

Election Commission

Performance Report to be presented to the Budget Committee Meeting 2022

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PREFACE

Against a backdrop of the Election Commission playing a vital role in holding free and fair elections to safeguard the sovereignty of the people in order to fully realize the right of the people to participate in administrative power, this Performance Report reflects the progress made by the Election Commission in the year 2021, which will be presented to the Committee Stage Debate on the Budget 2022 in the Parliament of Sri Lanka.

Conducting elections, polls and referendums freely and fairly in accordance with existing laws, as guaranteed by the Constitution of the Democratic Socialist Republic of Sri Lanka, preparation of annual electoral registers and carrying out of revision process are the powers and functions of the Election Commission. The Constitution of Sri Lanka states that the functions of the Commission are not limited to those functions and that the Election Commission has enormous powers to conduct free and fair elections. It is the responsibility of the Election Commission to bring all these laws and regulations to the forefront of the country's commitment to democratization and I am pleased to recall that the Commission has been able to make the most of this year and contribute to it.

It is no secret that the achievement of all the expected targets this year was hampered by the strict adherence to health guidelines to control the unexpected spread of Covid-19 virus in the country. Although it was an event that affected the entire social / economic process of the country, I would like to state without hesitation that the desired objectives have been achieved through the successful implementation of the activities of the revision of the annual electoral register 2020/2021, entering into the necessary measures to pass amendments to the law which are essential in the legal process of holding the forthcoming elections, make the passing of the Amendment Act to register the name in the Electoral Register as soon as the age of eighteen years, as requested by the youth and stakeholder groups for a long time, introducing simple and easy methods to register the name of the electoral register and obtain its extracts using technology for the public good and capacity building and physical resource development of the officers of the Commission.

It is a tribute to all the officers of the Election Commission and all the officers of the District Election Offices headed by the Commissioner General of Elections and the Secretary that they were able to achieve this high standard through the immense dedication made to the tasks assigned to them and to the tasks created and embodied by the officers to achieve the vision / mission of the Commission despite the adverse conditions prevailing in the country. I would like to express my sincere gratitude to all those officers in that regard. I also highly commend the members of the Commission for their collective effort and mission to achieve this success. Also, the support of the District Returning Officers / Government Agents, government officials involved in the work of the Commission, representatives of political parties and observers' organizations should be appreciated. Furthermore, I would also like to thank all the Division Heads who provided the necessary information, figures and photographs in a very short period of time to prepare this report on the instructions of the Election Commission, to the staff of the Legal Investigation and Planning Division who compiled the publication and to the translators of the Commission for translating the report.

Attorney-at-Law Nimal Punchihewa

Chairman

Election Commission

01.Department of Elections

The Soulbury Commission was appointed by the British Crown to draft a new constitution in 1944 in response to the powerful agitations in the early 20th century for greater opportunities for local people to participate in the governance of the island. The Soulbury Commission enacted legislation to register voters and hold parliamentary elections, and on September 26, 1946, Ceylon (Parliamentary Elections) Order in Council was enacted. The Local Government Ordinance was introduced in 1946 to hold local authorities elections. During the period from 1946 to 1955, the Department of Parliamentary Elections was functioned under one Commissioner for Registration of Electors and Conducting Parliamentary Elections and the Department of Local Authorities Elections also functioned under another Commissioner to conduct local authorities elections. The Department of Elections was established on October 1, 1955 by amalgamating the Department of Parliamentary Elections and the Department of Local Authorities Elections.

02.Election Commission

In 2015, the Government took steps to establish Independent Commissions in accordance with the 19th Amendment to the Constitution. Accordingly, the then Department of Elections was abolished and on the recommendation of the Constitutional Council, His Excellency the President established the Election Commission consisting of three members including a Chairman on 13.11.2015. The quorum of the Commission also consisted of three members. The first Commission was in operation for five years and a Local Authorities Election (except one Sabha), election to Elpitiya Pradeshiya Sabha, a Presidential Election and a Parliamentary Election were held on 10.02.2018, 11.10.2019, 18.11.2019 and 05.08.2020 respectively, under the direct supervision of the Commission.

The Twentieth Amendment to the Constitution on 29 October 2020 increased the number of members of the Election Commission to five. Accordingly, the Second Election Commission was appointed by His Excellency the President on 10.12.2020 on the recommendation of the Parliamentary Council and it consisted of five members including the Chairman. The commission has a solid quorum of three members.

Attorney-at-Law Nimal G. Punchihewa has been appointed as the Chairman and former Deputy Secretary to the Treasury Mr. S.B. Divaratne, former Commissioner General of Elections Mr. M.M. Mohamed, former DIG, Mr. K.P.P. Pathirana and Mr. Jeevan

Thyagarajah, a human rights activist were appointed as the other members of the Commission. Jeevan Thyagarajah was appointed as the Governor of the Northern Province on 10.10.2021 and Mrs. P.S.M. Charles, a former Governor of the Northern Province and a Senior Administrative Officer was appointed on 28.10.2021 in place of him .

03.Objectives and Powers of the Election Commission

The objective of the Election Commission should be to conduct free and fair elections and referendums in accordance with Article 103 (2) of the Constitution. The Commission also has the power to conduct relevant elections in accordance with existing election laws, and to prepare and revise annual electoral registers. Article 104B (1) of the Constitution states that the work of the Commission is not limited to those powers, duties and functions. Accordingly, the Election Commission has a special responsibility over the Department of Elections which is responsible for conducting elections in accordance with the relevant Acts and ordinances. In this regard, the 19th Amendment to the Constitution has added special provisions to the basic law, which has enhanced the power and strength of the Election Commission

The Commission has been given special powers in setting up the Election Commission. Subject to the jurisdiction, Article 104A of the Constitution grants special immunity *i.e.*,

- I. the decisions, directions or acts of the Commission shall be final and decisive and
- II. no suit or prosecution or other proceeding shall lie against any member or officer of the Commission for any act which in good faith is done by him under any law relating to the holding of an election.

These exemptions are granted subject to the jurisdiction of the Court of Appeal on the violation of fundamental rights under Article 126, jurisdiction of the Court of Appeal in respect of Presidential Election, Election Petitions, etc. under Article 130 and jurisdiction of the Court of Appeal for the hearing of petitions relating to the election of a Member of Parliament under Article 144. It is noteworthy that the Election Commission is not responsible for anything other than the submission of annual reports on its activities to Parliament and to enforce and secure the rule of law in the conduct of the electoral process. Apart from this, special powers have been given under Article 104B (4) (a) to prevent misuse of state property and Article 104 (5) (a) allows to set media guidelines to media institutions and make relevant provisions to ensure free and fair elections during the

election period. The Commission has been given special powers to deploy police under Article 104C and to deploy armed forces under Article 104D.

In this context, a number of steps have been taken to increase the powers of the Election Commission. That is,

- I. Special provisions relating to the appointment of the Commission;
- II. Provisions for officers attached to election activities for access to other physical and human resources of the government;
- III. Finality in the decisions of the Commission and special immunity in proceedings;
- IV. The power to prohibit the use of state property for party / candidate promotion;
- V. Powers to impose media criteria and guidelines for electronic and print media during the election period;
- VI. Laws to prevent undue influence on elections when Parliament is dissolved;
- VII. It is the responsibility of the President to create a conducive environment for fair voting.

In view of the above, the provision of such special powers and legal provisions by the Constitution itself confirms that the Elections Commission has been given the necessary strength and power to carry out its duties and functions and to direct and manage the electoral process.

04. Vision of the Election Commission

“A nation that safeguards universal franchise”

05. Mission of the Election Commission

“Raise critical consciousness among all stakeholders, ensuring the protection of people’s rights and conduct free, fair and credible elections efficiently and effectively that safeguard the people’s sovereignty and universal franchise based on democratic principles”

06. Values

- **Integrity**
The quality of being honest and having strong moral principles; moral uprightness of the Election Commission and officials of the Election Commission.
- **Transparency**
Honesty, sincerity and openness in all dealings of the Election Commission and officials of the Election Commission.
- **Openness**
An honest way of talking and behaving by the officials of the Election Commission without trying to conceal anything.
- **Commitment**
Engage wholeheartedly in the activities of the Commission, adhering to its vision, mission, goals and objectives and facing issues and challenges unwaveringly.
- **Duty bound**
Morally responsible for the work by the officials of the Election Commission.
- **Accountability**
The obligation of the Election Commission and officials of the Election Commission to account for their activities, accept responsibility for them, and to disclose the results in a transparent manner.
- **Impartiality**
The Election Commission and officials of the Election Commission being not connected to or influenced by one particular person or group - Not taking sides.
- **Team spirit or Team work**
Having a team spirit that inspires all officials, making them work together with the right attitude that emanates from the highest levels of the officials of the Election Commission.

07. Thrust Areas

- **Awareness raising, conscientization**

The main objective of this is to raise critical consciousness to safeguard the people's sovereignty and universal franchise. Critical consciousness engages questions of purpose, issues of human dignity, freedom, authority, intellectual quality, and social responsibility.

- **Legal and Advocacy Work**

Advocacy work is required to ensure the protection of people's rights and to conduct free, fair and credible elections - Conduct advocacy on issues that lead to building awareness on a certain problem to influence policy makers to resolve issues affecting citizens. It also intervenes in disputes in order to resolve them, arbitrate or provide advice or information aimed at resolving a problem or difficulty, especially as given by someone in authority.

- **Institutional Development**

Create or reinforce the organisation efficiently and effectively to generate, allocate and use human, physical and financial resources to attain the organisation's goals and its vision on a sustainable basis; increasing the usage of improved IT technology and resource management to conduct elections efficiently and effectively is also a major component.

