

Making Parliamentary Election a Reality

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COVID-19 has opened up a new opportunity for humankind to reexamine themselves, society, environment, science, technology, development, money, and many more issues. It has also paved the way for society to understand and gauge people. Above all, we, the citizens of Sri Lanka have got an opportunity to appraise the sincerity and integrity of decision-makers, their attitude towards the citizenry and the value they attach to democracy through how they will act in regard to the General Election. In this backdrop, the political leaders, the Election Commission (EC), interested professionals, trade unions, several religious leaders, and some civil rights activists who have become politicised, as well as media institutions have come under public scrutiny. This can be considered a great opportunity that the COVID-19 outbreak has indirectly offered the people. However, it is questionable as to how seriously they would use this opportunity.

The decision of the EC to postpone the parliamentary Election, and the commitment and dedication of health services and security forces under the leadership of the President to eradicate COVID-19 are praiseworthy and a matter of great relief to the public. Yet, it must be mentioned that the politics involved in the management of the COVID-19 threat is disgusting. What all political leaders need to do at this moment should be to leave aside party politics, parochial political differences, and make a collective and concerted effort to combat the challenge posed by the deadly virus. Unfortunately for the Nation, there is not even a faint streak of such a hope.

However, in an environment in which the country is being opened up for normal life despite the fact that COVID-19 threat is not yet over, and there is none who could predict when the threat will be over, it is important that attention must be focused on the impending General Election as well. It is the intention of the writer of this article, a citizen who believes in a representative democratic system of governance, to discuss some important issues for which the EC and other relevant authorities should focus their attention when the Election is held, irrespective of the day. Among those issues, I wish to highlight the following crucial points;

1. The ability to ensure health security of all parties and stakeholders involved in the Election process.
2. Ability to provide a level field for all political parties and candidates.
3. Ensure the confidence of all parties including the voter about the electoral process and health security of all those participating in the Election process.
4. Create an environment conducive for political parties and candidates to launch an adequate programme to educate the public about their manifesto and the programme of action.
5. Establish a transparent and credible mechanism to address issues that may arise in the course of the Election campaign.
6. Policies and programmes to ensure social acceptance of the general Election by implementing strategies that will ensure more than 50 per cent voter turnout at the polls.
7. Introduce a pragmatic programme to make voters aware of the changes made during the electoral process, particularly in the voting centres in the face of COVID-19.

1. Health security of all stakeholders involved

The entire country is involved in an



Election; but there are some who play a significant role in the Election process, namely the public officers led by the EC, security forces, the Police, the candidates contesting the Election, the voters, Election monitors and the journalists. The role of each group and the extent of their contribution may vary and be different, yet all of them perform an important role in ensuring the successful conduct of the Election. Therefore, the EC should take into consideration the risk to the health security and life of each of the above parties in deciding the date of the Election. The Commission should also be conscious of their ability as well as difficulties and problems faced by them.

The health security of public officials, especially those who are directly involved in the Election process is vital and it must be taken into consideration, seriously. Despite it being an essential part of their job, in the current circumstances they have to sacrifice a great deal in enabling the people to exercise their democratic rights. Hence, it is the responsibility of the authorities to implement strategies that will ensure that there wouldn't be any threat to their life

Each stage of the electoral process should be carefully analysed, the number of points at which the concentration of officers and the potential risk involvement is high must be reduced and appropriate health security measures introduced. It would be possible to learn from experience and good practices of other countries in the world and emulate them in this regard. In order to minimise health hazards, it is important that spacious halls with larger floor areas are used when counting ballot papers; it is also important that new techniques are employed as against manual systems in monitoring the counting of ballot papers and reaching consensus with political parties in reducing the number of delegates and polling agents. Under normal circumstances, it is not the responsibility of the Election Commission to look into the health security of the candidates contesting the Election though they constitute a major stakeholder in an Election. In the face of the current COVID-19 threat, the EC cannot overlook the safety of candidates when it makes decisions in regard to the overall health security in conducting the General Election.

Similarly, if the EC makes its decisions with proper coordination and understanding of all

stakeholders including Election monitors, media and the voters, it would certainly pave the way for reaching more desirable decisions that would help protect the health of all stakeholders while the responsibility for which will be distributed equally among the parties involved.

2. Level field for all political parties and candidates

Chairman of the Election Commission Mahinda Deshapriya, has often pointed out that the word "Election" essentially implies that Elections should always be free and fair. The holding of a nominal Election will not help achieve this objective. The main point to be considered here is that all contestants should have a level field for campaigning. If there is no such parity, it should be the responsibility of the Election Commission to ensure that adequate provisions are made within the available legal space. Although it is a difficult task under the current legal framework and the practical reality that prevails at the moment, the Election Commission cannot ignore it. We firmly believe that the Commission will take every possible step in overcoming this problem.

