

19.11.2005

PRESIDENTIAL ELECTION 2005

Situation Report on Presidential Election Day

1. INTRODUCTION

1.1. This report contains our review of the situation that existed on the day of the Presidential poll on 17.11.2005. The Presidential Election campaign that was started with the handing over of nominations on 7th October 2005 ended with the election of a new President on 17th November 2005. Every incident that was reported through the network of information collection which included (a) PAFFREL District and Divisional Coordinators, (b) PAFFREL Mobile and Stationary Observers (c) Other civil organizations (d) Media (e) groups of persons etc., was subjected to scrutiny at least by two institutional structures to ascertain its correctness. The two such structures were (a) relevant police officers or staff of the Department of Elections and (b) PAFFREL observers and coordinators.

1.2. A strong organizational structure that was proved competent when experimented at past elections was mobilized to monitor the activities of this election. A rough idea of its capacity could be got from the following statistical data.

- 19,623 stationary polls observers ie. observers stationed inside polling stations.
- Observation by stationary observers majority of the 10,486 polling stations set up throughout the country.
- Assigning of 400 mobile observation vehicles with 2,000 mobile observers.
- 5220 polling stations were subjected to observation by mobile observers.
- In addition an other 300 civil organizations
- Divisional coordinators and 160 offices
- District Coordinators and 22 offices
- 110 foreign observers
- A unit to gather media information
- A centre to coordinate international observers
- An internet web site
- A SMS systems to enable the sending of short messages
- The chief operations centre based at the head office etc.

1.3. We found that we could arrive at a very important conclusion by analyzing the information that was confirmed through this organizational network. It was that in the recent history this presidential election was the best such election that was held without any violent acts, or serious electoral malpractices excepting in the North-East. Compared with the situations at the post elections the pre-election campaign was the one with the lowest number of conflicts and election mal-practices.

In statistical terms following comparison could be made.

Pre-poll period :-

Parliamentary General Election 2001	- 562 pre-poll violent acts
Parliamentary General Election 2004	- 295 pre-poll violent acts
Presidential Election 2005	- 172 violent acts

1.4. As mentioned above, we have a history of elections where on the day of polling a large number of violent incidents had taken place. The number of incidents that occurred in the day of the poll on 17/11/2005 was very much less than in previous polls. It can be depicted thus:

Incidents on the day of the poll:-

General Election 2001	- 421 Violent Acts/Corrupt practices
General Election 2004	- 100 Violent Acts/Corrupt practices
Presidential Election 2005	- 44 Violent Acts/Corrupt practices

PAFFREL organization sees this gradual reduction election violence as a sign of political maturity in society.

1.5. There are several social institutions which contributed to the development of this situation. Among them are the Department of Election headed by the Commissioner of Elections, Police Department headed by the Inspector-General of Police, and the services rendered by the Police Commission. We appreciate the services rendered by these institutions. The contribution by the voters and the political parties too have become helpful in achieving this promising situation.

1.6. However with all these promising signs we should not forget some of the incidents that took place on the day of the poll. Especially the lack of voter participation in many parts of North-East the prevalence of violence and intimidation have marred this election to certain extent. A report containing some examples of the types of violence that occurred here is attached as Annex I.

2. SITUATION IN THE NORTH

2.1. Owing to the position taken by the LTTE regarding this Presidential election a large section of voters living in LTTE controlled areas could not exercise their franchise. LTTE had initially stated that the Tamil Community had no special reason to take any interest in this election, but if any voters want to exercise their vote they could do so. At the same time it was reported that organizations which are pro-LTTE had asked the people not to cast their votes. When doubts arose within the society as regard LTTE's attitude once again they expressed that the Tamil people cannot be having any need to show at interest in this election.

2.2. If the situation on the polling day in the Northern province is summarized it will be appeared as follows:

Jaffna District

- A hand grenade exploded at St. Joseph junction at Chavakachcheri on the night of 16/11/2005. No one was injured.
- In Kopai electorate only 19 persons had cast their votes by 12 noon on 17/11/2005.
- In Chavakachcheri electorate only 18 persons had cast their vote by 12.30 p.m. on 17/11/2005.
- In Muhamalai cluster polling station there were 103 polling booths. In Kilinochchi cluster polling station there were 95 booths. At Point-Pedro there were 8 polling stations. In all these places only 1 vote had been cast.
- In Muhamalai area near the LTTE check point about 200 civilians set fire to polling cards in order to express their objections. A member of Parliament belonging to TNA was also associated with incident.
- A bus which was running on Jaffna-Karainagar road on election duty was attacked by civilians with stones. The bus was severely damaged.