- **Research and Information Sharing**

Focus mainly on researching the policies related to the election process and the election monitoring body and share findings, lessons, with stakeholders in order to fulfill their needs for information and to educate them on exercising their franchise and on sovereignty related issues.

08. Goals

- All qualified citizens exercise their franchise fearlessly, freely and confidentially in elections conducted in a free and fair manner.
- All citizens realize that exercising their franchise is an inalienable right and get involved in the election process actively.
- Equal and fair opportunities exist for all candidates during election periods.
- An all-inclusive, updated voter list is in place before every election.
- All citizens in the marginalised sectors of society engage in the electoral processes confidently and adequately.

- The election process is administered competently and transparently.
- The needs of the stakeholders for data and information related to the election process and the Election Commission are adequately fulfilled in a timely manner.

09. Strategies

- Institutional development.
- Capacity building of the staff.
- Securing more funds from the treasury.
- Working in collaboration with civil society organizations, both local and international, which are interested in promoting democracy.
- Encourage citizenry to safeguard universal franchise.

10. Acts Enacted by the Election Commission

- **Presidential Election**

- Presidential Elections Act, No. 15 of 1981
- Presidential Elections (Amendment) Act, No. 16 of 1988 - May 24, 1988
- Presidential Elections (Amendment) Act, No. 35 of 1988 - October 21, 1988
- Presidential Elections (Amendment) Act, No. 14 of 2004 - November 18, 2004
- Presidential Elections (Amendment) Act, No. 28 of 2011 - May 25, 2011

- **Parliamentary Elections**

- Parliamentary Elections Act, No. 1 of 1981 – January 22, 1981
- Parliamentary Elections (Amendment) Act, No. 15 of 1988 - May 24, 1988
- Parliamentary Elections (Amendment) Act, No. 29 of 1988 - August 16, 1988
- Parliamentary Elections (Amendment) Act, No. 35 of 1988 - October 21, 1988
- Parliamentary Elections (Amendment) Act, No. 54 of 1988 - December 17, 1988
- Parliamentary Elections (Amendment) Act, No. 14 of 2004 - November 18, 2004
- Parliamentary Elections (Amendment) Act, No. 58 of 2009 - October 16, 2009
- Parliamentary Elections (Amendment) Act, No. 28 of 2011 - May 25, 2011

- **Provincial Councils Elections**

- Provincial Councils Elections Act, No. 2 of 1988 –January 27, 1988
- Provincial Councils Elections (Amendment) Act, No. 35 of 1988 - October 21, 1988
- Provincial Councils Elections (Amendment) Act, No. 55 of 1988 - December 17, 1988
- Provincial Councils Elections (Amendment) Act, No. 29 of 1990 - July 06, 1990
- Provincial Councils Elections (Amendment) Act, No. 7 of 1993 - February 18, 1993
- Provincial Councils Elections (Amendment) Act, No. 5 of 2004 - February 03, 2004
- Provincial Councils Elections (Amendment) Act, No. 14 of 2004 - November 18, 2004
- Provincial Councils Elections (Amendment) Act, No. 28 of 2011 - May 25, 2011
- Provincial Councils Elections (Amendment) Act, No. 17 of 2017 - September 22, 2017

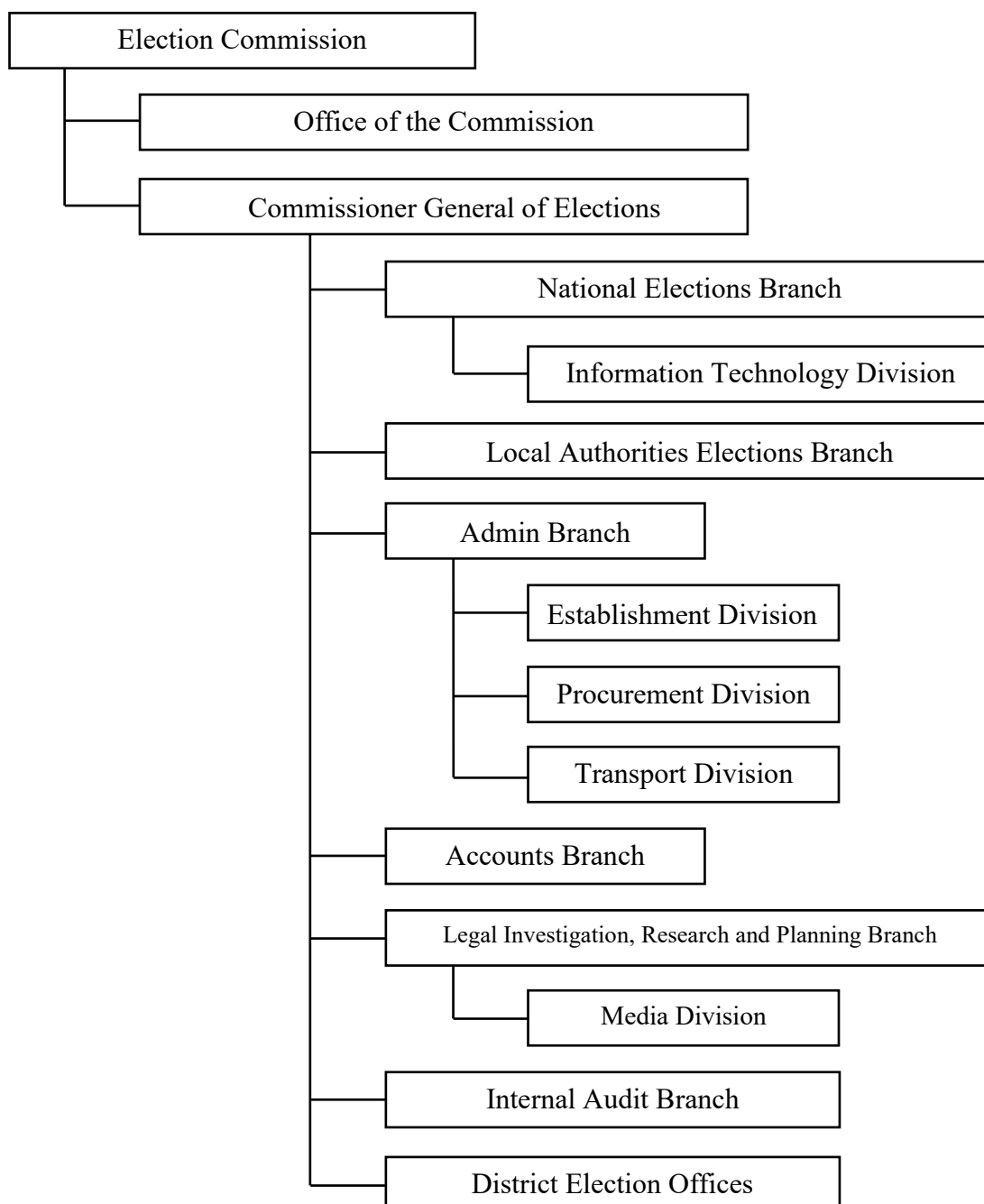
- **Local Authorities Elections**

- Local Authorities Elections Ordinance (Chapter 262)
- Local Authorities Elections (Special Provisions) Act, No. 24 of 1990
- Local Authorities Elections (Special Provisions) Act, No. 25 of 1990
- Local Authorities Elections (Special Provisions) Act, No. 1 of 2002
- Local Authorities Elections (Special Provisions) Act, No. 16 of 2017 - August 31, 2017

- **Referendum**
 - Referendum Act, No. 7 of 1981 - February 27, 1981
 - Referendum (Amendment) Act, No. 17 of 1988 - May 24, 1988
- **Registration of Electors**
 - Registration of Electors Act, No. 44 of 1980 –October 24, 1980
 - Registration of Electors (Special Provisions) Act, No. 10 of 2017 – July 21, 2017
 - Registration of Electors (Special Provisions) Act, No. 22 of 2021 – October 13, 2021

11. Administrative Composition of the Election Commission

The Election Commission consists of the Head Office and 26 District Election Offices. Accordingly, Branches / Divisions have been established to cover the major subjects related to the planning, implementation and follow-up of their statutory, administrative and development functions and the functions to be performed by each Branch / Division are specifically included in this administrative composition.



12.Branches of the Election Commission and Their Role

I. Office of the Commission

- Activities related to holding meetings of the Election Commission
- Preparation of Commission Reports and reports to be presented to the Parliament
- General Administration of the Election Commission
- Maintaining the files of the staff officers.

II. National Election Branch

- Assisting the Election Commission and the Commissioner General of Elections to direct the work of conducting Presidential Elections, Parliamentary Elections and Referendums.
- Conducting all the activities related to the annual revision of the Electoral Registers relating to the Registration of Electors Act, No. 44 of 1980 and other functions related to the Electoral Registers.
- Preparation of supplementary electoral registers relevant to the Registration of Electors (Special Provisions) Act, No. 17 of 2017, organization of related activities and organizing and implementing the activities related to the Registration of Electors (Amendment) Act, No. 22 of 2021.
- Preliminary activities related to filling the vacancies of Members of Parliament.
- Informing the citizens about the Electoral Registers and electoral process and coordinating the activities related to the Voters' Day.
- Coordinating the respective Government Institutions and District Election Officers in relation to the Student Parliamentary Program and the Youth Parliamentary Program.
- Activities related to the active involvement of the disabled community in the electoral process and activities related to the registration of marginalized communities.

II.I. Information Technology Branch

- Carry out the activities of the institution efficiently using information technology, providing necessary IT services to the stakeholders, study and plan Information Technology requirements, preparation of project reports and establishment and maintenance of approved IT projects.

