constitution and the Parliamentary Elections
Act foresee wide powers for the Commissioner of
Elections and the right to issue guidelines and

The establishment of formalised procedures for the decisions/instructions issued by the Commissioner of Elections and the introduction of a suitable communication system of these decisions/

Parliamenta ry Elections

ICCPR General Comment no. 25,

Comment no. 25, paragraph 20

	Context	Recommendation	Change in Legal Framework Required	Key international principle, obligations and commitments or domestic law
	directives. However, the decisions issued by the Commissioner were at times vague and impracticable, and not always consistent with provisions contained in statutory laws. The absence of codified procedures paved the way for unilateral decisions to be made by the Commissioner. This,	instructions to political stakeholders, civil society and voters would enhance the transparency and integrity of the process.	Act Regulatory	paragraph 20
	combined with the lack of consistency in publishing such decisions, led to confusion and an overreliance by candidates and voters on media reports for information, which compromised the principles of accessibility, legal certainty and clarity.		Framework	
5	Security forces/police and government employees on duty on Election Day are the only categories of voters to benefit from postal voting. Proper safeguards are lacking to ensure the secrecy of the postal vote as the serial number of the ballot paper is recorded in several places, such as on the declaration of identity and the envelope where the marked ballot paper is inserted. Further, the ballot paper's serial number is printed on the counterfoil where the voter registration number is recorded. Thus, in theory it is possible to trace a ballot marked by a voter. In addition, postal voting takes place in the working premises of the voters while the person in charge for the postal voting is usually the working	Consideration could be given to include broader categories of voters in postal (early, in-person) voting such as professionals who are on duty on Election Day, domestic observers or voters who for some reason cannot vote in their assigned polling station on Election Day. Review of postal (early, in-person) voting procedures would enhance the protection of the secrecy of vote and allow voters to cast their vote freely.	Parliamenta ry Elections Act Regulatory Framework	ICCPR art. 25(b), ICCPR General Comment no. 25, paragraph 20

	Context	Recommendation	Change in Legal Framework Required	Key international principle, obligations and commitments or domestic law
	supervisor. Worth mentioning, the turnout of postal voting was 98 per cent. As voting in Sri Lanka is voluntary such a high turnout could appear as if voters felt to some extend obliged by the circumstances to vote even if they did not intend to.			
6	The positioning of the polling booths allowed polling officials a clear view inside the booth. This instruction to polling officials was introduced as a fraud-prevention mechanism but in many cases polling officials could clearly see the choice of the voter in the ballot paper.	Consideration could be given to amending the layout of polling stations, in particular to the positioning of polling booths in order to allow voters to vote in privacy and to guarantee the secrecy of the vote.	Regulatory Framework	ICCPR General Comment no. 25, paragraph 20
7	Although the recording of the voter's registration number on the counterfoil of the ballot paper was introduced as a fraud-prevention mechanism, in theory (even though the possibility is very thin due to the counting taking place in counting centres) this can make the ballot paper traceable and undermine the secrecy of the vote.	Consideration could be given to abolishing the recording of the voter's registration number on the counterfoil of the ballot paper since it could make the ballot paper traceable and does not ensure the secrecy of vote.	Parliamenta ry Elections Act Regulatory Framework	ICCPR General Comment no. 25, paragraph 20

	Context	Recommendation	Change in Legal Framework Required	Key international principle, obligations and commitments or domestic law
8	In some polling stations the ink was not very strong or dry.	In an effort to enhance further the integrity of the polling process, the quality and consistency of indelible ink as an anti-fraud safeguard could be improved.	Regulatory Framework	Good practices to safeguard the integrity of the process
9	While a good number of polling stations were suitable for persons with reduced mobility, on many occasions proper arrangements such as ramps were required. Visually impaired voters could not exercise their right to vote without assistance.	Consideration could be given to persons with reduced mobility to have full access at buildings where polling stations are located (polling stations operating on ground floors/ temporary or permanent ramps to ensure easy access). A tactile ballot paper could be introduced for the visually impaired to protect the secrecy of vote and reduce the need for assistance.	Parliamenta ry Elections Act	ICCPR art. 2  ICCPR General  Comment no. 25,  paragraph 2 and 11
			Regulatory Framework	CRPD (signed but not ratified by Sri Lanka) art. 29
VO	TER REGISTRATION			

10 The active registration system implemented in Sri Lanka does not foresee a revision period before an election, thus an estimated 300,000 citizens who

Consideration could be given to introduce a period for revision of the voter register before an election in order for those citizens who turned 18 in the interim to have the opportunity to register.

