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# **Elections in Sri Lanka**

## *2015 Parliamentary Elections*

Frequently Asked Questions

Asia

International Foundation for Electoral Systems

1850 K Street, NW | Fifth Floor | Washington, DC 20006 | [www.IFES.org](http://www.IFES.org)

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# Frequently Asked Questions

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*Disclosure:*

*These FAQs reflect decisions made by the Sri Lankan electoral authorities as of August 10, 2015 to the best of our knowledge. This document does not represent any IFES policy or technical recommendations.*

## **When is Election Day?**

The Parliamentary Election is scheduled for August 17, 2015.

## **Who are citizens voting for on Election Day?**

Sri Lankan citizens will elect 225 Members of Parliament to serve five-year terms.

## **Who can vote in the country?**

Citizens of Sri Lanka who are 18 years of age or older, and who are registered in the appropriate register of electors and are not subject to any of the disqualifications identified in the law, are eligible to vote in the election.

Citizens are disqualified from voting if they were found to be of “unsound mind” under Sri Lankan law; in various cases of conviction for corruption or illegal practices related to elections; or if in the last seven years they are or have been imprisoned for more than six months.

## **How many registered voters are there?**

As of January 2015, there are 15,044,490 registered voters.

## **What is the structure of the government?**

Sri Lanka is a democratic republic governed by a semi-presidential system where a popularly elected President has a significant amount of executive powers. The Parliament is responsible for the exercise of legislative powers.

The President of Sri Lanka is both the head of State and head of government. Following the presidential election in January 2015 and the passage of the 19th Amendment to the Constitution in April 2015, the presidency is limited to two five-year terms (from the previous unlimited six-year terms).

Sri Lanka has a unicameral Parliament with 225 seats elected for a five-year term through an electoral system based on district proportional representation. The President appoints the Prime Minister to lead the Parliament. The President can also dissolve the Parliament, subject to constitutional limitations. The President is only able to dissolve the Parliament if two-thirds of the Members of the Parliament pass a resolution requesting the dissolution, or if four and a half years has passed since the first meeting of the Parliament. President Maithripala Sirisena dissolved the current Parliament on June 26, 2015 and called for August elections. The new Parliament is scheduled to meet September 1, 2015.

## Who are the candidates?

Sri Lanka is a multi-party democracy. There are currently 64 recognized political parties – a full list of which can be found [here](#).

As of July 13, 21 recognized political parties and 201 independent groups had submitted nominations for the parliamentary election. A total of 6,151 candidates will be contesting, with 3,653 from political parties and 2,498 from independent groups.

The parliamentary election follows the presidential election in January 2015 in which current President Maithripala Sirisena replaced former President Mahinda Rajapaksa of the Sri Lanka Freedom Party (SLFP). President Sirisena – an official within the SLFP and an ally of President Rajapaksa – contested the election as the lead opposition candidate with support from the United National Party (UNP) and other smaller parties. Following his election, President Sirisena appointed UNP leader Ranil Wickremesinghe as Prime Minister and assumed the leadership of the majority SLFP party.

Candidates contesting in the parliamentary election fall within two camps. In one camp are former President Rajapaksa and his allies within the United People's Freedom Alliance (UPFA), including some members from the SLFP. In the other camp are members of the UNP and minority parties such as the Sri Lanka Muslim Congress, Tamil Progressive Alliance, the Tamil National Alliance and the *Jatika Hela Urumaya* (National Heritage Party, led by Buddhist monks). These parties, allied under the United National Front for Good Governance, are perceived as running against policies of the past administration in favor of reforms.

The last parliamentary election was held on April 8, 2010. There were 14,088,500 registered voters for the election. The UPFA won 144 seats (of 225) or 60.66 percent of the vote, the UNP won 60 seats, the Tamil National Alliance won 14 seats, and the Democratic National Alliance won 7 seats. Results can be found [here](#).

## How are seats allocated?

One hundred ninety-six Members of Parliaments from 22 multi-member electoral districts will be elected through an open party-list proportional representation system. The remaining 29 seats, part of one nationwide constituency, will be allocated from each party's national list, in proportion to the share of national votes received by political parties or independent groups. As outlined in the 14th Amendment to the Constitution, each voter casts a vote for one political party or independent group and may rank up to three preferred candidates within that political party or independent group.