- Improvements and maintenance of the Central Electoral Register Database
- Administration and updating of the official website of the Election Commission, provision of e-services
- Maintaining Data Centers and Disaster Management Center
- Maintaining computer network and VPN network
- Training of the officers of the Election Commission to carry out the IT activities properly.
- Maintaining social network information systems
- Maintaining the official e-mail network
- Use of technology in the preparation of election results.

III. Local Authorities Elections Branch

- Functions related to the holding of local authorities elections
- Functions related to the holding of Provincial Councils Elections
- Coordinating activities related to filling the vacancies of Local Authorities and functions related to filling the vacancies of Provincial Council Members.
- Coordinating activities on divisional delimitation in local authorities
- Functions related to the amendments to the Local Authorities Elections Act
- Coordinating foreign election management agencies
- Coordinating local election monitoring organizations
- Coordination of NGOs
- Functions related to the active participation of the youth community in the electoral process

IV. Admin Branch

- Resource Management of the Election Commission
- Carrying out activities related to foreign official seminars and training programs of the officers.
- Making plans to develop knowledge, skills and attitudes for design, research and development through a creative approach.
- Tasks related to local training and capacity building of staff.
- Supervising the welfare activities of the District Election Offices.
- Conducting discussions of staff officers, discussions of district secretaries and related matters.

- Implementation of Language Policy.
- Implementation of gender equality and strengthening of women's representation in the electoral process.

IV.I. Establishment Division

- Maintaining the personal files of all non-staff officers and employees of the Election Commission.
- Activities related to security and cleaning services
- Welfare of office staff
- Activities related to recruitment, transfer and retirement of non-staff grade staff

IV.II. Transport Division

- Activities related to the traffic administration of the Commission

IV.III. Procurement Division

- Purchasing and storing of goods by the procurement methods and issuing of goods from the warehouse to the required sections.
- Maintaining the fixed asset register
- Conducting annual board of survey.

V. Accounts Branch

- Supervise the financial affairs of the head office and the district election offices and provide financial advice.
- Revenue collection
- All Payments
- Managing official bank accounts
- Preparation of annual budget estimates
- Matters regarding Advance “B” of Public Officers
- Allocation of funds for general administration and elections and control of imprest
- Preparation of Election Expenditure Estimates / Expenditure Reports
- Preparation of annual appropriation accounts
- Activities on Public Deposit Accounts
- Activities related to the control of fixed assets
- Activities on the salary payment program (Payroll)
- Activities on the Cigas Program

- Responding to Audit Inquiries, affairs in Budget Committee Meetings and Dealing with the Public Accounts Committee

VI. Legal Investigation and Research and Planning Branch

- Taking action regarding the legal activities of the Election Commission.
- Coordinating functions on election legislation.
- Activities related to registration of political parties
- Preparing the annual list of recognized political parties and updating the amendments made to those parties.
- Obtaining the assets and liabilities of the staff of the recognized political parties annually and obtaining the annual accounts.
- Organizing activities related to holding meetings of party secretaries and permanent representatives.
- Publication of a Gazette notification of party symbols belonging to recognized political parties and symbols not allotted to parties.
- Activities related to the management of election disputes.
- Preparation, implementation, operation, evaluation and follow up of the Election Commission's 2022-2025 Four Year Strategic Plan.
- Preparation of Annual Action Plan of the Election Commission and progress review activities.
- Maintaining the Knowledge Management Unit, Archives and Publications Sales Counter.

VI.I. Media Division

- Coordinating the media affairs.
- Activities related to the issuance of publications / periodicals by the Election Commission.

VII. Internal Audit Branch

- Conducting internal audits of the Elections Commission Head Office and District Election Offices and preparation and submission of reports.
- Proposing appropriate solutions focusing on the facts and issues arising out of the internal audit reports and follow up.

- Participate in the existing internal control system for financial matters of the Election Commission Head Office and District Election Offices and prevent shortcomings and weaknesses in those functions.
- Conducting a continuous survey and independent evaluation of the formality and adequacy of the internal search and take steps to manage public resources in a more effective manner.
- Special duties assigned for investigating violations of election laws and regulations during the period of polls and elections
- Conducting investigations in collaboration with the National Election Complaints Center during the election period.

VIII. District Election Offices

- District level activities related to therevision of the annual electoral register
- Issuing ectracts of the electoral register
- Organizing activities related to the conduct of elections and activities related to conduct the elections.
- Activities related to filling vacancies of members in Local Authorities
- Providing reports / information to be submitted to the head office.
- Organizing awareness campaigns on democracy / universal suffrage / student and youth Parliament / women, youth and disabled persons' groups and providing resources to other institutions where necessary.
- Submission of documents required for court proceedings on court orders.

13. Staff of the Election Commission

The entire staff of the Election Commission consists of the following officers. In addition to the five members, including the Chairman and five members of the Election Commission, the staff of the Election Commission, including the Commissioner General of Elections and the Secretary, include officers of the Sri Lanka Administrative Service (SLAS), Sri Lanka Accountants' Service (SLAcS), officers of the Sri Lanka Information & Communication Technology Service (SLI & CTS), Sri Lanka Planning Service (SLPS), Legal Director and Legal Officers, Translators' Service and Supra Grade of Management Service Officers Service (MSO), and non-staff grade officers namely, officers of the Management Service, Development Officers' Service, Information Technology Assistants' Service, Document Assistants, Office Employees and Drivers. Accordingly, the composition of the entire staff of the Election Commission as at 30.09.2021 is as follows.

Staff	Cadre		Vacancies
	Approved	Actual	
Staff Officers (Including SLAS, SLAcS, SLI & CTS, SLPS, Legal Director, Legal Officer, Coordinating Secretary, Translators, Supra Grade of MSO)	76	61	15
Public Management Service Officers	390	361	29
Development Officers	27	26	01
Information Technology Assistants	14	13	01
Document Assistants	52	46	06
Receptionist	01	01	-
Office Employees	172	*162	-
Drivers	53	43	10
Vehicle Cleaner	01	01	
Total	786	714	72

* Including 46 persons recruited as per P.A. Circular 25/2014

During the period of review, ten staff officers had been transferred out of the Commission due to lack of vacancies in the staff approved for the Election Commission on promotions and due to personal reasons. Eight staff officers have been transferred to the Commission

from other places of work. An internal administrative program was used to acting and covering up of duties of the vacant posts of staff officers.

Institutional activities of non-staff officers are as follows.

	Service	No.
Transfers to the Election Commission	Management Service Officers' Service	12
	Combined Drivers' Service	02
Releases from the Election Commission	Management Service Officers' Service	04
	Combined Drivers' Service	04
Retirement as at 30.09.2021	Management Service Officers' Service	05
	Combined Drivers' Service	01
	Office Employees Service	01
Release on receipt of other posts in the Public Service	Management Service Officers' Service	04
Resignation	Office Employees' Service	01

Part II

Performance 2022

1. Preparation of Strategic Plan (2022 – 2025)

The effective period of the 2017-2020 Strategic Plan prepared by the Election Commission has now come to an end. The Second Election Commission, which was appointed on December 10, 2020, has taken the necessary steps to formulate a strategic plan for the period 2022-2025. Accordingly, the first step is to review the first plan, identify activities that could not be activated there, identify the activities that need to be further activated and the activities that need to be added. Suggestions from Election Commission officials, Returning Officers and other stakeholder groups were also taken into consideration after having discussions with them and the Commission expects to prepare this plan before the end of December 2021.

2. Annual Action Plan

Steps are taken to prepare the Annual Action Plan including activities implemented by each Division of the Election Commission, review the progress of the Annual Action Plan quarterly, prepare progress reports and forward to the Ministry of Finance. During this year, only two progress review meetings were held to review the progress of the activities outlined in the action plan and to take the necessary steps to achieve the set targets.

3. Meetings of the Election Commission

Taking into account the service requirement, the Election Commission held 08 meetings in the first quarter of 2021, 07 meetings in the second quarter and 08 meetings in the third quarter. Accordingly, the total number of meetings held up to 30.09.2021 was 23. At these meetings, policy decision making, guidance and issuance of instructions and orders are made in relation to the Commission Papers submitted by the Administration, National Elections, Local Authorities Elections, Legal Investigations and Planning, Accounts branch and various sub-divisions under them. It is gratifying to be able to perform the statutory as well as the normal duties to the maximum extent possible under the current Covid-19 pandemic situation.

In accordance with Article 104B (3) of the Constitution, the Election Commission submitted to Parliament a report on its activities carried out in each calendar year.

4. Proposals Made by the Election Commission to the Committee Appointed to Draft a New Constitution.

- Incorporation of the right of the citizen to vote directly as a fundamental right directly enshrined in the Constitution
- Inclusion of Provincial Councils and Local Government Elections in addition to the Presidential Elections, Parliamentary Elections and Referendums as the only elections already mentioned in the Constitution
- Make it mandatory for every candidate who competes in a poll / election to submit to the Election Commission within 30 days of the release of the final results of the election a statement including the actual expenditure and revenue sources made by him or her for that poll / election and empowerment of the Commission to make it public, in case of failure to submit the Expenditure Report submitted in the prescribed time or found incorrect or defective inclusions the Election Commission is vested with the power of termination of his / her position as a Member / Councillor to treat that action as an election offense in respect of a defeated candidate.
- Termination of the term of office of a Member of Parliament elected during the first two years of his term of office if he fails to attend at least 1/3 of the total number of days of sittings held during that period without any ill health or other special just cause
- Amendments to the existing provisions of an Act so that the public can be consulted on a number of functions or orders as there is only a referendum on one specific issue in a referendum.
- If a member or a Councillor of the Parliament, Provincial Councils or Local Government Institutions is found ineligible to hold office, after being convicted of an offense committed, by the Court, the Election Commission shall be empowered to investigate the case and remove the person from such office of the Member or the Councillor.
- Nominations for the National List should be submitted along with the nomination list submitted by a political party for the Parliamentary Elections. If the nominations are not made within 7 days of the election of the National List Members of Parliament, the Commission will be empowered to publish the National List of Members of Parliament in the Gazette in the order of priority mentioned in the nomination list submitted to the Commission.

