



Delegation of the European Commission

Statement by John Cushnahan Chief Observer EU Election Monitoring Mission

This is the third occasion that I have been honoured to have been appointed the EU's Chief Observer for a general election in Sri Lanka

On all three occasions my objective has been to protect the right of the voters of Sri Lanka to exercise their right to choose their government in an atmosphere free from violence and intimidation. I would like to pay tribute to them for their commitment to democracy and the fact that despite the problems that they faced they have always turned out in massive numbers to vote.

At the end of the 2000 and 2001 general elections I criticized the main political parties for failing to curb the excesses of some of their candidates and activists which resulted in unacceptable violence becoming part of the electoral contest.

On this occasion the primary source of the violence was the LTTE who were determined to ensure that the TNA would emerge as the sole representative of the Tamil people. As a consequence, the LTTE motivated violence, denied the right of all parties to campaign freely in all parts of the country especially the North and East. While the TNA were the main political beneficiaries of the actions of the LTTE it would also be fair to acknowledge that they themselves have to some extent also been the victims of the LTTE intimidation.

In a freely fought contest the TNA would have in any case won a clear majority of seats in the North and East. However, it is also true to state that a small number of the seats that they obtained in this election were a direct consequence of the activities of the LTTE to manipulate the electoral results. Therefore, had the formation of a government been dependent on the "disputed seats", its political legitimacy could well have been called into question. Steps must be taken to prevent the recurrence of this proposal.

It is also important to point out that apart from LTTE violence there were also 2000 election related cases of violence reported. This is unacceptable in any democratic election and particularly in a country like Sri Lanka where there has been a proud tradition of democracy and universal for over 70 years long before many Member States of the European Union.

All political parties have a responsibility to take action to protect the integrity of Sri Lanka's democratic process. Our report makes a number of recommendations as to how

this might be achieved. Regrettably some of these, although not all, are a repeat of the proposals we made in 2000 and 2001. I believe that if they have had been implemented, it would have prevented the recurrence of many of the problems that were a feature of the 2004 election.

The European Union has once again observed the general election process in Sri Lanka. We did so not on our own initiative but on the basis of an invitation from the Election Commissioner of Sri Lanka and Sri Lanka's political parties. We were delighted to do so.

However, I would like to issue a note of caution. Although I do not have a mandate to say so, it is my opinion that the EU would be unlikely to send another Election Observation Team in the future if our recommendations are not acted upon as has happened after the last two elections..

There are many demands placed on EU resources to assist the strengthening of democracy and human rights.

In making decisions about how best to use these resources in the future, it is likely that priority would be given to countries that themselves take action to strengthen democratic institutions and protect human rights.