



Campaign Costs Monitoring Initiative

Presidential Election 2019, Sri Lanka



CENTRE FOR MONITORING ELECTION VIOLENCE
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தேர்தல் வன்முறைகளைக் கண்காணிப்பதற்கான நிலையம்

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The Centre for Monitoring Election Violence (CMEV) is an election observation organization that contributes to both the election monitoring process and the electoral reform process of this country. CMEV was formed in 1997 jointly by the Centre for Policy Alternatives (CPA), the Free Media Movement (FMM), and the INFORM Human Rights Documentation Centre. One of CMEV's starting core objectives was to maintain an updated database of election violations. This objective has now been expanded to include the observation of estimated election campaign costs of political parties, independent groups and candidates contesting elections.

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Campaign Costs Monitoring Initiative – Presidential Election 2019, Sri Lanka

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Foreword

The Campaign Cost Monitoring Initiative for the Presidential Election of 16th November 2019 is an attempt to make elections as transparent as possible, so that they can truly be called the basic mechanism of choice and change in a functioning democracy.

The issue is not the question of which party or candidate has access to the largest amount of money, but rather the voter knowing how much money has been utilized and for what purpose. This in turn is followed by favours to the donor once in office and further institutionalization of corruption in the body politic. Whilst the issue of how much money a candidate or party has access to may well be a consequence of their popularity, the transparency of finance goes to the very heart of inclusiveness and representativeness in a democracy. Finance should not be allowed to deter candidacy in an election or determine the success thereof. The voter must have access to the information that will facilitate them making the best -informed choice.

The Centre for Monitoring Election Violence (CMEV) is one of two nationally recognized organizations for monitoring and observing elections and it has done so in all national elections since 1997. CMEV for the first time added the estimation of campaign finance to its portfolio of activities during elections. Based on projections and estimates – the precise figures being difficult to ascertain – CMEV provides a snapshot of the role of finance in an election and the range of donors supportive of parties and candidates. CMEV hopes that this will give rise to a national debate on campaign finance and lead, eventually to legislation that will make elections freer and fairer.



Dr. Paikiasothy Saravanamuttu,
Co-Convenor,
CMEV

National Coordinator's Message

Identifying priorities in the electoral reform process

The eighth presidential election to elect an executive president came to an end with the message that the entire electoral process in the country needs to be addressed urgently. On the one hand, the sources for social dialogue on the country's outdated election laws were emerging throughout the pre-election campaign, and on the other hand, the nature of the unequal level playing field in the conduct of elections in Sri Lanka was evident this time around.

With 35 candidates contesting in the Sri Lankan electoral structure, it was always a critical factor that raised serious concerns. While keeping the resulting technological crisis arose due to a higher number of candidates aside, one particular factor to be concerned is that the total election campaign cost incurred by such a large number of candidates and the unusual difference in the proportion of the cost incurred by each candidate.

The new laws and regulations related to the regulation of election campaign expenditure are a timely reform that cannot be avoided in any future attempt at electoral reforms in the country. Every game in the world follows a set of rules that have been shaped by a historical or logical background for a long time. Standing for election is a contest and in such a contest, the opponents must be outnumbered in order to gain the most popularity in an election. That context suggests that the candidacy is also inherent like a player. However, unfortunately, there is no fair set of rules that can be followed equally by candidates contesting elections in Sri Lanka and many other countries in the world.

Electoral laws are not just the supreme Constitution of the country or the laws introduced from time to time. It is a set of civilized rules and regulations tailored to the changing socio-economic and political context of a country. Accordingly, Sri Lanka wants a ground where all candidates can contest equally. A level playing field for election campaigns has been launched with the introduction of new laws and guidelines related to the regulation of election campaign finances in many countries across the world.

Focusing on the above, the Centre for Monitoring Election Violence (CMEV) and PAFREL, another peer election organization, jointly prepared a document in 2016 with basic ideas related to the regulation of election campaign expenditure. Simultaneously, the Election Commission of Sri Lanka also drafted a bill on the issue. It was a matter of optimism that a successful social discourse would be created about both of these documents, and one of the things that made us most pleased was the overwhelming support of the mainstream media in creating a broader public discourse on the consequences of unregulated campaign finances.

One aspect of the same conversation was how to access credible, evidence-based data and information generated by research initiatives that could be used to formulate a more appropriate policy and legal framework at a time when conflicting views and figures on election spending are being socialized. This report is the result of an action taken by the Centre

for Monitoring Election Violence (CMEV) to address the need of generating credible and evidence-based data on campaign finances.

This is the first-ever effort to conduct an estimated election campaign cost monitoring initiative in the country. The guidance provided by Dr. Pakyasothy Saravanamuttu, Executive Director of the Center for Policy Alternatives, and Thusitha Siriwardana, Attorney-at-Law, who was the Principal Researcher in this observation work, are to be commended. Additionally, I would like to make a note that the strength of the staff of nearly a hundred who worked hard for this research is the silent force that strengthened us in accomplishing this initiative.

A handwritten signature in black ink, appearing to read 'Manjula Gajanayake', with a stylized flourish at the end.

Manjula Gajanayake,
National Coordinator,
CMEV

Acknowledgements

The Campaign Finance Monitoring Unit of CMEV was set up with the mandate of observing the estimated election campaign costs on the 2019 Presidential Election campaign. This is the first time in Sri Lankan election observation history that the campaign costs of different political parties, candidates and their supporters were monitored by an election monitoring institution.

The Campaign Finance Monitoring Unit of the CMEV would like to thank:

- the civil society organizations who shared their expertise in their respective fields to assist and contributed towards the monitoring process and reporting.
- all the electronic and print media institutions for their corporation in providing the necessary information which was pivotal in making this monitoring initiative a success.
- all stakeholders involved in the 2019 presidential campaign, especially all the political parties and candidates, for their cooperation towards this initiative.
- all CMEV field observers and other staff members for their tireless effort to make this first ever election campaign costs monitoring initiative a success in the history of election monitoring in Sri Lanka.
- the Chairman of the Election Commission of Sri Lanka, Commissioner General of Elections, its member Commissioners and all Additional/Deputy and Assistant Election Commissioners at district level for their tremendous support and cooperation.
- the Sri Lanka Police led by the Inspector General of Police and the Election Section of the Police for their efforts to ensure a free and fair election.

Acronyms and Abbreviations

CMEV	Centre for Monitoring Election Violence
CPA	Centre for Policy Alternatives
CSO	Civil Society Organization
ECSL	Election Commission of Sri Lanka
FMM	Free Media Movement
INFORM	Inform Human Rights Documentation Centre
M&E&L	Monitoring and Evaluation and Learning
MSI	Management Systems International
NDF	National Democratic Front
NPP	National People’s Power
PAFFREL	People’s Action for Free and Fair Elections
RTI	Right to Information
SLPP	Sri Lanka Podujana Peramuna
UNCAC	United Nations Convention Against Corruption
USAID	United States Agency for International Development

Chapters

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Chapter 1: Executive Summary

Impact of unlimited and unregulated campaign finances on electoral integrity and democracy: the absence of campaign finance legislation or an enforceable governing mechanism to regulate political finances or election campaign finances is a serious issue in ensuring free and fair elections, electoral integrity and the fostering of democratic values in Sri Lanka.

Unlimited campaign finances leads to unequal playing field: The total estimated election campaign cost has been recorded as LKR Million 3,796 from October 13¹ to November 13, 2019 for printed media, electronic media, and public rallies, transportation and campaign administration. Notably, of the total estimated campaign cost, an overwhelming cost share, 94 percent (LKR Million 3,562) has been incurred by the two main candidates representing the SLPP and the NDF, LKR 1,826 and LKR Million 1,737 respectively, whereas the rest of the 33 candidates has incurred six percent of the total estimated campaign costs. It shows the concentration of funds around the two main contestants and is an example of a very unequal playing field. The major concern is about the absence of information about the funding sources. CMEV reiterates that all presidential candidates should respect the right to information of their constituents and disclose the actual campaign costs and their sources of funding.

Impact of unlimited and unregulated campaign finances right to vote: Unlimited and unregulated campaign finance has also become one of the serious issues adversely influencing citizens' ability and freedom to make informed decisions during elections. The same results in detrimental effects on the integrity of elections, the free and fair nature of elections, the ability for candidates and political parties to compete on level playing field, and the overall accountability and transparency of electoral systems of Sri Lanka.

Unlimited campaign finances leads to corruption and Use of black money: Concerns of unlimited and unregulated campaign finance are directly or indirectly connected to corruption including use of black money. It is essential to address these issues prior to holding any election in this country. While the need for a comprehensive campaign finance legislation must be considered as a high priority, the massive estimated campaign costs incurred in this election strongly suggests that there is an equal need for at least some kind of a regulatory mechanism.

Impact of unlimited and unregulated campaign finances on fair policy implementation: The adverse impact of unlimited and unregulated campaign finance in turn brings detrimental repercussions in the forms of biases in policy formulation and implementation, and favoritism to specific interest groups or companies in relation to public contracts, taxes, tenders and

¹ CMEV's methodology was to monitor the campaign cost for a period of one month. The period would end when the cooling-off period started (November 13, 2019).

investigations against allegations. Further, it paves the way for some individuals or groups to use black money which impact the fiscal market and encourages money laundering.

Urgent need for a legislative framework on political/campaign finance: Given the complex issues observed as a result of the absence of campaign finance regulations, CMEV stresses that Sri Lanka needs a comprehensive legislative framework which addresses the consequences of unlimited and unregulated political finance, and campaign finances in particular. Such legislation should include provisions connected to transparency and accountability of reporting the income and expenditure of political parties; disclosure election accounts and liabilities by candidates, parties and supporters mobilizing funds on candidates' behalf; and contribution limits or bans and the responsibility of disclosing financial or in-kind contributions with sources thereof. Any such legislation or regulatory mechanism should be an integral part of the overall electoral reform process in Sri Lanka.

Bribing voters as a result of unlimited and unregulated campaign finance: Direct or indirect voter buying took place during the campaign period by providing incentives such as gifts, cash, food, alcohol, legitimate expectations of employment opportunities and costs incurred in such cases should also be considered by any future legislation as part of campaign costs. Funds from illegal sources have higher potential to be spent for such voter buying purposes. There are a number of alleged incidents connected to changing political parties and supporting different political parties or alliances using money by politicians at local, provincial and national levels which also create undue influence on impartiality of voter behavior.

Misuse of state property including staff of state institutions must be considered as a campaign finance: Misuse of state property which includes physical and human resources maintained by the tax money of citizens of this country for the purpose of election campaigning of political parties and candidates should be recognized by any future legislation as an integral element of campaign costs and provisions should be introduced to penalize such acts.²

Need for a change in election campaign culture and practices: In addition to the formulation and implementation of campaign finance legislation, candidates and political parties should proactively act to bring changes to existing practices related to campaign finances in order to ensure transparent, accountable, free and fair elections. Regardless of the legislative need, political parties and candidates should adopt internal control mechanisms including codes of conduct, standard campaign finance management systems, financial checks and balances, reporting procedures, ethical guidelines and use campaign finance coordinating committees instead of allowing individuals to fundraise for parties or candidates behalf.

Emerging positive trends for raising a collective voice for campaign finance regulation: Throughout CMEV's monitoring of estimated election campaign costs, there was commendable positivity from media institutions, citizens, researchers, academia, politicians,

² CMEV strongly believes that a broader civil society policy discourse should take place before any legislation related to campaign finance is enacted to ensure that all concerned issues and challenges are addressed in the legislation.

election management bodies and national and international election observation groups in creating societal discourse on the urgency of a campaign finance legislation due to the realization of its seriousness and timeliness.

Chapter 2: Introduction

Overview of Campaign Finance

Background

The Campaign Finance Costs Monitoring initiative is an integral part of the broader mission of monitoring election violations by the Centre for Monitoring Election Violence (CMEV).

In Sri Lanka, there is currently no legal framework that would obligate a candidate to disclose the costs they incurred for election campaigning. As a result, CMEV, PAFFREL and other stakeholders formulated a draft campaign finance bill over the 2015-18 period. Subsequently, the Election Commission also formulated its own campaign finance bill which include provisions related to campaign finances.

Political competition under unregulated political financing, according to scholar Keith Ewing, would be like 'inviting two people to participate in the race, with one participant turning up with a bicycle, and the other with a sports car.'³ The absence of campaign finance legislation has always resulted in enormous disparities in elections held in Sri Lanka in the past and there has been hardly any space for a level playing field for all candidates. This has extended to the Presidential Election held on November 16, 2019.

It is in such a context that CMEV initiated the first ever monitoring of estimated election campaign costs of an election in Sri Lanka, with the long-term goal of establishing evidence-based arguments to further strengthen ongoing advocacy efforts for strong campaign finance legislation to be introduced to Sri Lanka.

Political Finance and Election Campaign Finance

Regular elections among contending political parties, independent groups and people's movements can be identified as the most prevalent worldwide approach of electing governments. In Sri Lanka, too, it has been the method for selecting public representatives for governance structures at local, provincial and national levels and for electing successive governments for over nine decades. In order to effectively practice and be engaged in democratic processes, political parties, independent groups and people's movements need to reach out to their respective supporters and people in general to discuss their policy positions, development plans and governance approaches. Additionally, it is essential for such groups to listen to the opinion of people and get their active participation in political processes. To this

³ Keith D. Ewing, *Money, Politics and Law* (Oxford: Oxford University Press, 1992)

end, access to finances is recognized as an essential element of politics and elections. Campaign finance is thus obviously a necessity which plays a pivotal role in democracies.

Election Campaign Finance has been defined for the purpose of this monitoring initiative as “the resources acquired as income and contributions and expenses and costs incurred by election candidates, political parties and their supporters in an election” as reflected in Figure 1.

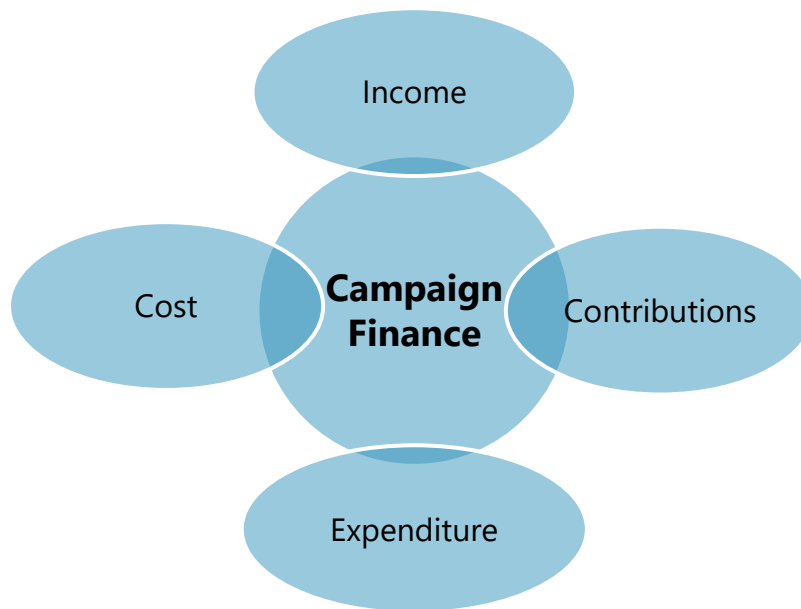


Figure 1: Elements of Campaign Finance

However, unlimited and unregulated campaign finance is also a serious issue which adversely influences a citizen’s ability and freedom to make informed decisions during an election.