- Providing for the inclusion of a certain percentage of youth and women representation in the nominations of Parliamentary, Provincial Council and Local Government candidates within the Constitution itself.

5. Proposals submitted to the Parliamentary Select Committee Appointed to Amend the Election Laws

Stakeholders have long submitted to the Election Commission the need to amend existing election laws to suit the present. The Election Commission informed the need for amendments to the relevant laws during the discussion with the Hon. Prime Minister and in response, the Prime Minister has appointed a Parliamentary Select Committee to amend the election laws. Following is a summary of the proposals submitted by the Election Commission for the Parliamentary Select Committee.

• Registration Method of Political Parties

Compared to the number of registered voters in Sri Lanka, the number of political parties currently registered is very high and as it is a complex situation for election management, it is expected to make appropriate amendments considering the use of this political party registration system. The following points are taken into consideration.

- Classification of registration and recognizing methodology of political parties as Regional Political Parties, Registered Political Parties and Recognized Political Parties.
- Recognition as a political party on electing as people's representatives
- Constitution of Political Parties
- Political parties form an alliance and be recognized as an alliance party
- The tenure of an alliance of several political parties
- Competing in an alliance

• Revisions to be Made in the Voting System

Public confidence in the current system of proportional representation and preferential voting in Parliamentary and Provincial Council Elections has been severely eroded. It is the intention of the Election Commission to introduce alternative voting systems as it is a system of conflicts between parties and candidates.

- **Empowering the Election Commission to Determine Election Dates**

That the Election Commission should have the power to hold elections / polls on a specific date and to set dates for each election / poll and to postpone as required, depending on the practical situation, instead of holding intermittent elections / polls even if they are implemented by the same Act.

- **Proposals for Advance Voting and Special Polling Stations**

The sectors of State, statutory and essential employment which currently facilitates postal voting, are proposed to expand its scope or hold a pre-poll date.

- **Significance of Introducing Electronic Voting**

Introducing the electronic voting machines (EVM) been proposed since long ago instead of the currently activated postal voting.

- **Proposals to Revise the Existing Deposits**

The deposit amounts stipulated in all election Acts coincide with the level of the year in which the relevant Acts were first introduced. Consider revising the deposit to suit the present to minimize the problems that arise in election management due to the increase in the number of parties / candidates contesting.

- **Revising the Time Periods Prescribed for Making Deposits**

Revise the dates of acceptance of deposits to facilitate this task on administrative and statutory grounds.

- **Proposals to Amend the Dates Relevant to the Nomination Procedure**

According to past experience, about 95% of nominations were received within last two days. Therefore, the number of days currently allocated for this purpose should be limited to three days and a fourth day should be imposed to inform the decisions of the Returning Officer on that day.

- **Disqualifications of Candidates**

Taking an oath that the candidates take an oath that they are not subject to disqualification and accordingly if he / she is subject to disqualification, only the person concerned will have his / her nomination rejected and if he / she has obtained offices by publishing false information, he / she will be removed from such office after a proper investigation.

- **Revision of Dates for Accepting Postal Votes Applications**

According to previous experience, the deadline for postal voting has been postponed from time to time due to various circumstances. Therefore, the period for accepting postal vote applications should be amended to the day following the closing date for receiving nominations.

- **Revising the Method of Checking the Voter and Marking the Appropriate Mark**

Since it is mandatory to produce photo identity cards, it should be considered whether continuing this process is successful.

- **Distribution of Official Poll Cards**

Since the current methodology incurs a higher cost and labour it is significant to focus on easier and low cost alternative methodologies

- **Proposal Regarding the Permission to All Those in the Queue to Vote at the Close of Voting**

Granting permission to vote to all those in the queue before the end of the time permitted to vote due to various difficulties.

- **Revisions Regarding Election Dispute Management and Law Enforcement**

Further widening the powers already vested with the Election Commission and the Police in order to strengthen the mechanism for a free and fair voting.

- **Introducing Laws to Election Expenditure Control**

Passing the Election Expenditure Control Bill, which has already been introduced by the Election Commission and concurred by the Attorney General to prevent party / candidates from getting elected as representatives by spending large sums of money for election campaign, as an Act or amend the rules for the introduction of at least other alternative spending control methods.

- **Strengthening Woman and Youth Representation**

Introduction of rules and regulations required to provide a definite percentage for the representation of youth and women in order to participate in the governance of the country.

- **Abolishing Free Air and Television Advertising**

In terms of the provisions stipulated in the Presidential Elections and Parliamentary Elections Acts, this law applies only to the state media and it affects the financial condition of State Institutions, such laws should be revised.

- **Enforcement of Media Criteria**

The impact on the media regarding conducting a free and fair election is not insignificant. Therefore, introducing and enforcement of appropriate rules and regulations in order to enforce media guidelines is essential.

- **Prohibition of Propaganda During the Election Period**

The media charges for party/candidate propaganda are infinitely increased by the media institutions during the election period. Therefore existing methods of advertising and laws should be revised.

- **Proposals to Prevent the Misuse of State Resources**

Since the misuse of state resources so as to promote or prejudice a candidate or a party is a barrier to a free and fair election, violation of the provisions issued in this regard is considered as an election offence in addition to the violation of provisions of the Constitution of Sri Lanka and subject to liability under election law.

- **Mandatory of producing Statements of Assets and Liabilities**

Making mandatory the handing over of candidates' assets / liabilities statements along with the nomination paper and thereby preventing the presentation of false or inaccurate information at a later stage and if it has been done, legislation should be enacted to make those persons lose their posts and to take action against them.

- **Proposal to Establishment of Elections Judiciary**

Propose to establish an Election Judiciary in order to solve expeditiously Election offences, disputes of political parties, and issues on nominations and to prevent the delay of trials on election issues.

- **Essential Amendments to the Local Authorities Electoral System**

A lot of problems have been arisen regarding the Local Authorities Elections Ordinance (Chapter 262) and proposals including the measures to solve such problems.

- **Hold the Provincial Councils Elections Expeditiously (described in advance)**

- **Revision the Naming of Election Cadre**

In place of the positions used in elections, polling stations, counting centres such as Junior Presiding Officer/Clerk, it is proposed to use Presiding Officer/Assistant Presiding Officer/ Polling Assistant etc. and Assistant Counting Officer.

- **Recall the Tenure of the People's Representatives**

Compilation of laws to create a recall methodology to recall, If the people's representative elected by the people at an election /poll act against the people's objectives

- **Term of the Member of Parliament**

Legal provisions for the abolition of future tenure of a Member in case such Member once elected to the Parliament and does not attend at least one third of the Parliament sessions due to illness or without any special reason.

6. Registration of Electors

All eligible citizens have the right to participate in the governing body of the country without any specialization such as nationality, religion, language, race, caste, education, ownership of property, birth, place of birth wealth, gender and etc. and the right to elect representatives for this purpose can be obtained by universal suffrage. Universal suffrage is assured in terms of the Article 3 of the Constitution of the Democratic Socialist Republic of Sri Lanka. It emphasizes that the Sovereignty is in the people and is inalienable. Sovereignty includes the powers of government, fundamental rights and the franchise.

Accordingly, people can implement their franchise at a presidential election, parliamentary election, at a referendum, Provincial Council Election and Local Authorities Election. It is mandatory that the citizen should be registered in the electoral register valid at the time of relevant election in order to use cast their votes.

The Election Commission carries out these activities according to the provisions stipulated in the Constitution of the Democratic Socialist Republic of Sri Lanka, Registration of Electors Act, No. 44 of 1980 and the relevant amendment Acts.

6.1. Basic Qualifications Required for the Registration as a Elector in the Electoral Register.

- Being a citizen of Sri Lanka
- Completed 18 years of age by June 01, the date of eligibility for registration in the Electoral Register (Accordingly, those born on or before 31.05.2003 are eligible to register in the Electoral Register 2021)
- Ordinary residency at the address requested for registration in the Electoral Register.

6.2. Disqualifications for the Registration as an Elector in the Electoral Register

- Having been declared by the court to be unconscious under any law applicable
- Convicted by a court of law for an offence punishable by 2 years imprisonment and imprisonment for 6 months or more and less than 7 years elapse after the imprisonment.
- Having been convicted of a bribery charge and less than 7 years elapse after convicted
- Having been convicted by the court due to breach of election laws
- Having been convicted under prevention of Public Bodies (Prevention of Corruption) Ordinance

6.3. Revision Process of Electoral Register 2020

Due to the facts that spread of Covid -19 pandemic and imposing quarantine curfew from time to time by the government in order to prevent the spread of the pandemic, imposing travel restrictions, Parliamentary Election conducted on 05.08.2020, the Commission failed to start the planned revision process. Distribution of forms to enumerate electors (BC Form) going from house to house was started from 15 August 2020 by the enumerators. New BC forms with information of the elector covering the all district in the country was printed along with the receipt given to the elector.

