

CENTRE FOR MONITORING ELECTION VIOLENCE

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Western Provincial Council Election-2009

25 April 2009

Media Communique-07

Summary of Interim Report

According to the reports received by CMEV from its monitors in the field, Polling Day in the Western Provincial Council elections concluded today was by and large, incident free. CMEV received reports of only 12 Major Incidents throughout the day out of a total of 69 incidents, the lowest number of incidents recorded by CMEV for any Polling Day in its ten- year experience of monitoring.

Whilst CMEV wishes to place on record its appreciation for the work of the Election Commissioner and his office in ensuring an incident free Polling Day, it wishes to reiterate a point it has made in past elections and which is relevant to this election as well. Violence perpetrated during the campaign sets the context for an ostensibly violence free election day. It is therefore of the utmost importance that violence perpetrated during the campaign period is deterred and the perpetrators of the violence brought to account.

CMEV regrets that in this regard the Police did not fulfill its responsibility during the campaign, despite greater vigilance and presence in potentially violent Polling Divisions such as Colombo Central on Polling Day. Police inaction and neglect of its duty has undermined its credibility and independence and opened the force to the charge of effective partisanship towards the ruling party. Accordingly CMEV strongly reiterates the position it has consistently held to and which its constituent organizations have advocated - the urgent operationalization of the Seventeenth Amendment, the establishment of the Constitutional Council and independent police commission, amongst others.

The Centre for Monitoring Election Violence (CMEV) monitored the election in the Western Provincial Council on April, 25 2009. On Polling Day, CMEV deployed 555 Polling Station Monitors, 10 Mobile Teams and 36 Field Monitors. CMEV was present for the entire duration of polling at 555 Polling Stations while Mobile Teams and Field monitors visited 788 Polling Stations. By the end of Election day CMEV had visited over 48% of the Polling Stations.

CMEV has recorded 69 incidents as of 6pm today April 25. Of these, 12 have been classified as major offences and 57 as minor offences. There was one major incident of violence since the polls closed at 04.00 p.m. CMEV estimates the voter turn out at 56%.

CMEV is concerned with the violence during the campaign period, specifically during the last two weeks leading up to election -day. As of 23rd April CMEV had 130 confirmed incidents of election related violence including 60 major incidents. Incidents involving the use of fire -arms had risen to 11 and 12 incidents of arson were also recorded. The competition for preferential votes within the two major parties, the UPFA & UNP, further intensified in the last stage of the campaign. Out of the 38 complaints received from the UPFA, 10 complaints were made by party members. CMEV also received 11 complaints from the UNP, 4 of which were against party members.

An illustrative sample of the incidents of violence and the violations of election laws reported by CMEV monitors on Election Day is provided below.

Assault

CMEV received no reports of assault during the voting period but received a report of an assault near the Library Hall of Badovita Sri Jananandaramaya, Badovita Polling Station No 10, Colombo district at 4.10pm. CMEV was informed that supporters of Duminda Silva (No 10) and Fausi Nauzar Mohomed (No 33) had an argument resulting in a violent clash and shooting with one person being seriously injured and admitted to the Kalubowila hospital. The identity of the injured person is unknown. When contacted by CMEV the Director of the Kalubowila Hospital Dr. Anil Jasinha confirmed that such a patient has been admitted to the hospital with injuries. CMEV was informed by Nauzer Fauzi that his supporters were involved but he was not aware of further details. Attempts by CMEV to contact Duminda Silva were not successful.

Threats to supporters

CMEV received reports that supporters of Ajmal Maujud (UPFA preference No 1) threatened to kill Kitsiri Rajapaksha and other supporters of Sunil De Silva (UNP preference No 19). The incident took place at 9.30am near Polling Station 88/89 Zahira Collage, Colombo district.

Continued campaigning during voting period

CMEV received several reports of campaigning during the voting period. Some incidents are detailed below:

At 2.30pm at Polling Station No.28, Meerigama Polling Division, Gampaha District persons in a cab bearing the number 52/2775 distributed hand bills of UNP candidate Udena Wijeratna near the Handurumulla Maha Vidyalaya Polling Station.

At 11.00am at Polling Station No.45, Kelaniya Polling Division, Gampaha District persons in a white van bearing the number 62-4552 were distributing hand -bills of UPFA candidate, W.K.D Rehensiri Waragoda (no.32) in Paliyagoda Dhutugemunu Mawatha close to the Paliyagoda Dhutugemunu Maha Vidyalaya.

