

FREE AND FAIR ELECTION CAMPAIGNS

We reproduce below the "additional note" signed by 8 members of the International Observer Group that was invited by the Commissioner of Elections to observe the Parliamentary elections of August 16th.

We the undersigned, members of the International Observer Group, record this separate note to the main report:

We share with our other colleagues an extremely positive appraisal of the arrangements made by election staff for the conduct of the poll.

Like them, we are filled with admiration for the manner in which the voters of Sri Lanka went to vote in such large numbers in most districts.

However, we regard the main report as inadequate in the following important respects.

An election comprises many elements, some visible on polling day, some explicit and sharp in the pre-poll period, and others subtle but potent in the run-up to the ballot. The main report fails to see polling day as the culmination of a process with many preceding phases which affect its outcome.

The Commissioner of Elections in his invitation to us and in the Terms of Reference he gave us did not ask us to pronounce upon whether the election as a whole was free and fair: it is not for us to offer or withhold a stamp of approval. The Commissioner requested us to be available "in furtherance of the principle of free and fair elections". The Terms of Reference he gave us sought our comments not only on the conduct of the poll, but also on any complaints on the provision of equitable facilities to contestants, the role of the media, and freedom from harassment. Our opportunities to observe these directly have been limited, but we have had the opportunity to review documentation and hear from informed observers about them. The main report does not adequately examine the pre-poll situation and implications.

The election-related violence, the abuse of state power and facilities and the partiality of government-owned media

require qualifications stronger than those in the main report regarding the extent to which the overall election was equitable.

The main report records the inability to conduct polling in most of Jaffna district and large parts of Vanni district. Even where polling was possible, the elections were severely flawed by the absence of a fair opportunity to campaign in Jaffna, limitations on fair campaigning in Vanni and serious defects in the opportunities for displaced persons to register and vote. We therefore share the strong reservations of the majority of the International Observer Group regarding the overall elections in these districts. In our view, however, the report does not sufficiently emphasise the way in which this has distorted the allocation of parliamentary seats..

Notwithstanding these qualifications, there is no disagreement within the International Observer Group that the election has resulted in a peaceful transfer of power which is in accordance with the wishes of the majority of the electorate.

Dominique Francke (France)

Amir-ul Islam (Bangladesh)

Javed Jabbar (Pakistan)

Walter Franklin McLean (Canada)

Ian Martin (United States)

Michael McCormack (Guyana)

Mick Moore (United Kingdom)

Christian Wagner (Germany)

"The state-owned Lake House Press and the electronic media were blatantly used in favour of the ruling party propaganda. A case in point was the interview of the Rupavahini and ITN of a political analyst who castigated the PA plans for a settlement of the ethnic question in the North-East as a division of the country. Some of the repeat interviews took place after the cessation of the campaign when reply by the aggrieved party was not possible. The advertisements used in the propaganda campaign of the UNP were highly personalised and often violated the canons of decency and good taste".

-People's Action for Fair and Free Elections-(PAFFREL).