Nevertheless, as the Covid 19 pandemic grew severe there were interruptions in the distribution and re-collection of enumerated forms. Exhibition of names which should be excluded in the Electoral Register (“A”) and which should be included to the register (“B”) started from 23 December 2020 and ended 19 January 2021 in Electoral Districts except Colombo, Gampaha, Kalutara and Jaffna. Exhibition of lists “A” and “B” in Colombo, Gampaha, Kalutara and Jaffna electoral districts started on 05 January 2021 and ended on 01 February 2021. Claims and objections regarding registration in the register were received in parallel with the exhibition of the lists “A” and “B” and enquiries regarding such claims and objections were followed.

Enumeration of electors in 26 Grama Niladari Divisions in the districts of Jaffna, Kilinochchi and Mannar in the Northern Province, which has been partially resettled and not resettled, has not been done by house to house visit since 1988. As it was reported that a large number of persons in the Electoral Register in these areas were

not living, it was decided by the Commission to register only those who were confirmed to be living in the 2020 revision and not to register the rest.

After conducting formal field inspections regarding the displaced voters in the Mannar District, action was taken to register the persons, who have confirmed their residency in the Mannar District, in the Mannar District and to register many who applied for registration in the Mannar District but were unable to confirm their residency in the Mannar District, at their actual address in the Puttalam District.

Preparation of 2020 Electoral Register has been completed at the district level and certified on 30.04.2021 by the Registering / Assistant Registering Officers in all the electoral districts of the island. Arrangements have been made to publish advertisements in the Extraordinary Gazette Notification No. 2225/52 dated 01.05.2021 and to place advertisements in the newspapers in all three languages, on the official website of the Election Commission and it was also kept for public display at respective District Election Offices and all the Offices in the island.

In terms of the Registration of Electors (Special Provisions) Act, No. 10 of 2017 a gazette notification was published in the Extraordinary Gazette No. 2226/18 dated 04.05.2021 stating that the applications regarding the preparation of the 2020 Supplementary Register will be accepted from 04.05.2021 to 11.05.2021. Arrangements were also made to publish the relevant press release in newspapers in all three languages. Also, the period of appeal for the inclusion of names in the Supplementary Register from 11.05.2021 to 24.05.2021 was published in the Extraordinary Gazette Notification No. 2227/6 dated 11.05.2021. Arrangements were made to publish the relevant press release in newspapers in all three languages. Applications for supplementary register were received only by the Mannar District of the Vanni Electoral District and necessary arrangements were made to certify the 2020 Supplementary Register by the Assistant Registering Officers of the Vanni Electoral District on 25.05.2021. Necessary steps were taken to publish a gazette notification in this regard in the Extraordinary Gazette Notification No. 2229/4 dated 25.05.2021, on the same day and in newspapers in all three languages. The total number of registered electors in the year 2020 is 16,436,059.

After preparing and certifying the Annual Electoral Register, to act in accordance with the provisions of Article 98 (8) of the Constitution of the Democratic Socialist Republic of Sri Lanka, the number of Members of Parliament to be elected for each electoral district based on the number of registered electors of each electoral district in the 2020 Electoral Register was published in the Extraordinary Gazette Notification No. 2232/35 dated 18.06.2021. The details are as follows.

Name of Electoral District	Number of Members of Parliament eligible to be elected for each electoral district
01 – Colombo	19
02 – Gampaha	19
03 – Kalutara	10
04 – Mahanuwara	12
05 – Matale	5
06 – Nuwara Eliya	8
07 – Galle	9
08 – Matara	7
09 – Hambantota	7
10 – Jaffna	6
11 – Vanni	6
12 – Batticaloa	5
13 – Digamadulla	7
14 – Trincomalee	4
15 – Kurunegala	15
16 – Puttalam	8
17 – Anuradhapura	9
18 – Polonnaruwa	5
19 – Badulla	9
20 – Moneragala	6
21 – Ratnapura	11
22 – Kegalle	9
Total	196

6.4. Electoral Register Revision Process for The Year 2021

The revision of the Electoral Register begins on June 1 of each year. This work is carried out by the District Election Offices on the instructions of the District Registering Officer and the Grama Niladharis act as the enumerator in the field.

Normally, a census is conducted by distributing a elector enumerator form (BC format) to each household during the revision of the Electoral Registers. In order to protect the health of citizens and officials due to the current Covid-19 epidemic in the

countrythe Election Commission has decided not to distribute such forms for enumeration of electors in the revision of electoral registers 2021. Accordingly, a special format called 2021 / ER has been introduced to enumerate electors only on the basis of names removed from the 2020 Electoral Registers and newly added.

6.5. Manner of acting on a new registration due to a change of residence.

Opportunity to register under the new address in the Electoral Register for the year 2021 is given only if ordinary residency is revised prior to June 1, 2021. Those who are eligible for this should meet the Grama Niladhari of the relevant Grama Niladhari Division at the address where they are currently residing and obtain a Form 2021 / ER, complete and hand it over. This form can also be downloaded from the www.elections.gov.lk website. It is mandatory to note the pre-registration details in the column in this form which is to specify those details. Also, it is not mandatory to submit the letter issued by the Grama Niladhari regarding leaving the residence from the previous place of residence.

6.6. Process of registering persons in 2021 that were not been registered in the Electoral Register in 2020

Persons who have not been registered in the Electoral Register in 2020 and wish to register in 2021 should meet the Grama Niladhari at the address where they are currently residing and obtain a Form 2021 / ER, complete and hand it over to the Grama Niladhari. This form can also be downloaded from the www.elections.gov.lk website. In this form he / she is required to enter the details of the last registered address in the Electoral Register.

6.7. Registration of persons who have attained the age of 18 years in the year 2021 in the Electoral Register

Those born on or before 31.05.2003 are able to register in the Electoral Register for the year 2021. Accordingly, persons who have attained the age of 18 this year should complete a Form 2021 / ER and submit it to the Grama Niladhari along with a copy of the Birth Certificate and National Identity Card.

The draft of the Electoral Register 2021 will be displayed at the Grama Niladhari Offices and District Election Offices from 21.10.2021 to 17.11.2021. The details will also be displayed on the www.elections.gov.lk website. The Election Commission has

taken action to inform the public about the dates on which these details will be displayed in the future through public notices and a SMS sent to mobile phones.

Also, online facility has been provided to apply for registration in the Electoral Register and for this purpose, the opportunity has been provided to apply for registration as an elector by visiting the website of the Election Commission (www.elections.gov.lk) and following the instructions given therein.

6.8. Exhibition of Draft “A” and “B” Lists

Draft list of names recommended for removal from the 2021 Electoral Register (List "A") and List of names recommended for inclusion (List "B") will be displayed from 21.10.2021 to 17.11.2021 at the Grama Niladhari Offices, District Election Offices and on the official website of Election Commission. If a person's name has not been recommended for inclusion in the 2021 Electoral Register, a request can be made in the form of a claim during this period.

6.9. Submission of claims and objections

The formal “A” and “B” lists will be displayed in the District Election Offices from 21.10.2021 to 17.11.2021 considering the requests received through these ER forms. Accordingly, persons who are eligible to register in the Electoral Register for the year 2021 but have not been recommended for the same should submit a request to the District Election Office relevant for residency from 21.10.2021 to 17.11.2021. Office and field inquiries into these claims and objections will be conducted after 17.11.2021.

Also, if anyone notices that the name of an ineligible person has been included in the draft electoral register, an objection with a duplicate in the prescribed form can be submitted to the District Election Offices within this period.

Accordingly, the Election Commission has made arrangements to certify the 2021 Electoral Register before the end of the year 2021 at the end of all these statutory functions.

7. Number of Registered Electors by 2019 and 2020 Electoral Districts and Administrative Districts

Electoral District and Administrative District	No. of Electors			
	2020		2019	
Colombo	1,724,061		1,709,209	
Gampaha	1,804,102		1,785,964	
Kalutara	981,364		972,319	
Mahanuwara (Kandy)	1,140,168		1,129,100	
Matale	413,096		407,569	
Nuwara Eliya	583,566		577,717	
Galle	876,391		867,709	
Matara	664,030		659,587	
Hambantota	499,586		493,192	
Jaffna	563,193		571,848	
Jaffna District	469,822		479,584	
Kilinochchi District	93,371		92,264	
Vanni	290,169		287,024	
Vavuniya District	123,785		119,811	
Mannar District	85,948		88,853	
Mullaitivu District	80,436		78,360	
Batticaloa	419,345		409,808	
Digamadulla (Ampara District)	523,148		513,979	
Trincomalee	293,607		288,868	
Kurunegala	1,360,627		1,348,787	
Puttalam	628,640		614,370	
Anuradhapura	701,827		693,634	
Polonnaruwa	336,701		331,109	
Badulla	675,924		668,166	
Moneragala	377,688		372,155	
Ratnapura	888,722		877,582	
Kegalle	690,101		684,189	
Supplementary Register	3		11	
Total	16,436,059		16,263,896	

8. Program to Obtain Electoral Register Information through Computers / Mobile Phones

Introduction of new services for obtaining electoral register information through computers / mobile phones and launching ceremony was held on 26.10.2021 at the Election Commission. The first information leaflet was issued to former Member of the Election Commission Mr. Jeevan Thyagaraja. Through this e-service, any elector can obtain their information on the Electoral Register by accessing the website of the Commission.



