

CENTRE FOR MONITORING ELECTION VIOLENCE

මැතිවරණ ප්‍රචණ්ඩකූලය නිරීක්ෂණ මධ්‍යස්ථානය
தேர்தல் வன்முறைகளைக் கண்காணிப்பதற்கான நிலையம்

No: 24/2, 28th Lane, Off Flower Road, Colombo 07
Tel: +94 11 2565304 – 6, 5552746, 5552749, Fax: +94 114714460
E-mail: cmev@cpalanka.org Website: www.cpalanka.org

Northern Provincial Council Election 2013 – Communiqué No 1

13th September 2013

The Centre for Monitoring Election Violence (CMEV) officially commenced the deployment of field monitors in the five districts of the Northern Province on [1st September 2013](#). Prior to this, the CMEV secretariat in Colombo monitored incidents of election violence through media reports and volunteers on the ground and from 2nd to 4th September 2013, CMEV conducted a field visit to the districts of Killinochchi, Mullaitivu and Jaffna. The field visit focused on the people's attitudes towards elections in general and the obstacles, if any, to ensuring a free and fair election in the unique socio-political circumstances prevalent in these districts.

This report is based on interviews conducted with Community Based Organizations (CBO's), Social Workers, Youth Groups and religious leaders during the course of the field visit and is supported by desk research. In order to ensure their safety, the names of those who were interviewed have been withheld. The Report also includes incidents reported by CMEV field monitors and complaints made directly to the CMEV secretariat in Colombo.

Background

There is the lower incidence of election related violence in the Northern Province as compared to the other two provinces in which elections are being held on the 21st of September 2013. This is probably attributable to there being only one major rally in the province as of 4th September and election campaigns are yet to intensify.

The most common sentiment expressed by community groups was that they did not see elections as having a significant long-term impact on their quality of life. Whilst some said that it was important to participate in the electoral process, other interviewees from villages such as Ellukadu and Muhumali in Killinochchi district stated that villagers are pre occupied with day to day activities - they struggle to meet basic needs and are least interested in voting. This sentiment was echoed in several parts of the Mullaitivu district.

Key areas of Concern

Although the level of enthusiasm for elections, specific concerns and the experience of individuals varied from one district to the other and even between urban and rural areas in the same district, there were several recurring themes which were common across all districts and which have been highlighted below.

A. Military Involvement in the Electoral process

Although senior military and government officials maintain that the number of troops in the Northern Province has been reduced, CMEV monitors observed that the military was a constant presence in daily activities within the Province. CMEV observed especially large numbers of military personnel in the Mullaitivu district as compared to Jaffna and Killinochchi Districts.

Multiple forms of military involvement in the daily activities of civilians, which have a direct impact on the electoral process, are detailed below.

1. Role of Civil Security Department in the Northern Province

The National Home Guard Service was established as a Voluntary Service in the mid 1980's to protect the border/ threatened villages was re-structured to establish the Civil Security Department by Gazette notification No. 1462/20 dated 13th September 2006. The current role of the [Civil Security Department](#) (CSD) is as follows:

- Agriculture Projects
- Manufacturing of Bricks
- Poultry Farms
- Assisting the Department of Archaeology in restoring archaeological sites
- Development of Roads and Towns
- Conducting of Primary Schools/ Pre Schools.
- Providing Security to Government Institutions (such as Courts, Banks, Wild Life Conservation etc.)
- Functioning of Garment Factories and the Blacksmiths Workshop.
- Training of Private Security Personnel.
- Special Tasks given by the Ministry of Defence.

CBO's and civil society activists in Killinochchi stated that job opportunities have been provided in CDS run farms and for preschool teachers who are paid by the CDS to teach in pre schools in the district. Several individuals alleged that recruitment of farmers and preschool teachers are overseen by two well know UPFA candidates in the Killinochchi district.

In addition to the concern regarding the increased involvement of military- quasi military state functionaries in civilian administration, CMEV representatives were also made to understand that there are serious concerns that the military involvement also has a party-political dimension to it. A consistent complaint heard across the Killinochchi district was that job opportunities are provided on the basis of party political affiliation rather than merit and that on many occasions candidates who had the required qualification have

been rejected and candidates with lesser qualifications and experience have been recruited as they enjoyed political patronage.

