

Australian Government Department of Home Affairs

Situational Update

Iran: Recent protests

Country of Origin Information Services Section (COISS) Humanitarian Program Capabilities Branch Effective from 19 January 2018

About this product

This situational update will examine aspects of the recent protests, including regime responses to the protests and the key differences between the 2017–2018 protests and the 2009 protests.

Iran: Recent protests

On 28 December 2017, a protest in Mashad spread to other locations in every Iranian province. The original protest was arranged by conservative pro-regime elements to put pressure on the moderate Iranian President Rouhani.¹ Estimates of the number of towns and villages in which protests occurred varies (*Radio Farda* reports 'more than 100 cities'²). While initially about the economy³, protesters began criticising Iranian foreign interference and even began calling for Khamenei's removal.⁴ It is unknown how many protesters there were in total. Security forces arrested several thousand protesters, many of whom have subsequently been released.⁵ An estimated 25 people were killed during the protests, including up to six whilst being detained. Protests mostly ended after a regime show of force on 3 and 4 January 2018.⁶

¹ <u>'Protests Spread in Iran. Will Trump Help or Hurt The Cause of Freedom?'</u>, Daily Beast (United States), 30 December 2017, CXC90406620248

² <u>'UN's Jahangir Says Iran Must Be Transparent About Protest Detainees'</u>, Radio Farda (Czech Republic), 13 January 2018, CXBB8A1DA20308

³ <u>'Protests in Iran stretch into third day despite government warnings'</u>, Washington Post (United States), 30 December 2017, CXC90406620061; <u>'Protests in Iran Took Many By Surprise—But Not Iranian Labor Activists'</u>, The Intercept, 6 January 2018, CXBB8A1DA145

⁴ <u>'Iranians Are Mad as Hell About Their Foreign Policy'</u>, Washington Institute for Near East Policy (United States), 2 January 2018, CXBB8A1DA42; <u>'Protests in Iran: Social Challenges vs. Foreign Policy Ambitions'</u>, Begin-Sadat Center for Strategic Studies (Israel), 3 January 2018, CXBB8A1DA129; <u>'Iranian protest 'Military adventurism' at</u> <u>the core of citizens outcry'</u>, Defense News (United States), 6 January 2018, CXBB8A1DA213 <u>⁵ 'Iran frees 440 people arrested during protests'</u>, Reuters (United Kingdom), 16 January 2018,

CXBB8A1DA20287; <u>'22 Killed and Hundreds Arrested as Iran's Supreme Leader Blames Protests on Foreign</u> <u>"Enemies"</u>, Center for Human Rights in Iran (United States), 3 January 2018, CXBB8A1DA104; <u>'At least 8,000</u> <u>people have been detained during Iran protests</u>, Al-Arabiya (United Arab Emirates), 11 January 2018, CXBB8A1DA20426; CXBB8A1DA20508

⁶ <u>'Iranian Demonstrator Says Anger Still Alive, Even If Protests Have Ebbed'</u>, Radio Farda (Czech Republic), 10 January 2018, CXBB8A1DA381; <u>'Defending the Sacred Regime in Iran with Baton Wielding School Kids'</u>, Radio Zamaneh (Netherlands), 5 January 2018, CXBB8A1DA265. There were reports of continued protests in some

Counter protests were also held in support of the regime.⁷

Regime responses

Police response, including arrests

Initially, police attempted to disperse the protests. Later, they were joined by *basij* units⁸ and, later still, the Revolutionary Guards.⁹ There are claims that the *basij* attempted to infiltrate the crowds whilst wearing casual clothes¹⁰, and others that they used violent tactics, including knives. In some locations, protesters set fire to security forces' offices or other infrastructure.¹¹ Likewise, in some locations, security forces used live fire to dispel protesters.¹² However, many analysts have pointed to the fact that many of the protesters, being working class and conservative, were from the ideological heartland of the revolution, and so security forces were more restrained with them than they were with the reform minded, secular protesters in 2009. It is of interest that most protester deaths occurred in border provinces, where non-Persian populations predominate.¹³

There are contrasting claims as to the number of people arrested. Authorities claim that 'more than 1000' were arrested, while a reformist parliamentarian said that at least 3700 had been arrested.¹⁴ However, the Dubai-based *al-Arabiya* claimed that over 8000 people were detained.¹⁵ Many of those arrested were taken to Evin prison in Tehran or Rajaee Shahr prison in Karaj.¹⁶ It is unclear how many have been released. According to official sources, 400 are still being detained.¹⁷ Authorities have been accused of pressuring detainees to admit to being drug addicts to speed up their release.¹⁸ A number of student activists were, apparently, pre-emptively arrested.¹⁹

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cities as late as 6 January. 'IRGC Says Iran's Antigovernment Protests 'Defeated'', Radio Farda (Czech Republic), 7 January 2018, CXBB8A1DA269

⁷ 'Iran stages pro-government rallies, cleric urges firm punishment for protest leaders', Reuters (United Kingdom), 5 January 2018, CXBB8A1DA20522

⁸ <u>'Casualties and Arrests Mount As Iranian Protests Continue'</u>, Center for Human Rights in Iran (United States), 2 January 2018, CXBB8A1DA109

⁹ 'Nobel peace laureate Ebadi urges Iranians to keep up protests', Special Broadcasting Service (Australia), 5 January 2018, CXBB8A1DA114

¹⁰ <u>'Defending the Sacred Regime in Iran with Baton Wielding School Kids'</u>, Radio Zamaneh (Netherlands), 5 January 2018. CXBB8A1DA265

 ¹¹ <u>'Iran: Running Under the Howling Bullets'</u>, Radio Zamaneh (Netherlands), 5 January 2018, CXBB8A1DA266
 ¹² <u>'Iran: Running Under the Howling Bullets'</u>, Radio Zamaneh (Netherlands), 5 January 2018, CXBB8A1DA266

¹³ 'Provinces Lead the Center in Iran's Protests', Washington Institute for Near East Policy (United States), 4 January 2018, CXBB8A1DA100

¹⁴ <u>'Iran frees 440 people arrested during protests'</u>, Reuters (United Kingdom), 16 January 2018, CXBB8A1DA20287; <u>'22 Killed and Hundreds Arrested as Iran's Supreme Leader Blames Protests on Foreign</u>

[&]quot;Enemies", Center for Human Rights in Iran (United States), 3 January 2018, CXBB8A1DA104

¹⁵ <u>'At least 8,000 people have been detained during Iran protests'</u>, Al-Arabiya (United Arab Emirates), 11 January 2018, CXBB8A1DA20426

¹⁶ 'Casualties and Arrests Mount As Iranian Protests Continue', Center for Human Rights in Iran (United States), 2 January 2018, CXBB8A1DA109

¹⁷ <u>'Khatami Urges Regime To Listen To Protesters'</u>, Radio Farda (Czech Republic), 17 January 2018, CXBB8A1DA20508; 'Iran frees 440 people arrested during protests', Reuters (United Kingdom), 16 January 2018, CXBB8A1DA20287

¹⁸ <u>'Detained Iranian Protesters Told to Admit Being Drug Addicts to Speed Up Release'</u>, Center for Human Rights in Iran (United States), 18 January 2018, CXBB8A1DA20512

¹⁹ 'University Students Stand Up For Detained Peers', Radio Farda (Czech Republic), 15 January 2018, CXBB8A1DA20516

An estimated 25 people were killed during the protests²⁰, including protesters, security forces and passers-by.²¹ Up to six detainees died whilst in custody.²² While authorities are mostly claiming suicide, others have claimed that they were murdered or tortured to death.²³ Forty parliamentarians (of Iran's 290-seat parliament) sent a letter to the Speaker (who is the brother of Iran's head of judiciary) demanding an independent investigation into the deaths.²⁴

Counter rallies

A number of counter rallies in support of the regime were held in a number of Iranian cities during the unrest.²⁵ The biggest appears to have been held after Friday prayers on 5 January, when 'tens of thousands' took part.²⁶ Unlike the other protests, these marches were broadcast on state television.

Internet access

During the recent protests, authorities dramatically slowed down Internet speeds²⁷ and demonstrated an ability to cut foreign servers (and 'problematic' apps) while maintaining normal Internet speeds to Iranian servers with approved news sources.²⁸ Several applications—notably Telegram—were blocked completely. The restriction was lifted a week after protests stopped.²⁹ Some social media administrators were arrested for publishing news about the protests.³⁰

Differences from 2009

²² There is contradictory and changing information in regards to the number; clarity will be achieved over time. <u>'Iranian protester who died in custody 'was forced to take pills"</u>, The Guardian (United Kingdom), 18 January 2018, CXBB8A1DA20493; 'Killing of Three Other Detained Youth in Sanandaj and Zanjan Torture Chambers', Iran Freedom, 16 January 2018, CXBB8A1DA20488; 'Two activists die in Iranian prison after being tortured for participating in the protest', Kurdistan24, 14 January 2018, CXBB8A1DA20299; 'Intelligence Ministry Agents Intimidate Family of Slain Farmer Killed at Protest', Center for Human Rights in Iran (United States), 12 January 2018, CXBB8A1DA20310. The father of one of those allegedly beaten to death was later allegedly to admit on national television that his son was killed during the protests. 'Intelligence Ministry Forces Father of Slain Protester to Repeat Authorities' Version of Events on State TV', Center for Human Rights in Iran (United States), 16 January 2018, CXBB8A1DA20326

²³ <u>'Iranian Kurdish Activist was Reportedly Killed in Custody'</u>, Iran Human Rights (Norway), 16 January 2018, CXBB8A1DA20427; 'Emerging Evidence Contradicts Official Claims of Detainee Suicides', Radio Farda (Czech Republic), 12 January 2018, CXBB8A1DA20519

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²⁰ <u>'Intelligence Ministry Agents Intimidate Family of Slain Farmer Killed at Protest'</u>, Center for Human Rights in Iran (United States), 12 January 2018, CXBB8A1DA20310

²¹ <u>'Intelligence Ministry Agents Intimidate Family of Slain Farmer Killed at Protest'</u>, Center for Human Rights in Iran (United States), 12 January 2018, CXBB8A1DA20310; '22 Killed and Hundreds Arrested as Iran's Supreme Leader Blames Protests on Foreign "Enemies", Center for Human Rights in Iran (United States), 3 January 2018, CXBB8A1DA104

²⁴ 'MPs Call For Independent Probe Of Detainee Deaths', Radio Farda (Czech Republic), 15 January 2018, CXBB8A1DA20291

²⁵ 'In photos: Thousands take to Iranian streets in support of government', Talk Radio (United Kingdom), 5 January 2018, CXBB8A1DA20526; 'Iranians rally in support of government and supreme leader', Guardian (United Kingdom), 30 December 2017, CXC90406620245; 'Iran stages pro-government rallies, cleric urges firm punishment for protest leaders', Reuters (United Kingdom), 5 January 2018, CXBB8A1DA20522; "Big Mouth Basiji' Takes Offensive In Defense Of Iranian Regime', Payvand, 18 January 2018, CXBB8A1DA20524 ²⁶ 'Iran stages pro-government rallies, cleric urges firm punishment for protest leaders', Reuters (United Kingdom), 5 January 2018, CXBB8A1DA20522

²⁷ 'Iran's Severely Disrupted Internet During Protests: "Websites Hardly Open", Center for Human Rights in Iran

⁽United States), 2 January 2018, CXBB8A1DA67 ²⁸ <u>(Internet Cut-Off During Recent Unrest in Iran Reveals Tehran's New Cyber Capabilities</u>), Center for Human Rights in Iran (United States), 10 January 2018, CXBB8A1DA339;

²⁹ What unblocking Telegram app means to Iranians', Al-Jazeera (Bahrain), 15 January 2018, CXBB8A1DA20288

³⁰ <u>'Security forces arrest social media admins publishing Iran protest news'</u>, Iran Human Rights Monitor (United States), 7 January 2018, CXBB8A1DA264

There are some key differences between the 2017–2018 protests and those of 2009. These are:

- in 2009, the spark to the unrest was allegations of election fraud, whereas in 2017 the spark was underlying frustration about the economic situation³¹ and, in some areas, the environment³²;
- in 2009, the protests took place only in the big cities whereas in 2017, the protests began in smaller cities on Iran's periphery and spread³³;
- the 2009 protests largely consisted of reformist, middle class urban Iranians, whereas the recent
 protests largely consisted of conservative working class Iranians³⁴ (indeed, the reformists
 associated with the 2009 protests did not back the recent unrest³⁵);
- the 2017–2018 protests had no defined leader³⁶;
- the 2017–2018 protests had a significant ethnic element³⁷; and
- while the 2009 protests involved more people, the 2017–2018 unrest is in a larger number of locations.

The participation of ethnic minorities in the protests was significant. In an implicit recognition that the Islamic foundations of the Islamic Republic do not hold the loyalty of all Iranians, Iran has engaged in recent years on a drive toward Iranian patriotism. While this has helped shore up the Islamic Republic's foundations, it has also contributed to the alienation of some of Iran's non-Persian minorities, in particular the Arab and Kurdish minorities. Ethnic minorities were a key element of the recent protests, whereas in 2009 they largely remained on the sidelines.³⁸ In non-Persian areas, ethnic marginalisation (and, sometimes, environmental degradation³⁹) amplifies a poor economic situation.⁴⁰

The recent protests were not revolutionary; they were largely about the economy. A key factor of the Islamic Revolution was a focus on the poor and marginalised.⁴¹ The recent protests were sparked by and largely focused on the economic situation; protesters accused the regime of breaking

³¹ <u>'Protests in Iran: Social Challenges vs. Foreign Policy Ambitions'</u>, Begin-Sadat Center for Strategic Studies (Israel), 3 January 2018, CXBB8A1DA129; <u>'Protests in Iran Took Many By Surprise—But Not Iranian Labor</u> <u>Activists'</u>, The Intercept, 6 January 2018, CXBB8A1DA145

³² <u>'A long-simmering factor in Iran protests: climate change'</u>, Los Angeles Times (United States), 17 January 2018, CXBB8A1DA20495

³³ Persian rural and peripheral areas are typically conservative and pro-regime. That these areas, not the progressive middle class urban areas, began the protest is significant. Some have suggested the initial protests, about the economy, were organised by conservative elements aimed at pressuring moderate President Rouhani, and only later expanded to more general criticisms of the regime. <u>'Protests in Iran: Social Challenges vs. Foreign Policy Ambitions'</u>, Begin-Sadat Center for Strategic Studies (Israel), 3 January 2018, CXBB8A1DA129; <u>'Provinces Lead the Center in Iran's Protests'</u>, Washington Institute for Near East Policy (United States), 4 January 2018, CXBB8A1DA100

³⁴ <u>'Protests in Iran Took Many By Surprise—But Not Iranian Labor Activists'</u>, The Intercept, 6 January 2018, CXBB8A1DA145

³⁵ <u>'Were Reformists The Biggest Losers In Iran Protests'</u>, Radio Farda (Czech Republic), 18 January 2018, CXBB8A1DA20513

³⁶ <u>'Provinces Lead the Center in Iran's Protests'</u>, Washington Institute for Near East Policy (United States), 4 January 2018, CXBB8A1DA100; <u>'Protests in Iran: Social Challenges vs. Foreign Policy Ambitions'</u>, Begin-Sadat Center for Strategic Studies (Israel), 3 January 2018, CXBB8A1DA129; <u>'Protests in Iran Took Many By</u> <u>Surprise—But Not Iranian Labor Activists'</u>, The Intercept, 6 January 2018, CXBB8A1DA145

³⁷ <u>'Provinces Lead the Center in Iran's Protests'</u>, Washington Institute for Near East Policy (United States), 4 January 2018, CXBB8A1DA100; <u>'Kurdish-Iranian Groups Support Protests for Democracy in Iran'</u>, Jerusalem Post (Israel), 1 January 2018, CXBB8A1DA132

³⁸ <u>'Provinces Lead the Center in Iran's Protests'</u>, Washington Institute for Near East Policy (United States), 4 January 2018, CXBB8A1DA100

³⁹ <u>'A long-simmering factor in Iran protests: climate change'</u>, Los Angeles Times (United States), 17 January 2018, CXBB8A1DA20495

⁴⁰ <u>'Provinces Lead the Center in Iran's Protests'</u>, Washington Institute for Near East Policy (United States), 4 January 2018, CXBB8A1DA100

⁴¹ <u>'In Iran's surprise uprising of the poor, dents to revolution's legitimacy'</u>, Christian Science Monitor (United States), 5 January 2018, CXBB8A1DA150

its revolutionary social contract.⁴² The last few months has seen an increase in strikes and smaller protests regarding the economy in the country's periphery.⁴³ The working class in Iran (especially in rural areas) are typically conservative and pro-regime. In 2009, the progressive, middle class urban elite protested, and the working class stayed silent. In 2017–2018, this was largely reversed (though there were protests at universities).