Registration of Electors' Act ICCPR General Comment no. 25, paragraph 11

playing field between candidates, contrary to international standards for transparency of

campaign finance

	Context	Recommendation	Change in Legal Framework Required	Key international principle, obligations and commitments or domestic law
	turned 18 in the interim were disenfranchised.		Regulatory Framework	
CAI	MPAIGN ENVIRONMENT			
11	The electoral law provisions on campaigning are overly restrictive and thus not fully in line with international standards as they unduly limit freedom of campaigning. Political parties are prohibited from organising "processions", candidates and their family members are not allowed to engage in doorto-door campaigning or canvass in person.  Candidate leaflets and posters can be displayed only at party or candidate campaign offices; there were no designated public places for this purpose.	The electoral law provisions on campaigning could be reviewed. Consideration could be given to abolish the restrictive provisions that prohibit: direct canvassing by candidates and their family members and direct door-to-door campaigning. The local authorities could assign places for candidates they can post their campaign posters besides the party or candidate offices.	Parliamenta ry Elections Act	ICCPR General Comment no. 25, paragraph 25
12	Party and campaign finance are not regulated. The laws establish no limits on contributions or spending, and there are no disclosure requirements. This results in a lack of transparency and accountability and does not contribute to a level playing field between candidates, contrary to	Campaign finance rules could be developed, establishing allowed and forbidden sources of financing, ceilings on donations and expenditures and disclosure requirements to ensure a level playing field between candidates and enhance transparency.	Parliamenta ry Elections Act	ICCPR General Comment no. 25, paragraph 19 UN Convention Against Corruption

		Change in	Key international
Constant	December delter	Legal	principle,
Context	Recommendation	Framework	obligations and
		Required	commitments or
			domestic law

13 The abuse of state resources for campaign purposes remained to be a significant issue in the elections.

There was a number of cases of misuse of state resources reported by observers in regard of misuse of state vehicles, offices, employees and promotions and transfers of public officials.

The abuse of state resources, including human resources, for campaign purposes could be more effectively prevented through improved enforcement and by holding those in violation accountable.

# **COMPLAINTS AND APPEALS**

14 Complaints and appeals are resolved through regular administrative procedures, with no specific shortened election-related deadlines, which may hamper their timely remedy. The introduction of legal deadlines for the adjudication of election related complaints could be considered to provide expeditious resolution in line with the electoral calendar, to ensure a timely and effective remedy.

Constitution

ICCPR General

Comment no. 25

Parliamenta ICCPR, Articles 2 and 3

ry Elections

Act

ICERD, Article 5

Civil Procedure Code Ordinance

	Context	Recommendation	Change in Legal Framework Required	Key international principle, obligations and commitments or domestic law
15	Sanctions for some election offences appear to be excessive, such as the suspension of the electoral right for up to seven years if a voter shows a marked ballot in a polling station, or a three-year jail term for failure to comply with media guidelines. Others appear to be so low that they do not encourage compliance, such as the SLR 100 fine for illegally displaying campaign material or for the conduct of campaign activities by candidates during the 48 hours prior to Election Day.	It is recommended that sanctions for electoral offences are reviewed in line with the principle of proportionality to encourage enforcement and compliance. It is recommended that the sanctions outlined in the Penal Code and in the Parliamentary Elections Act for the same offence are harmonised to enhance legal certainty.	Constitution  Parliamenta ry  Elections Act	UDHR article 10 and 21  ICCPR article 2 and 25
16	There is no consistency between the sanctions provided for the same offence in the Penal Code and in the Parliamentary Elections Act. For example, the sanction for "treating" in the Penal Code is SLR 200 while in the Parliamentary Elections Acts the sanction includes a fine of SLR 500 and the suspension of electoral rights for up to seven years.	It is recommended that the sanctions outlined in the Penal Code and in the Parliamentary Elections Act for the same offence are harmonised to enhance legal certainty.	Parliamenta ry Elections Act Penal Code	UDHR article 10 and 21  ICCPR article 2 and 25