9. Establishment of a Telephone Center to Assist in the Registration in the Electoral Register

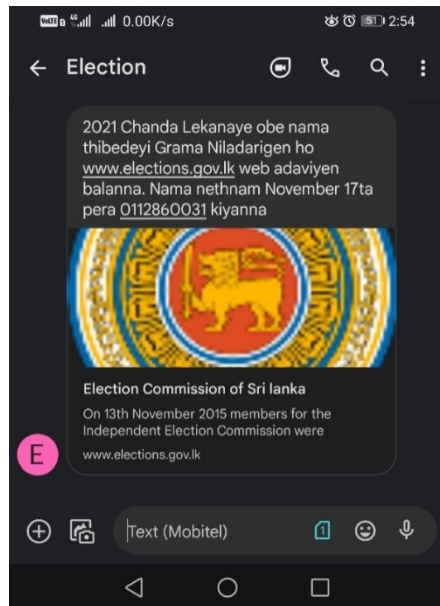
A special telephone helpline has been set up by the Election Commission at the Elections Secretariat to assist in inquiries and issues raised by the public during the registration in 2021 Electoral Registers and to receive claim information. This service will be operational till 31.12.2021.



10. Sending an SMS to Inform the Citizens on Registration in the Electoral Register

A text message was sent to all mobile phone users to inform the public about the registration in the Electoral Register related to the annual registration of electors.

This will enable all mobile phone users to be aware about their registration.



11. Issuing Electoral Register Extracts

A person who is registered in the Electoral Register had to go to the District Election Office where his registered address is and submit an application to obtain a certified copy of the Electoral Register of the previous year. Realizing that this system was not public-friendly, the Election Commission's Information Technology Division developed a system to provide a certified extract from the Electoral Register to a registered person in any district who submits an application to any District Election Office.

Accordingly, the Information Technology Division has introduced a computer software and made this facility available to the public and at present this function is being implemented in every District Election Office.

12. Passing the Registration of Electors Act, No. 44 of 1980 as amended by Amendment Act, No. 22 of 2021 with regard to giving the opportunity to those who have attained the age of 18 years to cast their votes expeditiously

The enactment of this amended Act fulfilled the Election Commission's policy of taking action for expanding the opportunity to register as a voter by affirming the democratic right, thereby enrolling in the Electoral Register as soon as he reaches the proper age and providing such registered electors the opportunity to cast their vote in the first election to be held. Accordingly, the Registration of Electors Act, No. 44 of 1980 as amended by Registration of Electors (Amendment) Act, No. 22 of 2021 is provided for the preparation of the annual voter list and make laws to prepare a supplementary electoral register so that the youth who have attained the age of eighteen (18) can cast their votes under an electoral system consisting of eligible citizens and the amended Act will come into effect from 01.02.2022. It should be noted that the passage of this Act has been highly commended by many parties who value democracy.

13. Registration of Political Parties

Political party system holds a pivotal position in representative democracy at present. A political party is a political organization that seeks to gain state power over a particular policy. Section 7 of the Parliamentary Elections Act, No. 1 of 1981 sets out the legal provisions for the registration of these politically active organizations with the Election Commission as recognized political parties for the purpose of elections.

Accordingly, the Election Commission publishes a public notice before January 31 of each year informing to submit a written request for any politically active organization, if it is desired to register as a recognized political party by the Election Commission. The relevant working group should submit its request within the stipulated time in the advertisement and if the date for any election has been announced, this stage will be suspended till the end of that election period.

The politically active organization together with its request has to submit a symbol of their choice from the party symbols approved by the Election Commission, the party constitution, the list of party officials including at least one public representative

mandatorily, the audited accounts, and the party's current policy manifesto. It should also produce details to prove that it was compulsorily engaged in politics at least four years before the date of submission of these requests or that at least one of the two candidates has won the Parliamentary general election held before the date on which the demands were made or Three out of the five candidates nominated for five different Provincial Councils have won the Provincial Council Elections held prior to the date of submission of these demands and the Commission should be satisfied with that.

An announcement under sub-section 8 (9) of the Parliamentary Elections Act No. 1 of 1987 containing full details in this regard was published in the Extraordinary Gazette Notification No. 2211/49 dated 21.01.2021.

Call for applications for the registration of political parties for the year 2021 ended on 01.03.2021 and applications for the year 2021 were submitted by 40 political organizations. The details are as follows.

- Number of applications received - 40
- Number of rejections due to incompleteness of basic facts - 22
- Number of those who qualified for the interview - 18
- Number Notified that they will not be able to participate in the interview - 03
- Number of Rejected Applications - 12
- Number referred to the Commission - 03

At present the number of political parties recognized by the Election Commission is 76. Information in this regard was published in the Extraordinary Gazette Notification No. 2212/42 dated 29th January 2021 and also published on the website of the Election Commission.

14. Provincial Council Election

The term of office of all Provincial Councils has now come to an end and although the Amendment Act No. 17 of 2017 has been passed, it has not been possible to hold the Provincial Council Elections so far due to the fact that the report prepared by delimiting the Provincial Council Electoral Districts to hold the provincial council election under the Provincial Councils Division has not been passed and the Provincial Council Elections Act No. 2 of 1988 has been amended.

Accordingly, the people's representatives have not been able to be elected to the provincial councils which are currently functioning. The Elections Commission is of the view that the Provincial Council elections should be held expeditiously as it is not in a good condition for the Provincial Councils to function without the people's representatives. The Election Commission urges the Legislature to expedite the necessary legal amendments to expedite the conduct of the election under any suitable polling method.

15. Local Authorities Elections

44 political parties and 222 independent groups submitted their nominations for the Elpitiya Pradeshiya Sabha elections in the Galle District that was held on October 11, 2019 due to Local authorities Elections held on 10th February 2018 to elect members for 24 Municipal Councils, 41 Urban Councils and 276 Pradeshiya Sabhas and judicial proceedings. 57231 candidates contested for the Local Authorities Elections and 8711 of them were elected for 341 Local Authorities.

Out of these 8711 elected members, 5077 (60%) and 3634 (40%) were elected as additional candidates for 4917 local government divisions by each party and independent group.

Vacancies of memberships arise due to the death, resignation, loss of party membership of members and victory in the Parliamentary elections and the legal process of filling the vacancies is carried out by the District Election Offices and coordinated by the Local Authorities Branch.

Accordingly, by the third quarter of the year 2021, the legal process for appointing members to 680 vacancies in Local Authorities has been completed.

15.1. Filling the vacancies in the posts of Members in Local Authorities

Serial No.	The reason for the vacancy	Number of vacancies
1	Resignation from membership	334
2	Death of a member	66
3	Loss of party membership of the member	232
4	Failure to take the oath of office	1
5	Failure to attend meetings	35
6	Loss of membership due to removal by the Governor/ due to judicial proceedings	7
7	By being elected as a Member of Parliament	5

The term of office of the Local Authorities, where the election was held on 10.02.2018 is scheduled to end on 19th March 2022 and the official term of the Elpitiya Pradeshiya Sabha, where the election was held on 11.10.2019 will end on 04th November 2023.

16. Legal Matters

During the first three quarters of 2021, the Election Commission received 47 newly filed cases naming the Chairman, members and officials of the Election Commission as respondents.

- **Supreme Court**

There are 07 cases filed in the Supreme Court. Among the cases filed in the Supreme Court are 01 case related to violation of fundamental rights in connection with the amendment of the Electoral Register, 02 cases related to the registration of political parties 2021, 02 cases related to termination of party membership, 02 cases related to the last Presidential and Parliamentary elections.

- **Court of Appeal**

There are 20 cases filed in the Court of Appeal, out of which 17 are related to termination of party membership and 03 are related to removal from the post of Chairman of Local Government Institutions.

- **High Court**

The 07 cases received by the High Court are related to the termination of party membership.

- **District Court**

There are 13 cases filed in the District Court, all of which have been filed in connection with the termination of party membership.

Proxies signed by the Chairman and members of the Election Commission and the Returning Officers in connection with all the above proceedings and amended petitions, have also forwarded to the Attorney General's Department. The Election Commission's observations regarding the above cases have also been referred to the Attorney General's Department for 28 cases.

It has been reported to the Election Commission that out of the cases filed in the year 2021, 16 cases have been completed so far and 12 cases related to previous years have also been completed.

In addition, the Attorney General has been consulted on six legal issues. Legal advice has also been provided for letters received by the National Elections Branch and the District Election Offices regarding the revision of the Electoral Registers. Inquiries have been made by the relevant parties into five complaints received from the Human Rights Commission. Instructions were provided for letters received seeking advice on the disposal of documents relating to past elections and B.C. forms. Also, summons relating to giving evidence for cases pending in District Courts and Magistrate Courts were referred to the relevant District Election Offices and relevant instructions were given.

With regard to law amendment activities, Bill for control of election expenditure and proposals for the revision of deposits have been submitted to the Cabinet for further action.

17. Responsibility for Ensuring the Voting Rights of Persons with Disabilities

As per the vision of the Election Commission an election process including the marginalized community for a nation that safeguards universal franchise and the right of persons with disabilities to enjoy the right to vote on an equal and fair basis with other citizens shall be ensured.

17.1. Important functions performed for the voting rights of persons with disabilities,

- Submitting proposals for legal barriers and legal reforms to the electoral process involving persons with disabilities.
- Activities to provide special facilities to the disabled electors who go to the polling station to cast their votes in all elections and polls.
- Ensuring that voting procedures, facilities and equipment are appropriate, accessible and easy to understand and use.

- Ensuring the effective and full participation of persons with disabilities on an equal footing with others while protecting their right to vote and to be elected, in a way that protects freedom and confidentiality.
- Ensuring the free expression of the will of persons with disabilities as voters and allowing them to assist in voting through a person of their choice at their request where necessary.

