



International Foundation
for Electoral Systems

Election FAQs: Sri Lanka

Presidential Elections

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Election Snapshot

The election to elect Sri Lanka's tenth president is scheduled for September 21, 2024. The May 31, 2024 voter registry lists 17,140,354 voters who will be eligible to vote in the election. The Election Commission of Sri Lanka (ECSL) will set up 13,134 polling centres across 22 electoral districts. For the 2024 presidential election, 712,321 citizens qualify for advance voting.

The 38 candidates represent the largest number contesting a presidential election in Sri Lankan history. They include the incumbent president, the sons of two former presidents, a former commander of the army, former ministers representing a number of coalitions, and a scattering of candidates from breakaway factions. No women are contesting this election.

The ECSL set the campaign expenditure limit at 109 rupees per voter, bringing the total allowable limit per candidate to 1,868,298,586 rupees, or about \$6.2 million USD.

Domestic and international observers have been accredited to carry out long- and short-term observation of the election.

When is Election Day?

Sri Lanka will hold its presidential election on September 21, 2024. The Election Commission of Sri Lanka will set up 13,134 polling centers and 45 counting centers across 160 polling divisions in 22 electoral districts. No more than 1,245 voters will be assigned to each polling station.

Why is this election important?

The 2024 presidential election will be the first election in which people will be given the opportunity to go to the polls since the nationwide protest movement (*Aragalaya*) in 2022, which spurred the resignation of former president Gotabaya Rajapaksa. Local government and provincial council elections were due to take place before the presidential election but have been delayed indefinitely. Following former president Gotabaya Rajapaksa's resignation in July 2022, Ranil Wickremesinghe was indirectly elected by a parliamentary vote on July 20, 2022, to complete the former president's term. In this context, the future of the economy and the reduction of the cost of living remain key campaign themes. Many see the election as a choice between the continuation of existing policies and leaders and the introduction of new leadership and approaches.

Namal Rajapaksa, the eldest son of former president Mahinda Rajapaksa (who served from 2005 to 2015) will be the youngest candidate. He represents the Sri Lanka Podujana Peramuna, a breakaway faction of the Sri Lanka Freedom Party. President Wickremesinghe, who entered Parliament through the United National Party (UNP), is contesting as an independent candidate. Most of the other major candidates represent political coalitions. Sajith Premadasa, the son of former president Ranasinghe Premadasa, is the leader of the opposition and was the runner-up in the last presidential election. He is contesting under Samagi Jana Balawegaya, a breakaway coalition of the UNP, the party represented by his father. Anura Kumara Dissanayake of the National People's Power has gained ground over the past year as an alternate political force. He is the leader of Janatha Vimukthi Peramuna (People's Liberation Front), a Marxist-Leninist party that led two revolutionary movements in Sri Lanka in the 1970s and 1980s.

Who are citizens voting for on Election Day?

Thirty-eight candidates will contest this year's presidential election. One candidate, Idroos Mohammad Illiyas, died after nominations and was not replaced on the ballot. Including Illiyas, the 39 candidates listed in the Election Commission's media release on August 18, 2024, are:

1. Akmeemana Dayarathana Thero
2. Abubakar Mohammad Infas
3. Siripala Amarasinghe
4. Idroos Mohammad Illiyas
5. K. K. Piyadasa
6. Sarath Keerthirathne
7. K. A. Kularatne
8. K. R. Krishan
9. Pallimulla Kapugamage Anura
Sydney Jayaratne
10. Dilith Jayaweera
11. Sirithunga Jayasuriya
12. Mailwanagam Thilakarajah
13. Angampodi Prasanga Suranjeewa
Anoj de Silva
14. Lalith de Silva
15. Ajantha de Soyza
16. Anura Kumara Dissanayaka
17. Mahinda Dewaga
18. Ariyaneththiran Paikayaselvan
19. Victor Perera
20. Anuruddha Polgampola
21. Sajith Premadasa
22. Sarathe Fonseka
23. Dissanayake Mudiyansele
Bandaranaike
24. Sarath Bandaranaike
25. Battaramulle Seelaratana Thero
26. Nuwan Bopage
27. Sarath Manamendra
28. Pemasiri Manage
29. Anuruddha Roshan Ranasinghe
30. Janaka Ratnayake
31. Namal Rajapaksa
32. Namal Rajapaksha
33. Wijayadasa Rajapakshe
34. A.S.P. Liyanage
35. Keerthi Wickramaratne
36. Priyantha Wickeremasingha
37. Ranil Wickremesinghe
38. Pani Wijesiriwardane
39. Oshala Herath