Absence of regulatory framework for broadcast

Regulatory

General Principle:

	Context	Recommendation	Change in Legal Framework Required	Key international principle, obligations and commitments or domestic law
17	Complaints centres established by the Secretariat of Elections at district and divisional levels lacked codified rules of procedures.	In order to increase transparency, efficiency, and the consistency of their work throughout the centres in the island, it is recommended that rules of procedures for complaints centres are developed under the regulatory framework or codified in the election law.	Regulatory framework	UDHR article 10 and 21
			Parliamenta ry Elections Act	ICCPR article 2 and 25
GEN	DER EQUALITY			
18	The participation of women in the entire electoral process was extremely low. Women made up fewer than 10 per cent of all candidates and the	The introduction of temporary special measures to increase the representation of women in politics as well as their role in key positions in the public sector through quotas and programmes to support their	Parliamenta ry Elections Act	CEDAW article 4.1
	representation of women in the new parliament stays at 5.8 per cent, the lowest in South Asia and well below the world's average at 22 per cent. There are no affirmative action measures in place.	participation in public life could be considered. Greater incentives for political parties should also be introduced to encourage more women representation in leadership positions and as candidates for elections.		General Comment no. 23 of the CEDAW Committee
				Beijing Declaration, 1995
ME	DIA			

The establishment of an independent broadcasting regulator is

	Context	Recommendation	Change in Legal Framework Required	Key international principle, obligations and commitments or domestic law
19	media; absence of transparency in allocation of broadcast licences; absence of community/associative broadcasting network.	recommended. Its tasks could include the formulation of comprehensive legislation to provide for, inter alia, a clear and transparent process regarding the allocation of broadcast licences; a complaints mechanism for state and private broadcasters; and obligations on broadcasters to be balanced and impartial. Such a transformed licensing system could be used to facilitate the development of community/ associative broadcasters and websites. Systematic media monitoring during an election campaign period would assist the regulatory body in its tasks.	framework	Support for independent, pluralistic and diverse media; UN Human Rights Committee General Comment No 34 (39) and (40) on Article 19 of the ICCPR
20	Lack of clarity and practicability of media guidelines; absence of provisions in media guidelines regarding paid advertising; lack of clarity in election law on campaign silence and free airtime on state broadcasters.	The media guidelines on elections coverage could be reviewed with a view to making them clear, practicable and more comprehensive to provide for aspects not already covered such as equitable access by parties to advertising space; transparency of pricing of advertising space; transparency with regard to allocation of advertising space by state media; and the clear identification of paid airtime to distinguish it from editorial content. The provisions, currently in the election law, regarding free airtime on state broadcasters and campaign silence could be clarified or replaced by a clear provision in the guidelines.	Media guidelines; Elections Act	Good practices, for example Council of Europe: Recommendation CM/Rec(2007)15 of the Committee of Ministers to member states on measures concerning media coverage of election campaigns (2007) II (1)

	Context	Recommendation	Change in Legal Framework Required	Key international principle, obligations and commitments or domestic law
21	Excessive sanctions against the media for non-compliance with guidelines, provided for by the 19 <sup>th</sup> Amendment to the Constitution; disproportionate sanctions in election law for the publication of false statements.	It is recommended to review possible sanctions against the media for non-compliance with elections guidelines, as well as other related sanctions prescribed in the election law, to make them proportionate and facilitate freedom of expression.	Constitution Elections Act	UN Human Rights Committee General Comment No 34 (47) on Article 19 of the ICCPR.
22	The reinstatement of the Press Council, which has powers under the Press Council Law (1973) to imprison journalists for up to two years, jeopardises new media freedoms.	The reinstatement of the Press Council could be reconsidered and sanctions including imprisonment under the Press Council Act removed to bring the legislation into line with international standards on freedom of expression.	Press Council Act	UN Human Rights Committee General Comment No 34 (47) on Article 19 of the ICCPR
23	Preferential treatment by state channels for incumbents.	It is recommended that the three state broadcasters operate instead as independent public service broadcasters, in line with the stated objective to develop and maintain high standards in programming "in the public interest", as set out by the various Acts under which they were established. Similarly, it is recommended that newspapers produced by the state-run Lake House group enjoy editorial independence, as set out in the Associated Newspapers of Ceylon Ltd (Special Provisions) Law 1973 (12).	Not required	UN Human Rights Committee General Comment No 34 (16) on Article 19 of the ICCPR
24	A new phase in Sri Lankan journalism in which concepts of balanced, fair and impartial reporting are in many instances being employed for the first time.	Training needs across the media industry could be assessed and the professionalisation of journalists and media workers facilitated.	Not required	Professional capacity-building to help develop the media sector, ensure balanced, accurate and

