



**MONITORING AND
MITIGATING**

**ELECTORAL
VIOLENCE**

**THROUGH NONPARTISAN
CITIZEN ELECTION
OBSERVATION**

APPENDICES

Case Study on Monitoring and Mitigating Electoral Violence

Sri Lanka

In 2009, Sri Lanka emerged from 25 years of civil war into a fragile peace. While attention has turned to post-conflict reconciliation and economic development, political violence has continued, particularly around elections, and has often been exacerbated or triggered by unresolved post-war issues. Ethnic tensions and the associated political rivalries inflamed during the protracted conflict remain pervasive. The war's legacy of militarization and a proliferation of firearms have left an entrenched climate of fear, particularly in the North. An open-list voting system, allowing voters to rank candidates from the same party list, has contributed to conflict within political parties. In addition, the absence of a legitimate accountability process for wartime abuses, coupled with the erosion of judicial independence, has contributed to a culture of impunity around violence.

Civil society in Sri Lanka has for decades played an active role in trying to address recurring political and electoral violence. While election observation is not recognized by law, Sri Lankan citizens have been permitted to observe most elements of the electoral process at the discretion of the Election Commission -- although, significantly, not the counting and tabulation processes. Citizens have observed with enthusiasm since the 1988 elections. Nonpartisan citizen groups have carefully documented incidents of electoral violence and identified trends in political tension. A range of outreach efforts have allowed these organizations to raise public awareness around the issue of electoral violence and elicit timely and appropriate responses to incidents. Between elections, civil society actors have engaged in initiatives to try and address the underlying social and systemic factors that contribute to political violence. In a political climate that the UN High Commissioner for Human Rights (UNHCR) and others have characterized as increasingly authoritarian and a media environment consistently ranked among the world's most repressed, civil society groups have had to constantly assess how to maintain their credibility and safely and effectively make their voices heard.

Building legitimacy through methodologies that emphasize report verification, establishing relationships with other stakeholders, and developing measures to ensure observer security have been integral to the successes of civil society organizations engaged in these efforts. The Center for Monitoring Election Violence (CMEV), first convened in 1997, is an election-time coalition of the Center for Policy Alternatives (CPA), Free Media Movement (FMM) and INFORM Human

Rights Network focused on contributing to peaceful elections through careful documentation of election-related violence, allowing them to “name and shame” the perpetrators and reduce the culture of impunity around violence. Outside election periods, CMEV’s convening organizations conduct a range of other activities including electoral reform advocacy and voter education. People’s Action for Free and Fair Elections (PAFFREL) has observed elections in Sri Lanka since the 1988 presidential elections and is the oldest election monitoring organization in the country, using a broad-based network of civil society organizations to mobilize observers and collect information. PAFFREL focuses on mitigating political tensions that may lead to violence through targeted communication with authorities and decision makers during election periods and a range of peace campaigns and reform activities between elections.

CMEV: DOCUMENTING AND PUBLICIZING INCIDENTS OF VIOLENCE

CMEV seeks to provide an impartial voice on electoral violence in Sri Lanka, with the ultimate goal of bringing public pressure to bear on perpetrators and ending the culture of impunity. CMEV convenes during election periods to collect data on incidents of and trends in physical violence, threats and intimidation. The Center disaggregates electoral violence data by incident type, victim information, perpetrator information, location, and other details. While CMEV has documented a decline in physical violence around elections over the past decade, the coalition’s co-conveners recognize the importance of continuing to come together during elections to document that positive trend and focus more on less noticeable forms of coercion like intimidation and the entrenched climate of fear, in addition to other growing problems such as abuse of state resources.

CMEV’s electoral violence monitoring methodology includes long-term and short-term observation. Long-term observers (LTOs) deploy to every electoral division equipped with forms and digital cameras to report on and capture evidence of violence and abuse of state resources. LTOs are also trained to conduct more general “ground situation monitoring,” which covers electoral administration, the campaign environment, and voter awareness and engagement. When LTO reports bring to light high numbers of violations or escalating tensions in a certain area, CMEV conducts a “field visit” during which a small team of election, conflict, legal or other experts deploy to the region to ensure comprehensive documentation of the situation. On election-day, CMEV deploys short-term observers (STOs) recruited through its convening organizations. The deployment plan centers

around analysis of potential violence hotspots based on historical CMEV and official data, as well as ongoing LTO reports. Mobile election-day teams allow CMEV to investigate incidents in more depth.