What is the electoral system?

Per the 19th Amendment to the Constitution, passed in April 2015, a president may be elected no more than twice for five-year terms. Previously, the presidential term was six years.

Sri Lanka uses a supplementary voting system through which voters elect a single winner by ranking up to three candidates in order of preference. For a vote to be valid it must be clearly marked to indicate at least one preference. In practice, the Election Commission of Sri Lanka (ECSL) accepts other markings (e.g., an X or check mark) in favor of a first preference candidate, as long as the intent is clear. The ECSL does not normally accept a combination of markings and numbers in favor of multiple candidates.

If a candidate receives an absolute majority (50 percent plus one) of valid votes cast as a first preference, he or she will be declared the winner. If there is no winner at this stage, a second round of counting takes place. This round includes only the two candidates who received the highest number of votes; all others are eliminated. If an eliminated ballot paper contains a second or a third choice vote for one of the remaining two candidates, it is counted in the candidate's favor. The candidate with the most overall votes in the second round of counting is then declared the winner.

In past elections, one candidate has always emerged as a clear winner based on first preference votes, and no election has progressed to the counting of second or third preferences. Therefore, it is not known how many voters use the second and third preference option. Anecdotal evidence

from the ECSL suggests that the number is small, and that voters' awareness of the second and third preference option is limited.

What is the legal framework for conducting elections?

The presidential election is governed by the Constitution and the Presidential Elections Act (No. 15 of 1981). Additionally, the Election Commission of Sri Lanka issues circulars throughout the electoral period with directives on the conduct of elections.

Who is eligible to run as a candidate?

Any person who fulfills the requirements to be a voter (elector) per Article 89 of the Constitution and meets the requirements set out by Article 92 is eligible to run as a candidate in the presidential election. Accordingly, a candidate must:

- Be above 30 years of age;
- Be qualified to be elected as a Member of Parliament under Article 91(1)(d), (e), (f), (g) or (l);
- Not have been elected twice by the people as the president of Sri Lanka; and
- Not have been removed from the office of president under Article 38(2)(e) of the Constitution.

A candidate may be nominated by a political party or by a registered voter if he or she has been a Member of Parliament. Nominators may nominate only one candidate. Candidates must deposit 50,000 rupees (approximately \$170 USD) if nominated by a recognized political party or 75,000 rupees (approximately \$250 USD) if nominated by any other party or individual elector.

What is the gender balance within the candidate list?

No women are contesting the September 2024 presidential election. A woman contestant in the 2019 election represented the Socialist Party of Sri Lanka; she received 0.21 percent of total valid votes.

What is the campaign expenditure and donation limit?

Before 2023, Sri Lanka did not have a regulatory framework for political finance or campaign expenditure. The Regulation of Election Expenditure Act, No. 3 of 2023 (REEA) filled this gap and introduced a new framework for regulating campaign expenditures during elections. Although REEA includes several legal ambiguities, it is seen as a step ahead in limiting corruption vulnerabilities related to elections. The Election Commission of Sri Lanka, adhering to the REEA, held consultations with political parties, independent groups, and candidates following the close of nominations on August 15, 2024, to determine the campaign spending limit. As a result of the consultations, the campaign finance limits for the election were gazetted. The maximum amount a presidential candidate can spend per voter is 109 rupees, while the total budget per candidate cannot exceed 1,868,298,586 rupees. This amount was determined by multiplying the authorized amount per voter by the total number of voters registered to vote in the upcoming election.