This can have detrimental effects on the integrity of elections, status quo of free and fairness of elections, the ability of parties and candidates to compete on a level playing field, and the accountability and transparency of electoral systems.

Money shapes, and in fact, determines candidates’ capacity to compete in an election, and in some cases directly determines the candidate success in winning seats in public office. Any advocate on election reform should therefore examine campaign expenses. This is because campaign finance serves as a benchmark of whether an election is a level-playing field for candidates to compete in a political exercise. Campaign finance, then, says something about the quality of democracy in an election.

In the context of the Presidential Election 2019, campaign finance became a major concern between the two main candidates contesting from National Democratic Front (NDF) and Sri Lanka Podujana Peramuna (SLPP). These two respective candidates had decided to contest from broader political coalitions across the country, resulting in the involvement of a large amount of finances.

Purpose of the Campaign Cost Monitoring Initiative

To increase political commitment to regulate campaign finance as a core element of the electoral reform process and to create a broad public discourse, empirical evidence-based research will be very important. The initiative is expected to bring transparency into campaign financial expenditures of candidates and parties during election campaigning.

In realizing the purpose of this monitoring initiative of estimated election campaign costs, CMEV reiterates the following key points which should be taken in to consideration in any form of advocacy on campaign finance legislation:

- Finances are necessary for democratic politics, and political parties must have access to funds in order to play their part in the political process. Any regulation of campaign finances or legislation in that regard must not curb healthy election competition as this is an essential element in a democratic election.
- Finance is never an unproblematic part of the political system. However, regulation is necessary.
- The context and political culture must be taken into account when devising strategies for regulating finance in politics and costs in election campaigning. Effective regulation and disclosure can help to control adverse effects of the role of finance in politics, if implemented effectively.
- Effective oversight depends on activities in interaction with multiple stakeholders (such as regulators, civil society and the media) and based on transparency.

“In order to strike a balance between the need for a healthy competition and the level playing field, the financial regulations should be realistic, protecting every legitimate need of political parties, candidates and the citizens. These should take into account the realistic costs of campaign materials, services and advertising.”

New Delhi Declaration on Political Finance Regulation in South Asia – December 2015

(In the declaration, CMEV was the representative signatory on behalf of the civil society in Sri Lanka)

Country Context

How finances were mobilized and spent by the presidential candidates, their political parties and their supporters during an election was one of the major factors to assess whether there was a free and fair election, democratic governance and a low degree of corruption.

Financing of election campaigns directly or indirectly affects the future of ensuring the integrity of the electoral system of this country. Sufficient funds allow contestants to reach the electorate with their messages, but CMEV observed that unlimited and unregulated campaign finances skewed the electoral competition.

The significant factors that led the citizens of Sri Lanka to proactively voice their opinion against the unaccountable election campaigning included the lack of productive societal discourse and an absence of appropriate legal provisions in relation to restricting the campaign finance expenditure. The most appropriate solution to establish an equal level playing field for all candidates is by preventing the domination of candidates who can afford unlimited financial resources for their election campaigns. In order to provide a level or equal playing field, it is necessary to introduce a specific legal framework that will assist the regulation of campaign finance expenditure and costs.

As far as international obligations are concerned, Chapter II, Article 7(3) of the United Nations Convention against Corruption (UNCAC)⁴ obligates state parties to make good faith efforts to improve the transparency of candidate and political party financing at elections. Political financial disclosure is the main policy instrument for achieving such transparency. Disclosure refers to the timely dissemination of information about parties and candidates' receipts and expenditures of material resources. While other forms of regulations are available for controlling the role of money in the political process – such as spending limits, bans on certain forms of income, and the provision of public funding – effective disclosure is required for such other regulations to function properly.

Given these complexities that can be observed in the electoral system and political and election culture and practices, CMEV's observation was what is needed is not only a legal basis to address the challenges connected to campaign finance expenditure but rather a broader legal framework which is embedded with due enforcement powers.

The absence of legislative provisions with regard to sources of income of and contributions for political parties and candidates in Sri Lanka has reiterated the need for effective enforcement of campaign finance regulations that requires the law to impose sanctions and penalties serving as deterrence to violators.

Thus, enabling the regulation of numerous issues affiliated with the political finance with specific attention on campaign finance as part of the electoral reform process of this country is essential.

⁴ https://www.unodc.org/documents/treaties/UNCAC/Publications/Convention/08-50026_E.pdf

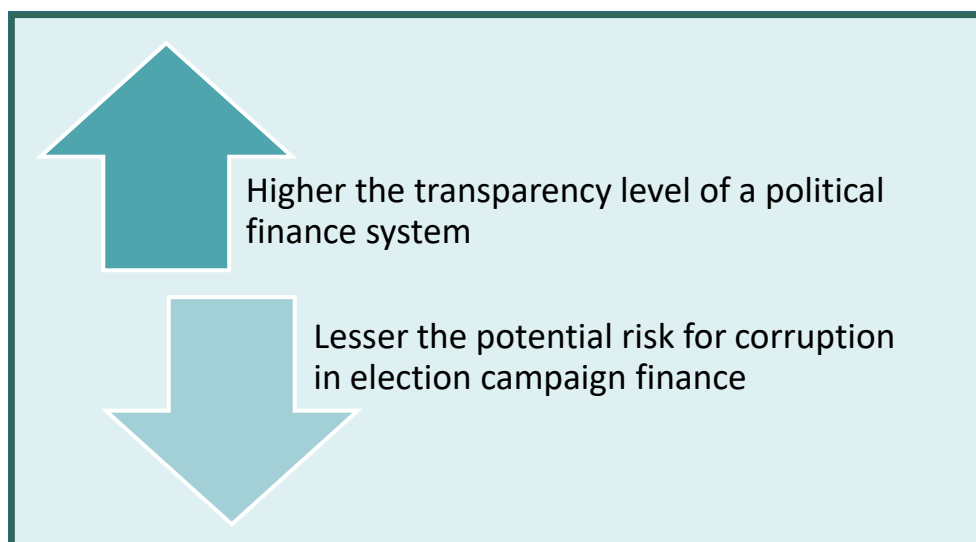


Figure 2: Political Finance, Transparency and Corruption in campaign finance

Therefore, a higher degree of transparency in the political finance system will result ensuring lesser risk for corruption in election campaigning.

Campaign Finance Monitoring as a Landmark Initiative

Election monitoring is not a statutory right in Sri Lanka, however, the International Convention for Civil and Political Rights (ICCPR) to which Sri Lanka is also a signatory endorses any citizen exercising the right to participate in any act of the state. Additionally, the Declaration of Global Principles for Non-Partisan Election Observation and Monitoring by Citizen Election Observers and Monitors has also recognized that taking part in election monitoring is a citizens' activity⁵.

The need for an independent observation in casting vote and counting has been specifically mentioned in this statement. Further, Sri Lanka is a member of Inter Parliamentary Union (IPU) and its criteria for a free and fair election includes independent election observers' intervention as a mandatory requirement.

CMEV and PAFFREL are the two election monitoring institutions accredited by the Election Commission of Sri Lanka. They function alongside international election observer missions in most elections while these two organizations are part of the Asian Network for Free Elections (ANFREL).

Election monitoring in Sri Lanka, however, has historically focused on election violence, due to its prevalence in successive elections. Of late, it has expanded to cover violations of other kinds not involving violence, such as misuse of public property and illegal campaigning.

⁵ Global Network of Domestic Election Monitors (2012) Declaration of Global Principles for Non- Partisan Election Observation and Monitoring by Citizen Election Observers and Monitors.

The election campaign costs monitoring initiative launched by CMEV for the Presidential Election 2019 is the first time in the history of election monitoring in Sri Lanka that campaign finance costs were specifically monitored. While there were number of challenges, including having no precedent in campaign costs monitoring to use as a guide, CMEV invested its knowledge, experience and innovation to design the necessary tools and technical approaches to conduct campaign costs monitoring.

CMEV's effort establishes a landmark turning point in election monitoring history. It is the responsibility of all concerned parties advocating for campaign finance legislation to strategize well and further strengthen the ongoing advocacy work using the initiative's findings. This effort is expected to be a cornerstone for a transparent, accountable, free and fair elections in Sri Lanka by ensuring a level playing field while respecting the fact that there should be adequate space and opportunity for political parties, candidates, citizen and all others actively engage in democratic processes.

"Creating a level playing field in elections is widely recognized as a priority of the highest order for political finance regulation. This implies appropriate regulation and facilitation giving each party, candidate, citizen sufficient opportunity to participate in political life and put across its message."

New Delhi Declaration on Political Finance Regulation in South Asia

Chapter 3: Methodology

Definition of Election Campaign Costs

The definition of election campaign costs adopted for this specific campaign finance monitoring initiative is mainly based on the draft “Campaign Finance Regulations” of the Election Commission of Sri Lanka.⁶ It has been broadened in scope to cover the costs of potential misuse of state property for election campaigning. Thus, in terms of monitoring and calculating the costs related to the Presidential Election 2019, the following interpretation will be applied.

Election campaign expenses shall mean:

All expenses and costs incurred by a candidate or on their behalf; for promoting or procuring their election.

Such expenses and costs shall include, but is not restricted to, expenses and costs incurred by the candidate or on their for:

- the printing, publication, pasting posters/bills etc. exhibition or display of, advertisements, handbills, flags, drawings, photographs, placards or posters relating to such election;
- the production and broadcast, on radio or television, of advertisements relating to such election;
- the production and publication, in newspapers, journals or other publications, of advertisements relating to such election;
- the hiring or use, of any premises or equipment for the holding of meetings relating to such election.
- Transport expenses incurred by candidates (not covered above), such as hiring of vehicles, helicopters and airplanes etc.
- A specific and separate computation of the costs incurred by the State/Public for individual campaigns through the misuse of public resources.

This monitoring initiative computes the “costs” incurred in the election campaign by the respective candidates, their political parties and supporters. In certain cases, misuse of state property may not necessarily have an expense as such but CMEV observed that there was indeed a cost involved. Therefore, the methodology of this monitoring covered such costs by estimation. However, there were also costs incurred for illicit liquor, distribution of cash and things in kind and misuse of state human resources. The definite costs can never be revealed thus only estimates can be made.

⁶ There are two draft laws on campaign finance regulation. One has been drafted jointly by CMEV and PAFFREL while another alternative Bill on the same subject has been drafted by the Election Commission of Sri Lanka.

Sampling

The following categories of costs were considered as part of the sampling scope of calculating the estimated election campaign costs of Presidential Election 2019:

1. Print Media (advertisements published in newspapers)
2. Electronic Media (advertisements and live streaming)
3. Social Media (advertisements categorized as “political” on Facebook)
4. Other Costs (of meetings, public rallies, promotional materials, transportation, public resources.)

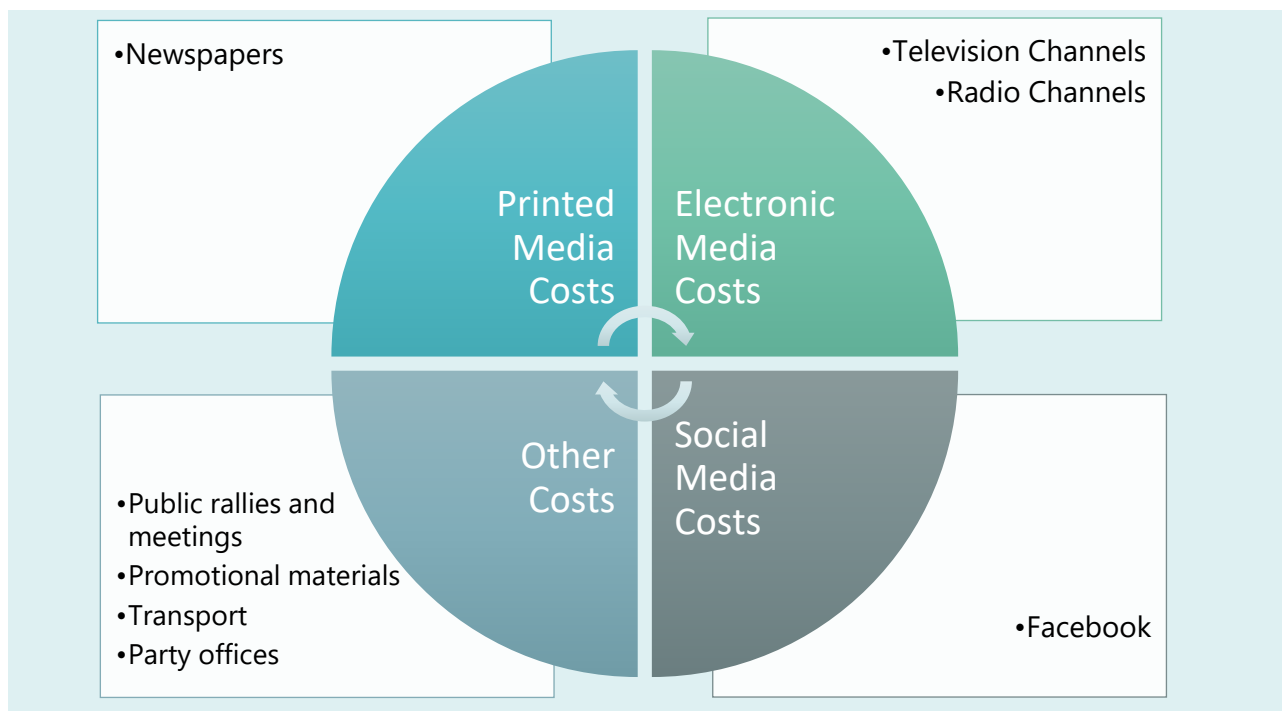


Figure 3: Cost Categories

Technical Approach

The technical approach adopted in monitoring the estimated election campaign costs under each cost category is explained in Table 1.