⁴² <u>'In Iran's surprise uprising of the poor, dents to revolution's legitimacy'</u>, Christian Science Monitor (United States), 5 January 2018, CXBB8A1DA150

⁴³ <u>'Protests in Iran Took Many By Surprise – But Not Iranian Labor Activists'</u>, The Intercept, 6 January 2018, CXBB8A1DA145; <u>'Sugar Cane Factory Workers Launch Collective Strike'</u>, Radio Farda (Czech Republic), 8 January 2018, CXBB8A1DA268; <u>'More Labor Protests Show Pains Of Privatization In Iran'</u>, Radio Farda (Czech Republic), 24 October 2017, CXC90406616466; <u>'Spike in Labor Protests in Iran is Changing the Political Milieu'</u>, Radio Zamaneh (Netherlands), 29 September 2017, CXC90406615725



Australian Government **Department of Home Affairs**

Situational Update

Pakistan: 25 July 2018 General Elections

Country of Origin Information Services Section (COISS)

Humanitarian Program Capabilities Branch

Effective from 30 August 2018

Overview and results

General elections were held on 25 July 2018, to elect the members of the National Assembly and the four Provincial Assemblies. The voter participation rate was 52 per cent, slightly down from 55 per cent in the last elections in 2013.¹ The key contenders were the incumbent Pakistan Muslim League-Nawaz (PML-N), the Pakistan Peoples Party (PPP) and the Pakistan Tehreek-e-Insaf (PTI).² Women, minorities, disabled and transgender people remained under-represented in the electoral process.³ To date, the results for 270 of the 272 contestable seats in the National Assembly⁴ have been announced.5

Imran Khan's PTI party won the most seats, having secured 112 in the National Assembly.⁶ However, the PTI fell short of the 137 seats needed to form government creating a hung parliament and the need to establish a coalition government with independent candidates or smaller regional parties.⁷ After over a week of talks, the PTI announced it had obtained the support of the Muttahida Qaumi Movement-Pakistan (MQM-P) party and eight of the elected 13 independent candidates, giving it the

- ⁵ '<u>Results: Pakistan elections 2018</u>', Al Jazeera, live website ⁶ '<u>Results: Pakistan elections 2018</u>', Al Jazeera, live website

¹ 'Positive changes to the legal framework were overshadowed by restrictions on freedom', European Union Bection Observation Mission Islamic Republic of Pakistan, 27 July 2018, p.1, CIS7B839411845; 'Pakistan elections 2018: All the latest updates', Al Jazeera, 27 July 2018, CIS7B839418831

^{&#}x27;Positive changes to the legal framew ork were overshadowed by restrictions on freedom', European Union Election Observation Mission Islamic Republic of Pakistan, 27 July 2018, p.3, CIS7B839411845

³ 'Women, minorities under-represented in polls, says EU observers report', Express Tribune, 29 July 2018, CXBB8A1DA32427

⁴ 60 seats in the National Assembly are reserved for women and 10 are reserved for minorities.

⁷ PTI-led government in Pakistan likely to be stable; infrastructure projects, energy contracts likely to be review ed', Jane's Intelligence Digest, 27 July 2018, CXBB8A1DA32438; 'After Pakistan's Heated Election, Parties Lend Support to Imran Khan', The New York Times, 28 July 2018, CXBB8A1DA32429

numbers required to establish a coalition government.⁸ The MQM-P has long dominated politics in Karachi.⁹ Khan was sworn in as prime minister of Pakistan on 18 August 2018.¹⁰

The PTI is a centre-right party that has traditionally drawn its support from Khyber Pakhtunkhwa (KP) province, which it has governed since 2013. However, during the recent elections, support for the PTI grew across the country, particularly in the former PML-N heartland of southern and northern Punjab, where the PTI won control.¹¹ The PTI drew significant support from Pakistan's youth and the military, who have competing expectations about Prime Minister Khan's promises to address corruption.¹² Prime Minister Khan ran on an anti-corruption and nationalist platform, whilst also expressing his support for the powerful military establishment.¹³ He has also aligned himself with the religious right, publically supporting the Taliban and Pakistan's blasphemy laws.¹⁴ The PTI's policy platform focuses on reforms to the police, local government and criminal justice system, corruption and infrastructure development.¹⁵

The biggest loser from the elections was the outgoing PML-N party, which will see its presence in the National Assembly halved to 64 seats. ¹⁶ Parties aligned with the religious right, including Jamiat Ulema Islam-FazI (JUI-F), and Jamaat-e-Islami (JI), largely failed at the polls, winning just 13 seats nationally. ¹⁷ The PML-N, PPP and smaller parties have rejected the results, alleging vote rigging and irregularities. ¹⁸ Key opposition groups ruled out boycotting the next parliament, instead announcing the formation of a possible 'grand coalition alliance' consisting of the PML-N, PPP, Muttahida Majlis-i-Amal (MMA) and Awami National Party (ANP) to protest the election results from within the next parliament. ¹⁹ However, it is unclear if and how this will eventuate; the PML-N and PPP suffer from inter and intra-party feuds and differences which may prevent unity. ²⁰ So far, widespread national protests against the election results have not occurred and demonstrations have been largely concentrated in Khyber Pakhtunkhwa (KP) and Sindh provinces.²¹ On 8 August 2018, hundreds of

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⁸ <u>'MQM-P lends support to PTI in forming federal govt</u>', Express Tribune, 01 August 2018, CXBB8A1DA32854; <u>'Khan's party says it has enough support to form Pakistan government</u>', Reuters, 04 August 2018,

CXBB8A1DA32853; <u>'PTI, MQM-P seal pow er-sharing deal</u>', The Nation, 04 August 2018, CXBB8A1DA32852; <u>'MQM-P, PTI sign nine-point MoU for government formation</u>', Geo TV, 04 August 2018, CXBB8A1DA32851 ⁹ <u>'Khan's party says it has enough support to form Pakistan government</u>', Reuters, 04 August 2018,

CXBB8A1DA32853

¹⁰ <u>Imran Khan vow s to cut government expenses, tackle corruption</u>', Aljazeera, 20 August 2018, CXBB8A1DA33838; <u>Prime Minister Imran Khan - PTI chairman sw orn in as 22nd premier of Pakistan</u>', Daw n, 18 August 2018, CXBB8A1DA33828

¹¹ imran Khan party improves services in Pakistan's wildest province', The Economist, 8 June 2017,

CXC90406621246; <u>'Seven things Pakistan's election results reveal</u>', Aljazeera, 28 July 2018, CXBB8A1DA32423

¹² <u>The Political Hurdles for Imran Khan's Government</u>, The Diplomat, 3 August 2018, CXBB8A1DA32856

¹³ 'Pakistan's 2018 election, explained', VOX, 25 July 2018, CXBB8A1DA34425

¹⁴ With Imran Khan as New Leader, Pakistan Could Reshape Its Image', The New York Times, 29 July 2018, CXBB8A1DA32428; 'Pakistan's Election May Further Fracture its Polity', Atlantic Council, 24 July 2018, CXBB8A1DA32447

¹⁵ '<u>PTI-led government in Pakistan likely to be stable; infrastructure projects, energy contracts likely to be review ed</u>', Jane's Intelligence Digest, 27 July 2018, CXBB8A1DA32438

¹⁶ <u>'PTI-led government in Pakistan likely to be stable: infrastructure projects, energy contracts likely to be review ed'</u>, Jane's Intelligence Digest, 27 July 2018, CXBB8A1DA32438

 ¹⁷ 'Seven things Pakistan's election results reveal', Aljazeera, 28 July 2018, CXBB8A1DA32423
 ¹⁸ 'Did Pakistan's Imran Khan wina "dirty" election or a real mandate?', Brookings Institution, 27 July 2018, CXBB8A1DA32445; 'Pakistan parties vow to oppose Khan, say vote w as 'rigged", Associated Press, 30 July 2018, CXBB8A1DA32505; 'Party of Pakistan's jailed ex-PM rejects election count amid rigging complaints', Reuters, 26 July 2018, CXBB8A1DA32579

¹⁹ <u>'PML-N decides against parliament boycott</u>', The Express Tribune, 29 July 2018, CXBB8A1DA32425; <u>'PPP</u> <u>joining parliament to bolster democracy</u>', Daily Times, 1 August 2018, CXBB8A1DA32604; <u>'After Pakistan's</u> <u>Heated Election, Key Parties Lend Support to Imran Khan</u>', The New York Times, 28 July 2018, CXBB8A1DA32429; <u>'Grand opposition alliance taking shape in parliament</u>', Daw n, 31 July 2018, CXBB8A1DA32590; <u>'Opposition parties mull joint strategy to tackle PTI in parliament</u>', Daw n, 30 July 2018,

CXBB8A1DA32591

 ²⁰ '<u>The Political Hurdles for Imran Khan's Government</u>', Diplomat, 03 August 2018, CXBB8A1DA32856
 ²¹ '<u>Sindh-wide protests - GDA, other parties see manipulation in elections</u>', Express Tribune, 04 August 2018, CXBB8A1DA32888; '<u>Seven things Pakistan's election results reveal</u>', Aljazeera, 28 July 2018, CXBB8A1DA32423

opposition supporters of the PML-N, PPP and Awami National Party (ANP) demonstrated outside the Election Commission in Islamabad to reject the election results and call for a parliamentary commission to investigate allegations of vote rigging.²²

The European Union Election Observer Mission (EU EOM) provided a mixed assessment in its preliminary findings, stating that while overall the election results were credible, the election process was not as good as in 2013.²³ The EU EOM noted several serious issues including problematic vote counting, delays in the submission of results from polling stations, and a negative political environment characterised by a notable lack of opportunity and an uneven playing field for some candidates, and efforts by state and non-state actors to stifle election coverage.²⁴ These concerns were echoed by the Human Rights Commission of Pakistan.²⁵

Members of the incumbent PML-N party were arrested in the lead up to the elections. On 6 July 2018, former prime minister and PML-N leader Nawaz Sharif and his daughter Maryam were convicted in absentia in Pakistan on corruption charges. Nawaz Sharif was sentenced to 10 years in prison and a \$10.5 million fine and Maryam Sharif to seven years in prison and a \$2.6 million fine.²⁶ On 13 July 2018, they were taken into custody after arriving in Lahore from the UK. They have lodged appeals.²⁷ On 17 July 2018, police opened criminal cases against nearly 17,000 PML-N members in Punjab over allegedly breaking election rules. Hundreds of PML-N members were also detained by the police in Lahore, reportedly to prevent the party from staging a welcome-home rally upon Sharif's return to the country.²⁸

Please see the **Pakistan Common Claims** briefing for information on the crackdown on human rights defenders, activists, journalists and civil society members that occurred ahead of the elections.²⁹

Electoral violence

After a relatively quiet start, there was an increase in violent attacks and threats in the two weeks leading up to, and on, election day targeting political parties, party leaders, candidate and election officials.³⁰ During this period, attacks on political party candidates killed more than 150 people and injured hundreds of others.³¹ Deadly attacks by militant groups during Pakistani elections are a persistent problem.³² Nevertheless, electoral violence during the recent elections was relatively lower than was experienced during the last elections in 2013, during which 148 terrorist attacks targeting

²² '<u>Pakistan opposition parties protest election results</u>', Aljazeera, 08 August 2018, CXBB8A1DA33607

²³ <u>'EU mission says election results credible; criticises pre-poll 'environment', uneven playing field</u>', Daw n, 27 July 2018, CXBB8A1DA32585

²⁴ '<u>Positive changes to the legal framew ork w ere overshadow ed by restrictions on freedom</u>', European Union Election Observation Mission Islamic Republic of Pakistan, 27 July 2018, pp.2-3, CIS7B839411845

²⁵ '<u>Post-polls, HRCP emphasizes commitment to 'civil supremacy'</u>, Human Rights Commission of Pakistan, 31 July 2018, CXBB8A1DA32611; '<u>Poor first impressions of polling day – HRCP</u>', Human Rights Commission of Pakistan, 25 July 2018, CXBB8A1DA32613

²⁶ <u>Ex-PM Naw az Sharif and daughter arrested on return to Pakistan</u>', Aljazeera, 14 July 2018, CXBB8A1DA31615

 ²⁷ '<u>Naw az, Maryam and Safdar file appeals against Avenfield verdict</u>', Daw n, 16 July 2018, CXBB8A1DA31736
 ²⁸ '<u>Police open criminal cases against 17,000 members of Pakistan's outgoing ruling party</u>', Reuters, 17 July 2018, CXBB8A1DA31761; '<u>Academics censure crackdow n on PML-N w orkers</u>', Daily Times, 13 July 2018, CXBB8A1DA31750; '<u>Over 100 PML-N w orkers detained in Lahore ahead of Naw az Sharif's return</u>', Geo TV, 11 July 2018, CXBB8A1DA31447

²⁹ This paper is available on CISNET under the reference CR239EC8151.

 ³⁰ '<u>Positive changes to the legal framew ork w ere overshadow ed by restrictions on freedom</u>', European Union Election Observation Mission Islamic Republic of Pakistan, 27 July 2018, p.3, CIS7B839411845; '<u>Clashes, violence mar polling in various constituencies: at least 2 killed</u>', Daw n, 25 July 2018, CXBB8A1DA32455
 ³¹ '<u>Pakistan: Militant Attacks Escalate As Election Nears</u>', Human Rights Watch, 17 July 2018,

CXBB8A1DA32440

³² <u>'Pakistan: Militant Attacks Escalate As Election Nears</u>', Human Rights Watch, 17 July 2018, CXBB8A1DA32440

political leaders, workers, election candidates, offices, rallies and polling stations killed 170 people and injured 743 others.³³ Notable incidents surrounding the recent elections are provided below; please note this is not an exhaustive list.