What is the election management body? What are its powers?

The Election Commission of Sri Lanka (ECSL) is an independent body responsible for overseeing the conduct of elections in the country. The ECSL is mandated by Article 104B of the Constitution.

It has the power to oversee presidential, parliamentary, provincial, and local elections, as well as referenda, to ensure they are free and fair. The president appoints the five members of the Election Commission, as recommended by the Constitutional Council. The current commission was appointed between July 2023 and January 2024.

The commissioner general of elections is the head of the Elections Secretariat. The commissioner general, along with ECSL staff, is responsible for the administration of elections. The secretariat consists of six divisions and manages operations throughout the ECSL's 25 district offices. The duties of the secretariat include registering voters, managing electoral rolls, ensuring compliance with election laws, and handling logistics on Election Day. The secretariat operates from the ECSL headquarters in Rajagiriya, Colombo.

In addition to its mandate to oversee elections, the ECSL prepares and revises the electoral register, secures the enforcement of electoral laws, regulates the use of state resources during elections, provides guidelines for print and electronic media on election reporting, and regulates campaign expenditures per the Regulation of Election Expenditure Act No. 3 of 2023. The commission is answerable to Parliament.

It is the duty of the ECSL to ensure that all citizens exercise their franchise in secret and without intimidation, conduct voter education, and create a level playing field for all candidates.

Who can vote in these elections?

Eligibility to vote in Sri Lanka is governed by Articles 88 and 89 of the Constitution. Any citizen of Sri Lanka who is 18 years of age or older and correctly registered in the electoral register is eligible to vote. Citizens are disqualified from voting if they were found to be of "unsound mind" under Sri Lankan law¹ or have been convicted of corruption or illegal practices related to elections.

How many registered voters are there?

The Election Commission of Sri Lanka maintains a continuous voter list that it updates every four months to add voters who turn 18. An annual door-to-door manual enumeration updates the voter registry; online registration has also been made possible.

As of the latest update of the voter list, finalized on August 5, 2024, 17,140,354 voters are registered in Sri Lanka. The smallest of the 22 electoral districts is Vanni, with 306,081 voters; the largest is Gampaha, with 1,881,129 voters. Colombo district has 1,765,351 voters.

What provisions are in place that support the equal rights of women, persons with disabilities, and other marginalized groups?

Women have the equal right to vote and to political participation in Sri Lanka. However, women's representation is lacking at the national level. None of the candidates in the upcoming presidential election is a woman. The world's first woman prime minister was Sri Lankan. Her daughter served as president for two terms, from 1994 to 2005.

¹ The term "unsound mind" is still used in the Sri Lankan legal framework and is considered a disqualification to be considered a legal citizen. The concept of unsound mind applies in both criminal and civil procedures in Sri Lanka as an exemption for legal responsibility. These provisions, although contravening the UN Convention on the Rights of Persons with Disabilities which Sri Lanka ratified in 2016, have not been updated.

Elections (Special Provisions) Act No. 28 of 2011 introduced special provisions to enable voters with disabilities to be accompanied by an assistant to cast their votes. Accordingly, voters with disabilities must produce a statement of eligibility in the prescribed format, certified by the village officer (*Grama Niladhari*) and a government medical officer. It is mandatory for the assistant to be qualified as an elector. A person with a disability also has the option to request the support of polling center officials to cast his or her vote. The Election Commission of Sri Lanka (ECSL) will use a specially developed tactile ballot guide for persons with visual disabilities for the first time in Sri Lanka after a successful pilot in 10 polling stations during the 2020 parliamentary elections. A cadre of ECSL district election officials received special training on basic sign language (both Sri Lankan Sign Language and Tamil Sign Language) at polling centers. Those officials, along with district sign language interpreters, are training workers who will serve Deaf and hard-of-hearing voters at the polling centers.

Are there special voting arrangements for voters who cannot vote on election day?