Category	Scope	Contents
Printed Media	<p>Advertising in all newspapers and selected magazines. There are 30⁷ newspapers which include daily, weekend and regional editions. The selection of 30 newspapers was based on the ratings, coverage and medium of language. Thus, 12 Sinhala medium newspapers, 9 Tamil medium newspapers and 9 English medium newspapers were selected.</p> <p>The application of surcharges on specified pages was considered when calculating the costing and for all other advertisements, computation was based on the normal election advertising rates of respective media outlets as has indicated in their respective rate cards.</p> <p>More than 95 percent of advertisements related to this election were published in above mentioned Newspapers.</p>	<p>All election related advertisements, paid advertorials, notices of political meetings/rallies and any public notice which carries the photo or name or party name or symbol of any presidential candidate.</p>
Electronic Media	<p>Television and Radio channels were monitored during the election period. Among the Television channels in Sri Lanka, top 9 TV channels⁸ were selected based on the Lanka Market Research Bureau Limited (LMRB) ratings and the advertisements telecast as part of election campaign of all Presidential Candidates were monitored.</p> <p>Monitoring time schedule of television channels was from 6.30 am to 12.00 midnight on daily basis.</p>	<p>All election related advertisements, notices of political meetings/rallies, political party theme songs, and any public notice which carries the photo, party symbol or promotes the name with a note of candidacy of any presidential candidate and any live streaming for the promotion of any presidential candidate.</p> <p>Election campaign theme songs were merged with news telecasting making advertisements an integral part of news reporting by a</p>

⁷ Annexure 05 – List of Newspapers

⁸ Annexure 06 – List of Television Channels

	Four selected Radio channels ⁹ were monitored during specific time durations and thus, time slots from 7.00 am to 9.00 am (morning belt) and from 4.00 pm to 7.00 pm (evening belt) were included in this campaign finance monitoring.	number of electronic media institutions.
Social Media	Statistics from 2018 to 2019 indicates that Facebook is the most popular social media platform. ¹⁰ This monitoring exercise was inclusive of election campaign advertising on Facebook under the category of “issue, electoral and politics” in the Ad Library option.	Expenditure monitoring will capture paid advertisement published on Facebook under the categorization of “issue, electoral and politics” by using the Ad Library. However, there are number of sponsored Facebook pages not listed under the above categorization.
Other Costs (Costs of meetings, public rallies, promotional materials, public resources)	<p>Costs connected to public rallies, meetings, forums and the production costs of videos</p> <p>Includes special transportation costs incurred by candidates and their teams, including air transport.</p> <p>Some of the costs which may have been borne by the State (E.g: potential use of Air force aircrafts/helicopters) and therefore did not get recorded as campaign expenses. Some candidates or their supporters may have used state transport services during their campaign thus their expenses could be significantly less than another candidate who does not have this facility, though the cost of these transport expenses must have been borne by the public without citizens’ consent or knowledge.</p>	<p>All costs connected to arranging and conducting public meetings, rallies, pocket meetings, musical shows, business forums, distribution of cash and things in kind, arranged religious pilgrimage, use of promotional materials, misuse of state property and state human resources and functions which promote any presidential candidate.</p> <p>All expenses connected to arranging and displaying of banners, posters, cut-outs, sign boards, leaflets and any such printed material, transportation of crowd for public rallies or the use of electronic displays to promote any presidential candidate.</p>

Table 1: Scope and Content of Campaign Cost Categories

⁹ Annexure 07 – List of Radio Channels

¹⁰ <https://gs.statcounter.com/social-media-stats/all/sri-lanka>

Monitoring Period

For the purpose of analysis of this report, the monitoring period for the election campaign costs monitoring initiative was started from October 13, 2019 and completed November 13, 2019 with the enforcement of the 'cooling off period' of the campaign (one month period of monitoring).

Data Collection

The methodology of data collection consists of:

CMEV deploying a dedicated research team including a principal researcher, research assistant and a research coordinator to carry out the finance campaign monitoring of the Presidential Election 2019.

Additionally, a team of Media Monitors were employed and were divided in to sub groups to cover the following categories:

- Print Media (advertisements published in 30 Newspapers)
- Electronic Media (advertisements and live streaming)
- Social Media (advertisements categorized as "issue, electoral and political" in Facebook)
- Other Costs (costs of meetings, public rallies, promotional materials, public resources etc.)

The monitoring team was given trainings on:

- Basics of election monitoring in Sri Lanka election monitoring, election laws, Right to Information and election campaign finances (election expenditure).
- The entire campaign finance monitoring team was oriented on printed media, electronic media, social media and actual ground level campaign activities and how advertising and publicity for election candidates are carried out.
- Special orientation on the use of social media was given to all media monitors.
- The overall training was inclusive of orientations on costing for advertisements in printed, electronic and social media as well as the use of data base specifically designed to enter data on election expenditure.

The media monitoring team worked in close collaboration with the regular election monitors at electorate levels (Long Term Observers or LTOs), district coordinators and provincial coordinators under the supervision of overall election monitoring operations manager and the National Coordinator of CMEV.

Data on expenditure related to all four categories were entered in to databases on daily basis after an initial data verification process. An expenditure summary for each sector of the previous day was generated after ensuring the second level of data verification on daily basis from October 13, 2019.

Cost Calculation Methods

Expenses were initially calculated by the media monitors assigned for each sector while the first level data verification took place subsequently. After the monitors assigned with the task of data entry completed, the second level checking and verifications of costing took place before making data analysis.

Cost calculation method to generate the estimated election campaign cost has been illustrated in Table 2.

ESTIMATED CAMPAIGN COSTS = Cost of Print Media + Cost of Electronic Media + Cost of Social Media + Other Costs (Example for other costs: costs such as of meeting, public rallies, campaign promotional materials, misuse of public property, transportation of voters and candidates)

Cost Category	Cost calculation method
Cost of Print Media	Advertisements published in all printed media were collected and filed under the names of each candidate. Quotations/Election Rate Cards received from all printed media outlets were used as the basis for calculations. Advertisements for which the costs were not indicated in respective quotations, media monitors approached respective media outlets in each such case to find the costs of such advertisements. Media monitors completed the data collection sheet and subsequently, the data entry team ensured the calculations based on the respective Quotations/Election Rate Cards and enter the costs to a data entry sheet. Total costs for each candidate were transferred to the overall expenses calculator on daily basis. Annexure 01.
Cost of Electronic Media	Regarding the electronic media, monitors documented the date, time of broadcasting and the length of the advertisement of each candidate. Accordingly, Quotations/Election Rate Cards of respective electronic media outlets were used as the basis to calculate the costs of each advertisement of respective candidates. In order to capture the variance between the costs calculated based on the Quotations/Election Rate Cards and the discounted costs, members of CMEV campaign finance team conducted bilateral meetings with officials of respective electronic media companies to understand different

	<p>methodologies adopted by various outlets to provide discounts/free advertisements when providing advertisements as packages. Additionally, all live telecasting of events connected to promoting any presidential candidate were also counted under this category of expenses and costs for each such event were taken from respective media outlets. In order to ensure fairness of costing, in consideration of potential discounts and advertisement packages, CMEV applied a blanket discount rate of 25 percent from the total estimated costs of all relevant candidates. Annexure 02.</p>
<p>Cost of Social Media</p>	<p>Based on the usage of different social media platforms in Sri Lanka, over 80 percent of users are in Facebook while less than 10 percent of users for other areas such as Twitter, Instagram etc. Given the broad scope of application and usage of Facebook as a social media platform in combination with lack of available technical tools to capture the political advertisements and costs affiliated thereto; CMEV’s monitoring initiative focused on advertisements designated under the category of “Issue, Electoral or Political” in Ad Library-Facebook. Ad Library option provides a cost range, Eg: “less than USD 100”, “between USD 100 and 499” and therefore, the monitoring team documents the number of advertisements for various candidates in each of those cost ranges.</p> <p>However, further observations indicated that there were uncountable numbers of Facebook pages administered by various actors to promote and demote different presidential candidates but not coming under the purview of “Ad Library” option. Thus, the advertisements, video clips, posts etc. displayed in those individual or sponsored Facebook pages did not indicate a cost range. Given the vagueness and incomplete data available on social media, despite an estimated minimum cost was computed, such amount was not considered as an integral amount of the total estimated cost but has presented the findings under separate sub topic. Annexure 03.</p>
<p>Other Costs (Costs of meetings, public rallies, promotional materials, public resources etc.)</p>	<p>Cost calculation of the expenses and costs incurred when conducting public rallies, meetings and forums and of the visibility items such as banners, posters, were gathered and documented. All such costs were substantiated with a</p>

	<p>specifically designed template. This template contained information about: the nature of the meeting, scale of the meeting, visibility items displayed in the vicinity, transportation of crowd and other costs for all arrangements of such meeting. Key informants, provincial coordinators, district coordinators and electorate level long term observers of CMEV provided information with regard to ground level campaign expenses and costs to the campaign finance monitoring team.</p> <p>In order to ensure that data is entered accurately, the media monitors assigned to double check and verify the data calculation before such data was entered into the expenses calculator. Annexure 04.</p>
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Table 2: Cost Calculation Method for Campaign Cost Categories

Cost Verification

The research team adopted a specifically designed template for each category of information (print, electronic, social media and other costs). The respective media monitors assigned for each media category kept a separate template with them for each presidential candidate, to capture the candidate's expenditure in each category of expenses. All data collected at the first instance was further verified by the project coordinator with respective institutions and individuals before entering to the data base. Further, before finalizing the report, research team verified all such data through evidence-based information including RTI applications¹¹ from respective institutions.

CMEV's campaign finance monitoring team ensured sending formal letters in all three languages to all printed, electronic media outlets, the Facebook, all presidential candidates/their party offices requesting to reveal the campaign expenses and the costs of advertisements in relation to the election campaign.

Further, CMEV sent applications through the provisions of the Right to Information Act No. 12 of 2016 to all relevant institutions. CMEV extensively used RTI Act and information/costs related to election campaigns activities of all Presidential Election Candidates were requested from Newspapers, Television Channels, Sri Lanka Air Force, Sri Lanka Railway Department, Ceylon Transport Board, Sri Lankan Airline. CMEV took necessary actions to use RTI Act in the case of any other relevant institution from which further information would be required for the purpose of assessing the campaign costs in the final reporting. The overall data processing

¹¹ List of RTI applications mentioned in Annexure 07.

cycle followed by CMEV in monitoring estimated election campaign costs has been illustrated in Figure 4.

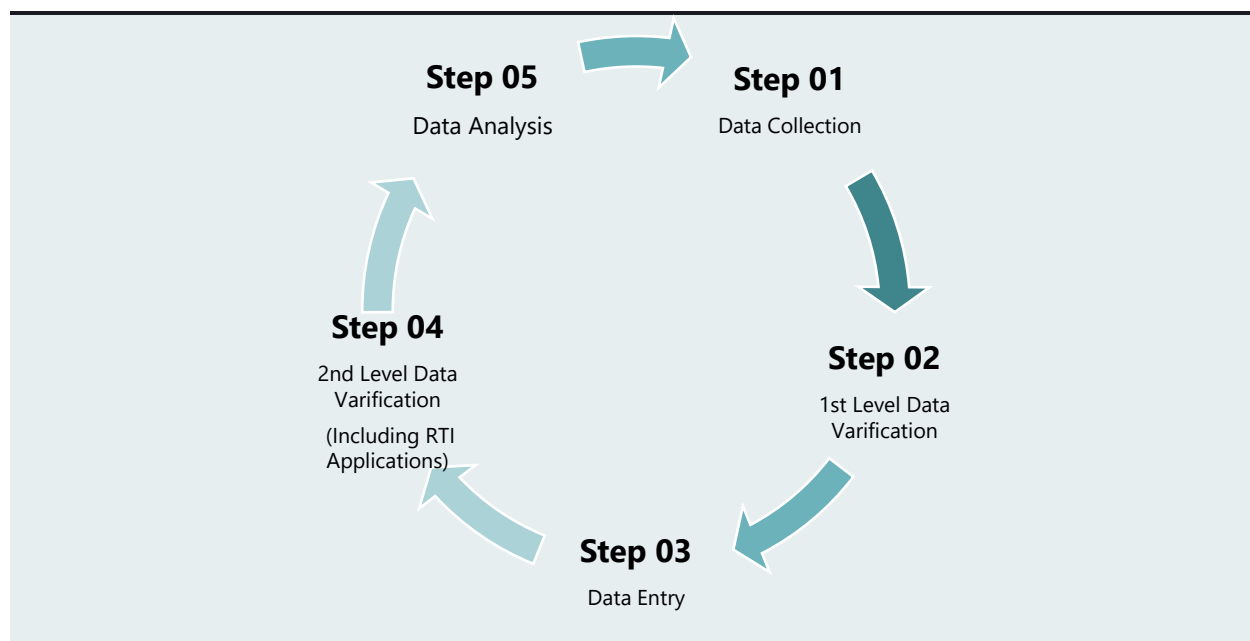


Figure 4: Data processing Cycle of Campaign Cost Monitoring

Limitations

The current laws and regulatory framework in Sri Lanka for monitoring financial expenditure for election campaigning is not adequate to capture precise figures on financial expenditure on any election campaign in the country.

Some of the costs related to designing, narration, production, direction, graphics, artists and dubbing in relation to cinema type advertisements, theme songs and video clips may not be inclusive in cost calculations because this depends from production to production and from company to company. This information is not available in the public domain. However, if such data is captured, such cost will be included as part of the "Other Cost" category.

It is a common phenomenon that during election campaigning in Sri Lanka one of the means of attracting crowds is by distributing alcohol, bribes, financial incentives and indoor meetings at private residences. Such incidents were abundant and happens behind closes doors, as such it was not practical to capture such data.

It was impractical to capture all the ground cost related expenses in relation to election campaigning especially posters, leaflets, banners all pocket meetings, press conferences, campaign administration costs and many other costs must have incurred during the election campaign. This was because there was no regulation on the distribution of such items as they

are proliferated from the local, provincial level supporters and even from the private individuals.

Costs incurred in paid advertising and sponsored pages on Facebook were not fully captured. This was because the social media campaigns of candidates is done by Digital media marketing companies who have no obligation to publish information in the public domain. Additionally, the absence of the facility of “Ad Report” from Facebook prevents anyone from accessing details of costs of advertisements. Further functions such as Ad Library which indicate advertising costs of candidates indicated a range but the country of origin of payment for such advertising is not provided. Despite CMEV having communication with Facebook and asking to take necessary actions to reveal the country of origin of payments for all political advertisements, to categorize all political/election advertisements under the grouping of “issue, electoral and political”, no such information was received.

“In Japan, the principal of complicity (*renzasei*) means that in certain cases a candidate can be prosecuted for illegal fundraising by members of his or her behalf...”