Context	Recommendation	Change in Legal Framework Required	Key international principle, obligations and commitments or domestic law
			responsible journalism, and underpin freedom of expression, pluralism and diversity (UNESCO Media Development Indicators)

# **VOTER EDUCATION**

The conduct of voter education/ information was not systematic and it was also shown to be inefficient. The number of invalid ballots since the introduction of the current electoral system has risen above 4 per cent in each parliamentary election and in a great number of electoral districts up to 9.5 per cent. Given as well the complexity of the current ballot paper, special focus should be given to well-planned, comprehensive and timely delivered voter education activities.

The Commissioner of Elections and the future Independent Election Commission could consider strengthening voter education projects, developing a long term comprehensive voter education strategy plan, prepared well in advance before elections. In addition to election officials, civil society organisations could be engaged in such projects.

Parliamenta ry Elections Act Principle of informed electorate

Regulatory Framework

		Change in	Key international
		Legal	principle,
Context	Recommendation	Framework	obligations and
		Required	commitments or
			domestic law

### **ELECTION OBSERVATION**

The legal framework contains no provision for domestic observation. Accreditation for domestic observers is at the discretion of the Commissioner of Elections and it was granted without specific, public or objective criteria. Only 300 domestic observers were accredited to observe the counting in just 30 per cent of the counting centres.

Consideration could be given to include in the legal framework for elections the right of domestic and international observers to observe all stages of the electoral process (pre-election, election-polling, counting and tabulation — and post-election period) without undue restrictions. A formalised accreditation process could be established.

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ve ry Elections
Act

UDHR art. 21

ICCPR General Comment no. 25,

Regulatory Framework

> Best practicespolitical commitments

paragraph 20

Code of good practices, 2002, II 3.b (Venice Commission)

# XVII. FINAL RESULTS

PARTY/GROUP NAME	VOTES OBTAINED	PERCENTAGE
United National Party	5,098,916	45.66%
United People's Freedom Alliance	4,732,664	42.38%
People's Liberation Front	544,154	4.87%
Ilankai Tamil Arasu Kadchi	515,963	4.62%
Sri Lanka Muslim Congress	44,193	0.40%
Eelam People's Democratic Party	33,481	0.30%
All Ceylon Makkal Congress	33,102	0.30%
Democratic Party	28,587	0.26%
Bodu Jana Peramuna	20,377	0.18%
Akila Ilankai Thamil Congress	18,644	0.17%
Ceylon Worker's Congress (P.Wing)	17,107	0.15%
Independent Group 04 Puttalam District	9,547	0.09%
Frontline Socialist Party	7,349	0.07%
Independent Group 06 Trincomalee District	6,476	0.06%
United People's Party	5,353	0.05%
Puravesi Peramuna	4,272	0.04%
Tamil United Liberation Front	4,173	0.04%
Eelavar Democratic Front	3,173	0.03%
Our National Front	2,868	0.03%
Independent Group 02 Matara District	2,332	0.02%
Independent Group 04 Jaffna District	1,979	0.02%
United Socialist Party	1,895	0.02%
Jana Setha Peramuna	1,728	0.02%
Independent Group 02 Jaffna District	1,706	0.02%
Akhila Ilankai Tamil Mahasabha	1,628	0.01%
Independent Group 06 Jaffna District	1,442	0.01%
Independent Group 01 Matara District	1,160	0.01%
Independent Group 11 Batticaloa District	1,135	0.01%
Independent Group 15 Batticaloa District	1,134	0.01%
Independent Group 09 Anuradhapura District	790	0.01%
Independent Group 07 Mahanuwara District	706	0.01%
Okkoma Wasiyo Okkoma Rajawaru Sanvidanaya	700	0.01%
Nawa Sama Samaja Party	644	0.01%
Independent Group 01 Nuwara-eliya District	628	0.01%
Sri Lanka Mahajana Pakshaya	626	0.01%
Independent Group 26 Batticaloa District	580	0.01%
Nawa Sihala Urumaya	502	0.00%
United Peace Front	488	0.00%
Eksath Lanka Podujana Pakshaya	454	0.00%
Independent Group 15 Gampaha District	431	0.00%
Maubima Janatha Pakshaya	352	0.00%
Independent Group 01 Colombo District	339	0.00%
Independent Group 03 Galle District	338	0.00%
Socialist Equality Party	321	0.007
Independent Group 12 Colombo District	286	0.007
Independent Group 06 Kegalle District	274	0.00%
independent Group of Regaine District	214	0.00%

