

The Friday Forum

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PRESS RELEASE

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THE NEED FOR PUBLIC ENGAGEMENT AND VIGILANCE TO ENSURE FREE AND FAIR ELECTIONS

A delegation of the Friday Forum met recently with the Commissioner of Elections Mr Mahinda Deshapriya with a view to initiating a constructive exchange of views on measures taken by him to ensure free and fair provincial elections. Mr. Deshapriya emphasised the responsibilities of the public and the voters in these elections to be vigilant and to make their own contribution to a free and fair electoral process. In light of these discussions and the Friday Forum's commitment to democratic and free and fair elections, we wish to place the following concerns before the public.

The changes in election procedures over a period of time, and public disillusionment with regard to the electoral process, have created an unfortunate environment where there is some public apathy in regard to our rights and responsibilities as voters. The forthcoming Provincial Council elections in the Northern Province, North Western Province and Central Province are important for democratic and accountable governance in those provinces. Yet it is critically important that voters in these provinces go to the polls and exercise their voting rights, and these voters and the public are engaged with the electoral process. The politicisation of institutions, misuse of state resources, election violence, and the deterioration of our political culture have been the subject of frequent public comment. The current election process is an opportunity to address those concerns and pro-actively work towards holding the government accountable to ensure free and fair elections. A free and fair election process is the very foundation of democracy and must be considered an essential aspect of accountable governance.

Elections are an opportunity for debates about a viable and positive future. As such, election campaigning that exploits the hopes of marginalised populations towards cynical electoral ends, undermines the democratic commitment of the people. Furthermore, campaigns should avoid polarisation, "particularly rhetoric that may further aggravate ethnic relations and caste oppression".

The Friday Forum has consistently advocated devolution as a critically important dimension of peace and reconciliation in the aftermath of the prolonged armed conflict. Conducting free and fair elections to the Northern Provincial Council will be an indicator of the government's commitment to devolution, particularly in a context where these elections are being held many years after the end of the war. The Friday Forum and others have expressed concern that despite assurances of the government to the contrary, the military continues to play a powerful role in civil administration in the North even four years after the end of the war. Democratisation of governance after a period of armed conflict

necessarily involves de-militarisation. A provincial government will soon be elected in the North. The independence of that civil administration and public confidence in it has to begin with citizens' engagement in electoral politics. The public and the state must together ensure a free and fair, violence free election environment from the outset through to election day and in the post election period. The military must therefore have neither a presence nor a role both during the electoral process and after, and national security must not be used as an excuse to undermine the civil administration and the role and responsibilities of the Election Commissioner's office.

Recent elections in the country have been accompanied by incidents of intimidation and violence including intra party violence. In this context the public and civil society need to work closely with election monitoring organisations, informing the Elections Commissioner of any such incidents. Respect and support for the office of the Elections Commissioner are crucial to free and fair elections. The important role and responsibilities of election monitors must be understood and supported by voters and the public. They should report, if necessary with anonymity, to the Elections Commissioner and the elections monitors any violations of elections law, including those relating to misuse of posters and state property, biased and unethical media reporting, or any actions of political parties or candidates seeking to influence voting by the distribution of monetary or other rewards, acts of thuggery such as stealing of voting cards, or voter intimidation.

The public must call on all political parties and their candidates to respect the rule of law and to act in accordance with democratic values on free and fair elections. The legitimacy of political parties and candidates as seekers of public office through a system of popular elections must surely be based on the manner in which they conduct themselves during elections. They must not engage in empty rhetoric but demonstrate by their conduct a commitment to free and fair elections. Political parties must ensure that persons suspected or charged with unlawful or unethical conduct or detained for serious offences before, during and after the elections, will not be given nominations at future elections.

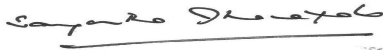
Friday Forum calls on the Government to disarm all unauthorised armed security personnel as well as paramilitary actors. Surveillance and intimidation of election meetings by any armed actor is a serious violation of the principle of equality at elections.

The Friday Forum calls on public servants and officials in all public institutions of the state to fulfil their responsibilities to ensure free and fair elections. Interference by powerful state and non state actors close to candidates must not be tolerated. State resources must not be misused as such handouts in the lead up to elections are the equivalent of corruption, imposing individual responsibility on those who permit such misuse.

We as members of the public must also support efforts to enforce election law so that the elections of those responsible for malpractices will be challenged and nullified by election petitions and court orders.

The Friday Forum appeals to the media which has a special responsibility to ensure unbiased and ethical reporting in the run up to the elections, and at the conclusion of the electoral process. They must use their professional role to support the Elections Commissioner's office in ensuring strict adherence to election laws and procedures and free and fair elections.

We also call upon civil society networks, religious and community organisations and the general public to be engaged and vigilant, and actively support the office of the Elections Commission and elections monitors. We fervently hope that these crucial Provincial Council elections including in the North will set new norms and standards on democratic, free and fair elections in our country.



Jayantha Dhanapala

Professor Savitri Goonesekere,

On behalf of Friday Forum, the Group of Concerned Citizens

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