Source: Funding of Political Parties and Election Campaigns, A Handbook on Political Finance

Chapter 4: Key Findings

This chapter explains the key findings of the campaign cost monitoring initiative of the Presidential Election 2019. It includes estimated campaign cost of printed media, electronic media and other costs (i.e. costs incurred on public rallies, meetings, promotional materials, campaign administration, party officers, transportation etc.)

Additionally, this chapter highlights the use of social media (i.e. Facebook) and the estimated range of costs incurred mainly by the candidates contested representing SLPP, NDF and NPP.

The total estimated campaign cost has been compared with several budget allocations made for some selected development activities so as to reflect unlimited nature of campaign finances.

Additionally, this chapter includes an analysis of the use of the Right to Information Act, No. 12 of 2016. Details of RTI applications sent by CMEV and the nature of responses as at 20th of December 2019 have been presented in this chapter.

Overall Picture of Estimated Election Campaign Costs

Table 3 reflects the estimated costs of six candidates individually while the total estimated cost of other 29 candidates is shown as a collective figure. Cost calculation has been focused on three cost categories; 1. Printed media, 2. Electronic media and 3. Other costs. Estimated costs for each cost category has been calculated for the period from October 13 to November 13, 2019.

For the purpose of presenting data, figures have been rounded up to the closest million Sri Lankan Rupee (LKR). It should be noted that, in lieu of varied actual discounts and advertisement packages given by different media outlets; in order to make the estimated costs of electronic media fairer, a 25 percent discount has been deducted from the total estimated cost of each candidate and the amounts taken for the electronic media for this report is the discounted figure.

As reflected in Table 3, the total estimated election campaign cost monitored by CMEV is LKR Million 3,796¹². Of the total estimated campaign cost, the SLPP candidate incurred the highest which stands at LKR Million 1,826. The NDF candidate incurred the second highest estimated election campaign cost which is LKR Million 1,737. SLPP and the NDF being the two main political alliances contesting the election campaign, a total of estimated election campaign cost of LKR Million 3,563 has been incurred for their election campaign promotion. This is almost 94 percent share of the total estimated election campaign cost.

¹² This estimated cost can be much less than the actual cost incurred and CMEV estimates that this LKR Million 3,796 is approximately 40-45 percent of the most likely overall campaign cost.

CMEV has in writing requested all political parties, electronic and printed media institutions and other relevant institutions connected to election campaigning work to extend their cooperation by disclosing the costs incurred by respective candidates during the election campaign.

However, CMEV observed that none of the presidential election candidates disclosed actual campaign costs after the election. This non-disclosure of election campaign finances, contributions received and costs incurred has been a common phenomenon in Sri Lanka political culture and election history for decades.







Election Campaign Costs Monitoring					
Centre for Monitoring Election Violence (CMEV)					
Total Estimated Cost (Million LKR)					
From 13th October to 13th November 2019					
Party	Printed Media	Electronic Media (25% Discounted Cost)	Other costs (Meetings etc.)	Total Estimated Cost (Million LKR)	
 Sri Lanka Podu Jana Peramuna (SLPP)	107	1126	593	1,826	
 New Democratic Front (DNF)	216	793	728	1,737	
 National People's Power (NPP)	14	39	116	169	
 Jana Setha Peramuna (JSP)	0	7	0	7	
 National People's Movement (NPM)	3	0	0	3	
 Socialist Party of Sri Lanka - (SLSP)	1.5	2.5	0	4	
Total	341.5	1967.5	1437	-	
Estimated Cost of other 29 Presidential Candidates				50	
Total Estimated Election Campaign Cost (Million-LKR)				3,796	

Table 2: Total Estimated Election Campaign Costs of Presidential Candidates, Presidential Election – 2019

Tracking of Estimated Election Campaign Costs

As given below, Tables from 4 to 8 reflects the tracked of estimated election campaign cost monitored by CMEV over the monitoring period. Despite CMEV carried out its monitoring mission from October 7, 2019, in order to ensure the consistency of data of all three cost categories (Printed media, Electronic media and other costs), compilation of date with a rigorous process of verifications took place till the end of October 2019. Thus, the first disclosure of the estimated campaign cost was released by CMEV during the first week of November 2019.

Records of monitoring process of CMEV indicate that the cost incurred on printed media campaign has been high during the weekends of the NDF candidate while cost incurred by the SLPP candidate for the electronic media campaign was high throughout the campaign period.







Election Campaign Costs Monitoring					
Total Estimated Costs (Million LKR) for 14 Oct – 5 Nov 2019 period (increase in spending from 4 Nov to 5 Nov in brackets)					
Party		Printed Media	Electronic Media	Other costs (rallies, promotional materials etc.)	Estimated Total Cost (Million LKR)
	Sri Lanka Podu Jana Peramuna (SLPP)	56	634	94	784 (↑34)
	New Democratic Front (DNF)	105	278	113	496 (↑26)
	National People's Power (NPP)	1	21	13	35 (↑4)
	Jana Setha Peramuna (JSP)	0	5	0	5 (↑1)
	National People's Movement (NPM)	2	0	0	2
TOTAL (increase of 65m from 4 Nov to 5 Nov 2019)					1,322 (↑65)
 CENTRE FOR MONITORING ELECTION VIOLENCE මැතිවරණ ප්‍රවණ්ඩක්‍රියා නිරීක්ෂණ මධ්‍යස්ථානය தேர்தல் வன்முறைகளைக் கண்காணிப்பதற்கான நிலையம்					

Table 3: Total Estimated Election Campaign Cost up to November 05, 2019







Election Campaign Costs Monitoring					
Total Estimated Costs (Million LKR) for 14 Oct – 6 Nov 2019 period (increase in spending from 5 Nov to 6 Nov in brackets)					
Party		Printed Media	Electronic Media	Other costs (rallies, promotional materials etc.)	Estimated Total Cost (Million LKR)
	Sri Lanka Podu Jana Peramuna (SLPP)	56	653	105	814 (↑30)
	New Democratic Front (DNF)	106	304	131	541 (↑45)
	National People's Power (NPP)	12	24	15	51 (↑16)
	Jana Setha Peramuna (JSP)	0	6	0	6 (↑1)
	National People's Movement (NPM)	2	0	0	2
TOTAL (increase of 92m from 5 Nov to 6 Nov 2019)					1,414 (↑92)
 CENTRE FOR MONITORING ELECTION VIOLENCE මැතිවරණ ප්‍රවණ්ඩක්‍රියා නිරීක්ෂණ මධ්‍යස්ථානය தேர்தல் வன்முறைகளைக் கண்காணிப்பதற்கான நிலையம்					

Table 4: Total Estimated Election Campaign Cost up to November 06, 2019







Election Campaign Costs Monitoring					
Total Estimated Costs (Million LKR) for 14 Oct – 8 Nov 2019 period (increase in spending from 6 Nov to 8 Nov in brackets)					
Party	Printed Media	Electronic Media	Other costs (rallies, promotional materials etc.)	Estimated Total Cost (Million LKR)	
 Sri Lanka Podu Jana Peramuna (SLPP)	60	746	113	919	(↑105)
 New Democratic Front (DNF)	112	444	153	709	(↑168)
 National People's Power (NPP)	12	29	16	57	(↑6)
 Jana Setha Peramuna (JSP)	0	6	0	6	
 National People's Movement (NPM)	2	0	0	2	
TOTAL (increase of 279m from 6 Nov to 8 Nov 2019)				1,693	(↑279)
 CENTRE FOR MONITORING ELECTION VIOLENCE මැතිවරණ ප්‍රවණ්ඩයා නිරීක්ෂණ මධ්‍යස්ථානය தேர்தல் வனமுறைமைக் கண்காணிப்புதற்கான நிலையம்					

Table 6: Total Estimated Election Campaign Cost up to November 08, 2019







Election Campaign Costs Monitoring					
Total Estimated Costs (Million LKR) for 14 Oct – 9 Nov 2019 period (increase in spending from 8 Nov to 9 Nov in brackets)					
Party	Printed Media	Electronic Media	Other costs (rallies, promotional materials etc.)	Estimated Total Cost (Million LKR)	
 Sri Lanka Podu Jana Peramuna (SLPP)	60	797	121	978	(↑59)
 New Democratic Front (DNF)	112	469	170	751	(↑42)
 National People's Power (NPP)	12	30	16	58	(↑1)
 Jana Setha Peramuna (JSP)	0	6	0	6	
 National People's Movement (NPM)	2	0	0	2	
TOTAL (increase of 102m from 8 Nov to 9 Nov 2019)				1,795	(↑102)
 CENTRE FOR MONITORING ELECTION VIOLENCE මැතිවරණ ප්‍රවණ්ඩයා නිරීක්ෂණ මධ්‍යස්ථානය தேர்தல் வனமுறைமைக் கண்காணிப்புதற்கான நிலையம்					

Table 5: Total Estimated Election Campaign Cost up to November 09, 2019






Election Campaign Costs Monitoring					
Total Estimated Costs (Million LKR) for 14 Oct – 10 Nov 2019 period (increase in spending from 9 Nov to 10 Nov in brackets)					
Party		Printed Media	Electronic Media	Other costs (rallies, promotional materials etc.)	Estimated Total Cost (Million LKR)
	Sri Lanka Podu Jana Peramuna (SLPP)	82	853	583	1,518 (↑540)
	New Democratic Front (DNF)	175	544	703	1,422 (↑671)
	National People's Power (NPP)	12	32	116	160 (↑102)
	Jana Setha Peramuna (JSP)	0	6	0	6
	National People's Movement (NPM)	2	0	0	2
TOTAL					3,108 (↑1,313)

Table 6: Total Estimated Election Campaign Cost up to November 10, 2019¹³

Figure 5 below reflects the estimated election campaign cost of six candidates who minimum incurred above three million rupees for printed media, electronic media and other costs.

Among the three cost categories for the SLPP candidate, electronic media campaign incurred the highest cost (LKR Million 1,126) which is higher than the NDF candidate's cost for the same category. The cost incurred for meetings, promotional material, transportation, party offices etc, stands at LKR Million 593 which is lower than the cost incurred by the NDF candidate for the same. CMEV's monitoring process indicates that the least cost incurred by the SLPP candidate has been for printed media campaign activities.

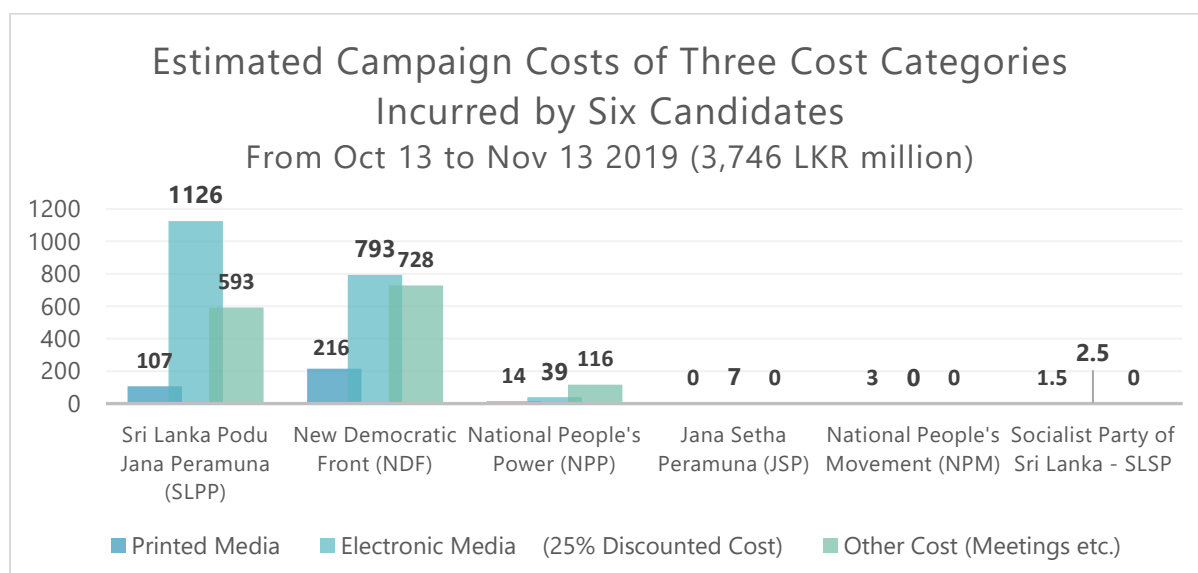


Figure 5: Estimated Campaign Cost by Six Candidates (LKR Million)

¹³ Note: The increase in spending was recorded as LKR Million 1,313 compared to data as at 9th November 2019 as a result of adding the accumulated figure of verified costs related to meetings, promotional materials, transport, party offices etc. included under 'other costs' for several days.

Similarly, the findings of CMEV’s estimated election campaign cost monitoring indicates that the NDF candidate has incurred more costs for electronic media while the second highest cost for the same candidate has been costs for meetings, promotional material, transportation, party offices etc. under ‘other cost’ category. Among the three cost categories, the NDF candidate incurred the least for printed media campaign which is higher than that of the SLPP candidate’s cost for the same category.

The estimated election campaign cost monitoring initiative of CMEV indicates that the NPP candidate has incurred more cost for meetings, promotional material, transportation, party offices etc. under ‘other cost’ category which was recorded as LKR Million 116 while the electronic media cost and printed media cost were recorded as LKR Million 39 and 14 respectively.

Figure 6 indicates the total estimated election campaign costs incurred for printed media, electronic media and meetings, promotional material, transportation, party offices etc. under ‘other cost’ category by respective candidates.