CMEV collects data from a number of sources beyond trained observers. For national elections, the Center establishes a public hotline for citizens to report incidents, which CMEV is then careful to verify before publicly reporting. CMEV has also generally enjoyed good working relations with police forces, allowing access to the police log of election-related incidents as a verification tool and source of additional reports. This working relationship has benefited police efforts as well, giving them access to CMEV observer and citizen reports and enabling rapid incident response.

Verification of all reports is critical to CMEV's reputation for impartiality and professionalism, which contributes to relationships with other stakeholders and the success of its monitoring efforts. CMEV verifies each incident through a range of means such as the police log, credible media reports, and victim and eyewitness testimony. In addition, CMEV seeks comment from the alleged perpetrating individual(s) or political party -- a measure that provides transparency into its data collection process and gives the accused an opportunity reply to allegations. In the longer term, this step allows CMEV to track how different political parties respond to incidents of violence committed by their members or followers, which in turn can indicate which political parties may be ready to engage on the issue.

CMEV's approach to public outreach is aimed at providing citizens and authorities with impartial, credible information on election-related violence to contribute to public pressure against political violence and, ultimately, diminish the culture of impunity. By encouraging citizens not to vote for violent candidates, CMEV seeks to discourage violence by reducing the political gains that can be achieved by violent actors. To this end, CMEV takes an approach of "naming and shaming" the perpetrators of verified incidents, shining a spotlight through press releases, reports, social media and other means onto those who espouse political violence. CMEV publishes online maps of violent incidents throughout the electoral process through its website and social media. In a country with pronounced ethnic and political divisions that fall along geographic lines, mapping is a useful tool for examining possible patterns of violence that may have larger political or social implications.

Observer security is of critical importance to CMEV throughout these activities. The Center has taken a number of steps to try and ensure the physical safety of its observers including emphasizing personal safety in observer training; providing insurance to observers; encouraging LTOs to register with local police in their area

of deployment; and at times, collaborating with local security-focused firms.

Beyond Monitoring

Between elections, CMEV and CPA engage in a number of activities aimed at reducing political tensions and promoting peace. Voter and civic education activities have focused on encouraging voters not to elect candidates who espouse or perpetrate violence. CPA has also undertaken electoral reform advocacy activities around boundary delimitation to reduce ethnic tensions, among other issues. A major reform success was in 2002, when the court granted permission for the Election Commission to annul the results of a polling station based on violence perpetrated at that location, as documented by citizen observers. CPA has also been active in the ongoing post-war reconciliation process, promoting dialogue at the community level. In addition, CPA's polling unit has conducted public opinion research around elections and voting behavior. This research can help assess the scale and scope of fear or entrenched intimidation among citizens, which can affect candidates and voters alike even if more overt forms of violence are absent.

Broader Impact

CMEV has documented a decline in physical violence in Sri Lanka's elections since the start of its monitoring efforts and work to raise awareness of the issue both among citizens and the international community. CMEV and its co-conveners are recognized both in Sri Lanka and by the international community as providing a credible, nonpartisan voice. Most recently, CPA was honored at U.S. President Barack Obama's September 2013 civil society roundtable.

In addition to establishing its own impartiality and credibility, CMEV has played an integral role in solidifying a reputation for the practice of citizen election monitoring as a whole. CMEV emphasizes that election observers are now an expected and accepted part of the electoral process among all stakeholders including government authorities, candidates and citizens. Through its efforts, the Center has created public awareness, acceptance and recognition of the practice of citizen election observation and helped carve out space for civil society to work on issues of electoral integrity more broadly.