Those who make decisions on the *modus operandi* of this Election have to act more responsibly than they had done in previous Elections held under normal circumstances. There are altogether 7,452 candidates including 3,800 candidates representing political parties that are scheduled to contest the forthcoming General Election.

There should be a level playing field for all these candidates to carry out their Election campaign. Politicisation of the COVID-19 welfare process has already given the party that represents the Government an additional advantage. Similarly, it is observed that some opposition candidates too, are making use of the welfare program to win the favour of the people. Although such situations are unavoidable in a national catastrophe like this, the Election Commission should try its best to maintain a fair playing field for all candidates following the issuance of preference numbers for candidates.

3. Enhance the confidence of all parties including the voter

Even though the electoral process is implemented under challenging health risks, it is important that every step in the process is carried out in a manner that builds confidence in everyone that the Election would be held transparently

like other previous Elections. The authorities must act in such a way that it builds confidence.

The validity of the Election and the confidence of people in it are crucial. There should be a systematic mechanism to ensure transparency and educate all stakeholders, including the public, about every step of the electoral process. Similarly, public officials should involve themselves voluntarily in the Election process if they are convinced that there will not be a threat to their health in engaging in the electoral process.

4. A conducive environment for candidates to educate the public

While it is essential that the political parties and candidates should have a level playing field for Electioneering, it is also important that there should be a fair mechanism to educate the public about their programme. The traditional method of campaigning followed over the past 72 years has been to hold public rallies or gather the supporter's at large playgrounds and address them.

As it would not be possible to follow the traditional methods due to social distancing guidelines, adequate attention should be made for adopting alternative propaganda methods. The Election Commission should look into new arrangements that could be implemented within the existing law. Home visits, pocket meetings, distribution of leaflets, use of social media, installation of new billboards at the Grama Niladhari Division level for display of the preferential vote numbers of candidates, explore the possibility of adopting new advertising methods such as dispensing of propaganda notices of political parties along with the distribution of official ballot papers by the Election Commission and allocation of adequate space in the mainstream media for the leaders of political parties etc. could be adopted. In any case each candidate must have means of informing the public of his or her programme and the preferential vote numbers. Also, the present situation can be turned to a blessing, an opportunity to have an environmentally friendly, peaceful and legitimate Election campaign.

5. Transparent mechanism to address Election campaign issues

Special attention must be given to explore the possibility of implementing a credible mechanism when decisions are taken in regard to the conduct of the Election in order to investigate Election complaints promptly and transparently. The confidence in the electoral process

might be lost if it fails to provide immediate solutions to the problems faced by political parties and candidates, voters and Election monitoring organisations once the Election process has begun. Immediate intervention is required in the events of misuse of State power and property in particular and violation of Election laws, incidents of violence and disruption of propaganda campaigns in general. The Election Dispute Resolution (EDR UNIT), which has functioned at the national and regional level in the past Elections, should be formally inaugurated with the issuance of preferential vote numbers. Further this mechanism should include all stakeholders, which means that the process should be open to the Police, representatives of political parties and representatives of monitoring organisations.

Apart from that there should be a mechanism to take prompt action in respect of every complaint and inform all stakeholders about the process and decisions. It is only through a mechanism of this nature that public trust could be maintained.

6. Social acceptance of the GE with more than 50% voter turnout

The validity of the result of any Election primarily depends on the percentage of votes cast. Voter turnout in Sri Lanka's parliamentary Elections has recorded a high percentage compared to other countries in the region. Election officials and people of Sri Lanka have been able to maintain it at an average level of 70 to 80 per cent. Even in an Election held in the face of the COVID-19 threat, the Election Commission should look into the possibility of having the voter turnout maintained at a level that exceeds at least 50 per cent.

The voter must be convinced that there is no risk of infection in coming to the polling booth. The date of Election should be decided taking into consideration the methods used in other countries and the facts outlined above.

It is essential to formulate a formal programme to maintain safe distance guidelines, a special programme for elderly and differently abled people and pregnant mothers, a method for measuring the temperature of voters, a separate methodology for voting to enable persons suspected of COVID-19 attack, a health care programme at the polling booth and prevention of dissemination of false propaganda on Election Day.

7. Disseminate information on changes in the face of COVID-19

The Election Commission should have a consistent and continuous programme to inform political parties and voters of the changes on electoral process and health safety practices. There should be a continuous flow of information through it to the public. The writer is of the view that the authorities should pay close attention to the above facts among many others in determining the Election date. We do not believe that the date of Election should be postponed *ad infinitum*. Yet, we wish to stress that no one has the right to risk the life of others in the name of democracy. At the same time, we must defend our right to elect representatives to the Legislature to ensure the continued existence of democracy and pursue the parliamentary Election using tested hygienic methods.

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