

**LOCAL GOVERNMENT ELECTION BATTICALOA DISTRICT
SITUATION REPORT – PAFFREL
13.02.2008**

The Batticaloa district which has around 350,000 voters has a majority Tamil population with a minority Muslim and a very small Sinhala population. The Muslim population is concentrated primarily to the north and to the south of the town of Batticaloa.

When the period for official acceptance for nominations ended on January 25, a total of 30 parties and 22 independent groups had joined the process. The Thamil Makkal Viduttalai Pullikal (TMVP) political party formed by Pilleyan with the LTTE breakaway faction led by Karuna Amman will contest in eight local authorities on its own and in the Batticaloa Municipal Council its members will contest through the United Peoples Front Alliance.

Various groups, including political parties had made calls to postpone the election. The security situation was seen as a serious threat to the prospects of a free and fair election. The presence of armed cadres has been considered by citizens, community leaders and many political parties was considered an obstacle to free and fair elections. The United National Party and the Tamil National Alliance decided not to participate in the election citing impediments to free and fair elections and the issue of armed cadres out in public.

In mid January, the Supreme Court did not accept the fundamental rights plea before it by Ilankai Tamil Arasu Kadchchi (ITAK) to postpone the election on the grounds that the conditions were not conducive to a free and fair election and therefore that it violated the rights to franchise. The Supreme Court held that it could not interfere with the democratic process of elections but would assist with the security concerns of ITAK.

In 2007, the Supreme Court held that the up to then prevailing North East province should be demerged into two separate provinces, the North and the East. In early 2008 Sri Lanka formally abrogated the Cease Fire Agreement with the LTTE. The local government elections had not been held in a part of the east and in the north, as it was in the rest of the country, due to the disturbed security situation.

During the past year, election laws have changed to introduce the presentation of identity cards for verification of authenticity of the voter, the right of the Election Commissioner to call for fresh elections in a precinct if the election at that location was determined not to be free and fair.

These elections will use the vote lists of 2006. The elections themselves are those that were postponed since 2006 due to the security situation. Other parts of the east had conducted local elections in 2006.

The elections for 101 positions of local authorities in nine divisions will be held on the 10 March. A total of 831 candidates will appear for election with a total registered electorate of 270, 471. Ballots will be cast in 285 polling stations of which 9 will be for the population displaced from their usual residence.

Security and Related Arrangements by the Police

The situation that we encountered in the Batticaloa town was that of a citizenry going about its business, with a heavy police presence and roadside check points and road blocks. Shops were open for business at 7 pm when we traveled through the heart of the town. The citizens with whom we had discussions noted that in the recent past there has been a slight relaxation of the tension experienced in the area

The police force under the command of a DIG administers the nine local government areas that are scheduled for elections. After the close of nominations many steps have been taken to increase human security and safety in the area.

The following measures have been taken:

- Special measures to ensure security and to prevent terrorist attacks
- Increased police patrols and check points
- Special supporting measures for the election
 - Offer of Police protection for all candidates in the form of two armed policemen.
 - Increased mobile patrols
 - Special Investigation Unit established at each station to register and examine election related complaints, the information collected will be periodically forwarded to the Office of the Election Commissioner
 - Special measures on election day to provide security to the polling stations, protect election officers and the ballots
 - Accredited election monitors will be provided with hotline mobile numbers to communicate with police units

Arrangements have been made for PAFFREL to coordinate with the DIG and the election commissioner regarding the flow of complaints and investigations that are received by the Special Investigation Units of the Batticaloa police stations

By the 3rd of February less than 200 of the about than 800 candidates had requested security for themselves. The numbers were slowly increasing. Many TMVP candidates had requested police security for themselves. The DIG noted that many candidates were not ready as yet to use the facility of police security. Some because they were unable to house the policemen, others due to cultural factors that did not make them comfortable to entertain a police guard in their home and yet some others who felt that they did not have a need for police protection.

There were candidates, according to some community workers, who were coerced by various armed groups, a claim that could not be independently verified. Some of them may not be involved in active campaigning.

The law and order situation that prevails now is considered by those who spoke with us to be somewhat different from that of a few months ago. The conditions that have been imposed for the election are relatively recent.

We did not encounter expressions of enthusiasm about specific candidates nor of specific parties of groups. The recent past and experience seemed to dominate the opinions about the TMVP. The

persons with whom we had discussions did not volunteer opinions about the suitability of the TMVP for local government representation nor of their potential capability to address the hard task of serving the citizenry without the force of arms.

The representatives of the TMVP expressed their desire to hold a free and fair election and to get down to the task of providing services to the people.

Community leaders and citizens also expressed the importance of enabling the local authorities and ensuring that they had the resources to address local needs.

Voting Arrangements and Monitoring Activities

There are about 50,000 IDPs living in Batticaloa. The number of eligible voters is about 25,000 special arrangements have been made to enable the IDPs to vote However only 6232 displaced voters have registered to cast their votes out of that also only 1118 from Eravur Pattu and 254 from Korale Pattu making a total of 1372 I am be taken as displaced voters as regards the balance, although their original places of residence have changed are living in the some local authority areas where they were living originally. Therefore the Department of Elections has made special arrangements for 1372 IDPs to cast their votes.

According to the Department of Elections 1004 applications have been made for postal voting. Out of that to applications got rejected accordingly arrangements have been made for 934 postal voters to cast their votes at 72 places on 21st February 2008. These 72 places include 38 central government institutions, 13 provincial council institutions, 14 educational institutions, 03 semi-government institutions and 04 security sector institutions.

The monitoring process of PAFFREL includes three stages-viz. pre-election and the post-elections period. Under the pre-election part at present 06 international monitoring are engaged in monitoring activities in 9 Local Authority areas in 03 groups. PAFFREL expects to deploy 20 international monitors and local mobile monitors closer to the day of the election.

PAFFREL at this moment appeals to all political parties, the government, the commissioner of Elections and all other relevant officials to further strengthen the arrangements already done and take any for the steps, necessary to conduct a violence free election in the Batticaloa District.