PAFFREL: MITIGATING VIOLENCE THROUGH STAKEHOLDER ENGAGEMENT

PAFFREL focuses on reducing tensions and mitigating political violence in Sri

Lanka, including during elections. PAFFREL conducts a number of activities throughout the electoral process including election monitoring, voter education, outreach to political parties and electoral reform advocacy. Over the past decade, PAFFREL's strategy has shifted from a public "name and shame" approach to one that emphasizes targeted communication to relevant authorities and decision makers.

PAFFREL's election monitoring methodology emphasizes documentation of violent incidents and abuse of state resources. PAFFREL deploys LTOs in the weeks and months prior to an election up until several weeks after election day. On election day, LTOs comprise mobile teams which are deployed to cover all polling stations in their district. Stationary STOs are recruited through PAFFREL's informal CSO network of national and local organizations. As of the September 2013 provincial council elections, PAFFREL's network comprised around 120 organizations, including youth and women's groups, allowing PAFFREL to mobilize thousands of volunteers for election day.

A Colombo-based "Mitigation Unit" staffed by lawyers, law students, and other volunteers receives all observer reports in addition to incident reports from citizens, parties and the media. Mitigation Unit staff verify all reports; enter them in a database; refer verified incidents to the relevant authorities for action; and follow up on incident response. In regions where PAFFREL anticipates the most violence based on the concentration of incidents in past elections or during the pre-election period, it may establish a special regional Mitigation Unit. These local centers have a similar function to those at the national level and play a role in aggregating, verifying and communicating reports of violence, but allow a more targeted allocation of resources to the most potentially problematic areas. This was the case during the Northern Province's September 2013 landmark provincial council elections – the first regional election in the province and the first election of any type in the province since the end of the civil war.

PAFFREL emphasizes report verification as critical to its credibility and the related willingness and ability of authorities to take timely and appropriate action. PAFFREL seeks to not only verify the details of each incident, but Mitigation Unit staff are trained to determine whether an act of violence was in fact political in nature. Over the course of its decades of work, PAFFREL has established itself as a nonpartisan, credible voice – evidenced by political parties, candidates, the Election Commission and even government authorities coming to the group for information.

BEYOND MONITORING

The All Parties Operation Unit (APOU), initiated by PAFFREL in 2001, facilitates targeted communication among a range of actors. The central goal of the Unit is to foster information sharing among parties, the Election Commission, the police and civil society, enabling coordinated, rapid responses to violence or other incidents by relevant authorities. The Unit has also enabled civil society to promote dialogue among convened party leaders, mitigate inter-party tensions and mediate disputes. The creation of district-level Units in recent years has allowed similar interaction at a local level. While the Election Commission now manages the APOUs, PAFFREL has continued to play a central role in their activities.

PAFFREL also conducts a range of activities between elections to promote electoral reform and strengthen the rule of law. Peace campaigns, including street drama, have been an effective way of reaching citizens. A roundtable program begun in 2013 to engage community leaders seeks to promote dialogue and, ultimately, a culture against violence. PAFFREL's electoral reform advocacy has focused on changing the electoral system, which it sees as a major contributing factor to political tensions. A bill passed in 2012 changing the local election system is the first mark of success.

Broader Impact

PAFFREL's efforts to engage stakeholders have fostered more open dialogue and direct communication among political actors. The APOU has proven a successful means of facilitating inter-party communication and mediation, as well as rapid incident response.

PAFFREL's emphasis on report verification and enduring nonpartisanship have allowed it to develop relationships with a range of stakeholders and have contributed to broader recognition of the practice of nonpartisan election observation in the country. Decades of work to establish credibility have hinged on careful information verification and efforts to actively engage with all stakeholders in the political process. These relationships, in turn, have enabled effective communication with authorities and decision makers, including through the APOU initiative, which has helped to address political tensions throughout the electoral process. Direct feedback from citizens attests to the value of PAFFREL's public outreach programs, including highly popular street drama. The above-mentioned 2012 change in the local election system is a first step towards achieving PAFFREL's vision for reform – changes that it sees as critical to reducing the types of tensions that have contributed to violence in past elections.