3. THE SITUATION IN THE EASTERN PROVINCE

The tactics of preventing the voters from reaching polling stations were in operation throughout the day in the Eastern Province. Especially all the approach roads from uncleared areas to the government controlled areas were kept closed. Tyres had been burnt on Padirippu and Vavunathivu bridges to prevent the running of vehicles thus creating a situation of intimidation. An announcement made by Karuna faction in the Eastern Province had ordered the casting of votes for only a particular candidate. The situation was that prevalent in the Eastern Province could be seen also as one facet of the conflict between Karuna faction and the LTTE. Accordingly the observations made by us can be summarized as follows:

- There was a bomb explosion in Batticaloa town between 7.00 a.m. and 8.00 a.m. It is considered that this was done to intimidate people.
- The chasing away of UNP polling agents by a member of Parliament who came to the polling station at Kotaamadi Muslim School.
- A hand grenade exploded at the polling station situated in Vani school in Pudu Kudirippu area. Although the polling station was kept open after this incident voters had not come to this centre.
- A hand grenade exploded close to a polling station at Kaludavalai in Kalavanchchikudi in Batticaloa. No damages to persons were reported.
- A hand grenade exploded around 12.08 p.m. close to Maha Vidyalaya at Chenkaladi in Batticaloa. At this place two Muslim police officers and six civilians sustained injuries.
- A hand grenade exploded about 11.45 a.m. at the entrance to the play ground of Batticaloa Hindu college. At this place two police officers and two home guards sustained injuries.

Situation in Digamadulla District

- The number of murders reported on 17/11/2005 was two. Two persons who were trying to assembling a claymore bomb near a bakery at Pandirippu in Kalmunai died due to the explosion of that bomb. Two civilians who were at the scene sustained minor injuries and were hospitalized. Although this was not directly connected to the election. It is our belief that the fear caused by this incident affected the voting in the area.
- An unidentified person had shot at a Muslim cleric in the vicinity of Islamabad polling station in Kalmunai. The injured is receiving medical attention in the intensive care unit of Ashorff Memorial hospital. Although this incident is not directly associated with the election it could also be considered to have caused an unfavourable influence on the voters as in the case of the incident mentioned above.
- A certain Deputy Minister had come and assaulted a UNP polling agent at hall no.2 of Darul Ullum Vidyalaya at Digamadulla District
- Shots have been fired at the Ninthavur Madina polling station in Ninthavu polling division. No body has sustained injuries.

The Situation in Trincomalee District

- Although a hand grenade had been exploded at Abhayapura junction in Trincomalee. No damage to person reported.
- A person was killed by shooting around 3.15 p.m. at Chelvanagampura alias sumedha gama in Uduppili police area.

In this manner it is observed that several acts of violating the peace in the eastern area had taken place. A matter that needs attention is the fact that no such acts of violating peace had been reported on the polling day from Jaffna or other Districts in the North. However, considering these two Provinces the regrettable situation noticed was the undermining of democratic process and institutions.

The situation in other Province

PAFFREL notices that compared to the situation in the above provinces the polling in other provinces was conducted in a more peaceful and praise worthy manner. However even in these areas certain violations of election laws have been reported. However, we believe that such incidents have not affected the overall result of the presidential poll. Following are examples of such Districts which experienced the highest number of such incidents.

The situation in Mahanuwara District

- UNP supporters have been subjected to intimidation in Watapuluwa area in Udunuwara polling division.
- UPFA supports have tried at impersonations at Uda Peradeniya area.
- UPFA activists have obstructed the voting by UNP supporters at Inguru oya Junior School in Nawalapitiya polling area.
- A Grama Niladhari in Teldeniya area was arrested on 17/11/2005 morning for trying to display posters in support of a candidate.
- A number of Rambukpitiya Pradeshiya Sabha had assaulted and chased away certain voters who came to cast their votes at Rambukpitiya Vidyalaya, Nawalapitiya.

The situation in Anuradhapura District

- A person who came to impersonate at Seevali Maha Vidyalaya, Halmillewa, Galnewa in Kalawewa polling division was arrested by the police.

The situation in Matara District

- A JVP provincial council member had assaulted two persons who were in the Hikgoda polling station at Dyalape in Akuressa Division.
- A JVP member of Parliament and 4 others have been hospitalized due to an assault by UNP supporters. This has taken place in Akuressa area.

The situation in Polonnaruwa District

- Intimidation of UNP polling agents on duty at Dalugala Primary School polling station had been reported.

- UPFA activists who were staying near approach roads to some polling stations in Welikanda area have distributed leaflets depicting the name and the symbol of their candidate.
- It was observed that at no.64, Sinhapura polling station the Deputy Residential Manager of the Mahaveli Scheme had distributed leaflets requesting the voting for UPFA candidate.

The situation in Kurunegala District

- The UPFA members had assaulted and caused injuries to a UNP polling agent at Katugampala Wellawa Vidyalaya polling station.
- The body guards of a UPFA minister had assaulted some UNP supporters at Athbaruwa area in Kurunegala.

One fact that emerges from the above description about some selected Districts, is that although it is true that on the whole there was a free and fair election, there were minor cases of violating the election laws. Although not specifically mentioned here, there were reports of similar incidents from various localities of other Districts as well. Among such incidents, matters like transporting voters, treating them and the distribution of leaflets with symbols etc. take a leading place. However, it appears that we have to march a further mile in order to create a democratic society where even these types of incidents could be avoided. Therefore, looking at the whole process of this Presidential election, PAFFREL believes that comparatively this is the most peaceful election that the people of Sri Lanka experienced in recent times.



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