When CMEV questioned the interviewees as to why individuals were applying for jobs with these military units whilst simultaneously raising concerns about the militarization in the Northern Province, the most common response was that many of these appointments came with attractive salaries- it is reported that the pre-school teachers were paid Rs. 18, 000 a month. In a context where many individuals- especially in the Mullaitivu and Killinochchi districts- are struggling to find livelihood opportunities to sustain their families, interviewees stated that it was hard to ignore such employment opportunities.

2. Army Surveillance

Another common concern of people in all three districts was of being monitored by Military Intelligence. Movements of visitors and local gatherings are closely monitored. A social worker in the Mullaitivu district reported that military persons in civil attire attend even parent - teacher meetings.

A social worker in Killinochchi reported that village functions and meetings are closely monitored by military groups. Even if intelligence officials do not participate in a meeting, villagers are subsequently questioned regarding the meetings they attend and especially about discussions they have with outsiders or visitors. In Jaffna an individual informed CMEV that the surveillance was so sophisticated that intelligence officials obtained a copy of a drama staged by a Youth Group from the person hired to video the event and subsequently questioned several members of the Youth Group on the contents of the drama.

This degree of surveillance has created an atmosphere of fear and intimidation among people in the North Province. Coupled with allegations that the military is supporting UPFA candidates, this stifles political space and the room for political discussion. People residing in the Northern Province do not enjoy the freedom to express their views and thoughts due to the pressure of being monitored and harassed. Therefore the available political space in the province, post-war, is at best limited.

3. The Role of Civil Security Committee's (CSC)

The Civil Security Committee (CSC) stems from a body, which was originally created at the Grama Niladhari Division level to operate as a social welfare organization. Initially when these committees were formed they comprised of civilians, however, subsequently the Police and the military too "volunteered to take part in the process". Several individuals alleged that CSC's are used to gather intelligence.

CMEV interviewed a member of a CSC in the Killinochchi district who said "there is no work done in terms of providing services, but what's really going on is that, they (military) just want to gather information from us". Persons who are invited to join the CSC are mostly those who are active in social work. Therefore, focusing on them and on their work is key to intelligence and information gathering in the community. The member of the CSC further affirmed that, most often than not, if they met with anyone deemed suspicious by the military, the military would wait to find out the nature of the meeting and the information exchanged.

4. Direct Involvement of Military Personnel in Campaigning.

An eye-witness in the Navanthurai area reported that the military was engaged in the election campaign of UPFA candidate M. Remedius. The individual alleged that he saw military personnel putting up posters of Mr. Remedius in the early hours of the 25th of August 2013. A villager from Navanthurai reported that at a function conducted by the military on the 26th of August 2013 to distribute temporary shelter equipment to villagers, Mr Remedius was engaged in election campaigning and that large hoardings of the candidate were visible in the background during the function.

B. Issues Relating to the Electoral List

The 2012 electoral list will be used for the forthcoming NPC election. The Northern Province consists of two “Electoral Districts”. The Jaffna Electoral district includes both the Jaffna and Killinochchi administrative districts whilst the Vanni Electoral district is comprised of the Mannar, Mullaitivu and Vavuniya administrative districts.

The Centre for Policy Alternatives in a [field report](#) published in May 2013 highlighted the need to ensure the rights of the displaced at the time of the annual revision of the electoral register.

In June 2013, the government took steps to enact the [Registration of Electors \(Special Provisions\) Act No.27 of 2013](#) with a view to restoring the right to franchise of persons who were living in displacement when the revision of the 2012 electoral register commenced, by registering such persons in a “Supplementary Electoral List”. However the number of persons who have actually been included in the supplementary electoral list is relatively low.

	Jaffna Electoral District		Vanni Electoral District		
	Jaffna District	Killinochchi District	Mullaitivu District	Vavuniya District	Mannar District
No. Of registered voters as per the 2012 electoral list.	426,703	68,589	52,409	94,367	72,420
No. of registered voters in the supplementary electoral list.	110	11	1,274	277	3,317
Total No. of persons eligible to vote at NPC election.	426,813	68,600	53,683	94,644	75,737

(Sources: The Department of Elections Sri Lanka)

This has resulted in a large number of persons who resettled during the past two years being deprived of their right to vote. In the Pudukuduirippu East Grama Niladhari Division – Mullaitivu district- where approximately 300 families reside, only 150 persons have been registered to vote as per the 2012 electoral list and only a further 47 persons were registered on the supplementary electoral list.