Independent Group 11 Gampaha District	241	0.00%
Independent Group 05 Kalutara District	239	0.00%
Sri Lanka National Force	236	0.00%
Independent Group 06 Vanni District	227	0.00%
Independent Group 03 Jaffna District	224	0.00%
Independent Group 14 Batticaloa District	224	0.00%
Independent Group 03 Trincomalee District	220	0.00%
Independent Group 05 Badulla District	218	0.00%
Independent Group 11 Colombo District	211	0.00%
Independent Group 05 Mahanuwara District	203	0.00%
Independent Group 05 Jaffna District	201	0.00%
Independent Group 04 Vanni District	188	0.00%
Independent Group 01 Batticaloa District	177	0.00%
Independent Group 09 Kurunegala District	176	0.00%
Independent Group 02 Polonnaruwa District	169	0.00%
Independent Group 03 Vanni District	166	0.00%
Independent Group 06 Nuwara-eliya District	156	0.00%
Independent Group 10 Anuradhapura District	150	0.00%
Independent Group 09 Colombo District	149	0.00%
Independent Group 10 Colombo District	140	0.00%
Independent Group 05 Hambantota District	140	0.00%
Independent Group 02 Badulla District	138	0.00%
Independent Group 15 Colombo District	137	0.00%
Independent Group 09 Nuwara-eliya District	134	0.00%
Independent Group 16 Gampaha District	129	0.00%
Independent Group 09 Batticaloa District	128	0.00%
Independent Group 19 Batticaloa District	126	0.00%
Independent Group 06 Badulla District	124	0.00%
The Liberal Party	118	0.00%
Independent Group 01 Kurunegala District	114	0.00%
Independent Group 07 Gampaha District	112	0.00%
Independent Group 06 Anuradhapura District	112	0.00%
Independent Group 01 Galle District	108	0.00%
Independent Group 01 Ratnapura District	104	0.00%
Democratic Unity Alliance	98	0.00%
Independent Group 04 Kalutara District	98	0.00%
Independent Group 04 Matara District	95	0.00%
Independent Group 12 Kurunegala District	95	0.00%
Independent Group 23 Batticaloa District	94	0.00%
Independent Group 01 Kalutara District	92	0.00%
Independent Group 08 Digamadulla District	92	0.00%
Independent Group 14 Kurunegala District	91	0.00%
1	91	0.00%
Independent Group 03 Badulla District	90	0.00%
Independent Group 02 Mahanuwara District		
Independent Group 10 Gampaba District	88	0.00%
Independent Group 10 Gampaha District	84	0.00%
Independent Group 24 Batticaloa District	84	0.00%
Independent Group 06 Mahanuwara District	82	0.00%
Independent Group 13 Kurunegala District	82	0.00%
	81	0.00%
Independent Group 02 Hambantota District		