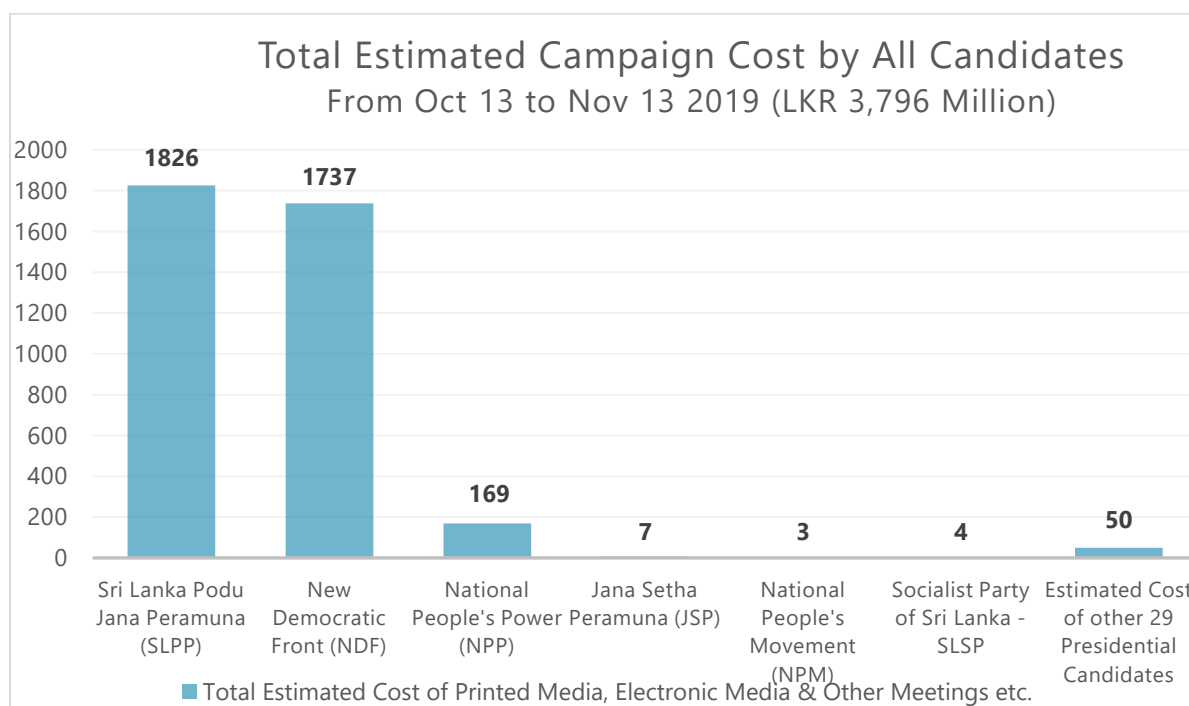


Figure 6: Total Estimated Campaign Cost Incurred by All Candidates (LKR Million)

Estimated election campaign cost monitoring process of CMEV found that an estimated cost of LKR Million 3,732 has been incurred by the SLPP, NDF and NPP candidates for their respective election campaigns.

Of this total cost, as Figure 7 illustrates, 49 percent of the estimated campaign cost has been incurred by the SLPP candidate while the NDF candidate has incurred 47 percent. The least cost has been incurred by the NPP candidate which is 4 percent of the total estimated cost of all three main candidates.

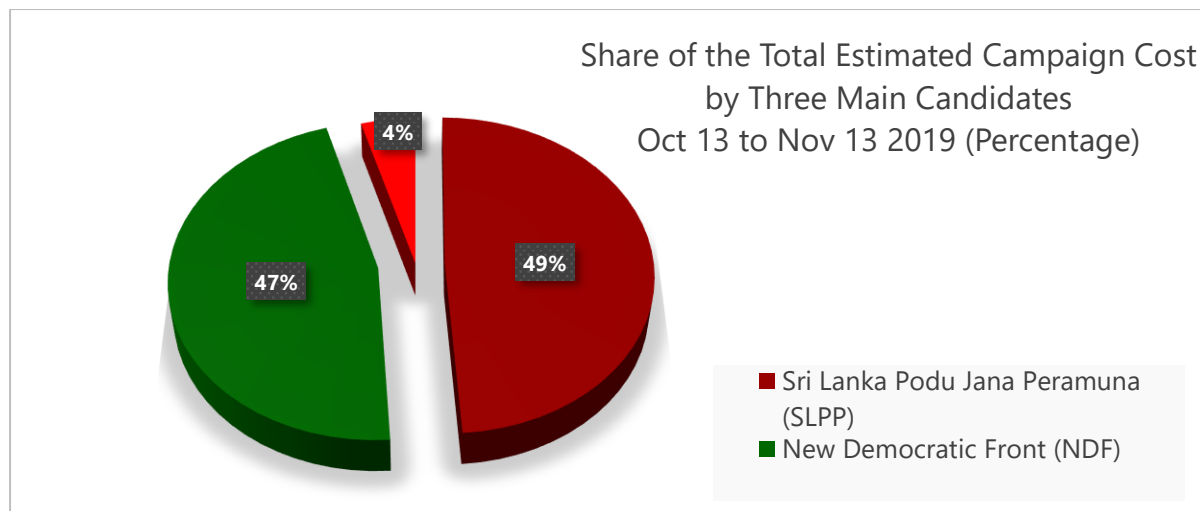


Figure 7: Share of the Total Estimated Campaign Cost by SLPP, NDF & NPP (Percentage)

Figure 8 reflects the costs incurred by two main candidates, SLPP and NDF in relation to the three cost categories – electronic media cost, printed media cost and the costs for meetings, promotional material, transportation, party offices etc. under ‘other cost’ category.

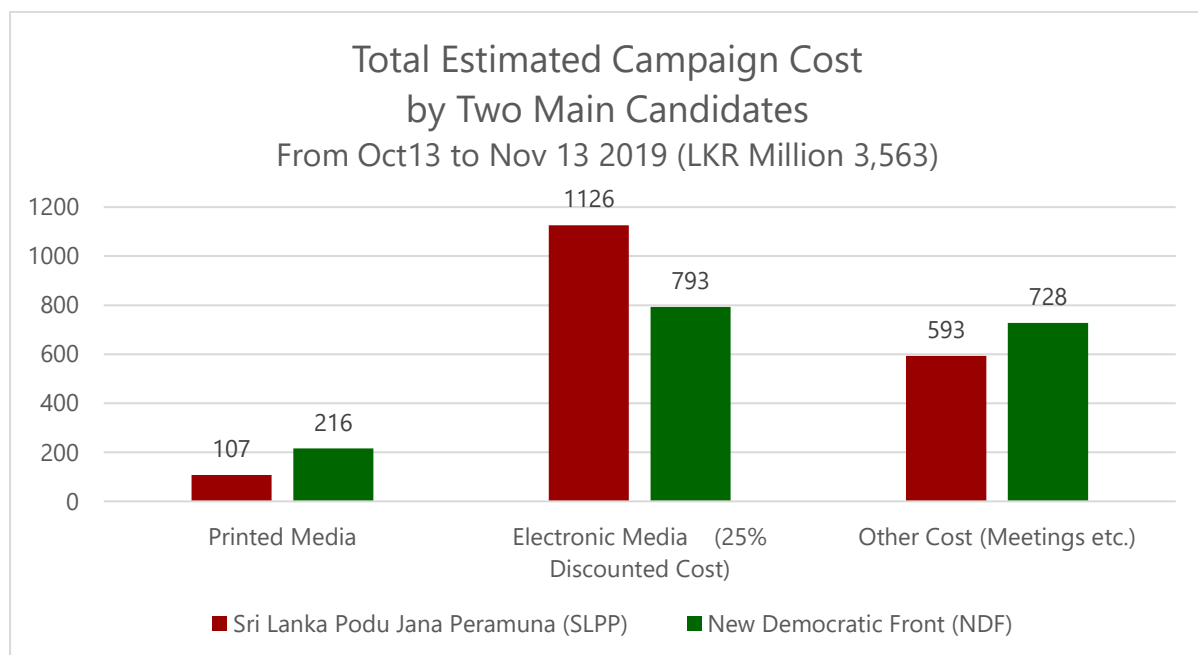


Figure 8: Total Estimated Campaign Cost of SLPP & NDF (LKR Million)

Figure 9 reflects the concentration of campaign finances within two main political alliances, SLPP and NDF. The estimated cost of the two main candidates is 15 times more than the total estimated election campaign cost of all other 33 presidential election candidates.

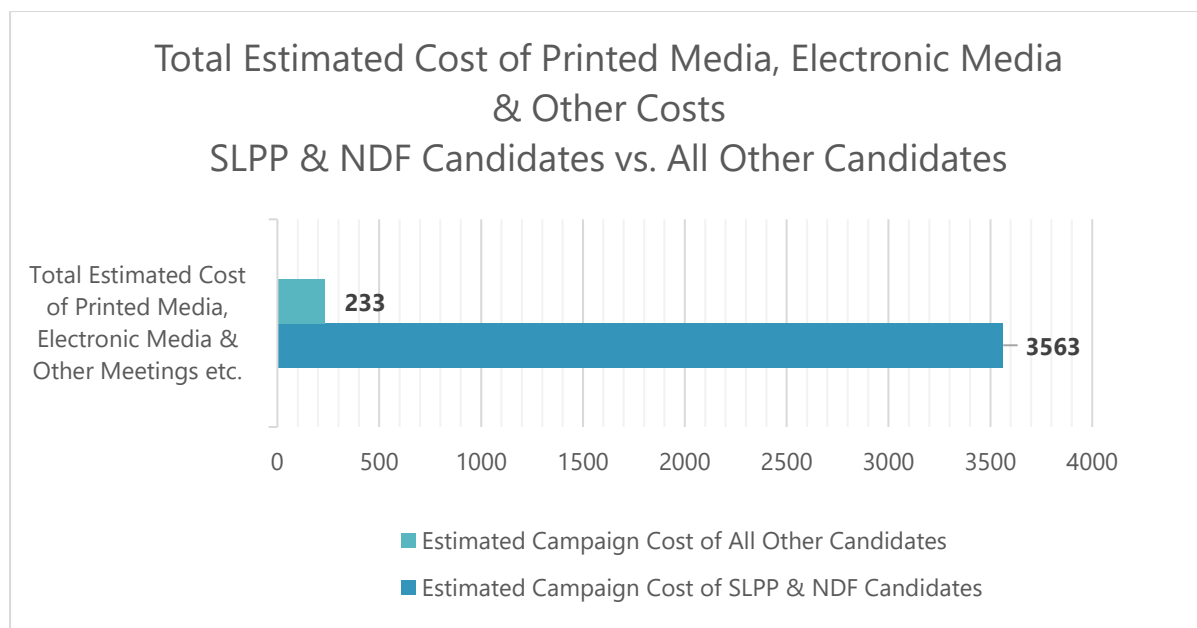


Figure 9: Total Estimated Campaign Cost of SLPP & NDF Vs. Other Candidates (LKR Million)

Figure 10 clearly shows that of the total estimated election campaign costs of all 35 candidates, 94 percent of share is of the SLPP and NDF candidates while the rest of the 33 candidates have incurred 6 percent.

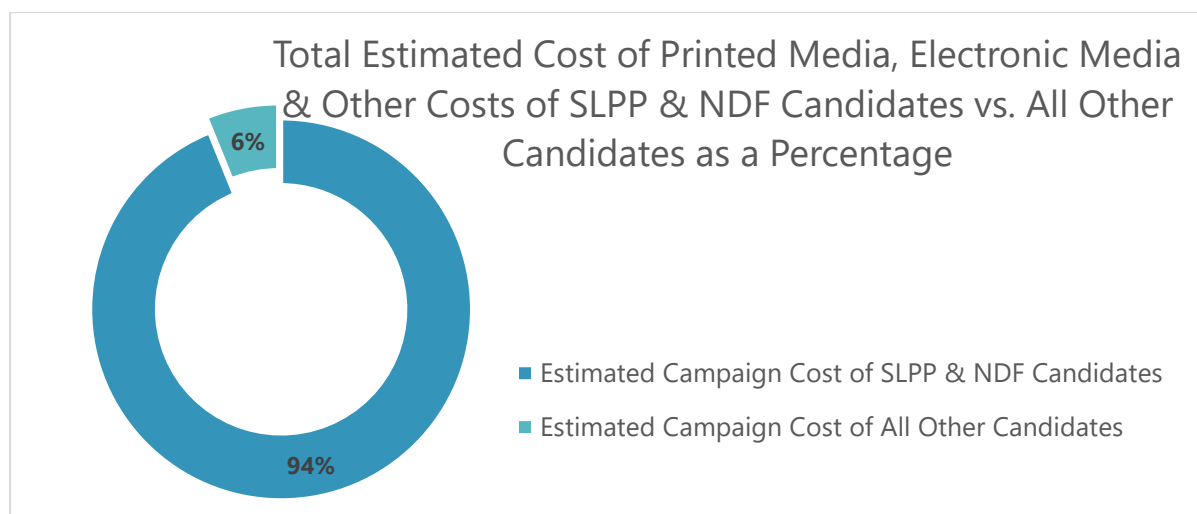


Figure 10: Total Estimated Campaign Cost of SLPP & NDF Vs. Other Candidates (Percentage)

As reflected in Figure 11, the pattern of spending of the three main candidates, SLPP, NDF and NPP suggests that the SLPP candidate has started the campaign at a high cost rate from the beginning of the election campaign till the first week of November.

However, later part of the first week of November, NDF candidate has exceeded the cost incurred for his campaign compared to the SLPP candidate till the 10th of November. Spending patten of SLPP candidate showed a gradual upward trend since 1st November till the cooling-off period started.

The spending pattern of NPP candidate reflected an even trend throughout the campaign period since the start and the cost incurred also was much less than that of the two main candidates, SLPP and NDF.

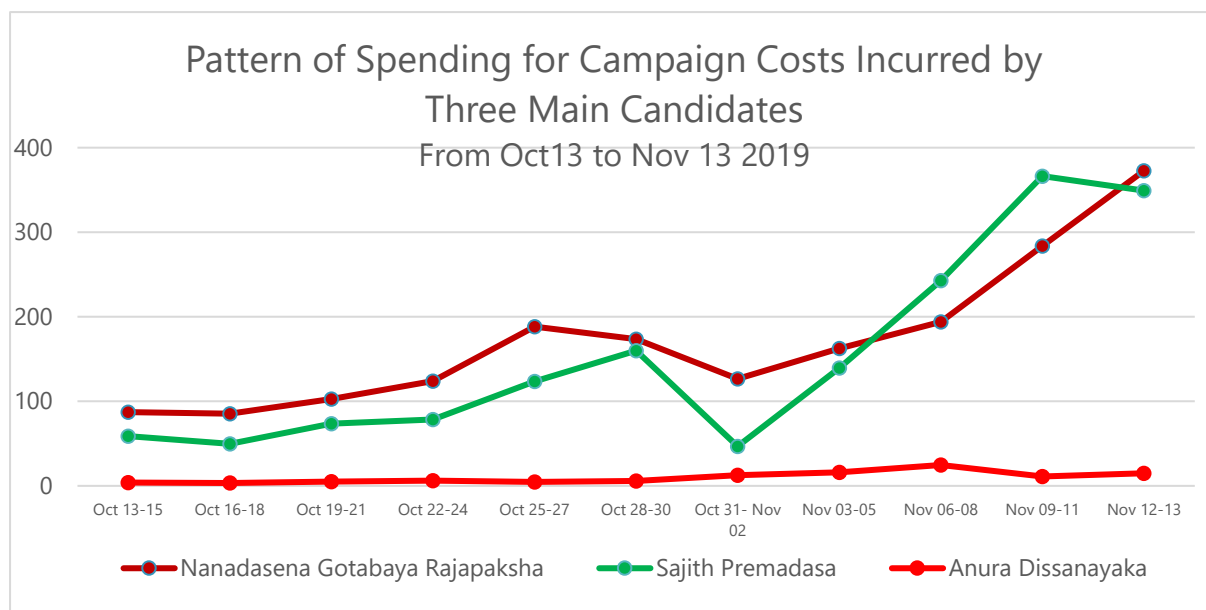


Figure 11: Spending Pattern of Estimated Campaign Cost by SLPP, NDF & NPP

Use of Social Media in Election Campaign

According to the methodology of the estimated election campaign cost monitoring, social media cost was also one of the cost categories of four. However, given the fact that Facebook administrators failed to provide at least minimum facilities to track the cost incurred in election campaign related advertisements and live telecast of public rallies; this monitoring mechanism could only record a cost range for all the advertisements published in official campaign Facebook pages of SLPP, NDF and NPP candidates. These cost ranges were documented via the 'Ad Library' option.