Many individuals who are unable to vote in the upcoming NPC election stated that they were either unaware of the process to register formally displaced persons in the supplementary electoral list or that they had been informed that only those whose names appeared on the 2011 electoral list but were removed from the 2012 electoral list, could apply to be re-registered.

C. Lack of Awareness amongst voters

This was another common theme that was repeated by various actors especially in the Vanni. As this is the first time in 25 years a Provincial Council election is taking place in the Northern Province, even in areas with highly literate populations who have participated in several elections, there is confusion as to how to use preference votes.

CBO's in Killinochchi stated that in remote villages such as Thirunagar, Barathipuram and Selvanagar, communities have been informed by certain UPFA candidates and Samurdhi officers that their ballots could be traced, including party preference, with the use of information technology. Implicit in this statement is the threat that individuals who obtain state welfare will not be provided with such facilities in the future if they do not vote for the UPFA. This threat is even more serious when considering that many of these individuals do not have access to livelihood opportunities and are completely dependent on state welfare.

It was further alleged that especially in the Killinochchi district that individuals directly working under CSD (farmers, preschool teachers) have been informed by CSD officers that they are only eligible for postal votes and that they should hand over their voting card to CSD officers once they receive them. They were further informed that in any event “their vote had been taken care of”.

D. Abuse of Government Property/ Resources.

The Samurdhi Authority comes directly under the purview of the Ministry of Economic Development. Since its inception there have been allegations of use of Samurdhi officers for election propaganda activities by the government. A similar pattern was observed in the Northern Province where there were constant complaints that Samurdhi officers were engaged in door to door propaganda activities for the UPFA and were also used as tools to recruit people to attend election meetings organized by UPFA candidates. (See also above “Military Involvement in the Electoral process” and below “Election Related Violence”)

Serious concern was also raised about the activities of the Governor of the Northern Province. Because the NPC does not have an elected Board of Ministers the provincial administrative service is completely under the control of the Governor. Allegations of misuse of government property by the Governor include; Use of the Northern Governor's official residence for meetings of the [UPFA candidates](#), addressing election meetings in support of the UPFA candidates and use of government servants in the Northern Province to campaign for the UPFA.

CMEV notes with concern that the Governor's misuse of his official position has been characterized as a legitimate exercise of his functions and have in fact been given wide publicity by state media outlets. CMEV

would like to place on record that it is a well established principle of Sri Lankan law that public officials (elected or unelected) hold the power/ resources allocated to them in trust for the general public of Sri Lanka and not for their own personal benefit. Using such public power for the benefit of one political party or group of individuals is a violation of this public trust.

E. Election Related Violence

The number of serious incident of violence in the Northern Province has been relatively lower than those reported from the Central Province and the North Western Province. However several important trends need to be highlighted;

Firstly unlike the Central and North Western Provinces the Northern Province has a heavy military presence (discussed above). The fact that these incidents -such as particular candidates brandishing fire arms publicly and with relative impunity- occur despite the heavy military presence is cause for serious concern. Several civil society members interviewed in Jaffna pointed out that such incidents are cause for fear and resignation amongst the general public that the perpetrators of violence are above the law because they are tacitly supported by the military. This fear on the part of the general public (and even members of political parties) dissuades them from logging complaints directly with the Police which in turn leads to a low level of official incidents being reported.

Secondly the number of serious incidents reported to election monitors has increased in the first and second week of September. This gives rise to the fear that as the date of the election draws closer and the campaign is more vigorously contested there is a greater possibility of it turning more violent.

Thirdly there have been several reports alleging that Police officers have not recorded the complaint made by victims of attacks in any of the information books (i.e C.I.B's or E.I.B's) but have instead used a separate "exercise book". There is also a lack of awareness amongst the general public and even amongst candidates that Police officers have to record complaints of incidents in an information book and that the complainant is entitled to a reference number.