Independent Group 06 Ratnapura District	79	0.00%
Independent Group 09 Digamadulla District	77	0.00%
Independent Group 02 Galle District	76	0.00%
Independent Group 04 Ratnapura District	74	0.00%
Independent Group 04 Badulla District	69	0.00%
Independent Group 08 Matale District	68	0.00%
Independent Group 07 Nuwara-eliya District	68	0.00%
Independent Group 02 Anuradhapura District	68	0.00%
Independent Group 01 Jaffna District	67	0.00%
Independent Group 01 Badulla District	64	0.00%
Independent Group 07 Batticaloa District	63	0.00%
Independent Group 07 Anuradhapura District	63	0.00%
Sri Lanka Labour Party	62	0.00%
Independent Group 12 Gampaha District	62	0.00%
Independent Group 08 Batticaloa District	61	0.00%
Independent Group 08 Colombo District	59	0.00%
Independent Group 14 Colombo District	57	0.00%
Independent Group 01 Gampaha District	55	0.00%
Independent Group 10 Vanni District	55	0.00%
Independent Group 01 Mahanuwara District	53	0.00%
Independent Group 01 Vanni District	53	0.00%
Independent Group 12 Digamadulla District	53	0.00%
Independent Group 02 Colombo District	52	0.00%
	52	0.00%
Independent Group 03 Gampaha District	50	0.00%
Independent Group 04 Polepharunya District	50	0.00%
Independent Group 04 Polonnaruwa District Independent Group 05 Ratnapura District	50	0.00%
Sri Lanka Vanguard Party	49	0.00%
Democratic National Movement	49	0.00%
Independent Group 04 Mahanuwara District	47	0.00%
Independent Group 06 Kurunegala District	47	0.00%
Independent Group 12 Batticaloa District		0.00%
·	46 46	0.00%
Independent Group 04 Kegalle District		
Independent Group 05 Kegalle District Independent Group 03 Kalutara District	46 45	0.00%
·		
Independent Group 03 Matara District	45	0.00%
Independent Group 17 Digamadulla District	45	0.00%
Independent Group 03 Matale District	44	0.00%
Independent Group 01 Trincomalee District	44	0.00%
Independent Group 02 Kegalle District	44	0.00%
Independent Group 08 Gampaha District	43	0.00%
Independent Group 05 Colombo District	42	0.00%
Independent Group 09 Gampaha District	42	0.00%
Independent Group 04 Hambantota District	42	0.00%
Independent Group 05 Digamadulla District	42	0.00%
Independent Group 03 Mahanuwara District	41	0.00%
Independent Group 08 Vanni District	41	0.00%
Independent Group 05 Batticaloa District	41	0.00%
Independent Group 21 Batticaloa District	40	0.00%

Independent Group 30 Batticaloa District	40	0.00%
Independent Group 14 Gampaha District	39	0.00%
Independent Group 08 Nuwara-eliya District	39	0.00%
Independent Group 02 Kurunegala District	39	0.00%
Independent Group 01 Moneragala District	39	0.00%
Independent Group 03 Ratnapura District	39	0.00%
Independent Group 06 Matale District	38	0.00%
Independent Group 16 Batticaloa District	38	0.00%
Independent Group 03 Kurunegala District	38	0.00%
Independent Group 03 Kegalle District	38	0.00%
Independent Group 05 Vanni District	37	0.00%
Independent Group 07 Vanni District	37	0.00%
Independent Group 03 Puttalam District	37	0.00%
Independent Group 02 Ratnapura District	35	0.00%
Independent Group 06 Gampaha District	34	0.00%
Muslim National Alliance	33	0.00%
Independent Group 07 Matale District	33	0.00%
Independent Group 04 Kurunegala District	32	0.00%
Independent Group 02 Kalutara District	31	0.00%
Independent Group 01 Kegalle District	31	0.00%
Independent Group 04 Gampaha District	30	0.00%
Independent Group 06 Batticaloa District	30	0.00%
Independent Group 10 Batticaloa District	30	0.00%
Independent Group 16 Digamadulla District	30	0.00%
Independent Group 01 Polonnaruwa District	30	0.00%
Independent Group 08 Kurunegala District	28	0.00%
Independent Group 01 Anuradhapura District	28	0.00%
Independent Group 04 Matale District	27	0.00%
Independent Group 02 Nuwara-eliya District	27	0.00%
Independent Group 05 Nuwara-eliya District	27	0.00%
Independent Group 11 Puttalam District	27	0.00%
Independent Group 05 Anuradhapura District	27	0.00%
Independent Group 05 Matale District	26	0.00%
Independent Group 02 Vanni District	26	0.00%
Independent Group 03 Anuradhapura District	26	0.00%
Independent Group 08 Anuradhapura District	26	0.00%
Independent Group 13 Gampaha District	25	0.00%
Independent Group 13 Batticaloa District	25	0.00%
Independent Group 17 Batticaloa District	25	0.00%
Independent Group 05 Kurunegala District	25	0.00%
	24	
Independent Group 03 Colombo District	24	0.00%
Independent Group 03 Gampaha District	24	
Independent Group 01 Matale District		0.00%
Independent Group 03 Nuwara-eliya District	24	0.00%
Independent Group 07 Kurunegala District	24	0.00%
Independent Group 01 Puttalam District	24	0.00%
Independent Group 05 Puttalam District	24	0.00%
Independent Group 13 Colombo District	23	0.00%
Independent Group 03 Hambantota District	23	0.00%
Independent Group 25 Batticaloa District	23	0.00%