In terms of calculating the cost incurred for the social media campaigns of those three main candidates, estimated election campaign costing formula of CMEV only considered the lowest cost range and in this report, only 75 percent of the total of the said lowest cost ranges has been presented.

Further, given that the cost is a range of the social media campaign, this cost has not been included in the overall total estimated election campaign cost presented at the beginning of this chapter.

However, as shown in Figure 12, of the estimated total of the lowest cost ranges of the social media campaign of SLPP, NDF and NPP candidates; 59 percent of share is for the SLPP

candidate while 33 percent cost share has been recorded against the NDF candidate. The least cost share, 8 percent was observed as the social media campaign cost of NPP candidate.

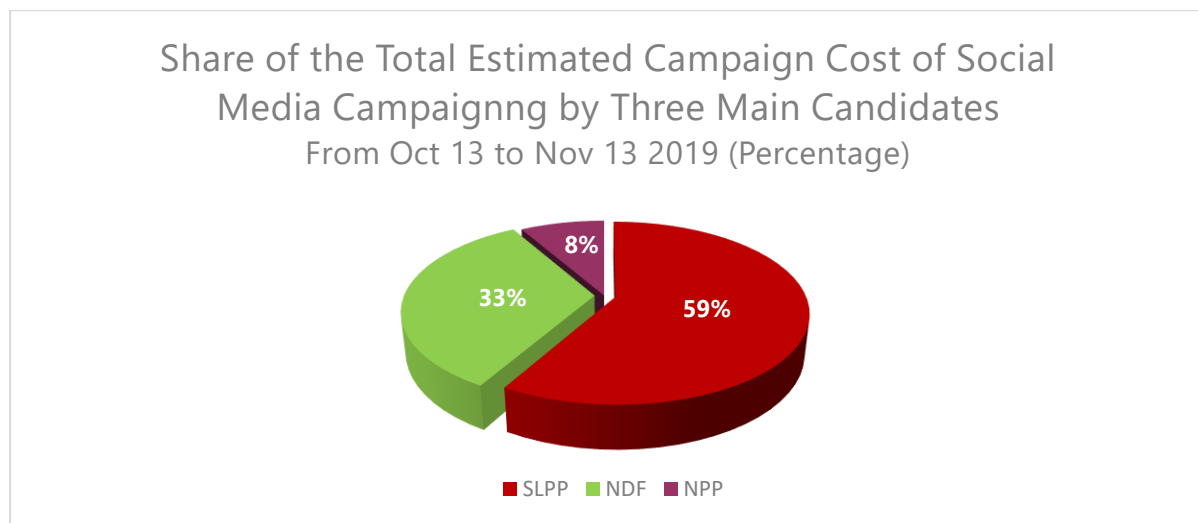


Figure 12: Share of Estimated Campaign Cost for Social Media by SLPP, NDF & NPP (Percentage)

Comparison of Estimated Election Campaign Costs with Selected Development Activities

This section presents a comparison between the estimated election campaign cost of the presidential election 2019 and some selected budget estimates¹⁴ of the Ministry of Finance and the costs of some development and social services-related activities of the government in 2019.

This comparison is expected to provide a sense of the gravity of unlimited and unregulated campaign finances and its adverse impact on the integrity of the overall electoral process and the democratic principles. As can be seen with the below figures, the election campaign costs incurred by candidate outstrips a range of diverse development and social service provision costs the government undertakes.

The main concern is what the sources of funding are in order for the candidates to spend or incur such a huge amount of cost. Since there is no regulation or provision by which the disclosure of sources of funding for election campaigning is required by law in Sri Lanka, it remains an unknown fact. However, it is pivotal to unveil the interests of individuals, entities, corporations and other contributors for making such unlimited funds for an election in favor of one or more candidates.

¹⁴ <http://www.treasury.gov.lk/budget-estimates-2019>

Figure 13 shows that the estimated election campaign cost is approximately 3:4 times as much as the cost of the Kandy City Wastewater Management Project between January and April 2019.

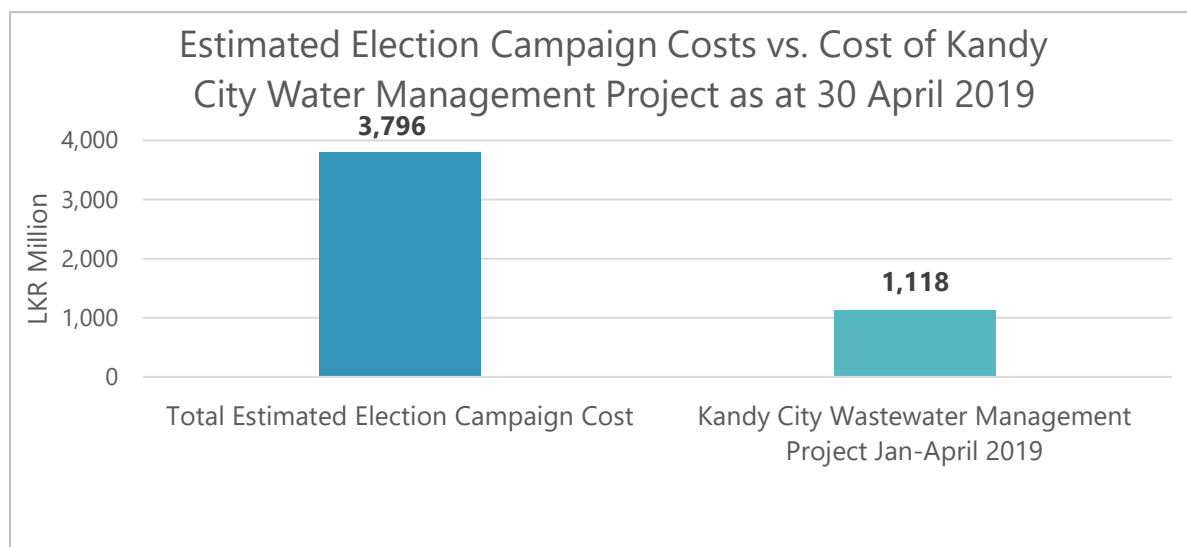


Figure 13: Estimated Campaign Cost Vs. Cost of Kandy City Water Management Project - Jan-April 2019¹⁵

The estimated election campaign cost is approximately three times as much as the 2019 budget of the Ministry of Power, Energy and Business Development as indicated in Figure 14.

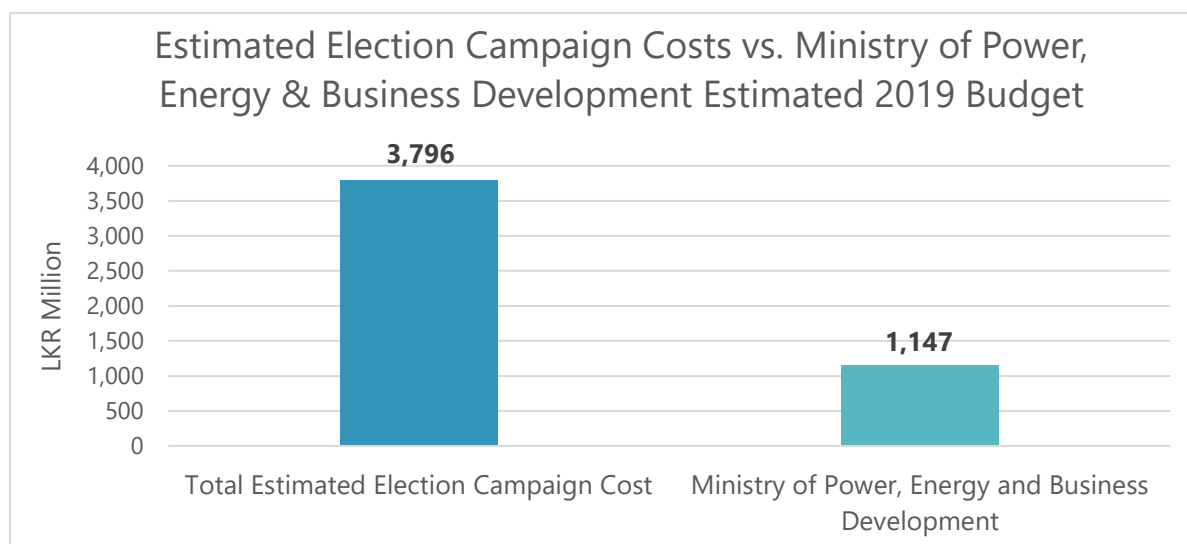


Figure 14: Estimated Campaign Cost Vs. Budget of the Ministry of Power, Energy & Business Development 2019¹⁶

¹⁵ Source: Mid-Year Fiscal Position Report 2019, Ministry of Finance

¹⁶ Source: Budget Estimates 2019, Volume II, Fiscal Year 2019, Ministry of Finance

The estimated election campaign cost is approximately 2 times as much as the 2019 cost of the capital expenditure on provincial education between Jan-April 2019 as shown in Figure 15.

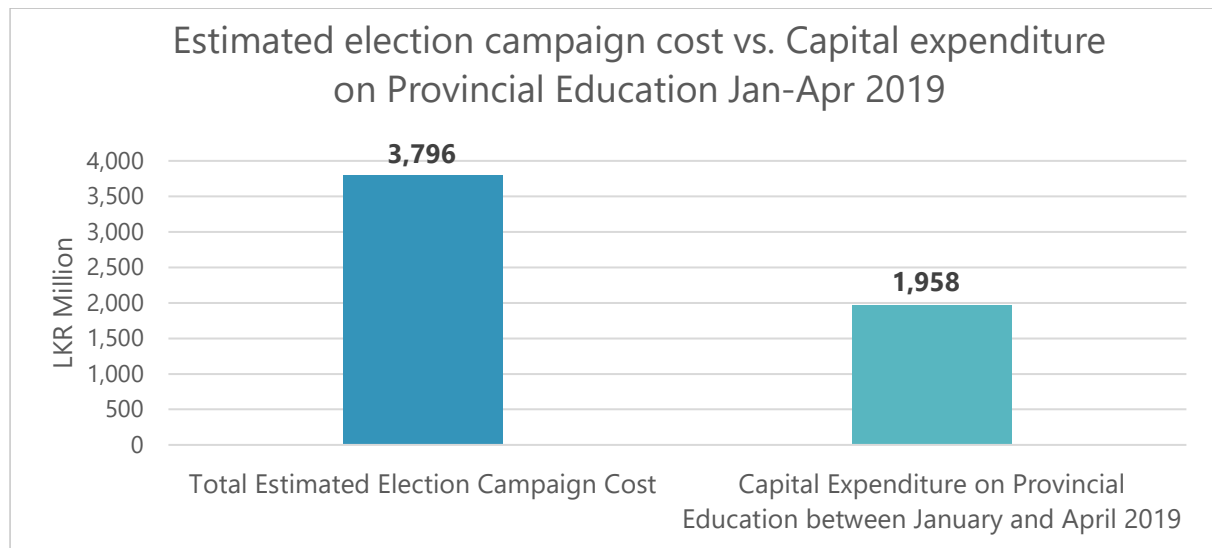


Figure 15: Estimated Campaign Cost Vs. Capital expenditure on provincial education between Jan-April 2019¹⁷

Figure 16 indicates that the estimated election campaign cost is eight times as much as the expenditure on Capital for Primary & Secondary Schools between January and April 2019.

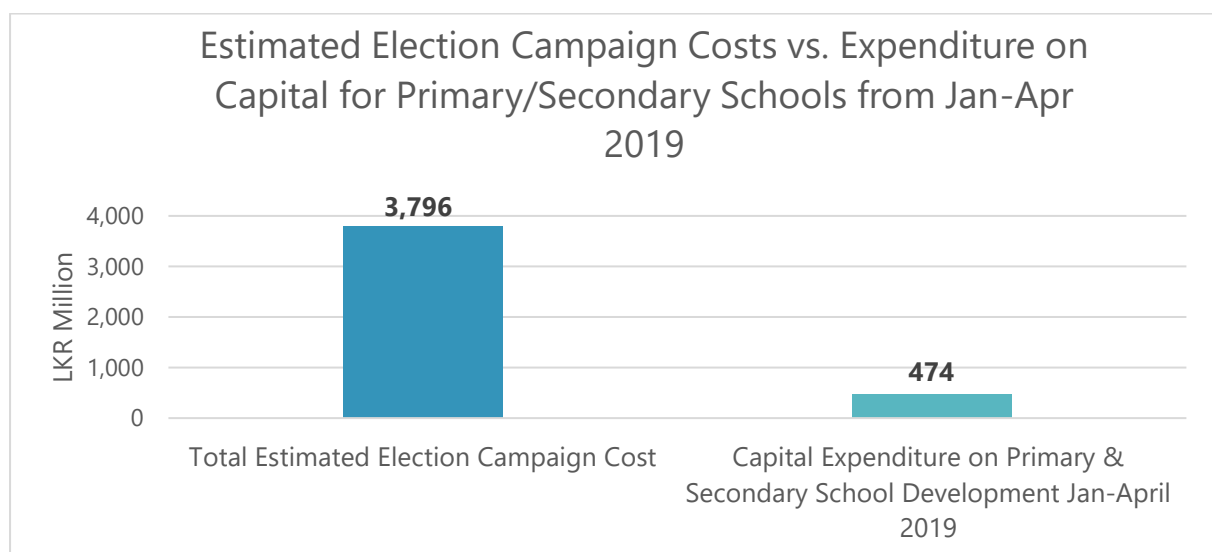


Figure 16: Estimated Campaign Costs vs. Capital Expenditure for Primary/Secondary Schools from Jan-Apr 2019¹⁸

¹⁷ Mid-Year Fiscal Position Report_2019, Ministry of Finance

¹⁸ Mid-Year Fiscal Position Report_2019, Ministry of Finance

As reflected in Figure 17, the estimated election campaign cost is approximately 37 times as much as the 2019 budget of the Department of Educational Publications.