- On election day, 31 people were killed and at least 20 wounded after a suicide attack occurred near a polling station near the Tameer-i-Nau Public College Complex in Quetta's Eastern Bypass area.³⁴ A police vehicle outside the polling station was the apparent target. Islamic State claimed responsibility.³⁵ Another attack on a polling station in Baleeda, Balochistan killed four poll workers and injured others.³⁶
- On 13 July 2018, IS claimed responsibility for a bombing targeting a Balochistan Awami Party (BAP)³⁷ election rally in Mastung, Balochistan that killed at least 145 people, including BAP leader and candidate Nawabzada Siraj Raisani, and injured 300 others. The attack was one of the deadliest attacks in Pakistan's history and the deadliest since the 2014 attack on the Army Public School in Peshawar by the TTP that killed 147 people.³⁸
- On 13 July 2018, a corner meeting of former KP chief minister Akram Khan Durrani, who contested the election as a Muttahida Majlis-i-Amal (MMA)³⁹ candidate, was targeted by a bombing in Bannu, KP killing four people and injuring 32 others. Durrani was unharmed.⁴⁰ There was no immediate claim of responsibility.
- On 10 July 2018, a suicide bombing at an Awami National Party (ANP)⁴¹ campaign event in Peshawar killed 21 people including ANP leader and electoral candidate Haroon Bilour, and injured 75 others.⁴² The TTP claimed responsibility.⁴³

Regional clashes between supporters of political parties occurred on election day in all four provinces.⁴⁴ Reports of gunfire and grenade attacks on polling stations were also reported in Khuzdar district, Balochistan and Larkana, Sindh province.⁴⁵

³⁸ '<u>With 149 martyred, Mastung is one of the deadliest terrorist attacks in Pakistan's history</u>', The Express Tribune, 16 July 2018, CXBB8A1DA31578; '<u>Mastung bombing: 128 dead, over 200 injured in deadliest attack since APS, IS claims responsibility</u>', Agence France Presse, 13 July 2018, CXBB8A1DA31591; '<u>132 die in Pakistan election violence ahead of Sharif return</u>', Associated Press, 13 July 2018, CXBB8A1DA31594
 ³⁹ The MMA is described as an Islamist group and an alliance of radical religious groups. Please see: '<u>132 die in</u>

³³ 'Elections and violent conflict', Daw n, 7 May 2018, CXBB8A1DA32618

³⁴ <u>28 killed in suicide blast near Quetta polling station</u>', International News, 25 July 2018, CXBB8A1DA32177; <u>'31</u> <u>dead in Quetta explosion targeting police van</u>', Agence France Presse, 25 July 2018, CXBB8A1DA32178; <u>'31 die in suicide bombing outside Quetta polling station</u>', Daw n, 26 July 2018, CXBB8A1DA34427

³⁵ 'Islamic State claims Quetta polling station blast: AMAQ', Reuters, 25 July 2018, CXBB8A1DA32480

³⁶ Positive changes to the legal framework were overshadow ed by restrictions on freedom', European Union Election Observation Mission Islamic Republic of Pakistan, 27 July 2018, p.4, CIS7B839411845; '<u>PM condemns</u> <u>attack on security personnel protecting polling staff in Balochistan</u>', Pakistan Today, 25 July 2018, CXBB8A1DA32588

 ³⁷ For background information about the BAP, which was formed in March 2018, please see: <u>New Political Party</u>
 <u>Seen As Rehashing Old Tricks In Balochistan</u>', Gandhara, 13 July 2018, CXBB8A1DA31595
 ³⁸ With 149 martyred. Mactung is one of the deadlinet terregist effective in Political Party.

Pakistan election violence ahead of Sharif return', Associated Press, 13 July 2018, CXBB8A1DA31594 ⁴⁰ 'Four die as blast targets Durrani', The Express Tribune, 13 July 2018, CXBB8A1DA31583; 'Blast targets convoy of JUI-F leader Akram Khan Durrani in Bannu, 4 killed', Daw n, 13 July 2018, CXBB8A1DA31576 ⁴¹ The ANP is a left wing, secular, Pashtun nationalist party. Please see: 'Explainer: Pakistan's main political parties', Al Jazeera, 7 May 2013, CXC28129415758

⁴² <u>Undeterred by blast, ANP vow s to contest polls</u>', Daw n, 12 July 2018, CXBB8A1DA31413; <u>Suicide blast kills ANP candidate, supporters at election rally</u>', Aljazeera, 10 July 2018, CXBB8A1DA31296; <u>Suicide Bombing At Pakistani Election Rally Kills At Least 13</u>', Radio Free Europe / Radio Liberty, 10 July 2018, CXBB8A1DA31291; <u>Suicide bomber kills 12 at anti-Taliban party rally in Pakistan</u>', Reuters, 11 July 2018, CXBB8A1DA31289; <u>ANP leader Haroon Bilour among 12 killed in Peshaw ar blast, police say</u>', Daw n, 10 July 2018, CXBB8A1DA31286 ⁴³ <u>Undeterred by blast, ANP vow s to contest polls</u>', Daw n, 12 July 2018, CXBB8A1DA31413

⁴⁴ <u>Clashes, violence mar polling in various constituencies; at least 2 killed</u>, Daw n, 25 July 2018,

CXBB8A1DA32455; <u>'Positive changes to the legal framew ork w ere overshadow ed by restrictions on freedom</u>', European Union Election Observation Mission Islamic Republic of Pakistan, 27 July 2018, p.4, CIS7B839411845 ⁴⁵ <u>'Millions vote in Pakistan's violence-marred elections</u>', AI Jazeera, 26 July 2018, CXBB8A1DA32592

Impact of the election results

A smooth transition of power to the PTI and its governing coalition is predicted.⁴⁶ The military will continue to play a dominate role in setting the country's internal and external policies.⁴⁷ A key issue for the incoming government will be the management of Pakistan's struggling economy.⁴⁸ Prime Minister Khan and the PTI will also need to balance the competing demands of the two key groups who backed him during the election - the youth and the military.⁴⁹ While the youth vote strongly backed Prime Minister Khan's change and anti-corruption platform, the military has a vested interested in maintaining the status quo.⁵⁰

Page 5 of 5

 ⁴⁶ 'PTI-led government in Pakistan likely to be stable; infrastructure projects, energy contracts likely to be review ed', Jane's Intelligence Digest, 27 July 2018, CXBB8A1DA32438
 ⁴⁷ 'After a Volatile Election Season, What Now for Pakistan?', United States Institute of Peace, 26 July 2018,

⁴⁷ '<u>After a Volatile Election Season, What Now for Pakistan?</u>', United States Institute of Peace, 26 July 2018, CXBB8A1DA32534

⁴⁸ <u>'Moeed Yusuf on Pakistan's Elections</u>', United States Institute of Peace, 25 July 2018, CXBB8A1DA32535

⁴⁹ <u>The Political Hurdles for Imran Khan's Government</u>, The Diplomat, 3 August 2018, CXBB8A1DA32856

⁵⁰ The Political Hurdles for Imran Khan's Government', The Diplomat, 3 August 2018, CXBB8A1DA32856



Australian Government Department of Home Affairs

Situational Update

Afghanistan

Country of Origin Information Services Section (COISS) Humanitarian Program Capabilities Branch Effective from: 23 November 2018

Afghanistan – Parliamentary Elections, 2018

Parliamentary elections commenced in most provinces of Afghanistan on Saturday 20 October. Polling was extended to include Sunday 21 October, due to administrative delays and issues. Preliminary results are scheduled to be released on 20 November, however verification and administrative issues are expected to delay the outcome.¹ Final parliamentary election results are due to be announced on 15 January 2019, three months before the presidential election.²

Key points

- At least 78 people were killed and 470 mostly civilians wounded after the first day of the election.³
- At least 18 were killed in a suicide attack in Kabul city on the first election-day.⁴
- Violence was recorded in each of Afghanistan's 34 provinces, and at least 193 Taliban attacks occurred on the opening day of the poll.⁵
- While casualties occurred as predicted, they were not to the dramatic extent feared, with no
 mass-casualty attacks recorded in the current post-election period.
- An Islamic State attack at the Independent Election Commission (IEC) in Kabul city, one week after the election, killed at least two people.⁶

¹ '<u>For Afghanistan, Parliamentary Elections Are Another Step on the Rocky Road to Democracy</u>', *Stratfor*, 17 October 2018, CXBB8A1DA37352; '<u>Afghanistan extends voting after polling stations fail to open</u>', *Aljazeera*, 21 October 2018, CXBB8A1DA37357; '<u>Before Election Day Three Looking at Kandahar's upcoming vote</u>', *Afghan Analysts Network*, 26 October 2018, CXBB8A1DA37589

³ 'Afghanistan Votes for Parliament Under Shadow of Taliban Violence', New York Times, 20 October 2018,

- ⁴ 'Polls close in Afghanistan's long-delayed parliamentary elections', Aljazeera, 22 October 2018, CXBB8A1DA37337
- ⁵ <u>Violence, confusion surround Afghan parliamentary elections</u>', Washington Post, The, 20 October 2018, CXBB8A1DA37299

² '<u>Afghanistan Election Conundrum (6) Another new date for elections</u>', *Afghan Analysts Network*, 12 April 2018, CXBB8A1DA38285

CXBB8A1DA37328; 'Order and chaos: Ballots and bullets in Afghanistan', The Brookings Institution, 23 October 2018, CXBB8A1DA39209

⁶ 'Death Toll Rises To 2 In IEC Bombing By Daesh', Tolo News, 29 October 2018, CXBB8A1DA39211

- The voter experience has been characterised by security concerns, administrative delays, registration issues, and assassination of candidates, while some were undeterred and queued for hours to cast their vote.⁷
- Attacks, threats and violence from anti-government elements (AGEs) placed limitations on the right to political participation. At least 10 parliamentary candidates and dozens of supporters were killed since July 2018.⁸
- While attendance levels surpassed expectations at some locations, security concerns prevented large numbers of the population from participating in the elections.
- Two of Afghanistan's 34 provinces, Ghazni, and Kandahar, did not hold elections due to insecurity, recent insurgency and ethnic division.
- Some districts had more registered voters than residents, many polling offices did not open or opened late, and other locations did not offer polling at all.⁹
- Significant numbers of women reportedly attended polling stations in some districts, with an estimate figure of between 3 and 4 million citizens (out of 9 million registered voters) attending the polls, in a population of approximately 34 million.¹⁰
- The elections were due to be held three years ago, and have been postponed due insecurity and administrative challenges.
- Since voter registration commenced in April 2018, both the Taliban and other insurgent actors have attacked voter registration sites and taskera distribution centres.¹¹
- Transparency and participation issues, including ballot box stuffing, over-registration, the failure of polling offices to open and biometric registration machines to operate, and invalid votes, mean the legitimacy of the election result will be subject to criticism and possible protest.¹²

Background

- Afghanistan's constitution provides for a bi-cameral parliament, known as the National Assembly, whose members shall be elected for a term of five years.¹³ 2,450 candidates competed for parliamentary seats in this election.¹⁴
- The elections were for seats in the lower house, or 'House of the People' (*Wolesi Jirga*), carrying five-year terms. They were due to be held in 2015, yet were postponed for various administrative and security reasons. Similarly, the constitution provides five-year terms for a directly-elected President. Following run-off elections, resulting from corruption and fraud allegations, President Ashraf Ghani took office in September 2014, and formed the current National Unity Government.
- The 2014 presidential elections, like the 2018 parliamentary elections, were mired by transparency issues, and although involved AGE violence, no mass casualty insurgent attacks eventuated.
- The 2005 elections for the National Assembly represented the first parliamentary election since 1969.¹⁵
- Presidential elections are scheduled for April 2019.

⁹ '<u>Election Day One A rural-urban divide emerging</u>', *Afghan Analysts Network*, 20 October 2018, CXBB8A1DA37339; '<u>Election</u> <u>Day Two: A first hand account of the trials and chaos of second-day voting</u>', *Afghan Analysts Network*, 23 October 2018, CXBB8A1DA37246

¹⁴ 'Afghanistan: Attacks and Delays Mark Parliamentary Elections', Stratfor, 20 October 2018, CXBB8A1DA37360

⁷ <u>'Jawzjan: Displaced families yet to be registered as voters</u>', *Pajhwok Afghan News (Afghanistan),* 14 June 2018, CXBB8A1DA29394

⁸ '<u>Afghanistan Votes for Parliament Under Shadow of Taliban Violence</u>', *New York Times*, 20 October 2018, CXBB8A1DA37328

¹⁰ Please note – in the CNN report, the figure of "over 4 million" voters is attributed in the following reference as the information reported by the IEC, which has been subject to criticism about transparency concerns and its administrative capacity: '<u>4 million</u> vote in Afghanistan despite violence and technical glitches', CNN, 21 October 2018, CXBB8A1DA37211; '<u>Polls close in</u> Afghanistan's long-delayed parliamentary elections', *Aljazeera*, 22 October 2018, CXBB8A1DA37337; '<u>Around 4 Million People</u> Voted, Says IEC Chief', *Tolo News*, 22 October 2018, CXBB8A1DA37341

¹¹ 'Afghanistan Election Conundrum (10): Failure to hold the first ever district council elections?', Afghan Analysts Network, 07 August 2018, CXBB8A1DA37338

¹² '<u>Election Day Two: A first hand account of the trials and chaos of second-day voting</u>', *Afghan Analysts Network*, 23 October 2018, CXBB8A1DA37246

¹⁵ 'Afghans defy threats, turn out to vote', Aljazeera, 19 October 2018, CXBB8A1DA37362



Figure 1: Government and Parliamentary Structure: Afghanistan Parliamentary Election, 2018.¹⁶

While candidates in Afghanistan are free to identify with political parties, ambivalent laws about political parties mean that parties do not play an official role in the electoral process. In practice, political parties are peripheral to individuals, as candidates and parliamentarians once they are elected.¹⁷ There are 74 registered political parties in Afghanistan (an increase from 57 in mid-2016).¹⁸ One of their main unofficial functions is to mobilise and galvanise support for particular candidates during election periods, and reportedly do not wield real influence on the decisions of party leaders.¹⁹ By 9 October 2018, only 205 candidates, or eight percent, had registered as members of political

 ¹⁶ Source: Independent Election Commission, Special Inspector General for Afghanistan Reconstruction, Long War Journal, see: '<u>Polls close in Afghanistan's long-delayed parliamentary elections</u>', *Aljazeera*, 22 October 2018, CXBB8A1DA37337
 ¹⁷ '<u>Afghanistan's Paradoxical Political Party System: A new AAN report</u>', *Afghan Analysts Network*, 6 May 2018, CXBB8A1DA39213

¹⁸ '<u>Afghanistan's Paradoxical Political Party System: A new AAN report</u>', *Afghan Analysts Network*, 6 May 2018, CXBB8A1DA39213

¹⁹ '<u>Afghanistan's Paradoxical Political Party System: A new AAN report</u>', *Afghan Analysts Network*, 6 May 2018, CXBB8A1DA39213

parties, with the remaining candidates registered as 'independents.'²⁰ In total there were 2565 candidates, including 418 women candidates, for the lower house's 250 seats.²¹

Key candidates included the current and politically-independent President, Ashraf Ghani, and his CEO, Abdullah Abdullah, representing Jamiat-e Islami, and most of the current parliamentary deputies, who have re-contested their current seats.²²

Violence, candidate assassinations, and administrative complications

Like the 2014 presidential election, violence from the Taliban and other anti-government groups as well as widespread allegations of fraud and corruption interfered with the latest elections.²³

