



CENTRE FOR MONITORING ELECTION VIOLENCE

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CMEV's statement on the violation of people's democratic rights

CMEV strongly condemns the blatant violation of the people's democratic rights by the Election Commission, Treasury, Executive, Government Printer and senior officers of the Sri Lanka Police. Examining each of these public authorities and officials in turn, reveals how they have worked together to totally disrupt the Local Government Elections.

Election Commission – The intentional delays by the Election Commission to issue notice declaring the Local Government Elections until the very last possible moment legally, has laid the foundation for creating the present election turmoil. The Election Commission was entitled to declare the elections on September 21, 2022, under the Local Government Election Ordinance, but it delayed this until January 4, 2023. This left only 6 weeks and 5 days for the election date. It also left only 11 days until the end of the present local authorities' official terms, after the election date. Both have left the Election Commission with very little room to manoeuvre. Meanwhile, as reported by the media, the Executive President had summoned the members of the Election Commission twice for meetings before and after the declaration of the election. The Election Commission has not been accountable to voters by clarifying the objective and context of those discussions. Meanwhile, the Secretary of the Treasury had met the Chairperson of the Election Commission yesterday (17 February 2023) to inform him that the Treasury is not in a position to release funds for the Local Government Elections.

Treasury/Executive – Following the declaration, the Secretary of the Treasury issued Budget Circular No. 02/2023 on February 02, 2023 referring to Cabinet Decision No. 23/0201/604/018 on January 30, 2023. This Circular was a blatant violation of Parliament's financial powers by the Executive as it was imposing restrictions on already approved government expenses. The ultimate motivation of the Circular was to disrupt the electoral process by suspending the printing of ballots. However, the Circular cannot be considered as applying to the Government Printer since it gives permission to continue already agreed-upon service agreements between both government and private institutions. As the Government Printer herself has accepted (in her press statement on February 17, 2023), the official communication about the printing of ballots was made between her and the Election Commission on January 23, 2023. The agreement to print ballot papers therefore occurred prior to the Treasury Circular.

Government Printer – According to the Election Commission, the Government Printer gave assurances to deliver the required number of postal vote ballot papers and other materials by February 14, 2023 and accordingly had scheduled the issue of postal vote ballots and materials to District Returning Officers on February 15, 2023. The Government Printer then sent the sudden letter to the Election Commission on February 13, 2023, requesting further advice on payment of the advance. This is what prompted the Election Commission to announce the difficulty in holding the postal vote as scheduled. The Government Printer's arbitrary decisions and vague explanations create the reasonable suspicion that she was intent on disrupting the Local Government Election process.

Sri Lanka Police – According to the Government Printer's press statement of February 17, 2023, the Sri Lanka Police neglected their duty to provide the required security, even after repeated requests by phone and in writing. Later, the Government Printer revealed to the media that she had started ballot paper printing but without the required police security. The Commissioner General of the Election Commission also confirmed that they requested the IGP

to provide the required Police security for ballot printing on January 23, 2023, and that the IGP had instructed the relevant officers, including the Senior Inspector General of Police, Western Province, Deshabandu Tennakoon, to provide the required security. Meanwhile, the Police Media spokesperson Nihal Thalduwa informed the media yesterday that the Police had not provided security since they had no information that ballot paper printing was starting, and that security will be provided when ballot printing started. This information confirms that the relevant Senior Police Officers intentionally violated their constitutional duty to facilitate the election process by first agreeing to and then failing to provide the required security for ballot paper printing.

CMEV is of the view that all the above public authorities and senior government officials have violated their constitutional duties and the fundamental rights of the people. CMEV urges the government to take accountability for these violations by taking all necessary disciplinary and legal action against them. CMEV further urges Parliament to initiate a Parliamentary Inquiry into the disruption of the Local Government Elections process, and to recommend action.



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