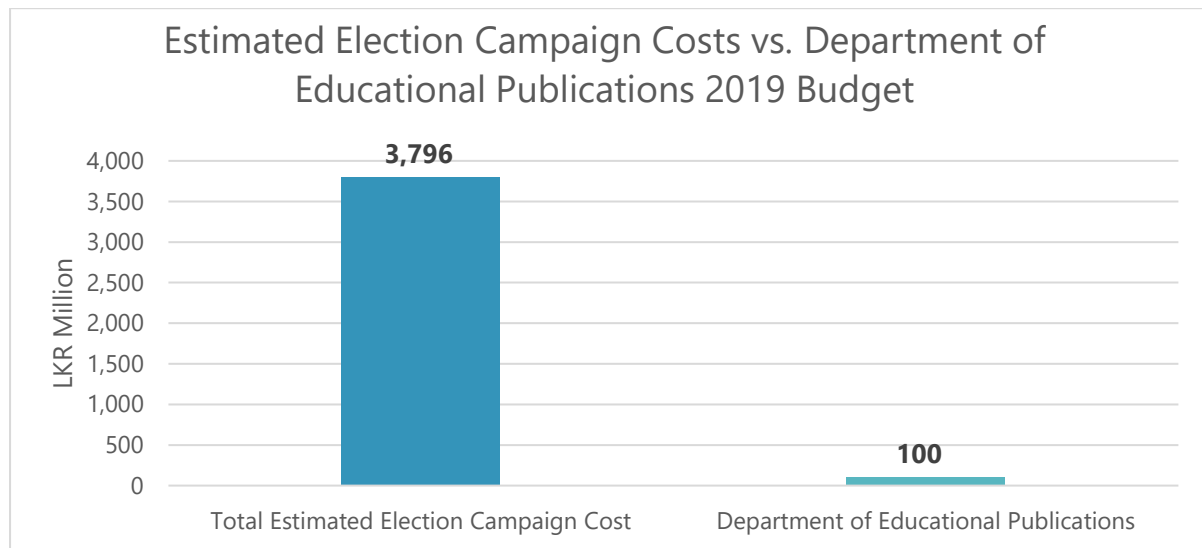


Figure 17: Estimated Campaign Cost vs. Budget of the Department of Education Publications 2019¹⁹

The Figure 18 indicates that the estimated election campaign cost is approximately 25 times as much as the 2019 budget allocated to the Department of Official Languages.

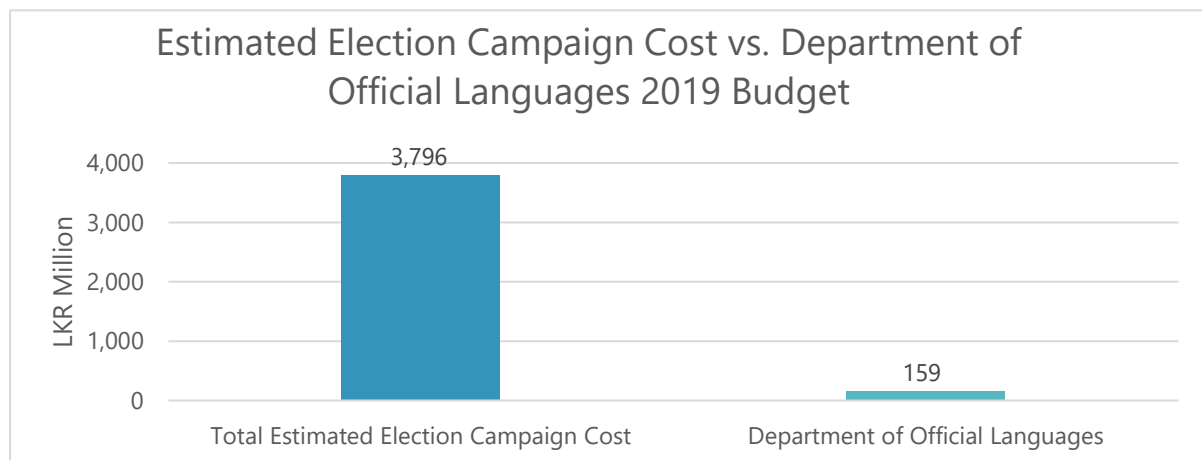


Figure 18: Estimated Campaign Cost vs. Budget Allocated of the Department of Official Languages 2019²⁰

¹⁹ Budget Estimates 2019, Volume I, Fiscal Year 2019, Ministry of Finance

²⁰ Budget Estimates 2019, Volume III, Fiscal Year 2019, Ministry of Finance

As Figure 19 indicates, the estimated election campaign cost is approximately 10 times as much as the 2019 budget for the Department of Probation and Child Care Services.

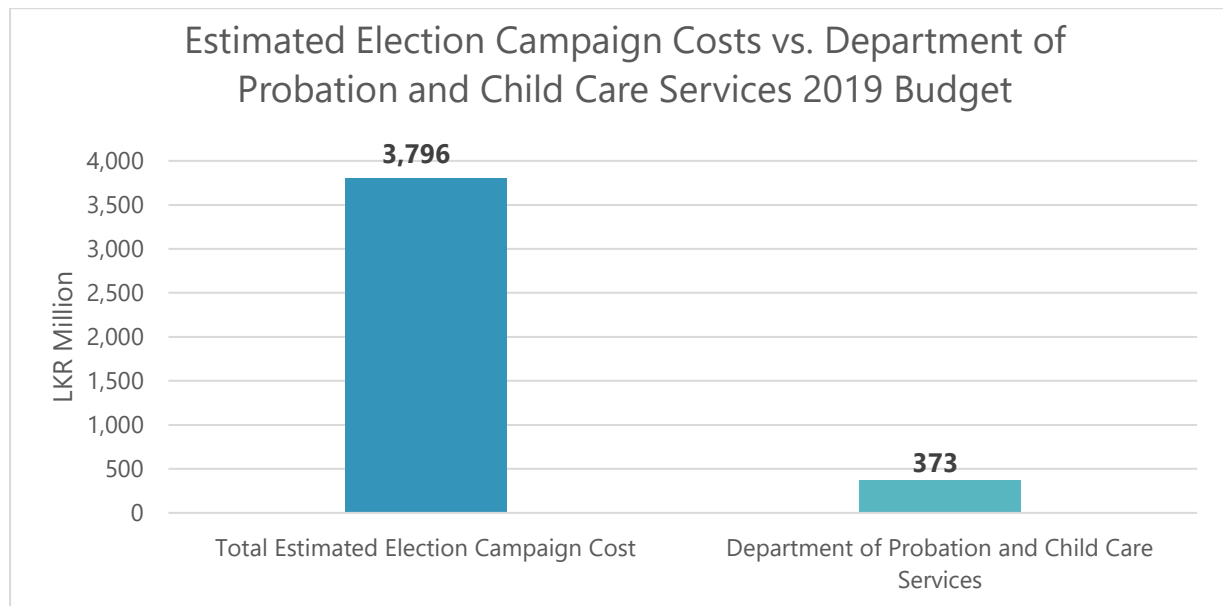


Figure 19: Estimated Campaign Cost vs. Department of Probation & Child Care Services Budget 2019²¹

The estimated election campaign cost is approximately five times as much as the 2019 budget for the Department of Social Services as reflected in Figure 20.

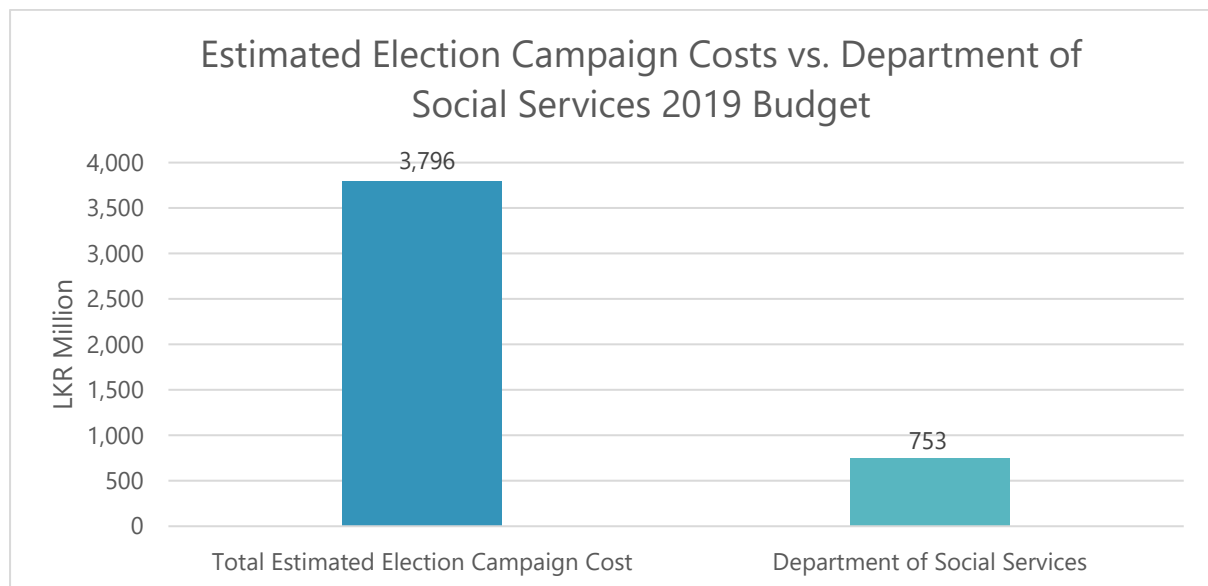


Figure 20: Estimated Campaign Cost vs. Department of Social Services 2019 Budget²²

²¹ Budget Estimates 2019, Volume II, Fiscal Year 2019, Ministry of Finance

²² Budget Estimates 2019, Volume II, Fiscal Year 2019, Ministry of Finance

Application of RTI Law

As part of the election campaign costs monitoring initiative, CMEV communicated through letters with all respective political parties, political alliances from which candidates contested, print and electronic media institutions, Facebook and other relevant state institutions about the initiative. Further, CMEV requested all such institutions to support this initiative by disclosing information connected to costs incurred by respective candidates for their campaign promotions.

As reflected in Figure 21, CMEV submitted 75 RTI applications to number of institutions as per the provisions of the Right to Information Act, No. 12 of 2016. Within a month's time period, CMEV received some positive responses from the Independent Television Network (ITN), Sri Lanka Rupavahini Corporation, Sri Lanka Broadcast Corporation and such institutions disclosed costs incurred by various candidates during the Presidential Election 2019.

Further, as part of its media strategy, CMEV encouraged the media to create a societal discourse of the effective use of RTI law as an advocacy tool in Sri Lanka to compel respective responsible institutions to disclose costs in incurred in election campaigning.

List of institutions to which CMEV submitted RTI applications has been attached as **Annexure 07**.

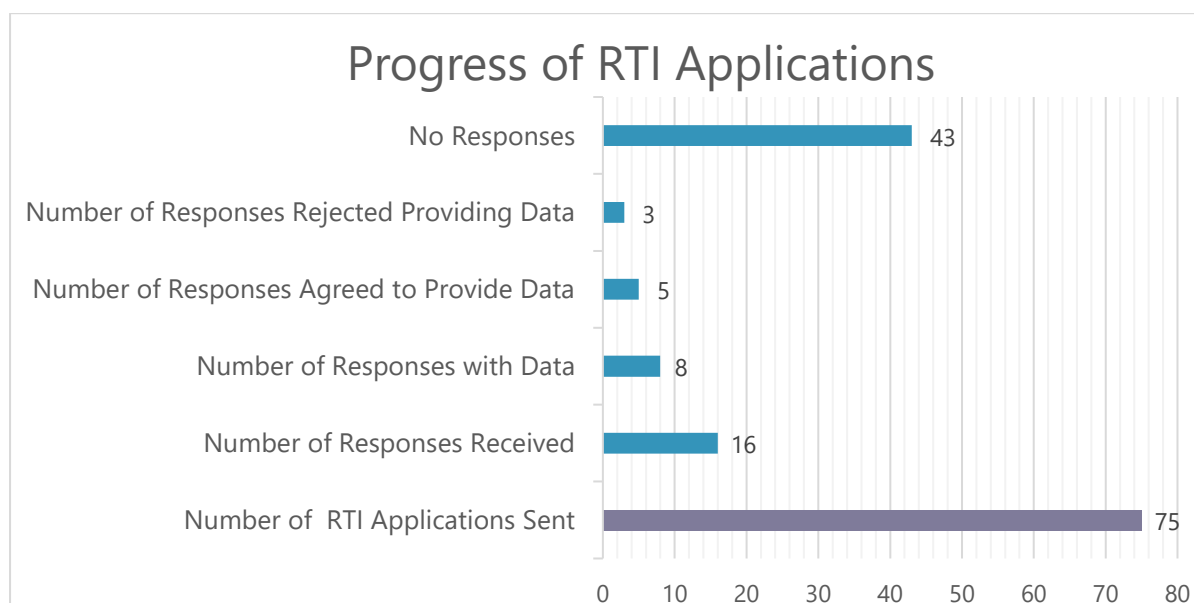


Figure 21: Progress of RTI Applications (Total Number of Applications 75)

Figure 22 indicates that out of the 75 total number of RTI applications submitted by CMEV 11 percent of responses were recorded as responses with necessary data. However, no responses were received within 14 days' time period from overwhelming majority (57 percent of the applications submitted).

