



PAFFREL

Presidential Election 2015

PAFFREL STATEMENT (1st January, 2015)

ACTUAL EXAMPLES OF VIOLATIONS

This section is intended to illustrate the actual violations that take place in highlighted categories.

1. ABUSE OF STATE RESOURCES

PAFFREL notes the following abuses of state resources

- Welfare support being given to coincide with elections.

As at 31-12-14

- Relief to flood victims in Ampara.
- Gifting sarees to Samurdhi recipients in Beruwa and Kalutara.
- Donation of shoes to children of Samurdhi recipients in Kamburupitiya, Matara.
- Monetary rewards to sportsmen/ women in Puttlam.
- Distribution of chicks for poultry farming, water motors and agricultural machines in Ganewatte, Kurunagala.
- Special allowance of Rs. 2500 given to Samurdhi recipients in Vavuniya and Kilinochchi.

As at 18-12-14

- A special Samurdhi allowance to recipients countrywide.
 - The distribution of Samurdhi cards to new beneficiaries in Galle.
 - Drought assistance to farmers in Trincomalee and Seruwawila.
 - Seed paddy to farmers in Polonnaruwa District.
 - Distribution of water motors, sewing machines and agricultural equipment in the North.
 - The distribution of kitchen equipment in Galle, Ratgama.
- Directing welfare recipients to support a particular candidate.

As at 31-12-14

- Samurdhi recipients in Mullaitivu were threatened with the withdrawal of their Samurdhi allowance unless they attended a rally supporting UPFA candidate.
 - Samurdhi recipients in Mahava, Kurunegala were instructed at a special meeting to support the UPFA candidate.
- Gifting equipment & providing vehicles at concessionary rates targeting the election.

As at 31-12-14

- Donation of sewing machines and spectacles in Eheliyagoda, Ratnapura.
- Donation of equipment in Polonnaruwa.
- Distribution of wheelbarrows in Wennappuwa.

As at 18-12-14

- Mobile phones to pensioners (This was suspended following the intervention of the Elections Commissioner)
 - Motorbikes at concessionary rates to state sector employees.
- Use of state vehicles for election purposes

As at 31/12/14

- Use of 122 SLTB buses for campaign meeting held in Balapitiya, Galle on December 25, 2014.

As at 18-12-14

- Use of over 1000 SLTB for UPFA rally in Anuradhapura on December 11, 2014.
 - Use of over 500 buses for UPFA rally in Panadura on December 15, 2014.
 - Use of vehicles belonging to Fisheries Corporation to transport posters of UPFA candidate.
- Use of state premises as campaign offices and for campaign purposes. State premises have been used to hold campaign meetings and display cutouts.
- Use of premises belonging to Matale Divisional Secretariat as campaign office for UPFA candidate.
 - Use of Uva Provincial Council Auditorium for election campaign meeting despite instructions by Elections Commissioner to the contrary.

2. USE OF STATE SECTOR EMPLOYEES FOR CAMPAIGN PURPOSES

- Use of state employees for campaign purposes.

As at 31-12-14

- Use of Youth Service Council employees to distribute election propaganda material.
- Continuing use of employees of Dehiwala/ Mt. Lavinia Municipal Council for election campaign purposes.
- Local level Economic Officers in Tangalle, Hambantota deployed to campaign for the UPFA candidate on the instructions of the *Nil Balakaya*.
- Use of military personnel to prepare propaganda booklet. Distribution of this booklet was stopped by the Elections Commissioner.
- Use of Prison Officers in Ratnapura.
- Use of local level Economic Officers and Samurdhi Officers in Ganewatta, Wariyapola and Hiriyala in Kurunagala to campaign for the UPFA candidate.

As at 18-12-14

- Use of labour grade employees in the Road Development Authority to paste posters.
 - Use of prison inmates to construct the stage and prepare decorations for a campaign meeting in Akuressa.
- Directing state sector employees to actively promote and campaign for UPFA candidate. Employees of state sector Boards & Authorities are especially susceptible.
- Deployment of Youth Service Officers for campaign purposes.
 - Detailed instructions to a SLTB dept office by trade union head on campaigning for the UPFA candidate.

3. UTILISING STATE EVENTS FOR CAMPAIGN PURPOSES

This has been a main component of the UPFA candidate's election campaign. State events have been utilized to showcase and campaign for the election.

As at 18/12/14

- Opening of a housing complex in Salamulla.
- Grant of Mahapola university allowance.
- Opening of public pola at Embilipitiya.

4. MAKING TRANSFERS IN & APPOINTMENTS TO KEY PUBLIC SECTOR INSTITUTIONS

As at 31-12-14

- Local Government Authority: Confirmation of appointment of 300 temporary employees of the Kandy Municipal Council.
- Teaching appointments: Appointment as assistant teachers in Aranayake, Kegalle.

As at 18-12-14

- Police: Approximately 500 transfers made by newly appointed Secretary to the Ministry of Law and Order without proper consultation with the IGP immediately prior to the declaration of elections. Even after elections were declared, a few transfers were made.
- Teaching appointments: 210 persons were absorbed into the state education sector.
- Youth: There was an attempt to appoint Sports Officers by the Sports Ministry, which was suspended following the intervention of the Elections Commissioner.

5. RESTRICTION OF CAMPAIGN SPACE FOR NEW DEMOCRATIC FRONT CANDIDATE

- Some local authorities under UPFA control are denying access to public venues – Ruwanwella and AkuressaPradeshhiya Sabha and Thalawa Public Stadium.
- Disconnection of power supply to NDF candidate's campaign meeting in Kotmale and obstruction of vehicles carrying attendees.
- Disruptions to NDF meeting at Gampaha.