At 5.15 am at Polling Station No. 23 Attanagalla Polling Division, Gampaha District four supporters of UPFA candidate Pradeep Perera (Preference no.35) were seen pasting posters and distributed handbills of the UPFA candidate Pradeep Perera 100 meters from the Pitiyegedara Prathamika Vidyalaya Polling Centre.

At 1.30am near Polling Station No 4, Telawala Shri Rahula MV, Colombo District, supporters of UPFA candidate R. Duminda Silva were seen pasting posters in the area.

At 7.30am close to the Maharagama Urban Council Buwaneka MV Hall No 1, near Polling Station No 35, Colombo District, supporters of UPFA Candidate Thilanga Sumathipala (Preference No 18) were seen distributing Campaign Cards and leaflets.

CMEV mobile monitor reported that at 12 noon a group of around 30 supporters of the UPFA were seen handing out leaflets in support of UPFA Preference 13 (Don Sunil Jayamini), 28 (Thernakoon Pathirana Dilip Kumara) and 37(Moris Wijerathna) near Villorawatta Roman Catholic Vidyalaya, Villorawatte, Polling Station 33.

Issues related to Voter Identity Cards

CMEV observed that in previous provincial council elections, considerable numbers of voters could not exercise their right to vote because of the problems related to proper identification. Incidents of a similar nature were reported today.

In Polling Station 03, Kolonnawa Electorate, Colombo District a voter was not allowed to vote since his name on the NIC was not clear.

At 7.20am at Polling Station 61 at the D.S. Senanayake Memorial Cultural Centre, Pelanwatta, Hall No 1, Polling Station 5 voters were not allowed to cast their vote due to lack of valid identification. At 8.35 am at Polling Station 66 at the Kesbewa Dharmasena Artigala B.V Mavithara, Hall No 3, Colombo district three voters were not allowed to vote on account of a lack of valid identity documentation.

At Polling Station 36, at the Methodist Church Indibedda, Moratuwa, Colombo District, CMEV was informed by voters that the SPO allowed certain votes to vote without valid documentation but refused one person who had similar documentation.

Inability to vote due to discrepancies in Polling Cards or not receiving Polling Cards

CMEV reported several cases where voters were unable to cast their vote due to discrepancies in the polling cards. These included incorrect National Identity Card numbers and incorrect family names, (with regards to the latter there have been differences in the manner in which the surnames of those in the same family have been represented).

In Polling Station No 7, Gampaha District, a voter was not allowed to vote because name on his national identity card did not match with the name on his polling card.

Further, CMEV received reports that a number of voters were unable to vote as they did not have their polling cards. In Polling Station No. 51 Minuwangoda polling division , Gampaha District, a voter named S.P Wasantha Perera was unable to vote since he had not received his polling card. CMEV has been informed that in Kotahena Post Office there were 13,000 undelivered ballot cards.

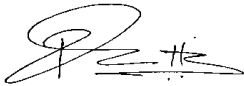
These issues were highlighted by CMEV in the Media Communique No 5 and needs to be addressed by the authorities in future elections.

Allegations of intimidation in the Colombo Central Polling Division

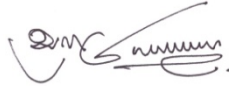
CMEV highlighted in its Media Communique 5 on April 24 that a tense situation has arisen in the Colombo Central Polling Division which has seriously impacted campaigning.

Allegedly, supporters of Ajmal Mawjood, a UPFA candidate (candidate no 01) have threatened and intimidated the other political parties & independent groups to refrain from campaigning in the division It is also alleged that underworld gangs are involved in the intimidation. It was reported to CMEV that supporters of Ajmal Maujud threatened to kill Kitsiri Rajapaksha and other supporters of Sunil De Silva (UNP preference No 19) near Polling Station 88/89 Zahira Collage, Colombo district today.

CMEV was formed in 1997 by the Centre for Policy Alternatives (CPA), the Free Media Movement (FMM) and the Coalition against Political Violence as an independent and nonpartisan organisation to monitor the incidence of electionn related violence. Currently, CMEV is made up of CPA, FMM and INFORM Human Rights Documentation Centre.



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