Militant groups continued to target election candidates, staff, and supporters in the lead up to the 20 October parliamentary elections, including by means of targeted killings, abductions, threats, intimidation and harassment of election-related personnel and security forces. Both the Taliban and Islamic State targeted voter registration centres in the lead up to the election.²⁴ The Taliban, who declared anyone who participated in the elections would be regarded their enemy, conducted attacks across the state.²⁵ Islamic State has also targeted civilians participating in the election process, claiming responsible for a major suicide attack in Kabul, April 2018 that killed at least 57 people, and also targeted the election commission's Jalalabad offices in late August 2018, in an attack that killed at least seven people.²⁶ In the lead-up to the 20 October poll:

- Two major explosive attacks targeted parliamentary candidates—one of them a woman–killed 31 people in Lashkargah city, and Rustaq district of Takhar province.²⁷
- The Electoral Complaints Commission office in Kabul was targeted with a grenade.²⁸
- Two campaign offices in Faryab and Paktia provinces were targeted with IEDs and small arms in separate attacks. Remarkably, neither Islamic State nor the Taliban claimed responsibility.²⁹
- At least 10 candidates and dozens of their supporters were killed in attacks in the days preceding the election.³⁰
- Taliban took hostage, and amputated voting finger of a man who voted in Lashkargah (Helmand).³¹

The Armed Conflict Location and Events Dataset reported non-election violence also increased throughout the country leading up to the election.³² Violence had increased in 12 of the 32 provinces after voting began.³³

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²⁰ 'Afghanistan Election Conundrum (16): Basic facts about the parliamentary elections', <i>Afghan Analysts Network</i> , 6 May 2018,	1	-
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²¹ 'Polls close in Afghanistan's long-delayed parliamentary elections', Aljazeera, 22 October 2018, CXBB8A1DA37337	4	0
²² 'No plan to found political party, says Ghani', Pajhwok Afghan News -Afghanistan, 20 June 2017, CXBB8A1DA39215; 'Ashraf	1	2
Ghani: 'Philosopher king' or ethnonationalist?', Aljazeera, 6 February 2018, CXBB8A1DA39216; 'Campaigning Starts For	0	C
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²³ 'Country Reports on Human Rights Practices for 2017 – Afghanistan', US Department of State, 20 April 2018,	T	0
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²⁴ 'Bloody tailspin', <i>Frontline (India)</i> , 7 June 2018, CXBB8A1DA28869; Examples: '2 killed in bomb attack on voter registration	1	F.
centre', Pajhwok Afghan News (Afghanistan), 6 June 2018, CXBB8A1DA28858	lent	-
²⁵ 'Taliban calls for attacks to disrupt Afghan elections', Long War Journal, The, 8 October 2018, CXBB8A1DA36919; 'It's a	~	of
'religious duty' to oppose Afghan elections, Taliban says', Long War Journal, The, 19 October 2018, CXBB8A1DA37201	E	0
²⁶ 'Suicide attack in Jalalabad claims at least seven lives', <i>Aljazeera</i> , 25 August 2018, CXBB8A1DA34275; 'At Least Two Killed	0	E
In Blast Near Election Office In Eastern Afghanistan', Aljazeera, 26 August 2018, CXBB8A1DA34271	a	õ
²⁷ 'ACLED Regional Overview – Asia (16 October 2018)', ReliefWeb, 16 October 2018, CXBB8A1DA36922	0)	H
²⁸ 'ACLED Regional Overview – Asia (16 October 2018)', <i>ReliefWeb</i> , 16 October 2018, CXBB8A1DA36922	ñ	Ũ
²⁹ (ACLED Regional Overview – Asia (16 October 2018)), ReliefWeb, 16 October 2018, CXBB8A1DA36922	hand	(D)
³⁰ 'Polls close in Afghanistan's long-delayed parliamentary elections', Aljazeera, 22 October 2018, CXBB8A1DA37337	2	ir.
³¹ 'Taliban Chop Off A Helmand Voter's Finger', Tolo News, 25 October 2018, CXBB8A1DA37327	2	-
³² 'ACLED Regional Overview – Asia (16 October 2018)', ReliefWeb, 16 October 2018, CXBB8A1DA36922	0	CD.
³³ 'Afghanistan Votes for Parliament Under Shadow of Taliban Violence', New York Times, 20 October 2018,	es.	5
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Afghan officials reported at least 192 security incidents on 20 October 2018, involving grenade and IED attacks. On the first day of the poll, at least 18 civilians were killed and 83 civilians wounded in Kabul city.³⁴

Explosions occurred across Kabul city, and attacks from the Taliban occurred across the state. The Taliban attacked polling centres and cities with mortar shells, bombs, and improvised explosive devices, with at least 78 people killed and least 470, mostly civilian, casualties.³⁵ Afghan's Ministry of Interior reportedly deployed 70,000 soldiers and police officers to provide security for the first day of the election.

Following the Taliban's assassination of Kandahar's provincial intelligence chief and police commander, General Abdul Raziq who previously survived 29 attempts on his life by the Taliban, the Ghani administration decided to suspend polling in Kandahar.³⁶ Heads of relevant security departments failed to appear in the parliament to brief about the circumstances of Raziq's death, leading to accountability and transparency concerns over the government's role.³⁷

Elections in Kandahar proceeded after being delayed a week due to the assassination and security concerns. The elections involved strict and increased security arrangements, including the deployment of around 6000 security force personnel, almost 10% of what was deployed for the whole national election.³⁸ Some threats were reported, including bombs that were diffused. Administrative issues persisted, including late opening of polls, and registration and biometric verification problems. Some IEC staff failed to show up. Independent observers reportedly pressured voters to elect certain candidates.³⁹

Similarly, elections were also suspended in Ghazni province, owing to insecurity.⁴⁰ Continued dispute about how to achieve more balanced ethnic representation in Ghazni, from where many of Afghanistan's Hazara ethnic majority originate, has also proved a key obstacle to election plans and progress there.⁴¹ The IEC also abandoned district election plans. It is unclear when district elections may occur, or whether polling will proceed in Ghazni province at all.

The independent observer, Transparent Election Foundation of Afghanistan, reported that approximately 91 per cent of the polling centres and stations opened in their pre-determined location. According to its preliminary findings, released on 28 October, almost 520 centres in 21 provinces did not open. This was mainly due to the absence of IEC workers, insecurity, explosions near the polling centres, or unavailability of electoral materials.⁴² Over two-thirds of polling centres in 33 provinces opened late, while security forces were present (as guards) in 98 per cent of the polling centres in 33 provinces.⁴³ Voting did not occur in a number of rural areas due to security-related issues, including threats on the eve of elections, or because the Taliban closed roads or there was fighting. These issues were reported in at least 10 of Afghanistan's 34 provinces.⁴⁴ Ten days after the election, the Special Inspector General for Afghanistan the Special Inspector General for Afghanistan Reconstruction has reported the level of government control of Afghanistan is at its lowest recorded

³⁷ 'MPs Reject Govt Report on Gen. Raziq's Assassination', Tolo News, 30 October 2018, CXBB8A1DA37587

⁴⁰ '<u>Polls close in Afghanistan's long-delayed parliamentary elections</u>', *Aljazeera*, 21 October 2018, CXBB8A1DA37337; See also: '<u>Quarterly Report to the United States Congress</u>', Special Inspector General for Afghanistan Reconstruction, 30 July 2018, CIS7B839418869, p. 14; '<u>IEC Says Govt Yet To Decide On Ghazni Elections</u>', *Tolo News*, 1 September 2018, CXBB8A1DA34976; '<u>Ghazni election problem should be solved: MPs</u>', *Pajhwok Afghan News – (Afghanistan)*, 13 June 2018, CXBB8A1DA29285

 ³⁴ '<u>Polls close in Afghanistan's long-delayed parliamentary elections</u>', *Aljazeera*, 21 October 2018, CXBB8A1DA37337
 ³⁵ '<u>Afghanistan Votes for Parliament Under Shadow of Taliban Violence</u>', *New York Times*, 20 October 2018, CXBB8A1DA37328

³⁶ '<u>Top Afghan Leaders Killed in Attack That Misses U.S. Commander</u>', New York Times, The, 19 October 2018, CXBB8A1DA37040; <u>Raziq's Death Leaves Massive Void In The South</u>', Tolo News, 19 October 2018, CXBB8A1DA37037; '<u>U.S. commander in Afghanistan survives deadly attack at governor's compound that kills top Afghan police</u> <u>general</u>', <u>Washington Post</u>, The, 19 October 2018, CXBB8A1DA37039

³⁸ (Strict Security In Kandahar For Parliamentary Elections: Mol', Tolo News, 27 October 2018, CXBB8A1DA37590

³⁹ 'Before Election Day Three Looking at Kandahar's upcoming vote', Afghan Analysts Network, 26 October 2018, CXBB8A1DA37589

 ⁴¹ '<u>Polls close in Afghanistan's long-delayed parliamentary elections</u>', *Aljazeera*, 21 October 2018, CXBB8A1DA37337
 ⁴² '<u>Aftershocks of a Procedural Ambiguity The IEC and ECC dispute over which votes to validate</u>', *Afghan Analysts Network*, 2 November 2018, CXBB8A1DA38248

⁴³ '<u>Aftershocks of a Procedural Ambiguity The IEC and ECC dispute over which votes to validate</u>', *Afghan Analysts Network*, 2 November 2018, CXBB8A1DA38248

November 2018, CXBB8A1DA38248 ⁴⁴ Election Day One A rural-urban divide emerging', Afghan Analysts Network, 20 October 2018, CXBB8A1DA37339

level (55.5% of the country).⁴⁵ Just over half of the population reside in areas not controlled in influenced by the government.⁴⁶

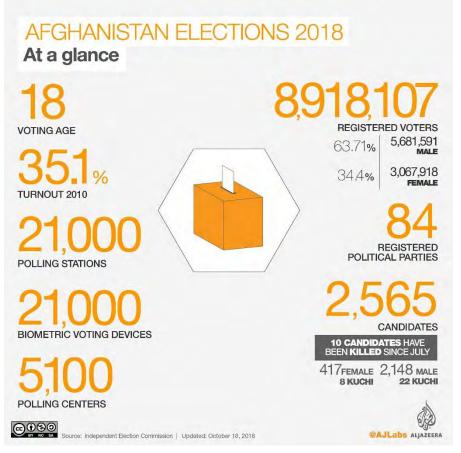


Figure 2: Candidate and Voter Registration Statistics: Afghanistan Parliamentary Election, 2018.47

In Herat, increased violence and security incidents were reported, particularly from August 2018. The province demonstrated the relationship between Afghanistan's insecurity, conflictinduced displacement, and increased insurgent attacks, as officials attributed the rise in security-related incidents to the displacement.⁴⁸ Officials implicated internally displaced persons (IDPs) in "30 per cent of security incidents in Herat" and claimed that the Taliban and other insurgent and criminal groups had "established links with some of the IDPs with a view to destabilising the city and the wider province."⁴⁹ Displacement levels in Herat have not been experienced at this scale since drought induced displacement in 2000 and 2001.⁵⁰

Attacks in Herat in the lead-up to the election included:

 ⁴⁵ '<u>Quarterly Report to the United States Congress</u>', *SIGAR*, 30 October 2018, CIS7B8394110041; '<u>Taliban storms fourth</u> <u>Afghan base this month</u>', *Long War Journal, The*, 6 November 2011, CXBB8A1DA38067; '<u>Afghanistan watchdog: Government</u> <u>control lowest ever</u>', *Long War Journal, The*, 1 November 2018, CXBB8A1DA38070
 ⁴⁶ '<u>Half of Afghan population living in districts outside government control</u>', *Long War Journal, The*, 29 October 2018,

CXBB8A1DA38071. See also: constantly updated reference at '<u>Mapping Tal ban Control in Afghanistan</u>', *Long War Journal*, and: <u>'Taliban Demonstrates Resilience With Afghan Spring Offensive</u>', Roul, A, Terrorism Monitor (United States), vol. 16, no. 11, 2 June 2018, CXBB8A1DA28731. Though in May 2018, the Election and Transparency Watch Organisation claimed that 38 districts were out of government control. <u>Insecurity to keep 700 polling stations shut: ETWA'</u>, *Pajhwok Afghan News* (*Afghanistan*), 22 May 2018, CXBB8A1DA27737

(Afghanistan), 22 May 2018, CXBB8A1DA27737
 ⁴⁷ Source: Independent Election Commission, Special Inspector General for Afghanistan Reconstruction, Long War Journal, see: 'Polls close in Afghanistan's long-delayed parliamentary elections', *Aljazeera*, 21 October 2018, CXBB8A1DA37337
 ⁴⁸ 'Afghanistan Elections Conundrum (18): A lively election campaign amid growing insecurity in Herat', Afghan Analysts Network, 15 October 2018, CXBB8A1DA37194

⁴⁹ 'Afghanistan Elections Conundrum (18): A lively election campaign amid growing insecurity in Herat', Afghan Analysts Network, 15 October 2018, CXBB8A1DA37194

⁵⁰ '<u>Afghanistan Elections Conundrum (18): A lively election campaign amid growing insecurity in Herat</u>', *Afghan Analysts Network*, 15 October 2018, CXBB8A1DA37194

- On 9 August, explosives planted in a motorbike went off opposite a vehicle carrying a former Afghan Local Police (ALP) commander, Haji Amir Shindandi, in the Old Corps Road in Police District (PD) 1, killing at least four people and injuring 12 others including the ex-commander;
- On 5 September, there were two consecutive explosions in Chawk-e Gulha area in downtown Herat, injuring at least six people, including two traffic police officers;
- In late August, earlier in the same place (ie Chawk-e Gulha), an explosion killed at least two people;
- On 4 October, a blast targeted a parked police vehicle in Darb-e Khush area in the city centre, injuring about ten people, among them a child. In the same place, Herat police later on seized IED equipment in a hotel; and
- On 12 October, there was an IED attack on an audio-video centre in Gawaliyan area in the south of Herat city which damaged the centre but left no casualties; the centre has been involved in the management of some high-profile events.⁵¹

In addition to violence, both of the first two days of the election were marked by technical and bureaucratic difficulties. The election has been characterised by numerous complaints relating to corruption, maladministration, and even assassination of candidates.⁵² Issues were reported across the nation. Reports have shown concern about fraud, corruption and openness about individual vote results.⁵³ The adoption of electronic identification in Afghanistan has been fraught with difficulty. It has demonstrated political disunity of the government, and the difficulty of government oversight of such fraud-response measures, which subsequently resulted in the IEC's distribution of 22 million voter cards for an estimated 14 million voters.⁵⁴ In addition to political resistance, citizens of minority ethnic groups felt disenfranchised by the identity cards using the term Afghan and is Pashtun associations.⁵⁵ The challenges of election preparation and administration were also exemplified in numerous provinces returning suspicious voter registration rates, such as Paktia, where 165 percent of the estimate eligible male voting population registered.⁵⁶

To promote transparency, anti-fraud measures were introduced in the election, however they were poorly prepared and implemented.⁵⁷ The machines failed in about a quarter of the 21,000 polling places. Polling locations reported the Biometric voting system (known as Biometric Voter Verification), which was expected to verify a voter in under a minute, took up to eight times longer, failed to read some voters fingerprints, or failed to operate at all.⁵⁸ The failure of the BVV system caused debate about how about whether to count unverified votes, further delaying the election result. The IEC is now challenged with the task of counting votes and determining invalid votes.⁵⁹ Even where the machines may have worked as intended, voters confessed to selling votes (and taking photos at the polling booths as proof for their payment).⁶⁰

Participation in the electoral process proved to be an obstacle and key issue, with citizens unable to register, registered citizens unable to vote, and candidates and their supporters being killed. Internally displaced people were particularly vulnerable to being unable to vote due to being unable to register.⁶¹