Alleged death threats reported by UNP Kandy district politician ChithraMantilleke.

6. ABSOLUTE UTILISATION OF STATE MEDIA FOR THE ELECTION CAMPAIGN OF THE UPFA CANDIDATE

There is a high level of utilisation of state media for the UPFA candidate's election campaign which far outstrips the coverage given to the opposition.

7. SPONTANEOUS AND ORGANISED VIOLENCE

Violence ranged from an attack with an explosive to incidents of grievous assault to shooting and threats and intimidation with firearms. However, there seemed to be a downturn in incidents last week, but it is uncertain whether this trend will continue. The prospect of violence rising closer to Election Day has to be guarded against.

As at 31-12-14

- Grievous assault: Attack on New Generation Artistes campaigning for the NDF candidate in Wariyapola in Kurunegala District.

- Attack on NDF candidate office in Diyaganwala, Mahiyangana, following which five persons were hospitalized. This number included, a former Army Colonel, disabled in the war, who suffered grievous injury.
- Attack on party office of UPFA candidate in Kollonna, Ratnapura.
- Attack on UNP Headquarters in Kotte, Colombo.
- Attack on group of artistes campaigning for NDF candidate through street drama in Hambantota.
- Attack on meeting attended by opposition leader in Diyatalawa, Badulla.
- Attack on UPFA supporter's residence, with improvised explosive in Mahava, Kurunagala.

As at 18-12-14

- Grievous assault: In Thalawa a youth celebrating the declaration of the NDF candidate was assaulted by the Chairman of the Thalawa Pradeshiya Sabha T M Indika Udaykumara (UPFA) and others with an axe and poles.
- A UPFA campaign supporter was assaulted at the campaign office in Weligalle, Peradeniya.
- Shooting: An unidentified gunman fired at a group of people lighting crackers to celebrate the declaration of the NDF candidate.
- Attack on Campaign Office: A UPFA campaign office in Hambantota was attacked causing damage to the premises.

SUCCESSFUL INTERVENTIONS

- Direct interventions through state institutions.

As at 31/12/14

- Elections Commissioner: Following a communique to the Elections Commissioner, a planned campaign event at the Uva Chief Minister's official residence targeting public officials was abandoned.
- IGP: Successful in ensuring the removal of cutouts and banners at the Badulla Bus Depot and the Governor's Office.

As at 18/12/14

- IGP: Successful in halting the transfer of 10,000 Police officers.
- Elections Commissioner: Suspension of the appointment of Sports Officers during campaign period; limitation of the use of SLTB buses to transport election rally participants and the call to account for buses utilized from Ratnapura and Embilipitiya depots for this purpose.
- Preventing state officials from conducting election related meetings (violating election laws) at Divisional Secretariat Offices in Opanayaka, Weligapola and Godakawela.
- Exposure in media.
 - Deployment of RDA employees countrywide to paste posters for UPFA candidate was suspended following PAFFREL reports to the media.

Presidential Election 2015

Pre-Election Period VIOLATION OF THE ELECTION – OVERALL DISTRICT SUMMARY



PAFFREL

Date 1/1/2015

Types of Violence		C	N/C	Total
1	Killings	0	0	0
2	Grievous Assault	36	0	36
3	Assaults	21	0	21
4	Abductions	1	0	1
5	Attacks with Explosives	1	0	1
6	Shootings	10	0	10
7	Threats & Intimidation using Firearms	8	0	8
8	Damage to Immovable Property (Homes, Business Premises, Buildings etc.)	15	3	18
9	Damage to Movable Property (Vehicles, movable Assets, Household Goods)	15	2	17
10	Intimidation & Threats	32	4	36
11	Attacks on Political Party/ Candidate Offices (Arson & Damage)	41	1	42
Total Violations Related to Acts of Violence		180	10	190
12	Abuse of sState Power & Resources for Election Purposes	37	9	46
13	Use of State Vehicles for Election Campaign Purposes	32	4	36
14	Attempts/ influencing State Officials	19	1	20
15	Appointments, Transfers & Promotions for State Officials targeting the Election	32	9	41
16	Use of State Officials & Security Sources for Election Campaign Purposes	36	15	51
Violations Relating to Abuse of State Power, Resources & Misusing State Sector Employees		156	38	194
17	Destruction & sabotage decorations, posters & cutouts of political parties.	11	2	13
18	Disrupting Campaign Activities of Opponents	17	5	22
19	Carrying out Illegal Election Propaganda	64	12	76
20	Threatening & Disrupting Work of Election Monitors	1	0	1
21	State Officers acting in Favor of Political Parties & in Breach of Official Duties	22	4	26
22	Carrying out Unlawful Meetings & Processions	2	0	2
23	Maintaining Illegal Party Offices	8	3	11
24	Giving Incentives with Political Objectives	69	11	80
25	Using Vehicles without Number Plates	3	0	3
26	Favouritism & Misuse of State & other Media	3	2	5
27	Attempts to Influence/ Influencing by Security Sources & State Officials	4	0	4
28	State Sponsored Livelihood Grants & Allowances Manipulated for Election Purposes	30	4	34
29	Carrying out Election Campaign Activities Harassing & Inconveniencing the General Public	13	2	15
30	Intimidating Voters	10	7	17
31	Other Incidents	8	9	17
Other Violations		265	61	326
Total		710		

* We have received 612 complaints/ incidents in relation to **710** Electoral Law/ General Law Violations.

* Of them, **161** are related to Acts of Violence, and **190** incidents of Electoral Law/ General Law violations.

* A total of **53** hospitalizations have been reported to date.