Political parties and independent groups must receive at least one-eighth of the total votes within an

electoral district or the party/group is disqualified.<sup>1</sup>

## **Are there reserved seats for women?**

There are no reserved seats for women in Sri Lanka. At 5.7 percent, the proportion of women elected to Sri Lanka's current Parliament is the lowest in South Asia. Key electoral stakeholders, including women's groups and Sri Lanka's Ministry of Women's Affairs, have called on political parties to nominate at least thirty percent female candidates in the parliamentary election.

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

The Department of Elections, headed by the Commissioner of Elections, fulfills two primary objectives: 1) holding elections for electing the representatives to the legislature, including preparation, Election Day management, transportation and counting of votes and ensuring that the campaign is carried out in accordance with the law; and 2) preparing national, provincial and local electoral registers annually after enumeration of electors.

The current Commissioner of Elections, Mahinda Deshapriya, was appointed by the President in March 2011. As part of electoral preparations, the Commissioner of Elections determines the total number of elected Members of Parliament within an electoral district and appoints a Returning Officer to oversee each of the country's 22 electoral districts.

Although Article 103 of the Constitution (most recently amended by the 19th Amendment) establishes an Election Commission in Sri Lanka to consist of three members appointed by the President upon recommendation of the Constitutional Council; the Election Commission has not yet been constituted. The Department of Elections continues to manage the election process under the leadership of the Commissioner of Elections.

## **How many polling places are set up on Election Day?**

On Election Day, 12,314 polling stations will be set up across 160 polling divisions in 22 electoral districts.

## **Is out-of-country voting allowed?**

Out-of-country voting is not permitted in Sri Lanka.

## **How will voters with disabilities cast their ballots?**

Sri Lanka's Elections Act, No. 28 of 2011, identifies special provisions to enable voters with a physical

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<sup>1</sup> According to the 14th Amendment to Sri Lanka's Constitution (Article 99:6a).

disability to have a person of their choice assist them in casting their ballot. Voters with physical disabilities requiring assistance may also cast their vote through the polling station's Senior Presiding Officer. Additionally, in July 2015, Sri Lanka's Election Commissioner released a statement confirming that any person with a physical disability who is unable to transport himself or herself to a polling station by foot or public transportation may apply in advance for special transport facilities.

## **Where are vote counting and tabulation held?**

Vote counting and tabulation are carried out in three stages at the counting center of an electoral district. In the first stage, Returning Officers, appointed by the Commissioner of Elections, count the number of ballots papers in each box. In the second stage, Returning Officers sort and count the ballot papers according to the votes cast in favor of each party or group in the electoral district. In the third stage, candidate preferences are counted to determine the total number of votes received by each candidate in the Electoral District.

Returning Officers and Assistant Returning Officers begin counting votes after receipt of the last ballot box at the counting center on the day of the election.

## **Who will be/can observe during Election Day?**

The Department of Elections is responsible for accrediting national and international electoral observers.

There will be several international observation missions for Sri Lanka's parliamentary election. These include but are not limited to the European Union Election Observation Mission, Commonwealth election monitoring delegation, South Asian election management officials from the Federation of Election Management Bodies of South Asia and the Asia Network for Free Elections. The teams will consist of election analysts, long-term observers for all provinces, and short-term observers who will arrive shortly before the Election Day. Domestic observers will also participate in election observation.

## **When will official results be announced?**

After approval from the Commissioner of Elections, results are announced in two stages: 1) the result of the vote count and 2) the results of the count of preferences. Results are announced first for each polling area and later for the entire electoral district. The Election Commissioner announces the nationwide results.

## **How will election disputes be adjudicated?**

Sri Lanka's Constitution gives the Court of Appeal the authority to adjudicate electoral disputes. An election petition may be presented to the Court of Appeal by any electoral candidate or political party representative or any person or persons alleging himself or herself to have been a candidate in the

election. Sri Lanka's Parliamentary Elections Act of 1981 provides that election petitions must be filed within twenty-one days of the publication of election results in the *Gazette*, which is an official notification issued by the Government of Sri Lanka. Following filing of an election petition to the Court of Appeals, the Parliamentary Elections Act indicates that "every endeavor" must be made to try the petition within six months, after which the Election Judge rules on the petition.

As has been noted in past election observation reports, including by the Commonwealth following the 2015 presidential election, the Election Commissioner's lack of authority to enforce election law violations undermines electoral credibility.

## **Resources**

For further information consider consulting the following resources:

- [Department of Elections](#)
- [Parliament of Sri Lanka](#)
- [President of Sri Lanka](#)
- [Supreme Court of Sri Lanka](#)
- [Constitution of Sri Lanka](#)
- [Center for Policy Alternatives](#)