- ⁵³ '<u>Afghans Deserve Inclusive and Credible Elections: UNAMA'</u>, *Tolo News*, 18 October 2018, CXBB8A1DA37340
- ⁵⁴ 'For Afghanistan, Parliamentary Elections Are Another Step on the Rocky Road to Democracy', Stratfor, 17 October 2018, CXBB8A1DA37352
- ⁵⁵ 'For Afghanistan, Parliamentary Elections Are Another Step on the Rocky Road to Democracy', Stratfor, 17 October 2018, CXBB8A1DA37352
- ⁵⁶ <u>'Parliamentary Elections Loom in Afghanistan</u>', *Diplomat, The*, 1 October 2018, CXBB8A1DA36312
- ⁵⁷ Election Day Two: A first hand account of the trials and chaos of second-day voting', Afghan Analysts Network, 23 October 2018, CXBB8A1DA37246

⁵¹ '<u>Afghanistan Elections Conundrum (18): A lively election campaign amid growing insecurity in Herat</u>', *Afghan Analysts Network*, 15 October 2018, CXBB8A1DA37194

⁵² '<u>Election Day One (Evening Update) Voter determination and technical shambles</u>', *Afghan Analysts Network*, 21 October 2018, CXBB8A1DA37367; '<u>Parties Claim Elections Were 'Riddled With Fraud'</u>, *Tolo News*, 23 October 2018, CXBB8A1DA37369; '<u>Afghans Deserve Inclusive and Cred ble Elections: UNAMA'</u>, *Tolo News*, 18 October 2018, CXBB8A1DA37340

 ⁵⁸ '<u>Election Day One A rural-urban divide emerging</u>', *Afghan Analysts Network*, 20 October 2018, CXBB8A1DA37339
 ⁵⁹ '<u>Election Day Two: A first hand account of the trials and chaos of second-day voting</u>', *Afghan Analysts Network*, 23 October 2018, CXBB8A1DA37246; '<u>Aftershocks of a Procedural Ambiguity The IEC and ECC dispute over which votes to validate</u>', *Afghan Analysts Network*, 2 November 2018, CXB8A1DA38248

 ⁶⁰ '<u>Election Day One A rural-urban divide emerging</u>', *Afghan Analysts Network*, 20 October 2018, CXBB8A1DA37339
 ⁶¹ 'Jawzjan: Displaced families yet to be registered as voters', Pajhwok Afghan News (Afghanistan), 14 June 2018, CXBB8A1DA29394; '<u>Can Afghanistan cope with its returnees from Pakistan?</u>', *Aljazeera*, 30 June 2018, CXBB8A1DA31120

Significant delays were also reported in determining a voter's identity on the voter regulation list at the polling location. In some locations analysts observed this was the longest step in the process:⁶²

In Kart-e Bokhdi area of Mazar, an observer told AAN that the polling centre in the area was really crowded and that it had run out of ballot papers. An observer told AAN that many centres had received the wrong voter lists, and that the voters were sent off to wander "from centre to centre" in search of their name.⁶³

Polling centres in many locations failed to open or were opened late.⁶⁴ Voters experienced bureaucratic and technical difficulties at centres when they did open. One report noted issues such as no ballot papers, no biometric devices, or no IEC staff in attendance, in at least 20 polling centres resulted in citizens being unable to vote.⁶⁵ Other polling offices had insufficient voting material. Some locations did not open at all, others opened late. The IEC received more than 5,000 complaints about irregularities, 1700 of those relating to Kabul.⁶⁶ These malfunctions generated an unintended larger potential target for the AGEs, with long queues of voters at various polling stations.⁶⁷ There were no reports of attacks at such gatherings, and casualties could have been far greater had these queues become targets.⁶⁸

The IEC has been criticised for inaccurately reporting the state of polling preparation, accessibility, registration and statistics.⁶⁹ The IEC reportedly issued around 200 000 accreditation cards to national and international observers.⁷⁰ Up to 7000 election monitors were present in Afghanistan for the election, and according to one report, four were abducted and killed. According to the United Nations Assistance Mission in Afghanistan (UNAMA), the Electoral Complaints Commission (ECC) was established as a fraud mitigation measure and sought to have ECC officials will be present in every polling centre.

UNAMA urged that "where credible allegations are made, Afghan law enforcement agencies should investigate expeditiously and, where appropriate, detain and prosecute those responsible."⁷¹ No further information was located about the response of Afghan law enforcement agencies to the latest election and fraud allegations. However, the Special Inspector General for Afghanistan Reconstruction found the situation in Afghanistan is consistent with a largely lawless, weak, and dysfunctional government, with many corruption cases languishing due to the lack of political will - rather than the capacity - of the Afghan government.⁷²

The IEC attributed delays in the electoral process to the low numbers of candidates, who reportedly were deterred from participation due to various factors including insecurity, lack of a legal framework, a requirement on educational qualifications, and lack of clarity regarding salaries and benefits.⁷³ In June 2018, the IEC accused numerous provincial officials of interfering in the election process.⁷⁴

The election has so far demonstrated challenges and also some unexpected achievements in voter attendance and women's participation. Widespread criticism of the under-resourced preparation, fraud, corruption, and security-related delays transpired in significant technical and logistical barriers

⁶⁴ 'Election Day Two: A triumph of administrative chaos', Afghan Analysts Network, 21 October 2018, CXBB8A1DA37371

⁶⁵ '<u>4 million vote in Afghanistan despite violence and technical glitches</u>', *CNN*, 21 October 2018, CXBB8A1DA37211

- ⁶⁶ 'Around 4 Million People Voted, Says IEC Chief, Tolo News, 22 October 2018, CXBB8A1DA37341
- ⁶⁷ Long Queues At Afghan Polling Stations Amid Election Chaos', Radio Free Europe / Radio Liberty (RFE/RL), 21 October 2018, CXBB8A1DA39204; '<u>Election Day One (Evening Update)</u>: Voter determination and technical shambles', Afghan Analysts Network, 21 October 2018, CXBB8A1DA39205; '<u>Order and chaos: Ballots and bullets in Afghanistan</u>', The Brookings Institution, 23 October 2018, CXBB8A1DA39209
- ⁶⁸ <u>Election Day One A rural-urban divide emerging</u>', *Afghan Analysts Network*, 20 October 2018, CXBB8A1DA37339
 ⁶⁹ <u>Election Day One A rural-urban divide emerging</u>', *Afghan Analysts Network*, 20 October 2018, CXBB8A1DA37339
- ³⁰ Election Day One A rural-urban divide emerging, Arghan Analysts Network, 20 October 2018, CXBB8A1DA3/339
 ⁷⁰ (<u>IEC Issues Accreditation To Over 200,000 Election Observers</u>', *Tolo News*, 14 October 2018, CXBB8A1DA37372
- ⁷¹ '<u>Afghans Deserve Inclusive and Credible Elections: UNAMA'</u>, *Tolo News*, 18 October 2018, CXBB8A1DA37340

⁷² <u>Quarterly Report to the United States Congress</u>, Special Inspector General for Afghanistan Reconstruction, 30 July 2018, CIS7B839418869, p. 14-15; see also: <u>'Afghanistan Security Situation – Update</u>', European Asylum Support Office, 30 May 2018, p. 20, CIS7B839411148. See also: <u>'Enhancing Security and Stability in Afghanistan</u>', United States Department of Defense, 3 July 2018, CIS7B839411630; <u>'US Releases Report On Afghanistan's Security, Stability</u>', *Tolo News*, 4 July 2018, CXBB8A1DA31113; <u>'After 17 years of war, a peace movement grows in Afghanistan</u>', *Washington Post, The*, 18 August 2018, CXBB8A1DA34058; <u>'Pentagon's Plan For Afghanistan A Total Failure: Erik Prince</u>', *Tolo News*, 20 August 2018, CXBB8A1DA33989

⁷³ '<u>Afghanistan Election Conundrum (10): Failure to hold the first ever district council elections?</u>', *Afghan Analysts Network*, 7 August 2018, CXBB8A1DA37338

⁶² '<u>Election Day One A rural-urban divide emerging</u>', *Afghan Analysts Network*, 20 October 2018, CXBB8A1DA37339

⁶³ (Election Day One A rural-urban divide emerging), Afghan Analysts Network, 20 October 2018, CXBB8A1DA37339

⁷⁴ <u>'Local officials interfering in electoral affairs: Sayyad'</u>, Pajhwok Afghan News (Afghanistan), 13 June 2018, CXBB8A1DA29282

on election-day, with many citizens reporting long delays, being unable to vote, and registration issues.⁷⁵ By noon on the election-day only 60 of polling centres had opened.⁷⁶ Polling was extended to Sunday 21 October to try and offset the administrative issues, technical delays and failure or difficulty administering anti-fraud devices and biometric voting systems that transpired on 20 October.

Voter turnout out in some districts surpassed expectations, in spite of security concerns and threats:77

Turnout has, so far, been mixed. In the large cities and many of the provincial centres, it has been good. ..

In some places, such as Hazara-dominated west Kabul and some parts of Tajik-dominated Khairkhana, the turn-out has been massive. At one polling station in Khairkhana, however, voters reported to AAN that there were "more observers than voters" and that three candidates had distributed money to voters. In one centre in Nili, AAN saw 500 voters already queuing at 6:30am. In Mazar-e Sharif, it was good in the morning, but had dropped significantly by noon. In other places, there have been fewer voters. At one centre in Paktika's capital Sharana, only one out of 25 registered women appeared to vote this morning.⁷⁸

In one of the world's least favourable places to be a woman, the high attendance of women at some polling booths signalled a desire to participate in the political process, despite security concerns.⁷⁹ The election saw more than 2500 candidates stand for 249 seats in the lower house. Reports noted there were 400 women candidates.⁸⁰ The constitution provides at least 68 (28%) of the *Wolesi Jirga* seats shall be held by women. According to the International Institute for Democracy and Electoral Assistance, 69 of 249 (28%) seats in the *Wolesi Jirga* are held by women.⁸¹ following the last parliamentary election in 2010.

Conclusion

- Election violence and insurgent acts, as predicted, were not able to be contained, although the toll was not as high as feared it might have been, with fewer attacks than promised by actors such as the Taliban.
- Relative to the hostile security environment, increased territorial gain and activity of the Taliban, and threats to voters and candidates, the voter turnout was remarkable, and absence of significant mass casualty events were positives for the nation: both could have been much worse.
- Election violence occurred in every province.
- General conflict-related violence surged in weeks preceding the election.
- Both Islamic State and the Taliban have been responsible for attacks on civilians.
- Large numbers of the population were excluded from participating in the elections due to security concerns.
- The Taliban remain defiant to participating in the political process, and demonstrated their capacity to execute their objectives against enemies.⁸² Considering the Taliban traditionally avoids civilians as primary targets, civilian casualties were significant across the state.
- Conducting a free and fair election proved to be a significant challenge for the Ghani administration and is likely to remain elusive and an area of slow progress, especially due to minimal incentive for politicians to support the needed-reforms.
- The presidential election, scheduled for 20 April 2019, is expected to be a delayed and significantly challenged by security and funding issues. The short timeframe of five months between the parliamentary and presidential election is expected to generate electoral congestion and political chaos, with final parliamentary results not due till February 2019, and the relevant institutions, including the IEC, occupied by counting votes, addressing

⁸⁰ '<u>Afghanistan Elections Conundrum (20): Women candidates going against the grain</u>', *Afghan Analysts Network*, 19 October 2018, CXBB8A1DA37375

⁷⁵ 'Jawzjan: Displaced families yet to be registered as voters', Pajhwok Afghan News (Afghanistan), 14 June 2018, CXBB8A1DA29394

⁷⁶ '<u>Election Day One: A rural-urban divide emerging</u>', Afghan Analysts Network, 20 October 2018, CXBB8A1DA37339

⁷⁷ 'Polls close in Afghanistan's long-delayed parliamentary elections', Aljazeera, 22 October 2018, CXBB8A1DA37337

⁷⁸ 'Election Day One A rural-urban divide emerging', Afghan Analysts Network, 20 October 2018, CXBB8A1DA37339

⁷⁹ '<u>Afghanistan Elections Conundrum (20): Women candidates going against the grain</u>', *Afghan Analysts Network*, 19 October 2018, CXBB8A1DA37375

⁸¹ (Afghanistan), International Institute for Democracy and Electoral Assistance, 19 March 2018, CXBB8A1DA37373

^{82 &#}x27;Taliban calls for attacks to disrupt Afghan elections', Long War Journal, The, 8 October 2018, CXBB8A1DA36919

complaints, and managing disputes, while preparing for the April poll.⁸³ The results of the last presidential election in 2014 took over five months to finalise, after both candidates accused each other of massive voter fraud.⁸⁴ Analysts noted that "(e)ven if Afghanistan's electoral institutions were effective, technically able and politically non-controversial, the country's weather was kind and predictable, and there was no insurgency, it would still be difficult to keep to this election time-table."⁸⁵

Based on the previous election and political and institutional landscape, delays in the
parliamentary election results are both predicted and forecast to produce a considerable
impact on the running of the presidential election. It is likely AGEs and especially the Taliban,
will continue to exploit this situation, and target institutions associated with the electoral
process heading into 2019.⁸⁶

⁸³ '<u>Afghanistan Election Conundrum (6) Another new date for elections</u>', *Afghan Analysts Network*, 12 April 2018, CXB8A1DA38285

⁸⁴ '<u>Afghanistan Election Conundrum (6) Another new date for elections</u>', *Afghan Analysts Network*, 12 April 2018, CXBB8A1DA38285

⁸⁵ '<u>Afghanistan Election Conundrum (6) Another new date for elections</u>', *Afghan Analysts Network*, 12 April 2018, CXBB8A1DA38285

⁸⁶ '<u>Afghanistan Election Conundrum (6) Another new date for elections</u>', *Afghan Analysts Network*, 12 April 2018, CXBB8A1DA38285



Australian Government Department of Home Affairs

Situational Update

Sri Lanka

Country of Origin Information Services Section (COISS) Humanitarian Program Capabilities Branch Effective from 6 May 2019

Easter Sunday terror attacks

The events

On Easter Sunday, 21 April 2019, a series of coordinated bombings struck eight locations throughout Sri Lanka, killing at least 253 people, and wounding around 500 more.¹ Suicide bombers triggered explosives at three churches and three hotels across three separate cities on the Sunday morning, with another two explosions occurring in the afternoon around the capital city, Colombo.² A further bomb intended for a fourth upscale hotel failed to detonate.³ The deadliest explosion was at St. Sebastian's Church in Negombo, some 20 kilometres north of Colombo, where 104 people are reported to have died.⁴ The attacks are by far the bloodiest event to shake Sri Lanka since the end of the civil war ten years ago and, if Islamic State's involvement is accepted, one of the deadliest incidents of international terrorism since the attacks on America of September 11, 2001.⁵

The perpetrators

Authorities in Sri Lanka have stated that the attacks were carried out by two little-known Muslim organisations, the National Thowheeth Jama'ath (NTJ) and Jammiyathul Millathu Ibrahim, with help from international militants.⁶ Two days after the attacks, Islamic State in Iraq and Syria (ISIS) claimed responsibility,⁷ and have since named NTJ as an affiliate organisation.⁸ On 29 April, ISIS leader Abu

