



Press Release

Parliamentary General Election 2020 – Joint Statement by Election Observation Organisations

April 12, 2020, Colombo, Sri Lanka

Call for concerned parties to be responsible and not cause a Constitutional dispute in the midst of a global pandemic

We, the undersigned election observation organisations in this country, express our deep concern about the emerging situation regarding the new date for the Parliamentary General Election.

The election was scheduled to be held on April 25, 2020 and was postponed by the Election Commission under the powers vested in it (Gazette Extraordinary No. 2167/19). The decision to postpone is an appreciable move and the most pragmatic decision the Commission could have taken in the midst of the present crisis. The election process is one of the areas which the unanticipated but hugely concerning COVID-19 virus has had an adverse impact on. This pandemic has put over 30 elections across the world on hold. We also appreciate the rapid mobilisation of the National Health Service and the action taken by the government to prevent a mass outbreak.

We note the letters sent by the Election Commission on two occasions anticipating the attention of His Excellency the President and the letter sent in response to those letters by the President's Secretary. This joint statement neither has any intention to intervene in the Constitutional and legal matters raised by those letters nor to get involved in said debate. We, as representatives of Sri Lanka's election observation organisations, collectively wish to emphasise the inalienable responsibility and the obligation of the relevant statutory bodies, elected officials and political leaders of this country to ensure a socio-political context which does not provide even the slightest space for moving towards a constitutional crisis amidst the prevailing national emergency situation.

Our observation is that all possible actions should be taken in a constructive manner so as to resolve the disputes arising from this unanticipated context. The scheduling the Parliamentary General Election is not a decision that should be taken while the Election Commission and the Executive are in discord and disagreement. The situation created by COVID-19 is in a way a pivotal opportunity for all people in this country to work collectively. We strongly believe that concerned parties have a duty to not let this very rare opportunity slip away by carrying out insensitive and confrontational governance practices.

Despite the election's postponement, we have observed that many election candidates whose names have been recorded in nomination papers are engaging in election campaigning activities and promoting their candidacies even during this sensitive time period. We also understand the limitations in the authority of the Election Commission in taking action against such incidents.

While government mechanisms for providing relief services to people are in action, there is no barrier for any election candidate to collaborate with the government relief service mechanisms and provide assistance to affected communities without any campaign promotional expectation. Political party leaders should come forward to control and regularise the functions of their candidates who try to exploit these humanitarian endeavours as opportunities to promote their election candidacies.

Legal provisions are not only the basis for taking a decision on holding the parliamentary general election in this kind of a complex context. Sufficient attention should also be paid to the observations and conclusions of official from health authorities. Therefore, our collective conclusion is that the decision for fixing timeframes for the election require assurance from the Director-General of Health Services and other health authorities.

This assurance must guarantee that no voters or officials connected to the election process will be at risk during the time frame of holding elections. It goes without saying that the election process is such that constant public interactions take place.

It is the responsibility of the Election Commission to ensure a conducive environment in which all election candidates are able to execute their election promotion campaigns in line with the due provisions of election laws and to this end they are provided with sufficient time frames to do so as well. We wish to reiterate that citizens of this country should have the freedom of exercising their right to actively participate in election related activities.

Additionally, we wish to request from all concerned parties to consider the fact that the day-to-day functions of public life of people in this country is firmly returned to its normalcy regardless of the nature of the decision in relation to holding the election. It is an obvious reality that an election while requirements for social distancing and restricting voters to their households remain would not bring expected results from an election.

Further, we express our strong expectation that when the Director-General of Health Services and other health authorities as well as other stakeholders make their intervention that they would act without any prejudice or partisanship. It should be emphasised that the democracy of a country can be fostered not only by holding timely elections but also by having the active and meaningful participation of voters.

Signed by:

Rohana Hettiarachchi, People's Action for Free & Fair Elections - (PAFFREL)

Manjula Gajanayake, Centre for Monitoring Election Violence – (CMEV)

Ashoka Obeysekera, Executive Director, Transparency International Sri Lanka – (TISL)

Manas Ahamed, Campaign for Free & Fair Election – (CaFFE)

Rasanga Harishchandra, Executive Director, National Polls Observation Centre – (NPOC)

Prabodha Rathnayake, Movement for Free and Fair Elections – (MFFE)

Padmini Weerasooriya, Coordinator, Mothers and Daughters of Lanka – (MDL)