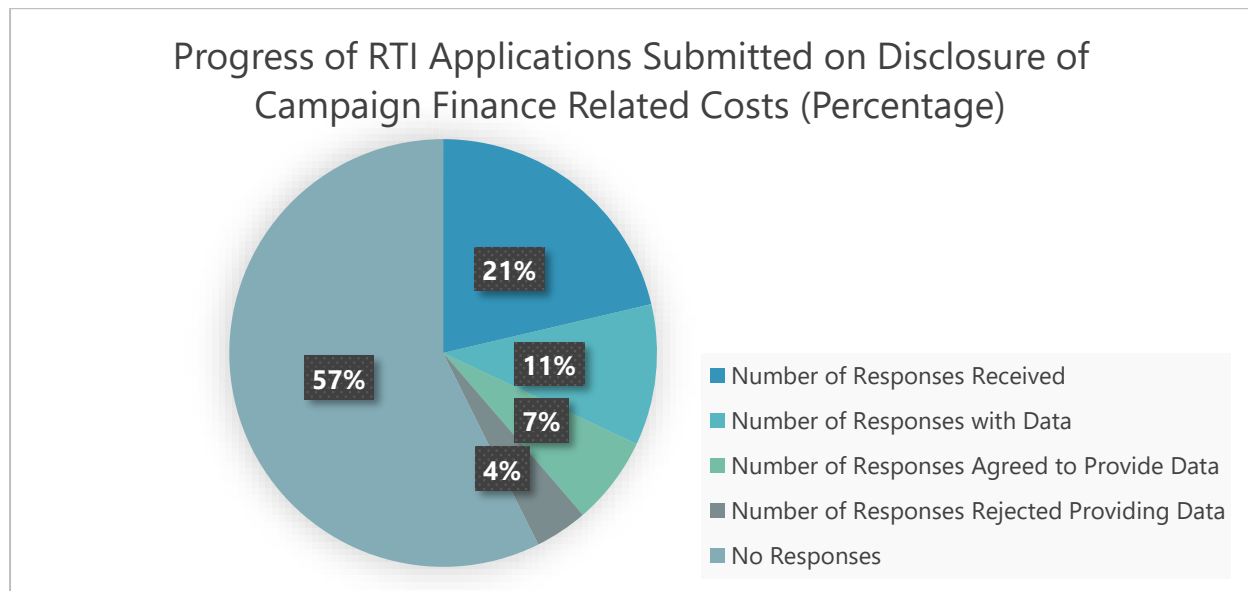


Figure 22: Progress of RTI Applications - As a Percentage

Chapter 5: Recommendations

To the Government

- Take immediate action to review draft campaign finance legislation and produce a finalized draft bill for the approval of the Cabinet of Ministers and get it passed in the parliament.
- Proactively take immediate action to pass the campaign finance law.
- Formulate new regulatory guidelines that prohibit the misuse of state property for election campaigning and penalize persons involved in such acts.
- Bring regulations requiring political parties and candidates to name donors and contributors funding election campaigns.
- Introduce financial regulations through the central bank to track sources of funding, illicit forms of finance, including from foreign sources channelled to election campaigns and address money laundering issues.
- Formulate a suitable legislation, in consultation with the Election Commission, election monitoring institutions and broader civil society, to curtail hate speech, misinformation and disinformation in state and private media, while protecting freedom of expression and access to information.
- Strengthen the legal framework to ensure accountability for the misuse of state resources for partisan gain and should define it as an integral element of campaign cost.

To the Election Commission

- Take the lead role to revisit the already drafted campaign finance legislation and ensure it is finalized with a broader consultation with all concerned stakeholders.
- Design and implement comprehensive “Media Guidelines” applicable to all printed, electronic and social media to regulate unlimited and unfair allocation of air time allocated for campaign promotions.
- Proactively take legal actions against misuse of state property by political parties, candidates and their supporters for election campaigning.
- Impose guidelines to make election candidates bound to disclose contributions received and Costs incurred for election campaigning.
- Disclose candidates and political parties that submit asset declarations or income reports.

To Political Parties

- Revisit their respective party constitutions and include provisions/code of conduct that ensure equal and adequate campaign finance to their respective candidates.
- Carry in their manifestos a commitment for a campaign finance legislation.
- Disclose the sources of funding received for election campaigning.
- Keep details or records of financial accounts of monies used for routine political work and specifically, election campaigns as well as disclose such information.

To Media Actors

- ensure the allocation of air time is balanced and fair.
- Both State and private media should be held accountable for not adhering to 'Media Guidelines' issued by the Election Commission.
- All media institutions (state and private) should agree to a 'Code of Conduct' with minimum standards that safeguard the integrity of election campaigns and abide by such guidelines to ensure responsible and ethical use of media.
- Print, electronic and social media administrators consider allocating more space and air time to support building public opinion and create a societal discourse on issues of unlimited campaign finance and need for a campaign finance legislation.
- Social media companies should act responsibly by adhering to media guidelines provided by the Election Commission and should disclose costs involved in all advertisements related to election campaign.
- Social media companies should take action not to allow any kind of advertising or promotion of election candidates during the cooling-off period.

To Civil Society Organizations

- use CMEV's findings of estimated election campaign costs to raise public awareness of the adverse impact of unlimited and unregulated election campaign finance.
- use the provisions of Right to Information Act No. 12 of 2016 to obtain information related to campaign finances thereby enabling a culture of transparency with regard to elections.
- continue to support advocacy and lobbying efforts with more evidence based research on the impact of unlimited and unregulated campaign finances and in collaboration with academia, professionals and other concerned stakeholders should pressure the policy makers to introduce a campaign finance legislation to Sri Lanka.

Annexures

Page 49	• Annexure 01 • Printed Media Cost Calculation Sheet
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Page 49	• Annexure 03 • Social Media Cost Calculation Sheet
Page 50	• Annexure 04 • Other Cost Calculation Sheet
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Page 53	• Annexure 07 • List of RTI Applications
Page 55	• Annexure 08 • List of Candidates for Presidential Election 2019

Annexures

Annexure 01: Printed Media Cost Calculation Sheet

Name of the News Paper					
Name of the Candidate					
Name of the Party					
Date	Page number	Type of the Ad./Size of the Ad.	Colour	Cost	Remarks

Annexure 02: Electronic Media Cost Calculation Sheet

Name of the Electronic Media Channel					
Name of the Candidate					
Name of the Party					
Date	Length of the Ad.	Time	Cost	Remarks	

Annexure 03: Social Media Cost Calculation Sheet

Name of the Electronic Media Channel					
Name of the Candidate					
Name of the Party					
Date	Time	Length of the Ad.	Cost range	Remarks	

Annexure 04: Other Cost Calculation Sheet

Province			
District			
Electorate			
Name of the Monitor			
Date, time and Place of Meeting	Date:	Time:	Place:
Name of the candidate and Party			
Name of the Organizer			
Observation Summary	Details	Estimated Cost for each Item	
Meeting Place/Hotel			
Size of the stage			
Number of participants			
Sound system			
LED screens			
Transportation (buses etc.)			
Banner			
Poster			
Leaflets			
Decorations			
Distribution of goods			
Food and drinks			
Musical shows			
Decorations of party offices (inclusive of beyond 500m limit)			
Religious visits			
Use of generators			
Festival/carnivals			
T-Shirts/Caps/Hats			
Portable Air-conditions			
Estimated cost (LKR)			
Signature of the Monitor or Coordinator:			
Other Notes (If any evidence such as documents, photos, videos etc. to prove the respective public rally, meeting etc. is available, please send them via below contact details)			
Telephone	Call:		
	WhatsApp		
Email: cmevcampaignfinances@gmail.com			

Annexure 05: List of Monitored Print Media (Newspapers)

No.	Newspaper	Company
1	Dinamina (Daily except Sunday) – S	Associated Newspapers of Ceylon Limited
2	Daily News – E	
3	Sunday Observer – E	
4	Thinakaran – T	
5	Rasa – S	
6	Silumina - S	
7	Mawbima (Daily) - S	Ceylon Newspapers Private Limited
8	Ceylon Today – E	
9	Sunday Mawbima – S	
10	Lankadeepa (Daily) – S	Wijaya Newspapers Limited
11	Ada – S	
12	Deshaya – S	
13	Sunday Lankadeepa – S	
14	Daily Mirror – E	
15	Daily FT – E	
16	Sunday Times – E	
17	Tamil Mirror -T	Upali Newspapers Private Limited
18	Diwaina (Daily) – S	
19	The Island – E	
20	Sunday Diwaina - S	
21	Sunday Island – E	Liberty Publishers Private Limited
22	Aruna (Daily) – S	
23	Sunday Aruna - S	
24	Sunday Morning – E	Ravaya Publishers Limited
25	Ravaya – S	
26	Veerakesari – T	Express Newspapers Ceylon Limited
27	Metro News – T	
28	Thinakkural – T	Asian Media Publications Private Limited
29	Udaya Sooriyan – T	
30	Lanka	Royal Media International Private Limited

Annexure 06: List of Monitored Electronic Media (Television & Radio Channels)

No.	Television Channel
1	Sri Lanka Rupavahini Corporation
2	Sirasa TV
3	Ada Derana
4	Hiru TV
5	ITN
6	TNL
7	Swarnawahini
8	Siyatha TV
9	Shakthi




No.	Radio Channel
1	Neth FM
2	Sirasa FM
3	FM Derana
4	ITN FM
















Annexure 07: List of RTI Applications

Type of Institution	No	Specific Institution
Electronic Media - Radio Channels		
Sri Lanka Broadcasting Corporation (SLBC)	1	Swadeshiya Sewaya – Sinhala
	2	Swadeshiya Sewaya – English
	3	City FM
	4	Commercial Service
Capital Maharaja Organization	5	Y FM
	6	Sirasa FM
	7	Shakthi FM
	8	Yes FM
Independent Television Network	9	ITN FM
Power House Media	10	Derana FM
Asia Broadcasting Corporation (Pvt) Ltd	11	Hiru FM
	12	Sha FM
	13	Sooriyan Fm
	14	Gold FM
	15	Sun FM
Voice of Asia Network (Pvt.) Ltd	16	Siyatha FM
Asset Media Network	17	Neth FM
Telshan network (Pvt) Ltd	18	TNL FM
Lak view Broadcasting Co.(Pvt) Ltd	19	Lak FM
Lanka Television Network (Pvt.) Ltd	20	Vee FM
Colombo Communication Limited	21	Ran FM
	22	Y FM
	23	E FM
Electronic Media - Television Channels		
Sri Lanka Rupavahini Corporation	24	Jathika Rupavahini
	25	Channel Eye
	26	Nethra TV
Capital Maharaja Organization	27	News First
	28	Sirasa TV
	29	Tv 1- My Tv
	30	Shakthi TV
Independent Television Network	31	ITN TV
	32	Vasantham TV
Power House Media	33	TV Derana
EAP Broadcasting Company Limited	34	Swarnawahini TV
	35	ETV
Voice of Asia Network (Pvt) Ltd	36	Siyatha TV
ART Television Broadcasting Company (Private) Limited	37	ART TV

Telshan network (Pvt) Ltd	38	TNL TV
Printed Media – Newspapers		
Associated Newspapers of Ceylon Limited (ANCL)	39	Dinamina
	40	Resa
	41	Daily News
	42	Sunday Observer
	43	Thinakkaran
Wijeya Newspapers (WNL)	44	Lankadeepa
	45	Ada
	46	Deshaya
	47	Daily FT
	48	Daily Mirror
	49	Sunday Times
Ceylon Newspapers (Pvt) Limited	50	Tamil Mirror
	51	Ceylon Today
Upali Newspapers Limited	52	Mawbima
	53	Diwaina
Asian Media Publications (Pvt) Ltd	54	The Island
	55	Thinakkural
Ravaya Publications	56	Metro News
	57	Ravaya
Express Newspapers (Ceylon) Limited	58	Veerakesari
	59	Udayasooriyan
Liberty Publishers (Pvt) Ltd	60	Aruna
	61	The Morning
Royal Media International	62	Lanka
Other Institutions		
Other Institutions	63	Civil Aviation Authority
	64	Sri Lanka Foundation
	65	Institute (SLFI) Ceylon Transport Board (CTB)
	66	Fits Aviation (Pvt) LTd
	67	Daya Aviation (Pvt) Ltd
	68	Millennium Airlines (Pvt) Ltd
	69	Senok Aviation (Pvt) Ltd
Airlines Domestic Operators	70	Saffron Aviation (Pvt) Ltd
	71	Richy Skylark (Pvt) Ltd
	72	IWS Aviation (Pvt) Ltd
	73	Sakurai Aviation (Pvt) Ltd
	74	Fly Southern (Pvt) Ltd
	75	F- Airways Limited

Annexure 08: List of Candidates for Presidential Election 2019

No.	Name of Candidate	Name of Party	Party Abbreviation	Symbol
01	Aparekke Pungngananda Thero	Abheetha Sapumal Senanayake	IND01	
02	S. Amarasinghe	Kalanchi Devage Isuru Chathuranga Gunasena	IND02	
03	Idroos Mohamadhu Illiyas	Muhammad Saleef Muhammad Nasmir	IND03	
04	A.H.M Alavi	Gunarathna Adikari Mudayanselage Piyal Devapriya Gunarathna	IND04	
05	Ariyawansha Disaanayake	Democratic United National Front	DUNF	
06	P.M Edirisinhge	Okkoma Wesiyo Okkoma Rajawaru Sanwidanaya	OWORS	
07	Sarath Keerthirathne	Tisahan Manjula Wellalage	IND05	
08	Chandrasekara Herath Hitihami Koralalage Samansiri	B.M.J Thusahara Mendis	IND06	
09	Sirithunga Jayasuriya	Unaited Socialist Party	USP	
10	Ajantha De Zoysa	Ruhuna Janatha Alliance	RJA	
11	Aruna De Zoysa	Democratic National Movement	DNM	
12	Anura Kumara Dissanayaka	National Movement for People's Power	NMPP	
13	Duminda Nagamuwa	Frontline Socialist Party	FSP	

14	Rohan Pallewatta	Jathika Sangwardhena Peramuna	JSWP	
15	Ketagoda Jayantha	Wellawatta Arachchige Duminda Chathuranga Silva	IND07	
16	Saman Perera	Our Power Of People Party	OPPP	
17	Anurudhdha Polgampola	K Kosala Haripriya Perera	IND08	
18	Warnakulasooriya Milroy Surgeus Fernondo	Bandara Lokuge Rohan Udayakantha Fernando	IND09	
19	Sajith Premadasa	New Democratic Front	NDF	
20	Battaramulle Seelarathana Thero	Janasetha Peramuna	JSP	
21	Bedde Gamage Nandimithra	Nawa Samaja Party	NSSP	
22	Sarath Manamendra	Nawa Sihala Urumaya	NSU	
23	M.K Shivajilingam	Sasidaran Anandi	IND10	
24	M.L.A.M Hizbullah	Mohamad Sahabdeen Mohomad Ikran	IND11	
25	Gotabaya Rajapaksa	Sri Lanka Podujana Peramuna	SLPP	
26	Namal Rajapaksa	National Unity Alliance	NUA	
27	A.S.P Liyanage	Sri Lanka Labour Party	SLLP	
28	Ashoka Wadigamangawa	Weerawanni Mudayanselage Sumudu Jayamali Weerawanni	IND12	

29	Piyasiri Wijenayake	Wanasinghe Arachchilage Ranjith Wanasinghe	IND13	
30	Ajantha Perera	Socialist Party Of Sri Lanka	SPSL	
31	Rajeeva Wijesinha	Bandarage Sarath Buddhadasa	IND14	
32	Pani Wijesiriwardana	Socialist Equality Party	SEP	
33	Samaraweera Weerawanni	Kumarasinghe Widanalage Don Nalani Padmalatha	IND15	
34	Subbhramaniyam Gunarathnam	Our National Front	ONF	
35	Mahesh Senanayake	National Peoples Party	NPP	



CENTRE FOR MONITORING ELECTION VIOLENCE
මැතිවරණ ප්‍රචණ්ඩක‍්‍රියා නිරීක්ෂණ මධ්‍යස්ථානය
தேர்தல் வன்முறைகளைக் கண்காணிப்பதற்கான நிலையம்