Some of the more serious incidents reported thus far are detailed below;

1. **On 14th August 2013 at 9.00 p.m: Northern Province, Jaffna Electoral District, Kayts Electorate, at Ottreipanayadi, 40 Houses Scheme, Delft.** As reported by Mr. Karthigesu Nadarasa Kanagaratnam (TNA Candidate), 3 persons named Mr. Ranasinghe Ariyadasa, Mr. Simon Jesudasan and Mr. Jesudasan Anthony were assaulted, allegedly by EPDP supporters Rajip, Sudhan , Mohandas, Edward Raja, Ranjan, and a CTB driver Appan. The latter allegedly fled after the assault by van (bearing registration No. NP 253-5112). Mr. Ranasingha Ariyadasa who was hurt in this incident was admitted to the Delft hospital on the 17th August. He said he was hospitalized for 4 days and discharged on 21st August at which point he lodged a complaint with the Delft Police Station. However according to Ariyadasa the Police took down this complaint only in Sinhala and requested that he sign this complaint. When the CMEV contacted Sergeant Mr. Basnayake of the Delft Police he denied having received such a complaint. Mr. Daniel Rexian (Rajip) who is Chairman of the Delft Pradeshiya Sabha and allegedly a member of the group of attackers, when contacted for comment denied any involvement in this incident. Ms. P. Juliet, a worker of the hospital, when contacted stated that while the above mentioned person had indeed been admitted to hospital he had given a different reason for his injuries (a fall from a roof). She confirmed that the Police had also arrived and taken notes.

2. **On the 20th August 2013 Northern Province, Jaffna District, Jaffna Minsaranilayaveethy (Power Station road).** Father of UPFA NPC candidate, Mr. Angajan Ramanathan attacked the vehicle of the TNA candidate Mr.S. Thambiraasa, while he was travelling in Minsaranilayaveethy (power station road) in Jaffna. The former also attempted to take photographs of Mr. Thambiraasa's vehicle and shop in Jaffna town. Supporters of Mr. Angajan led by his father allegedly attacked the vehicle of the TNA candidate with clubs. Further Mr. Thambiraasa and his family alleged that they received death threats from Mr. Angajan Ramanathan's father stating that he wanted the TNA candidate Mr. S.Thambiraasa to withdraw from contesting in the election.

Even though a complaint was lodged in the Jaffna police station, the police failed to take the suspect into custody. The suspect denied the allegations. It is reported that the police together with the support of an army intelligence unit provided security to the suspect. Mr. S.Thambiraasa had video evidence of the incident, which is available at <http://www.newjaffna.com/fullview.php?id=MjU2NjQ>

3. **On 27th August 2013 Northern Province, Jaffna District, Chavakachcheri.** A clash broke out between Jaffna District Chief organizer of SLFP and UPFA candidate, Mr. Angajan Ramanathan's supporters led by his father and UPFA candidate Mr. A. Sarvananthan's supporters at Chavakachcheri. According to Mr. A. Sarvananthan's supporters, a group of Mr. Angajan Ramanathan supporters entered their office and attacked them. 29 year old Mr. Kanagalingam Nanthakumar from Kachchai Palavi North, received severe injuries from the clash and was admitted to Chavakachcheri base hospital along with Mr. Vishwaraja Vishwaruban and a few others who received minor injuries. After the incident a large amount of military personnel were deployed in the area and conducted further inquiries into this shooting incident.

The Jaffna police on the 28th of August 2013, arrested Mr. Ramanathan, father of Jaffna Chief organizer of the Sri Lanka Freedom Party (SLFP) and UPFA candidate, over the shooting which had taken place on the earlier date. He was produced before Chavakachcheri courts on the 29th August 2013 after which he was committed to 14 days detention. Further the Chavakachcheri Magistrate ordered the police to investigate the attack on Mr Angajan's security guards. Later Mr. Ramanathan was admitted to Jaffna hospital as he complained of a chest pain. Further inquiries into this case will be taken up on the 13th of September 2013.

4. **On 05th September 2013 at 10.10 p.m: Northern Province, Vanni Electoral district.** As reported by the CMEV Monitor the premises of a government office (the National Youth Services Council in Mannar) has been allocated for an election campaign meeting of the UPFA candidate Mr. Abbas Abdul Rifkan Bathiudeen following the request of Minister Rishad Bathiudeen. Several Government Officers attended this meeting.
5. **On 07th September 2013, Northern Province, Jaffna District.** "Valampuri" (a Tamil language provincial newspaper) in circulation within the Northern Province has published an advertisement stating that 5,000 insurance policies will be distributed amongst the fishing community in the Jaffna peninsula.