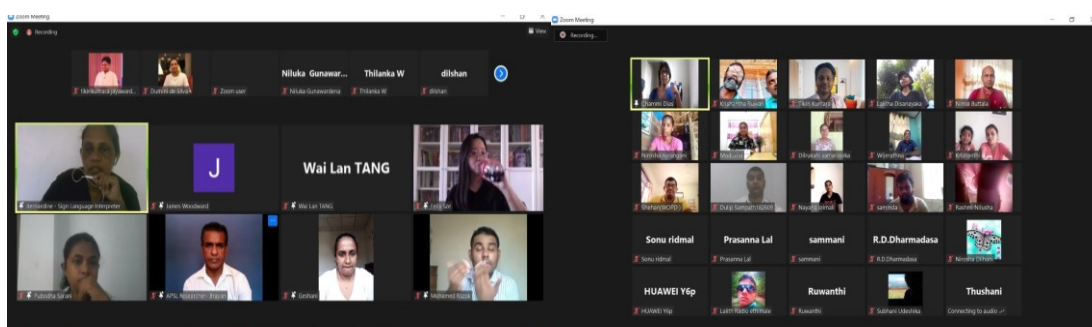
17.2. Programs Carried Out by the End of September 2021 for the Voting Right of Disabled Persons

- Discussion with the Election Commission on the Annual Plan of the Technical Committee for Persons with Disabilities for the year 2021 was held on 18.03.2021 at the Main Auditorium of the Election Commission. It was intended to make the Commission aware of the practical problems faced by persons with disabilities in voting and to prepare a plan for programs to be implemented in 2021.
- A discussion with the Technical Working Group on Disability Inclusive Elections in Sri Lanka (DIESL-TWG) was held on 20.05.2021 using Zoom technology to plan the programs to be carried out in the coming months.
- A discussion was held with the representatives of the persons' organizations with hearing impairments on 23.05.2021 through Zoom technology. Appointing a subcommittee to formulate terminology including new signals for sign language relevant to the election process and the legal validity required to accept the identity card issued to them by the Department of Social Services as a valid identity card at the election were discussed at there.
- A discussion was held on 24.05.2021 on the preparation of the proposal to be submitted to the Parliamentary Select Committee appointed to amend the existing election laws by the members of the Technical Working Group on Disability Inclusive Elections in Sri Lanka (DIESL-TWG).
- The Election Commission of Australia, in conjunction with the International Foundation for Electoral Systems (IFES), conducted a training program on integrated electoral procedures on 02, 03, 05 and 06.08.2021 (4 days) through zoom technology. It was expected to develop the capacity of the Election Commission officials on inclusion.

17.3. Electoral Process Involving Women and Youth Groups

Since 2015, various programs have been launched throughout Sri Lanka to activate a joint program with youth and women's organizations under an all-inclusive electoral process and to contribute those components to the election campaign actively. It was hoped that the women and youth would be encouraged to participate in the election campaign and thereby develop their knowledge of democracy and suffrage and those programs had been appraised by many parties.

During this year too, programs were set up to achieve this goal, but due to the unexpected spread of the Covid-19 virus in the country, it was not possible to implement the program due to travel restrictions and the banning of individual gatherings.



18. Financial Control

The Appropriation Act has allocated Rs. 1,017.34 million in order to cover the expenses in the year 2021. These provisions include Rs. 888.34 million for recurrent expenditure and Rs. 129 million for capital expenditure.

Rs. 542.33 million has been spent up to 30.09.2021 out of the provisions allocated for recurrent expenditure. Rs. 10.75 million has been spent up to 30.09.2021 out of the provisions allocated for capital expenditure. The inability to complete the work that had been started using the capital expenditure provisions in a timely manner under the current corona epidemic has contributed to the saving of these provisions.

The total amount spent for the Parliamentary Elections held on 05.08.2020 is Rs. 5,727.9 million and Rs. 5,700.9 million from the provisions of the year 2020 and Rs. 27 million from the provisions of the year 2021 have been spent for this purpose.

Rs. 38 million has been allocated by the Appropriation Act under Public Officers Advance “B” Account to provide credit facilities to the staff of the Commission. Rs. 8.02 million loan advances out of the allocated amount have been given to 69 staff members as at 30.09.2021.

19. Audit Information

Six Audit Queries have been submitted by the Audit Division of the National Audit Office for the year 2021 up to 30.09.2021 and 06 of those audit queries have been answered so far.

To identify deficiencies and weaknesses under the existing internal control system regarding the activities of the Election Commission, the Internal Audit Division has conducted audits in 08 District Election Offices up to September 30, 2021 and submitted 08 Audit Reports. It has carried out 02 investigations and provided 02 reports. Further, 02 Audit and Management Committee meetings have been held and the relevant reports have been submitted.

The Internal Audit Division has also informed the officials of the Commission and the District Election Offices to establish good financial control in order to minimize the audit queries.

20. Capacity Building of Election Commission Officers

Capacity building training programs are facilitated for the officers of the Election Commission for their service needs and in order to obtain a more efficient and effective service. Around Rs. 4 million had been allocated for this purpose this year. Despite the adverse conditions prevailing in the country, the training needs of the officers were identified and motivated them to do so, training programs were organized and officers were directed to training programs organized by other institutions. Accordingly,

- A training workshop on Procurement and Financial Control was conducted for all staff officers on 28th and 29th March 2021 at the Provincial Council Training Institute, Wariyapola.
- Staff Officers have participated in the Post Graduate Course in Information Technology, Advanced Diploma Courses in Procurement, Diploma in Internal

Auditing conducted by Miloda Institute, University of Moratuwa, Sri Lanka Institute of Development Administration.

- Staff and non-staff officers were jointly made participated for a training workshop on the election process organized by the International Foundation for Electoral Systems (IFES).
- Public Management Service Officers, Development Officers and Document Assistants participated in training programs conducted by external agencies on institutional and network computer software usage and IT usage.
- With the support of the IFES, a training of trainers program on cyber security was conducted through Zoom technology on 2nd, 3rd and 4th August 2021 with the participation of two international trainers.
- Theoretical training on the use of open source software for ICT officers was conducted through Zoom technology from July to September 2021 and thereby capacity of those officers on Information Technology was developed. The training was intended to expand the e-services provided to the public by the Election Commission.



- A program was held on 23.03.2021 at the auditorium of the Head Office for psychological motivation the staff of the Election Commission and to entertain classical music. The program was moderated by Visharad Sudath Samarasinghe, Senior Lecturer at the National Institute of Education.



21. Overseas Training Programs

Following are the details of the overseas training programs conducted online for the officers of the Election Commission during the period under review

Training	Period	Participating Officers Category / Categories
Capacity Program on Voter Registration	15 to 19.03.2021	Staff Officers
Cyber Hygiene Awareness Course	09, 10 and 11.06.2021	Staff Officers and IT Officers
Cyber Hygiene Awareness(TOT)	25 to 28.06.2021	IT Officers
Cyber Hygiene Training for lead facilitators	02, 03 and 04.08.2021	Staff Officers and IT Officers

22. Official Foreign Visits

Due to travel restrictions during the Covid 19 epidemic period, no members or officials of the Election Commission have participated in any foreign official visit until 30.09.2021.

23. Discussions with the Secretaries of Political Parties

During this period, the Election Commission has held a discussion with the Secretaries / Permanent Representatives of recognized political parties on 11.01.2021. During the discussion held with the Secretaries and Permanent Representatives of the recognized political parties, one of the most important stakeholders of the Election Commission, matters relating to the performance of the political parties in the revision of the Electoral Registers, obtaining the assistance of the officers and activists of the political parties for a free and fair election, media guidelines and ethics, registration of the political parties and submission of annual reports, filling of vacancies in the local authorities, obtaining proposals for the strategic plan, holding of the Provincial Council elections and the proposals submitted to the Election Commission by the Parliamentary Select Committee appointed to amend the Election Laws were discussed.



24. Discussions held with District Secretaries / Government Agents

The District Secretaries of each of the Administrative Districts are appointed as the Registering Officers for the enumeration of electors and are also the Returning Officers at the polls. A meeting was held with the District Secretaries who are the closest external officers of the Election Commission on 07.04.2021 at the Elections Secretariat.

The meeting was a great opportunity to seek the views of the District Secretaries on the future activities of the Election Commission. Prior to this meeting, a meeting was held on 06.04.2021 with the representatives of the Grama Niladharis who are engaged in the enumeration of electors. There, they discussed their issues regarding registration of electors and came to appropriate decisions.



25. Discussions Held with Election Monitoring Organizations

The Election Commission deals directly with local election monitoring organizations. This year too several discussions were held with representatives of those organizations. During these discussions the role of election monitoring organizations in free and fair elections, their contribution to the preparation of the strategic plan of the Election Commission and the proposals put forward by the Parliamentary Select Committee appointed to amend election laws were discussed.



26. Forum of the Election Management Bodies of South Asia (FEMBoSA) - 2021 Conference

In 2010, the Forum was formed in Dhaka, Bangladesh by representatives of election management bodies in South Asian countries namely, Bangladesh, Bhutan, India, Maldives, Nepal and Pakistan aiming to share experiences and knowledge about the electoral process in South Asian countries. In conjunction with this, the Annual General Meeting was held and a charter was drafted and launched to achieve the objectives of the organization.

Currently, Afghanistan, Bangladesh, Bhutan, India, Maldives, Nepal and Pakistan, including Sri Lanka, are permanent members of the forum.

The inaugural meeting was followed by annual conferences in member countries namely, in Pakistan in 2011, Bhutan in 2021, Nepal in 2014, Sri Lanka in 2015, Maldives in 2016, Afghanistan in 2017 and Bangladesh in 2018 and the 10th Annual Conference was held on January 24, 2020 in New Delhi, India.