¹ <u>'Five things to know a week after the Sri Lanka bombings'</u>, Nikkei Asian Review, 28 April 2019, 20190429105125; <u>'What We Know and Don't Know About the Sri Lanka Attacks'</u>, The New York Times, 22 April 2019, 20190423102213

 ² <u>'What We Know and Don't Know About the Sri Lanka Attacks'</u>, The New York Times, 22 April 2019, 20190423102213. The locations are as follows: St. Sebastian's Church, Negombo; Zion Church, Batticaloa; St. Anthony's Shrine, Colombo; Shangri La Hotel, Cinnamon Grand Hotel, Kingsbury Hotel (all in Colombo).
 ³ <u>'The suicide bombs in Sri Lanka might have been prevented</u>', The Economist, 27 April 2019, 20190426144009

⁴ What We Know and Don't Know About the Sri Lanka Attacks', The New York Times, 22 April 2019, 20190423102213

 ⁵ <u>'The suicide bombs in Sri Lanka might have been prevented'</u>, The Economist, 27 April 2019, 20190426144009
 ⁶ <u>'What We Know and Don't Know About the Sri Lanka Attacks'</u>, The New York Times, 22 April 2019,

^{20190423102213; &#}x27;<u>Sri Lanka bombings: All the latest updates'</u>, Aljazeera, 30 April 2019, 20190501142357 ⁷ <u>What We Know and Don't Know About the Sri Lanka Attacks</u>', The New York Times, 22 April 2019, 20190423102213; '<u>Sri Lanka on high alert over Ramadan terror threat</u>', Straits Times, 1 May 2019, 20190501134734

⁸ <u>'Five things to know a week after the Sri Lanka bombings'</u>, Nikkei Asian Review, 28 April 2019, 20190429105125; <u>'Sri Lanka lifts social media ban imposed after Easter attacks</u>', Aljazeera, 30 April 2019, 20190501145953

Bakr al-Bagdadhi appeared for the first time in five years, issuing a statement framing the attacks as revenge for the international community's capture of ISIS's final stronghold in Baghuz, Syria.⁹ Taking a different tack, President Sirisena stated that the attacks were a reprisal against his hard-line campaign against drug trafficking.¹⁰ According to Sirisena, terrorist outfits such as ISIS funded their activities through drugs, and targeted the churches due to their support for the anti-drug campaign.¹¹

The initial picture of NTJ is mixed. While its leader, and suspected mastermind of the attacks, Zahran Hashim, came from a poor family, at least three of the suicide bombers came from privileged backgrounds, with one schooled in Australia.¹² NTJ are believed to have been in contact with the few dozen Sri Lankan Muslims known to have joined ISIS.¹³ More broadly, NTJ is drawn from Sri Lanka's Tamil-speaking Muslim minority, a community accounting for around 10 per cent of Sri Lanka's 23 million people, and with no particular history of animosity with the even smaller Christian minority.¹⁴ Its leader had previously been isolated within the Muslim community, expelled from at least one Muslim organisation for his extremist views.¹⁵ Prior to the attacks, NTJ was best known for delivering fiery anti-Buddhist speeches and acts of petty vandalism against Buddhist statues.¹⁶ It was formed in 2014 as a breakaway group from hard-line Islamist organisation Sri Lanka Thowheed Jamal (SLJT), and proceeded to promote a similar fundamentalist interpretation of the Quran and Islamic practice.¹⁷ SLJT disassociated itself from NTJ after the attacks.¹⁸

As some analysts have noted, the attacks targeting Christians and foreigners makes little sense within Sri Lanka's domestic context, in which Sri Lanka's Muslim and Christian minorities have long suffered together both from the Tamil Tigers and more recently from resurgent Buddhist extremists.¹⁹ Rather, the attacks appear to have been committed on behalf of ISIS' global agenda.²⁰ Deakin University's Greg Barton writes that the attacks fit with what is known about ISIS's post-caliphate intentions,²¹ noting that with the loss of its final territorial control, ISIS has increasingly focussed its efforts on inspiring and directing local insurgencies elsewhere in the world.²² Within this framing, the Sri Lanka attacks reinforce ISIS's commitment to seeking out vulnerable states and flipping local grievances into subcontracted terror campaigns enacted in its name.²³ Stated somewhat differently, large-scale terror

⁹ 'Sri Lanka Prime Minister assures security in the country, stern actions against inciting sectarian violence', Colombo Page, 30 April 2019, 20190501135955;

¹⁰ <u>'Terrorist attacks were reprisal for his hard anti-drug campaign, says Lankan President'</u>, South Asia Journal, 26 April 2019, 20190429101841

¹¹ <u>'Terrorist attacks were reprisal for his hard anti-drug campaign, says Lankan President'</u>, South Asia Journal, 26 April 2019, 20190429101841

¹² 'Five things to know a week after the Sri Lanka bombings', Nikkei Asian Review, 28 April 2019, 20190429105125

¹³ 'The suicide bombs in Sri Lanka might have been prevented', The Economist, 27 April 2019, 20190426144009

¹⁴ <u>The suicide bombs in Sri Lanka might have been prevented</u>, The Economist, 27 April 2019, 20190426144009; <u>In divided Sri Lanka, a perfect storm for Islamist terror to swoop</u>, Sydney Morning Herald, The, 27 April 2019, 20190429102358

¹⁵ <u>"Mawanella was the start': Sri Lankan town reels from bombing links</u>, The Guardian, 26 April 2019, 20190429172536

¹⁶ <u>'Real perpetrators of jihadist attacks in Sri Lanka'</u>, 28 April 2019, Asian Tribune, 20190429170428; <u>"Mawanella</u> was the start': Sri Lankan town reels from bombing links', The Guardian, 26 April 2019, 20190429172536

¹⁷ <u>'Sri Lanka Attacks Show Continuing Threat Posed by the Islamic State</u>', Military.com, 2 May 2019, 20190503122013

¹⁸ '<u>Sri Lanka Attacks Show Continuing Threat Posed by the Islamic State</u>', Military.com, 2 May 2019, 20190503122013

 ¹⁹ <u>'The lessons from the Sri Lanka bombings'</u>, Australian Financial Review, 26 April 2019, 20190426143206;
 <u>''Mawanella was the start': Sri Lankan town reels from bombing links'</u>, The Guardian, 26 April 2019, 20190429172536

²⁰ <u>'In divided Sri Lanka, a perfect storm for Islamist terror to swoop</u>', Sydney Morning Herald, The, 27 April 2019, 20190429102358; <u>'The lessons from the Sri Lanka bombings</u>', Australian Financial Review, 26 April 2019, 20190426143206

 ²¹ <u>'The lessons from the Sri Lanka bombings'</u>, Australian Financial Review, 26 April 2019, 20190426143206
 ²² <u>'The lessons from the Sri Lanka bombings'</u>, Australian Financial Review, 26 April 2019, 20190426143206

 ²³ <u>The lessons from the Sri Lanka bombings</u>', Australian Financial Review, 26 April 2019, 20190426143206

attacks such as those in Sri Lanka may be seen as effective promotional activities through which ISIS seeks to remain relevant to its followers in its post-caliphate phase.²⁴

The intelligence failure

Sri Lankan government officials have acknowledged that foreign intelligence agencies provided domestic security officials with a detailed warning of possible threats to churches by the National Thowheeth Jama'ath at least ten days prior to the attacks.²⁵ India's main intelligence agency, the Research and Analysis Wing, reportedly sent as many as three alerts to Sri Lanka, including one a few hours before the Easter Sunday bombings.²⁶ Both President Sirisena and Prime Minister Wickremesinghe claim not to have been informed of the warnings prior to the attacks.²⁷ Vital information was not shared with or between the leaders, likely due to ongoing political infighting between them.²⁸ Analysts suggest that ISIS took advantage of the general political instability in Sri Lanka, highlighted by the dysfunctional relationship between Sirisena and Wickremasinghe, to mobilise a local movement in what it considered a 'soft target' country.²⁹

The aftermath

On the day following the attacks, President Sirisena declared a state of emergency, granting security services sweeping powers to arrest and interrogate people, and to conduct searches without a court order.³⁰ Controversially, and as part of the emergency rules, the government has banned head coverings that conceal a person's face,³¹ though the wording of the order does not specifically reference veils worn by Muslim women.³² The country's top body of Islamic Scholars is reported to have supported the idea of a short-term ban on face coverings, though remains opposed to any attempts to legislate against face veils.³³ Sirisena has also declared that select war-time tactics will be revived, including the checking of household lists across every household in the country.³⁴ A ban on social media platforms such as Facebook, Youtube, WhatsApp and Viber, initially implemented to curb the spread of misinformation, has been lifted as of 30 April.³⁵

Sri Lankan security forces have killed or arrested most of those linked to the Easter suicide bombings,³⁶ including 15 suspects in a shoot-out on the following Friday.³⁷ More than 10,000 troops have been deployed across the island in an effort to uproot NTJ's countrywide network, with Islamic religious groups reported to be lending their support to authorities.³⁸ While NTJ's leader has been killed, and scores of further arrests have weakened the group,³⁹ US officials have warned that the

²⁴ <u>'ISIS Relaunches as a Global Platform'</u>, The Atlantic, 27 April 2019, 20190429103004

²⁵ <u>What We Know and Don't Know About the Sri Lanka Attacks</u>, The New York Times, 22 April 2019, 20190423102213; "<u>These Attacks Could Target Catholic Churches</u>": The Warning That Sri Lankan Officials <u>Failed to Heed</u>, The New York Times, 22 April 2019, 20190501103309; <u>The suicide bombs in Sri Lanka might have been prevented</u>, The Economist, 27 April 2019, 20190426144009

²⁶ <u>'In divided Sri Lanka, a perfect storm for Islamist terror to swoop'</u>, The Sydney Morning Herald, 27 April 2019, 20190429102358

²⁷ <u>'The suicide bombs in Sri Lanka might have been prevented'</u>, The Economist, 27 April 2019, 20190426144009

²⁸ The lessons from the Sri Lanka bombings', Australian Financial Review, 26 April 2019, 20190426143206

²⁹ 'The lessons from the Sri Lanka bombings', Australian Financial Review, 26 April 2019, 20190426143206

³⁰ What We Know and Don't Know About the Sri Lanka Attacks', The New York Times, 22 April 2019, 20190423102213

³¹ 'Sri Lanka bombings: All the latest updates', Aljazeera, 30 April 2019, 20190501142357

³² (Sri Lanka bans face veils after Easter bombings', Aljazeera, 29 April, 20190501145420

³³ (Sri Lanka bans face veils after Easter bombings', Aljazeera, 29 April, 20190501145420

³⁴ 'Sri Lanka bombings: All the latest updates', Aljazeera, 30 April 2019, 20190501142357

³⁵ <u>Sri Lanka lifts social media ban imposed after Easter attacks</u>, Aljazeera, 30 April 2019, 20190501145953; <u>Sri Lanka on high alert over Ramadan terror threat</u>, Straits Times, 1 May 2019, 20190501134734; <u>Sri Lanka bombings: All the latest updates</u>, Aljazeera, 30 April 2019, 20190501142357

³⁶ (<u>Sri Lanka bombings: All the latest updates</u>', Aljazeera, 30 April 2019, 20190501142357

³⁷ <u>'Sri Lanka: 15 killed as police raid militant house'</u>, Deutsche Welle, 27 April 2019, 20190429173222

³⁸ '<u>Five things to know a week after the Sri Lanka bombings'</u>, Nikkei Asian Review, 28 April 2019, 20190429105125

³⁹ <u>'The suicide bombs in Sri Lanka might have been prevented'</u>, The Economist, 27 April 2019, 20190426144009

terrorist threat is ongoing, with members of NTJ still active.⁴⁰ Other intelligence reports suggest that Islamist militants may be planning fresh attacks prior to the Islamic holy month of Ramadan, beginning 6 May.⁴¹ As such, security remains tight across the country, with security forces continuing to track down suspects.⁴² On 29 April, following an earlier pledge to make major changes to the leadership of the security forces, the President appointed former Army commander General S.H.S. Kottegoda as the new Defence Secretary and appointed Deputy Inspector-General Chandana Wickramaratne as the acting police chief.43

Fears of revenge attacks against Muslims have prompted heavy security deployments and intermittent curfews.⁴⁴ Authorities have sought to unify the country with the Prime Minister publicly requesting that no harm be done towards the Muslim community.⁴⁵ The Human Rights Commission of Sri Lanka has also appealed to the country's citizens to refrain from hate speech or any acts inciting communal violence in the aftermath of the attacks.⁴⁶ Nearly two weeks following the attacks, Catholic church services remain suspended.⁴⁷ Catholic schools remain closed however public schools grade 6 upwards reopen on 6 May, the lower grades a week later.⁴⁸

Despite such pleading, small-scale attacks targeting Muslims have occurred. Nearly a thousand Muslims have been displaced after landlords came under local pressure from angry residents to evict them.⁴⁹ Many were Ahmadi Muslims who had previously fled Pakistan.⁵⁰ They are reportedly staying under police protection at the Ahmadi mosque in Negombo, while others have been sheltered in a local school.⁵¹ Islamic religious schools in Sri Lanka have also come under increasing attention, with leading Sri Lankan politicians calling for new religious schools promoting Wahabi doctrines to be shut or monitored.52

The fallout from the attacks may also have further political and legal ramifications. Prime Minister Wickremasinghe has pledged to enact new counter terrorism laws, calling for the speedy presentation of the proposed Counter-Terrorism Act (CTA) to Parliament, itself designed to replace the Prevention of Terrorism Act (PTA).⁵³ More significantly, the political dysfunction leading to the intelligence failure preceding the attacks has led some analysts to predict an appetite for the return of a strong-man leader to tackle the country's terrorism threats. In this vein, a return of the Rajapaksa clan has been mooted, specifically in the form of Gotabaya, younger brother of war-time leader Mahinda Rajapaksa.54

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⁴⁰ 'Sri Lanka bombings: All the latest updates', Aljazeera, 30 April 2019, 20190501142357; 'US warns of more attacks in Sri Lanka by active members of terror group still at large', The Economic Times, 30 April 2019, 20190501140918; 'Sri Lanka lifts social media ban imposed after Easter attacks', Aljazeera, 30 April 2019, 20190501145953

⁴¹ 'Sri Lanka on high alert over Ramadan terror threat', Straits Times, 1 May 2019, 20190501134734

⁴² 'Sri Lanka on high alert over Ramadan terror threat', Straits Times, 1 May 2019, 20190501134734

^{43 (}Sri Lanka: President Sirisena appoints new Defence Secretary, acting police chief', The Hindu, 29 April 2019, 20190503123633

⁴⁴ 'The suicide bombs in Sri Lanka might have been prevented', The Economist, 27 April 2019, 20190426144009 ⁴⁵ Premier wants Counter-Terrorism Act fast-tracked', Daily FT, 29 April 2019, 20190430132741

⁴⁶ 'Human Rights Commission of Sri Lanka appeals to fellow citizens to refrain from inciting communal violence', Colombo Page, 27 April 2019, 20190429172314

⁴⁷ 'Sri Lanka's Catholic Church cancels services on renewed fears of fresh attacks', Colombo Page, 2 May 2019, 20190503125224

⁴⁸ 'Sri Lanka masses canceled over fears of fresh attacks', The Daily Star (Lebanon), 3 May 2019,

^{20190503125659;} Schools will re-open tomorrow only for students from Grade Six and up, Colombo Page, 5 May 2019, 20190506091039

⁴⁹ 'Sri Lanka: Refugees Threatened, Attacked', Human Rights Watch, 29 April 2019, 20190430153818

⁵⁰ 'Sri Lanka: Refugees Threatened, Attacked', Human Rights Watch, 29 April 2019, 20190430153818

⁵¹ 'Sri Lanka: Refugees Threatened, Attacked', Human Rights Watch, 29 April 2019, 20190430153818

⁵² 'Five things to know a week after the Sri Lanka bombings', Nikkei Asian Review, 28 April 2019, 20190429105125

⁵³ 'New counter terrorism laws to be enacted', News.lk, 29 April 2019, 20190429171626; 'Premier wants Counter-Terrorism Act fast-tracked', Daily FT, 29 April 2019, 20190430132741

⁵⁴ 'Why New Wave of Terrorism May Strengthen Case for Gotabaya Rajapaksa as Next Lankan President', News 18, 22 April 2019, 20190502125343



Australian Government Department of Home Affairs

Situational Update

Sri Lanka – Political Crisis

Country of Origin Information Services Section (COISS) Humanitarian Program Capabilities Branch Effective from 13 December 2018

Situation summary

On 26 October 2018, Sri Lankan President Maithripala Sirisena sacked Prime Minister Ranil Wickremesinghe and appointed former President Mahinda Rajapaksa in his place. However, Wickremesinghe refused to resign as Prime Minister, arguing that Sirisena's decision was unconstitutional. Amid reports that Rajapaksa lacked majority support in parliament, on 28 October 2018 Sirisena suspended parliament and, on 9 November 2018, abruptly dissolved parliament and declared a snap election on 5 January 2019.