According to these advertisements, the insurance cover is provided by the "Siras Foundation" which is established under the leadership of Mr. Abdul Hameed Nauman Siras Mohammed. This individual is a UPFA candidate in the Northern Provincial Council election. Additionally, the advertisement states that

after the granting of the said insurance policies, the insurance cover will be maintained under the sponsorship of the Government.

6. **On 08th September 2013 at 10.00 a.m: Northern Province, Jaffna Electoral District, Point-Pedro at MaradanKerny Village.** As reported by Mr. S. Sugirdan, (TNA candidate) a group of between 15 -20 people arrived in a bus (bearing registration No. 29 -7102) and engaged in campaigning on behalf of the UPFA Candidate Mr. Aiyature Sri Rangeshwaran, (Candidate No. 05.) He alleges that Samurdhi officers and volunteer teachers were involved in this campaign.
7. **On 09th September 2013 at 8.00 p.m: Northern Province, Jaffna Electoral District, Point-Pedro Electorate, Kattaikadumulliyar.** As reported by Mr. Yakopu Wimaladas (PNG) one person has come to a house, broken the fence, and forcefully painted the symbol of the TNA in black and pasted 3 posters bearing the number 14 without the consent of the owners. Though the owner of the house informed the police they have only taken a note without reporting it as a complaint. Persons claiming to be from the Intelligence Unit have taken photos of the premises. When contacted, the TNA candidate contesting under number 14, Mr. Chandralingam Sugirthan said he was not aware of such an incident and completely denied involvement.
8. **On 09th September 2013 at 04.35p.m: Northern Province, Jaffna Electoral District, Kaytes electorate, Ambigeynagar, 7th step, Velanai.** As reported by Mr. Karthigesu Nadarasa Kanagaratnam (TNA Candidate, Jaffna District), while supporters of the TNA were distributing leaflets in the area, EPDP supporters Mr. Kandasamy Mayuran and Mr. Karthigesu Sinnathamby have forcefully thrown away the leaflets and threatened to kill them if they continued. When the Police arrived on the scene the accused have fled. Police have taken notes. When contacted by the CMEV, Sergeant Mr. Wickramaratne of Kaytes Police station denied knowledge of such an incident.
9. **On 09th September 2013 Northern Province, Killinochchi District, Postal Voting Center, Zonal Education Office, Nallur Maha Vidyalaya, (Poonagari Education Zone).** As informed by a teacher to CMEV, the Certifying officer of the Postal voting center at the Zonal Education Office, Poonakary MahaVidyalaya, Killinochchi had acted in violation of elections law.

The Certifying officer (Divisional Education Director) allegedly checked the completed ballots of those casting postal votes and allegedly also turned away several school teachers, claiming that they were ineligible for postal voting. However, CMEV was informed by the aggrieved parties that many who were turned away had in fact received written confirmation that they were eligible for postal voting.

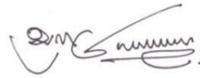
CMEV immediately made a formal complaint in this regard to Mr. A. M. M.Kabeer, Assistant Commissioner of Elections (Actg), Killinochchi. He confirmed that he had received such a complaint from different sources and that a team was dispatched to the particular center to investigate this incident. However when contacted later Mr. Kabeer informed CMEV that they did not receive enough evidence to substantiate the allegation.

10. **On 10th September 2013 at 9.45 p.m: Northern Province, Jaffna Electorate.** Unidentified Persons on a motorcycle attacked Ms. Ananthi Sasitharan (TNA candidate) near the five-junction in Jaffna (on the Jaffna Manipay Road) while she was returning after campaigning. Ms. Ananthi's vehicle was damaged by the motorcyclist who threw a heavy object against the glass window of the vehicle on the side where Ms Ananthi was seated.. The object missed the window of the van and she escaped without injuries. According to Ms. Ananthi three VIP vehicles with escorts passed by her moving vehicle at which point her driver slowed down to give way to the VIP convoy. The motorcyclist approached from behind to carry out

the attack. Ms. Ananthy when contacted by CMEV (At about 9.30 a.m on the 11th September 2013) stated that she has not made a complaint regarding this to the Police, due to fear.



DR. P. Saravanamuttu
Co - Convenor



Mr. Sunil Jayasekara
Co-Convenor



Mr. Udaya Kalupathirana
Co-Convenor