The 2021 Annual Conference was scheduled to be held in Bhutan and was held on 11.08.2021 through Zoom Technology due to the Covid 19 epidemic. The theme of this year's conference was "Using Technology in Elections". Mr. Jeevan Thyagarajah, Member of the Election Commission, Mr. Saman Sri Ratnayake, Commissioner General of Elections, Mr. H.M.T.D. Herath, Secretary of the Election Commission, Mr. Nalaka Kaluwewa, Additional Commissioner of Elections, Mr. S. Achchuthan, Deputy Commissioner of Elections and Mr. Samantha Jayasinghe, Deputy Commissioner of Elections participated in this conference on behalf of the Sri Lanka Election Commission



27. Media Coordination Activities

27.1. Information on Media Conferences Held In the Year 2021

- Two press conferences have been held on 12.01.2021 and 19.01.2021 with the executive officers, newspaper editors, news press editors and journalists of electronic and print media institutions to inform the public about the duties / functions of the Election Commission.
- A discussion was also held with the officials of the Electronic Broadcasters and the Editors' Forum on 19.01.2021 to obtain a broad public awareness of the duties / functions of the Election Commission.
- A discussion was held with the officials of the Ministry of Mass Media, the Department of Government Information and the Telecommunications Regulatory Commission on 17.02.2021 in order to implement media guidelines issued by the Election Commission during the election period and to create the necessary environment for free and fair elections.
- In addition to this, the Chairman, the Commissioner General of Elections and other officials have participated in live and recorded programs on state and private electronic channels on about 10 occasions and made the public aware of the work of the Commission. The print media had a great support for it.



27.2. Press Releases Issued in the Year 2021

During the period under review, the Election Commission issued about twenty six (26) press releases on the following important issues.

- To inform the decisions of the Election Commission.
- Regarding the process of the revision of electoral registers and to facilitate online registration in the Electoral Register.

- Awareness on the new methodology of printing the Electoral Register info statement using computers and mobile phones.
- Motion submitted by the Election Commission to the Committee appointed to compile the new Constitution of the Democratic Socialist Republic of Sri Lanka
- Protest by the Election Commission against the military's takeover of Myanmar administration and the anti-democratic procedure of arresting elected representatives and Election Commission officials.
- Informing the Secretaries of Political Parties and the Hon. Governors to take appropriate action on the representative democracy implemented in this country through behavior / activities of the People's Representatives in Local Authorities, about the people's representatives who are elected by the people and the breakdown of the public trust in the workings of these institutions.
- Regarding the Registration of Electors Amendment Act which was passed to enable people to register in the Electoral Register and participate in the administration of the country immediately upon attaining the age of 18 years, which have been long waited by the Election Commission, stakeholder groups and youth groups.

28. Training Workshop Conducted for Journalists

A training workshop for journalists of electronic and printing institutions covering the activities of the Election Commission was held on 16.03.2021 at the Election Commission Head Office on the duties and functions of the Election Commission, election cycle, use of media guidelines for free and fair elections, election reporting, challenges in electoral reporting in electronic media, the role of journalists at an election and the influence of the media on a free and fair election.



The workshop was presided over by the Chairman of the Election Commission, Attorney-at-Law Nimal Punchihewa and the Commissioner General of Elections, Mr. Saman Sri Ratnayake and the resource persons for the workshop were Prof. Tudor Weerasinghe, Senior Lecturer at the Sri Palee Campus, Mr. Asoka Dias of the Sirasa Media Network and Mr. Ariyananda Dombagahawatte, Senior Journalist, Editor-in-Chief of the Sunday Lankadeepanewspaper. The evaluation confirmed that the workshop was organized very successfully and effectively.

This workshop was followed by the formation of a Media Collective (whatsapp group) comprising of journalists from the participating institutions to expedite the Commission's statutory awareness, press releases and news coverage and is has now been instrumental in gaining widespread publicity about the functions of the Election Commission.

29. Building Construction and Renovation Work

28.1. Construction of Jaffna District Election Office

With regard to the construction of a new building for the Jaffna District Election Office, the physical progress as on 30.09.2021 was 66%. The building is scheduled to be completed in two phases, with the second phase set to begin and end in 2022.

Total Estimated Amount - Rs.197,000,000.00

Amount Expended on 08.11.2021 - Rs.41,185,000.00



28.2. Modernization of the Tourist Resort

Arrangements have been made to modernize and open the old Trincomalee District Assistant Commissioner's Office quarters (Edinburgh Terrace Official Residence) at a cost of Rs. 1,739,905.00 to be used as a tourist resort.



30. Activities Related to the Right to Information Act, No. 12 of 2016

In the first quarter, 19 out of 21 requests for information regarding the Right to Information Act were granted and 02 requests were denied. In the second quarter, information was provided for all 10 requests for information under the Right to Information Act. In the third quarter, information was provided for all 11 requests for information under the Right to Information Act.

31. Knowledge Management Unit and Museum

Scholars, researchers, political party activists and representatives of election monitoring organizations are constantly questioned about the functions and obtaining information of the Election Commission and in most cases, information is also obtained by visiting the institution. Therefore, arrangements were made by the Election Commission to set up a Knowledge Management Unit to carry out these functions more effectively and efficiently. As a first step, the existing archive has been relocated to a new premises, developed into a knowledge management unit and maintained in a more organized manner. A program was initiated to make its documents more secure and to store them properly for the convenience of any party as required. It is the intention of the Commission to expand this function in the future and to facilitate access to e-information.

A full time officer has been attached for this purpose and he has been given formal training by the Department of National Archives.

To commemorate the 60th year history of the Department of Elections, a museum containing old documents, Acts, ordinances, reports and items used during that period has been established.



32. The Power of Cross (Kathiraye Balaya) News Magazine

A news letter titled 'Kathiraye Balaya' was launched quarterly covering the duties and functions of the Election Commission identified under the thrust areas in the four year Participation Strategic Plan 2017-2020. Printing the third issue of the fourth volume of the news letter (September - December 2020) and the first issue of the fifth volume (January - April 2021) as one issue. The second issue of the fifth volume (May - August 2021) has been printed as one issue. Preparations for the final issue of this year have already begun.

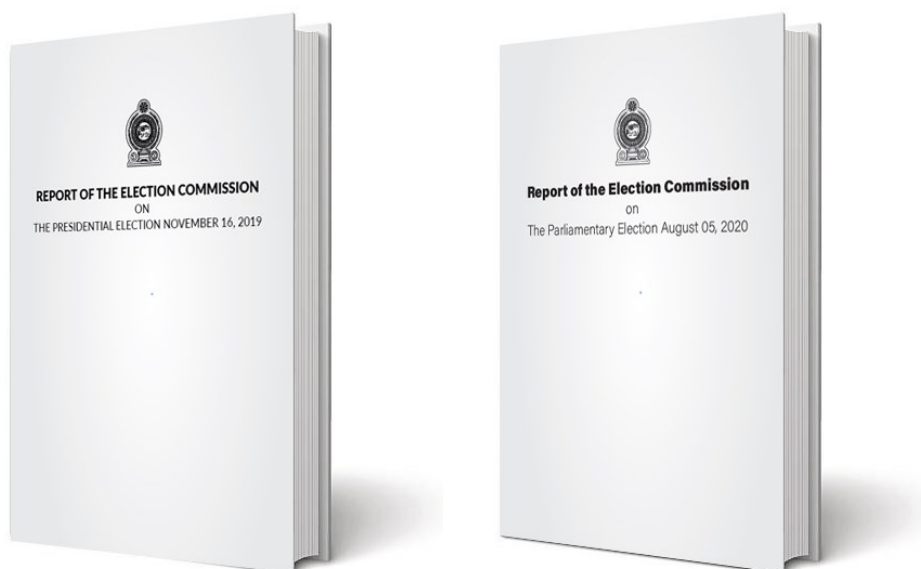


33. Election Reports

Although not prescribed by any law, the Department of Elections as well as the Election Commission has traditionally acted to issue a report on an election after it has been held.

Report issued after an election includes all facts related to the election including basic organizational process including necessary amendments to the relevant election laws, political parties, number of members, preparation of electoral registers, polling districts, polling stations, receipt of registers, make deposits, appointments and training of officers, postal voting, transport, and holding the election, counting, declaration of results, publicity, security arrangements, complaints management and the full Result. Therefore, by summarizing and reporting on all the issues related to the election, it will be of great help to those who study the election, to the researchers, to the information seekers, to the future election campaign, to the future plans of the political parties. Accordingly, the issuance of a report containing all relevant information on a Parliamentary election or other election is also a fulfillment of the academic requirements of all interested parties.

Accordingly, all arrangements have been made to release the reports of the Presidential Election held on 16.11.2019 and the Parliamentary Election held on 05.08.2020. Arrangements have been made to combine all the gazette notifications issued in connection with the Presidential and Parliamentary elections into two books and print.



34. Code of Guidelines of Using Information Technology

The IT Division has arranged for the release of the guidelines before the end of this term, which described the manner of operating computers, computer peripherals, software and information systems, networking equipment and computer networks used in the field of information and information technology in all District Electoral Offices, including the Head Office of the Election Commission and the possible impacts and damage to those devices and systems and the ways to prevent them



35. Conclusion

This report of the Election Commission, which will be presented to the Budget Committee Meeting 2022, contains information related to the programs / projects implemented from 01.01.2021 to 30.09.2021. It is clear from the findings of this report that we have been able to achieve the desired level of performance during this period, despite administrative restrictions such as travel restrictions and closures of government institutions to control the Covid epidemic. It is observed that during the period under review, the Election Commission has paid more attention to render the services to the general public in a more people friendly and convenient manner and to the innovative processes for the same purpose and it should also be noted that all necessary precautions have been taken to achieve the missed targets over the next three months.