Independent Group 08 Puttalam District	23	0.00%
Independent Group 28 Batticaloa District	22	0.00%
Independent Group 09 Puttalam District	22	0.00%
Independent Group 11 Kurunegala District	21	0.00%
Independent Group 07 Colombo District	20	0.00%
Independent Group 04 Nuwara-eliya District	20	0.00%
Independent Group 01 Hambantota District	20	0.00%
Independent Group 27 Batticaloa District	20	0.00%
Independent Group 10 Kurunegala District	20	0.00%
Independent Group 06 Colombo District	19	0.00%
Independent Group 02 Matale District	19	0.00%
Independent Group 09 Vanni District	19	0.00%
Independent Group 20 Batticaloa District	19	0.00%
Independent Group 05 Trincomalee District	19	0.00%
Independent Group 10 Digamadulla District	18	0.00%
Independent Group 15 Digamadulla District	18	0.00%
Independent Group 06 Puttalam District	18	0.00%
Independent Group 04 Colombo District	17	0.00%
Independent Group 01 Digamadulla District	17	0.00%
Independent Group 04 Digamadulla District	17	0.00%
Independent Group 02 Puttalam District	17	0.00%
Independent Group 02 Batticaloa District	16	0.00%
Independent Group 18 Batticaloa District	16	0.00%
Independent Group 10 Puttalam District	15	0.00%
Independent Group 13 Digamadulla District	14	0.00%
Independent Group 04 Anuradhapura District	14	0.00%
Independent Group 03 Polonnaruwa District	14	0.00%
Independent Group 03 Batticaloa District	13	0.00%
Independent Group 22 Batticaloa District	13	0.00%
Independent Group 29 Batticaloa District	13	0.00%
Independent Group 02 Digamadulla District	13	0.00%
Independent Group 03 Digamadulla District	13	0.00%
Independent Group 06 Digamadulla District	13	0.00%
Independent Group 04 Batticaloa District	12	0.00%
Independent Group 04 Trincomalee District	12	0.00%
Independent Group 07 Puttalam District	11	0.00%
Independent Group 14 Digamadulla District	9	0.00%
Independent Group 07 Digamadulla District	8	0.00%
Independent Group 11 Digamadulla District	7	0.00%

TOTAL VALID VOTES	11,167,185	35.58%
REJECTED VOTES	516,926	4.42%
TOTAL POLLED	11,684,111	77.66%
REGISTERED NO OF ELECTORS	15,044,490	

#### **COMPOSITION OF THE PARLIAMENT** PARTY/GROUP NAME DISTRICT BASED **TOT NO OF MEMBERS** NATIONAL BASED **United National Party** 93 13 106 **United People's Freedom Alliance** 83 12 95 2 Illankai Tamil Arasu Kachchi 14 16 2 **People's Liberation Front** 4 6 1 0 **Eelam People's Democratic Party** 1 Sri Lanka Muslim Congress 1 0

NATIONAL SEATS		
PARTY/GROUP NAME	VOTES OBTAINED	NO OF MEMBERS
United National Party	5,098,916	13
United People's Freedom Alliance	4,732,664	12
People's Liberation Front	544,154	2
Illankai Tamil Arasu Kachchi	515,963	2