On 13 November 2018, Sri Lanka's Supreme Court temporarily suspended the dissolution of parliament ahead of a final decision. Following the suspension of the dissolution order, Sri Lanka's parliament reconvened, where two no confidence motions against Rajapaksa were passed despite the efforts of his supporters to disrupt proceedings. However, the results of these motions were not recognised by either Rajapaksa or Sirisena, both of whom claimed that they took place in violation of parliamentary procedure. In an interim judgement on Monday 3 December 2018, Sri Lanka's Court of Appeal temporarily barred Rajapaksa from acting as prime minister while it hears a petition challenging his refusal to step down. Sri Lanka currently finds itself at a political impasse with no clear path forward to resolve the crisis.

While analysts have expressed pessimism about the impact of a Rajapaksa government on progress towards transitional justice and conflict resolution following Sri Lanka's three decade long civil war, there is only limited evidence to date to support this. Similarly, there are few reports at present of political violence stemming from the political crisis, or of related violence towards minorities. Conversely, if successful in returning to power, Wickremesinghe has pledged to increase the powers of provincial councils and come up with a lasting political solution that satisfies Sri Lanka's Sinhalese and Tamil communities.

Major events to date

On 26 October 2018, Sri Lankan President Maithripala Sirisena sacked Prime Minister Ranil Wickremesinghe and replaced him with Mahinda Rajapaksa, a former president from 2005-2015 and recent political opponent who presided over the end of Sri Lanka's three-decade civil war but who has been accused of rampant corruption and widespread human rights abuses, including the

disappearance of opponents.¹ The move, which was widely condemned as in breach of the country's constitution, followed a decision earlier the same day by Sirisena's Sri Lanka Freedom Party to withdraw from a coalition government with Wickremesinghe's United National Party (UNP).²

In doing so, Sirisena blamed Wickremesinghe for a number of perceived governmental failings and claimed he no longer commanded a majority in Sri Lanka's 225 seat parliament.³ Sirisena also later accused Wickremesinghe of corruption and of interfering in an investigation into an alleged plot to assassinate him.⁴

Wickremesinghe refused to resign as Prime Minister, arguing that Sirisena's decision was unconstitutional, and requested an opportunity to prove his parliamentary majority.⁵ Amid reports that Rajapaksa lacked the numbers to prove his majority in parliament, on 28 October 2018 Sirisena suspended parliament until 16 November 2018.⁶

Following the decision to sack Wickremesinghe, Rajapaksa supporters surrounded key ministries and forcibly occupied government TV stations.⁷ One Rajapaksa supporter was killed on 28 October 2018 when he was shot by a bodyguard attached to Petroleum Minister Arjuna Ranatunga – a Wickremesinghe ally – while Ranatunga attempted to push through a crowd surrounding his ministry.⁸

A number of reports have stated that the suspension of parliament was intended to stop Wickremesinghe from successfully proving that he had a majority in parliament and to allow Rajapaksa time to obtain the support he needed.⁹ Several opposition parliamentarians claimed that they were offered ministerial positions or bribes to support Rajapaksa,¹⁰ while a UNP MP said she had been subject to threats.¹¹ In comments to the *Daily Mirror* newspaper, Sirisena admitted that Rajapaksa was unable to gain a parliamentary majority because MPs demanded higher bribes than expected.¹²

Competing rallies have been held in Colombo, attracting thousands of supporters of the UNP and Rajapaksa's United People's Freedom Alliance (UPFA).¹³ While these rallies have been largely peaceful, Karu Jayasuriya, the speaker of parliament, warned on 29 October 2018 of a possible

³ '<u>What's happening in Sri Lanka? All questions answered</u>', Aljazeera, 30 October 2018, CXBB8A1DA37610; '<u>Sri</u> <u>Lanka president: PM was sacked over assassination plot</u>', Associated Press, 29 October 2018, CXBB8A1DA37526

⁴ '<u>What's happening in Sri Lanka? All questions answered</u>', Aljazeera, 30 October 2018, CXBB8A1DA37610; '<u>Sri Lanka president: PM was sacked over assassination plot</u>', Associated Press, 29 October 2018, CXBB8A1DA37526; '<u>Not in my lifetime</u>': <u>Sirisena rules out ever restoring ousted PM</u>', Aljazeera, 26 November 2018, CXBB8A1DA39401

¹ '<u>Phantoms of Mahinda Rajapaksa and Sri Lanka's reign of terror</u>', *The Australian,* 26 November 2016, CX6A26A6E14017; '<u>Sacked Sri Lanka PM given 'deadline' to vacate residence</u>', Aljazeera, 28 October 2018, CXBB8A1DA37513

² 'Sacked Sri Lanka PM given 'deadline' to vacate residence', Aljazeera, 28 October 2018, CXBB8A1DA37513; 'Sri Lanka: economic and political fragility', *Global Risk Insights*, 3 December 2018, CXBB8A1DA39842; 'Sri Lanka crisis: House of Cards in the Indian Ocean', BBC News, 4 November 2018, CXBB8A1DA37815

 ⁵ <u>Sacked Sri Lanka PM given 'deadline' to vacate residence</u>', Aljazeera, 28 October 2018, CXBB8A1DA37513
 ⁶ <u>Sri Lankan president suspends parliament after firing prime minister</u>', Reuters, 27 October 2018, CXBB8A1DA37508

⁷ '<u>Sri Lanka: Stepping Back from a Constitutional Crisis</u>', *International Crisis Group (ICG)*, 31 October 2018, CXBB8A1DA37723

⁸ '<u>Sri Lanka: Stepping Back from a Constitutional Crisis</u>', *International Crisis Group (ICG)*, 31 October 2018, CXBB8A1DA37723

⁹ (<u>Sri Lankan president suspends parliament after firing prime minister</u>), Reuters, 27 October 2018, CXBB8A1DA37508; (<u>Sri Lanka: economic and political fragility</u>), Global Risk Insights', 3 December 2018, CXBB8A1DA39842

¹⁰ '<u>Sri Lanka crisis: House of Cards in the Indian Ocean</u>', BBC News, 4 November 2018, CXBB8A1DA37815; '<u>UPFA confident of proving majority on 14th: SB</u>', Daily Mirror, 8 November 2018, CXBB8A1DA38125

¹¹ '<u>Got threatening call to join Govt – Hirunika</u>', Daily Mirror, 7 November 2018, CXBB8A1DA38017

¹² '<u>Daily Mirror Removes Video of Sirisena's Controversial Statement From Facebook After Pressure From PMD</u>', Colombo Telegraph, 10 December 2018, CXBB8A1DA40178

 ¹³ "Let people decide': Sri Lankans want a vote as crisis drags on', Aljazeera, 8 November 2018,
 CXBB8A1DA38123; '<u>UNP planning mass rally in Colombo next Monday</u>', Daily Mirror, 8 November 2018,
 CXBB8A1DA38124

'bloodbath' if the dispute was not settled quickly in parliament and supporters of the rival parties instead tried to settle it in the streets.¹⁴ In a letter to diplomats and foreign missions, Jayasuriya referred to Sirisena's actions as 'a coup, albeit one without the use of tanks and guns'.¹⁵

On 9 November 2018, Sirisena abruptly decided to dissolve parliament and declare a snap election on 5 January 2019 after Rajapaksa supporters admitted that they could not muster majority support in parliament.¹⁶ Dayasiri Jayasekara, a Rajapaksa cabinet member, said that Sirisena had no choice but to dissolve parliament because of Wickremesinghe's refusal to step down.¹⁷ However, opponents labelled the move unconstitutional and pledged to challenge it in the Supreme Court.¹⁸ On 13 November 2018, the Supreme Court temporarily suspended the dissolution of parliament ahead of a final decision.¹⁹

Following the suspension of the dissolution order, Sri Lanka's parliament reconvened on 14 November 2018, where it voted on a no confidence motion against Rajapaksa.²⁰ Rajapaksa supporters disrupted the session in order to prevent a formal vote, but a 'voice vote' – where the result is determined by whoever is able to make the most noise – was held and the motion was passed. The result of the vote was subsequently affirmed in writing by 122 MPs.²¹ However, the result of the vote was rejected by Sirisena and Rajapaksa, both of whom claimed that it was in breach of parliamentary procedure.²²

Parliament met again on 15 November 2018. The UNP, along with several other parties, including the Tamil National Alliance (TNA), the main Tamil party, and the Marxist JVP, attempted to move another no-confidence motion. As had happened the previous day, Rajapaksa supporters disrupted the vote. According to a number of reports, objects were thrown and there was fighting between MPs – one of whom was hospitalised. As a result of the violence, no motion could be held.²³

A second no confidence motion, again by a voice vote, was passed on 16 November 2018.²⁴ Rajapaksa supporters again attempted to prevent a vote, moving to stop Jayasuriya from taking the speaker's chair. Jayasuriya needed to be escorted into the chamber of parliament by dozens of unarmed police officers and parliamentary staff.²⁵ Projectiles were thrown and some MPs had to receive treatment after chili mixed with water was splashed over their faces. Another legislator allegedly suffered an injury to his forehead when a rival MP hit him with a hard-cover copy of the

¹⁴ 'Sri Lanka crisis: Fears of a 'bloodbath' in power struggle', BBC News, 29 October 2018, CXBB8A1DA37570

 ¹⁵ <u>SL has suffered a 'coup without guns': Speaker</u>', Daily Mirror, 7 November 2018, CXBB8A1DA38019
 ¹⁶ <u>Sri Lanka president dissolves parliament, sets January snap poll</u>', Aljazeera, 10 November 2018, CXBB8A1DA38243; <u>Sri Lanka crisis: Supreme Court suspends dissolution of parliament</u>', BBC News, 13

November 2018, CXBB8A1DA38485 ¹⁷ '<u>Sri Lanka president dissolves parliament, sets January snap poll</u>', Aljazeera, 10 November 2018,

CXBB8A1DA38243 ¹⁸ <u>'Sri Lanka president dissolves parliament, sets January snap poll</u>', Aljazeera, 10 November 2018,

CXBB8A1DA38243; <u>'UNP, JVP & TNA to challenge parliament's dissolution</u>', Daily Mirror, 10 November 2018, CXBB8A1DA38249

¹⁹ '<u>Sri Lanka crisis: Supreme Court suspends dissolution of parliament</u>', BBC News, 13 November 2018, CXBB8A1DA38485

²⁰ '<u>Sri Lanka MPs pass no-confidence vote against disputed PM Rajapaksa</u>', The Guardian, 14 November 2018, CXBB8A1DA38625

²¹ <u>Sri Lanka MPs pass no-confidence vote against disputed PM Rajapaksa</u>, The Guardian, 14 November 2018, CXBB8A1DA38625

²² <u>'Sri Lanka MPs pass no-confidence vote against disputed PM Rajapaksa</u>', The Guardian, 14 November 2018, CXBB8A1DA38625; <u>'President rejects NCM brought against PM, Govt.</u>', Daily Mirror, 15 November 2018, CXBB8A1DA38626

²³ '<u>Chaos in Sri Lanka parliament as MPs exchange blows</u>', Aljazeera, 15 November 2018, CXBB8A1DA38741; '<u>Sri Lanka MPs fight in parliament as power struggle deepens</u>', The Guardian, 15 November 2018, CXBB8A1DA38742

²⁴ '<u>Sri Lanka MPs hurl 'chili powder' and chairs in fresh chaos</u>', The Guardian, 16 November 2018, CXBB8A1DA38919

²⁵ '<u>Chilli paste, books and chairs thrown in Sri Lanka parliament</u>', Aljazeera, 17 November 2018, CXBB8A1DA38916

constitution that was on the speaker's table.²⁶ Both Sirisena and Rajapaksa again refused to accept the result of this second vote.²⁷

Meeting with foreign correspondents on 25 November 2018, Sirisena again stressed that he would not reappoint Wickremesinghe as Prime Minister despite the result of the two no-confidence motions and Rajapaksa's inability to secure a majority.²⁸ Sirisena accused Wickremesinghe of corruption and said that he would appoint a commission to investigate corruption and malpractice under his government.²⁹ A number of UNP MPs responded that as Sirisena had served as part of this government for several years, he must bear collective responsibility for any corruption.³⁰

While unable to enforce the result of the two no-confidence motion against Rajapaksa, on 29 November 2018 the UNP and several other parties won a parliamentary vote to cut off funding to the Prime Minister's Office, and on 30 November 2018, to the offices of Rajapaksa's ministers, in a move intended to starve them of money to govern.³¹ Rajapaksa supporters again boycotted these votes, which they labelled as illegal.³² Separately, the TNA stated on 29 November 2018 that it would support the UNP's candidate for Prime Minister in a bid to break the deadlock, strengthening the UNP's parliamentary position.³³

In an interim judgement on Monday 3 December 2018, the country's Court of Appeal temporarily barred Rajapaksa from acting as prime minister while it hears a petition challenging his refusal to step down following the two no-confidence motions.³⁴ Rajapaksa said he would file a Supreme Court appeal against the ruling.³⁵

On 12 December 2018, Sri Lanka's parliament passed a confidence motion in Wickremesinghe by 117 votes to nil. Rajapaksa supporters boycotted the vote while the JVP abstained.³⁶

Impact of the political crisis on transitional justice and conflict resolution

Analysts have expressed pessimism about the impact of a Rajapaksa government on progress towards transitional justice and conflict resolution following Sri Lanka's three decade long civil war. However, there is only limited evidence to support this at present and it remains uncertain whether Rajapaksa will be able to emerge from the current political crisis as Prime Minister. Conversely, if successful in returning to power, Wickremesinghe has pledged to increase the powers of provincial councils and come up with a lasting political solution that satisfies Sri Lanka's Sinhalese and Tamil communities.