Sri Lanka allows some advance voting, referred to as postal voting. The purpose is to enable eligible voters who cannot vote in person on Election Day to vote. For the 2024 presidential election, 712,321 citizens qualify for advance voting. According to the Presidential Election Act of 1981, the voters who feel they are unable to vote in person on Election Day may apply if they are:

- Members of the Sri Lankan Armed Forces or police force;
- Some civil servants in positions related to transport, prisons, and communications;
- Any other officers or public servants, as well as those who work for the Central Bank and Local Government Service; and
- Candidates for the election, on the grounds that they are unlikely to be able to vote in person at their assigned polling stations.

The advance voting system involves physically casting a vote, usually at the offices of the head of the police or the administrative secretary. Votes can usually be cast a few weeks before Election Day (in 2024, September 4–6, with the potential to extend the days to September 11–12).

Apart from the essential workers listed, Sri Lankan law makes no provisions for absentee voting, nor is mobile voting available to voters who are in hospitals or institutions or who cannot leave their residences to vote. Proxy voting is explicitly prohibited in the electoral legal framework. Sri Lanka also does not permit out-of-country voting.

A parliamentary select committee and a presidential commission of inquiry have been established to look into liberalizing voting arrangements, among other electoral reforms.

Who can observe during Election Day?

Sri Lanka's legal framework does not address election observation. In practice, however, the Election Commission of Sri Lanka (ECSL) has accredited national and international election observers. For the 2024 presidential election, international and national groups have received accreditation to observe the election and will deploy both long- and short-term observers. In addition, some observer groups are monitoring social media and traditional media for hate speech, disinformation, and abuse of state resources. Domestic observer groups include the People's Action

for Free and Fair Elections, Centre for Monitoring Elections Violence, Campaign for Free and Fair Elections, and others. These groups, along with other civil society organizations including Transparency International – Sri Lanka, have joined forces to collectively monitor campaign finance expenditure via a live web portal. The European Union and the Commonwealth will deploy international observation missions.

Who is managing security on election day?

The Election Commission of Sri Lanka (ECSL) receives the support of the Sri Lanka Police to manage security on Election Day and for the counting process. The police are also required to provide security for campaign events, the printing of ballot papers, advance (postal) voting, and they also handle election complaints. In addition, police officers provide personal security for presidential candidates. During the election period, police on election duty fall under the command of the ECSL as per Article 104 (C) of the Constitution.

The ECSL may request that the president deploy the military to provide security. Security by military personnel is provided only during times of crisis such as civil war, internal conflict, or the COVID-19 pandemic. The command structure of the military does not change during the election period.

Where are vote counting and tabulation held?

For presidential elections, vote counting and tabulation are carried out in multiple stages at district-level counting centers. Each counting hall will count votes from approximately 10 polling stations. Each candidate may appoint five agents to observe the count. Advance (postal) votes are counted separately; only two observers per candidate are allowed at those counting centers.

In the first stage, counting officers, appointed by the returning officer and supervised by assistant returning officers, count the ballot papers in each box. In the second stage, counting officers sort and count the ballot papers according to the votes cast in favor of each candidate in the electoral district. When counting votes, the counting officers first tally the number of first preference votes cast for each candidate. Based on this count, the returning officers will prepare a final statement of votes for each candidate in their district, referring to the statements of votes received from the counting officers. These initial statements relate only to the first preference votes. All final statements of votes are forwarded to the Election Commission of Sri Lanka (ECSL) headquarters, where they are consolidated to determine whether any candidate received more than half of the valid first preference votes cast at the election – that is, an absolute majority.

If a candidate receives an absolute majority of first preference votes, the ECSL announces the result of the election. If there is no absolute majority, then all but the two candidates receiving the highest totals of first preference votes are eliminated. The returning officer in each counting center then examines the ballot papers for the eliminated candidates and (1) where a valid second preference on such a ballot paper is for one of the two remaining candidates, it is counted as a vote for that candidate or (2) if a second preference is not for one of the two remaining candidates but a third preference is validly marked for one of those candidates, it is counted as a vote for that candidate.

The returning officer will then prepare a statement of preferences received by each of the two leading candidates and transmit them to the ECSL. After statements are received from all returning officers, the ECSL will add the second and third preferences to the previously counted votes for the

two leading candidates. The candidate who received a majority of votes cast in the second round, combined with the votes cast in the first round, is declared elected.

When will official results be announced?

Results are announced first for each polling area and later for each of the country's 22 electoral districts after the Election Commission of Sri Lanka (ECSL) has ratified the official results. The electoral district is the largest geographic unit; each contains multiple polling areas, and each polling area contains multiple polling centers. The ECSL chairperson announces the nationwide results. In recent national-level elections, the ECSL has released the first official result within eight hours of the closing of the polls. However, Sri Lanka has never counted the second and third preference votes, so it is not known exactly how long the process will take. However, the final results are still expected to be announced the day after the informal announcement. If the incumbent is not re-elected, his term of office will expire after the new president is sworn in, which can happen after the ECSL announces the official result of the election. The person elected as president may assume office immediately, but no later than two weeks from the announcement of the official result. In 2019, the new president was sworn in the day after the official result was declared.

How will election disputes be adjudicated?

The Presidential Elections Act No. 15 of 1981 governs the electoral dispute framework in Sri Lanka. The Presidential Elections Act sets out offenses related to nomination papers, ballot papers, polling cards, and voting, as well as offenses committed by candidates or voters during the campaign period.

Any citizen or a group of citizens can file a complaint against a violation of the election law. These include offenses under the Regulation of Election Expenditure Act No. 3 of 2023 (REEA), and the Anti-Corruption Act No 9 of 2023 (ACA). The Election Commission of Sri Lanka (ECSL) has provided a format for filing complaints. Complaints can be filed, with evidence attached, at the National Election Complaints Management Centre (the Election Commission in Colombo) and district election management centers (district election offices).

The ECSL's main complaints management hotlines are 011-2868471, 011-2858153, 011-2877618, and 011-2868153. The ECSL can be reached by email at electionsedr@gmail.com.

Additionally, the Constitution gives the Supreme Court the authority to adjudicate electoral petitions in presidential elections. Any electoral candidate or the person who nominated the candidate may present an election petition to the Supreme Court. The Presidential Elections Act provides that election petitions must be filed within 21 days of the publication of election results in the Gazette, an official notification issued by the Government of Sri Lanka. Following the filing of an election petition to the Supreme Court, the law indicates that "every endeavor" must be made to try the petition within six months, after which the Supreme Court rules on the petition.

Resources

For further information, consider referring the following resources:

- Election Commission of Sri Lanka: <http://www.elections.gov.lk/>
- Parliament of Sri Lanka: <http://www.parliament.lk/>
- President of Sri Lanka: <http://www.president.gov.lk/>
- Supreme Court of Sri Lanka: <http://www.supremecourt.lk/>
- Constitution of Sri Lanka: www.parliament.lk/files/pdf/constitution.pdf
- Presidential Elections Act No. 15 of 1981 with amendments:
<https://www.srilankalaw.lk/revised-statutes/volume-vi/921-presidential-elections-act.html>
- Center for Policy Alternatives: www.cpalanka.org

About IFES in Sri Lanka

For nearly two decades, IFES has worked with the Election Commission of Sri Lanka (ECSL) and local civil society partners to promote electoral integrity and democratic rights, and accessible elections. IFES' current programming is carried out with support from the United States Agency for International Development (USAID) as well as Australia's Department of Foreign Affairs and Trade (DFAT). IFES' programming supports the ECSL in responding to emerging electoral threats and safeguarding democratic principles, as well as building the leadership capacity of women, youth and people with disabilities and enhancing the inclusion of these historically marginalized groups in the electoral process.

Disclosure

These FAQs reflect decisions made by the Election Commission of Sri Lanka as of September 5, 2024, to the best of our knowledge. This document does not represent any International Foundation for Electoral Systems policy or technical recommendations.

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