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²⁶ <u>'Chilli paste, books and chairs thrown in Sri Lanka parliament</u>', Aljazeera, 17 November 2018, CXBB8A1DA38916

²⁷ '<u>Sri Lanka MPs hurl 'chili powder' and chairs in fresh chaos</u>', The Guardian, 16 November 2018, CXBB8A1DA38919

²⁸ <u>"Not in my lifetime': Sirisena rules out ever restoring ousted PM</u>', Aljazeera, 26 November 2018, CXBB8A1DA39401

²⁹ <u>"Not in my lifetime': Sirisena rules out ever restoring ousted PM</u>', Aljazeera, 26 November 2018, CXBB8A1DA39401

 ³⁰ '<u>President interfered with high-profile probes: Sagala</u>', Daily Mirror, 26 November 2018, CXBB8A1DA39404
 ³¹ '<u>Tamils back ousted Sri Lankan PM as pressure builds on president</u>', Agence France Presse (AFP), 29
 November 2018, CXBB8A1DA39661; '<u>Sri Lanka parliament halts ministers</u>' salaries to pressure disputed PM', Reuters, 30 November 2018, CXBB8A1DA39924

³² '<u>Sri Lanka parliament halts ministers' salaries to pressure disputed PM</u>', Reuters, 30 November 2018, CXBB8A1DA39924

³³ '<u>Tamils back ousted Sri Lankan PM as pressure builds on president</u>', Agence France Presse (AFP), 29 November 2018, CXBB8A1DA39661

³⁴ 'Sri Lanka temporarily bars Rajapaksa from acting as PM', Aljazeera, 3 December 2018, CXBB8A1DA39815

 ³⁵ (Sri Lanka temporarily bars Rajapaksa from acting as PM', Aljazeera, 3 December 2018, CXBB8A1DA39815
 ³⁶ (Majority of MPs back me: Ranil', Daily Mirror, 12 December 2018, CXBB8A1DA40322; (Sri Lanka parliament passes confidence vote backing ousted PM', Reuters, 13 December 2018, CXBB8A1DA40323

Analysts' assessments

A 29 October 2018 opinion piece by Mario Arulthas, the advocacy director for People for Equality and Relief in Lanka (PEARL), a Washington DC based organisation which advocates for the human rights of Tamils in the north and east of Sri Lanka, expressed concern that individuals responsible for crimes committed during the civil war and its aftermath remained free and that 'even more worryingly, the politicians that oversaw these crimes are now back in power'.³⁷

Similarly, an opinion piece by Charu Hogg, the Executive Director of the All Survivors Project³⁸, and Dr Champa Patel, the head of the Asia programme at the Chatham House international affairs institute, said that 'Rajapaksa's return would certainly mean the reversal of the few gains that have been made on transitional justice and accountability. It would also signal the end of a joint process towards transitional justice at the Human Rights Council, which began with a landmark UN resolution in 2015'.³⁹

A 31 October 2018 International Crisis Group report said that 'Rajapaksa's government also can be expected to reverse the growing independence of the judiciary, police, Human Rights Commission and other bodies', noting that 'police investigations and prosecutions of crimes allegedly committed by members of Rajapaksa's family and close associates when they held power have been proceeding, albeit slowly. They will almost certainly be halted, with many believing that a desire to hamstring the judicial process was one of the Rajapaksas' main motivations to return to power now'.⁴⁰

A November 2018 Department of Foreign Affairs and Trade (DFAT) country information response commented on the expected fate of the country's controversial Prevention of Terrorism Act (PTA) under a Rajapaksa government. A replacement bill for the PTA which has been broadly welcomed by Sri Lankan civil society as a significant improvement on the existing legislation was approved by the Sri Lankan Cabinet in September 2018 and had been tabled in parliament on 9 October 2018.⁴¹ However, DFAT said that it is unlikely the PTA would be repealed and replaced with 'human rights compliant legislation' under a Rajapaksa government, assessing instead that the PTA 'would either: (1) remain 'suspended' but be used at the discretion of authorities; (2) be reinstated into force (i.e. the suspension would be lifted); or (3) be replaced with new non-human rights compliant legislation'.⁴²

Efforts to undermine transitional justice and conflict resolution

In terms of any specific examples to date of the impact of a Rajapaksa government on progress towards transitional justice and conflict resolution, on 19 November 2018 Inspector Nishantha Silva was transferred with immediate effect to normal police duties in the Negombo Police Division.⁴³ Inspector Silva was a senior police officer investigating several high profile cases which took place while Rajapaksa was president between 2005 and 2015, including the abduction and murder of 11

³⁷ <u>'Sri Lanka's Tamil are at imminent risk after Rajapaksa's return</u>', Aljazeera, 29 October 2018, CXBB8A1DA39443

³⁸ According to its website, the <u>All Survivors Project</u> 'conducts research, facilitates inter-disciplinary learning, and undertakes advocacy to prevent and respond to sexual violence in situations of armed conflict and displacement. ASP is an independent, international, non-governmental human rights organisation that works with male survivors of sexual violence, non-governmental actors, national and international governmental agencies to protect the rights of all victims, and to respect the dignity of survivors in the global response to this widespread form of abuse'.

³⁹ <u>What happens if Rajapaksa heads Sri Lanka's government?</u> Aljazeera, 1 November 2018, CXBB8A1DA37739

⁴⁰ '<u>Sri Lanka: Stepping Back from a Constitutional Crisis</u>', *International Crisis Group (ICG)*, 31 October 2018, CXBB8A1DA37723

⁴¹ 'Country Information Request CI181005093018339 – Current status of PTA in Sri Lanka', *Department of Foreign Affairs and Trade*, 5 November 2018, CXBB8A1DA37923; 'Counter Terrorism Act gets Cabinet Nod', Daily FT, 12 September 2018, CXBB8A1DA35588; 'Initial Comment on the Proposed Counter Terrorism Bill', Centre for Policy Alternatives, 18 September 2018, CXBB8A1DA35564

⁴² 'Country Information Request CI181005093018339 – Current status of PTA in Sri Lanka', *Department of Foreign Affairs and Trade*, 5 November 2018, CXBB8A1DA37923

 ⁴³ 'Senior police officer investigating high profile crimes transferred to save the criminals – MP', Colombo Page,
 19 November 2018, CXBB8A1DA38927

youths by Navy personnel, the murder of journalist Lasantha Wickremetunga and the assaults of journalists Keith Noyahr and Upali Tennakoon.⁴⁴ The decision to transfer Inspector Silva attracted strong criticism from civil society groups and opposition politicians, some of whom claimed that it was the result of pressure from Sirisena, Rajapaksa and senior military figures.⁴⁵ Following a request by the independent National Police Commission for a report on the transfer,⁴⁶ the transfer was halted.⁴⁷

A November 2018 Daily FT report outlines limited further instances in which investigations into Rajapaksa-era criminal cases have allegedly been interfered with.⁴⁸ According to human rights lawyer Deanne Uyangoda, cited in the Daily FT article, these examples are evidence that 'the scaling back on accountability and ensuring recurrence of violence and impunity has only just begun'.⁴⁹

Investigations of civil war and Rajapaksa-era crimes continue

Despite these examples, the Sri Lankan police and the country's courts continue to investigate other Rajapaksa-era criminal cases, while Sirisena, in a meeting with foreign correspondents on 25 November 2018, reiterated that he would ensure that ongoing corruption and other criminal investigations concerning Rajapaksa and his allies would continue regardless of who was in power.⁵⁰

On 28 November 2018, Sri Lanka's most senior military official, Ravindra Wijegunaratne, the chief of defence staff, was arrested and jailed as a court investigates allegations he helped cover up the abduction and murder of 11 youths by Navy personnel during the final months of Sri Lanka's civil war.51

On 29 November 2018, a Colombo magistrate directed police to arrest the 'real suspects' behind the killing of rugby player Wasim Thajudeen in May 2012 and produce them in court.⁵² According to a number of reports, investigations into Thajudeen's murder have allegedly implicated members of the Rajapaksa family, who have denied any involvement.53

On 4 December 2018, a Special High Court said that former defence secretary Gotabaya Rajapaksa, the brother of Mahinda Rajapaksa, will stand trial on 22 January 2019 for the alleged misappropriation of Rs 49 million.54

Uncertainty regarding the outcome of the political crisis

While most attention has focused on the impact of a Rajapaksa government on transitional justice and conflict resolution in Sri Lanka, it remains uncertain whether Rajapaksa will be able to emerge from

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⁴⁴ 'Senior police officer investigating high profile crimes transferred to save the criminals – MP', Colombo Page, 19 November 2018, CXBB8A1DA38927; 'United Backlash Halts Transfer of Key CID Officer', Daily Mirror, 29 November 2018, CXBB8A1DA39669

⁴⁵ '<u>United Backlash Halts Transfer of Key CID Officer</u>', Daily Mirror, 29 November 2018, CXBB8A1DA39669

⁴⁶ 'National Police Commission orders report from IGP on senior police officer's questionable transfer', Colombo Page, 19 November 2018, CXBB8A1DA38926; 'After the 'coup': Justice on a knife's edge?', Daily FT, 23 November 2018, CXBB8A1DA39407

⁴⁷ 'United Backlash Halts Transfer of Key CID Officer', Daily Mirror, 29 November 2018, CXBB8A1DA39669

⁴⁸ (After the 'coup': Justice on a knife's edge?', Daily FT, 23 November 2018, CXBB8A1DA39407

⁴⁹ (After the 'coup': Justice on a knife's edge?', Daily FT, 23 November 2018, CXBB8A1DA39407

⁵⁰ (Sri Lankan president: PM-related investigations to continue', Associated Press (AP), 25 November 2018, CXBB8A1DA39405

⁵¹ 'Sri Lanka's most senior military official in court over civil-war abductions', The Guardian, 29 November 2018, CXBB8A1DA39688; 'Sri Lanka's Chief of Defense Staff detained over cover-up in disappearance of Tamil vouths', Colombo Page, 28 November 2018, CXBB8A1DA39680

^{&#}x27;Thajudeen killing: Court directs CID to produce real suspects', Daily Mirror (Sri Lanka), 29 November 2018, CXBB8A1DA39673

⁵³ 'Sri Lanka's ex-leader defends son over murder claim', Agence France Presse (AFP) - France, 9 August 2015, CXBD6A0DE11598; 'Phantoms of Mahinda Rajapaksa and Sri Lanka's reign of terror', The Australian, 26 November 2016, CX6A26A6E14017

⁵⁴ 'Special court to hear case on Gota from January 22nd', Colombo Gazette, 4 December 2018, CXBB8A1DA39955

the current political crisis as Prime Minister.⁵⁵ Conversely, if successful in returning to power, Wickremesinghe has pledged to increase the powers of provincial councils, abolish the country's executive presidency and come up with a lasting political solution that satisfies Sri Lanka's Sinhalese and Tamil communities.⁵⁶ The TNA – which stated on 29 November 2018 that it would support Wickremesinghe as Prime Minister in order to break the political deadlock⁵⁷ – has also said its support is conditional on the devolution of power to the north and the east, and the release of remaining military occupied land and Tamil prisoners held under legislation such as the PTA.⁵⁸

Reports of increased political violence and violence toward minorities

There have been few reports to date of threats or political violence stemming from Sri Lanka's political crisis, or of related violence towards minorities.

Threats towards journalists

A 20 November 2018 *Sri Lanka Brief* article reported that senior leaders of the Sri Lanka Working Journalists Association had been threatened for speaking out about issues facing the media following the appointment of Rajapaksa as Prime Minister, including threats made to journalists working for state media organisations.⁵⁹ The International Federation of Journalists (IFJ) said that it was 'seriously concerned by the ongoing political crisis in Sri Lanka, and the threats and harassment of journalist union leaders for standing up for freedom of expression press freedom and journalists' rights'.⁶⁰ A 29 October 2018 opinion piece by Mario Arulthas, the advocacy director for People for Equality and Relief in Lanka (PEARL), a Washington DC based organisation which advocates for the human rights of Tamils in the north and east of Sri Lanka, said that some journalists had begun to self-censor, including deleting content from their social media accounts.⁶¹

Monitoring and harassment of Tamils commemorating Martyrs Day

Martyrs Day (also known as Heroes Day or Maaveerar Naal) commemorations, which are intended to remember those killed during the civil war, and commemorations to mark the birthday of former LTTE leader Vellupillai Prabhakaran, were able to take place in the north and east of Sri Lanka on 27 November 2018 for the third year in a row.⁶² However, there was some evidence – as in 2016 and 2017 – of monitoring and harassment on the part of the security services, while a 27 November 2018 *Colombo Telegraph* article said that magistrates in Jaffna, Kayts and Batticaloa had prohibited the display of LTTE symbols but had stopped short of banning commemorations.⁶³

⁵⁵ <u>'Sri Lanka temporarily bars Rajapaksa from acting as PM</u>', Aljazeera, 3 December 2018, CXBB8A1DA39815; <u>'Sri Lanka president dissolves parliament, sets January snap poll</u>', Aljazeera, 10 November 2018, CXBB8A1DA38243; <u>'Sri Lanka crisis: Supreme Court suspends dissolution of parliament</u>', BBC News, 13 November 2018, CXBB8A1DA38485

⁵⁶ 'Majority of MPs back me: Ranil', Daily Mirror, 12 December 2018, CXBB8A1DA40322

⁵⁷ <u>'Tamils back ousted Sri Lankan PM as pressure builds on president</u>', Agence France Presse (AFP), 29 November 2018, CXBB8A1DA39661

⁵⁸ <u>'TNA says its support was conditional</u>', Daily Mirror, 12 December 2018, CXBB8A1DA40324

⁵⁹ '<u>Press freedom and journalist safety under threat in Sri Lanka – IFJ</u>', Sri Lanka Brief, 20 November 2018, CXBB8A1DA39188

⁶⁰ '<u>Press freedom and journalist safety under threat in Sri Lanka – IFJ</u>', Sri Lanka Brief, 20 November 2018, CXBB8A1DA39188

⁶¹ <u>'Sri Lanka's Tamil are at imminent risk after Rajapaksa's return</u>', Aljazeera, 29 October 2018, CXBB8A1DA39443

⁶² 'Defying Confusing Magisterial Orders Prabhakaran's Birthday Celebrated Widely', Colombo Telegraph, 27 November 2018, CXBB8A1DA39486; 'Mahaveer Naal celebrated without any major incidents in the North', Asian Tribune, 28 November 2017, CXC9046618423; 'Sri Lankan regime backing away from conflict resolution vows', Asia Times, 5 December 2017, CXC90406618789

⁶³ '<u>Defying Confusing Magisterial Orders Prabhakaran's Birthday Celebrated Widely</u>', *Colombo Telegraph*, 27 November 2018, CXBB8A1DA39486

Accusations of the re-emergence of Karuna Amman

A 4 December 2018 *Daily News* article said that a rehabilitated ex- LTTE fighter had been arrested for the murder of two policemen killed in Batticaloa district on 30 November 2018.⁶⁴ The article said that the murders were in retaliation for the stopping of a Martyrs Day event.⁶⁵ However, a number of Sri Lankan MPs – including members of the Tamil National Alliance, the largest Tamil party – have raised allegations about the possible involvement of Karuna Amman, a former LTTE leader turned government-aligned paramilitary leader and politician, and the Eelam Peoples Democratic Party in the murder of the two policemen and a number of other recent criminal incidents in the north and east of the country.⁶⁶ According to TNA MP M.A Sumanthiran, Karuna Amman had become 'active' following the appointment of Rajapaksa as Prime Minister on 26 October 2018.⁶⁷

Violence towards Muslims

COISS is not aware of any reports to date of violence towards Muslims by militant Buddhist nationalists or any other groups. However, a 31 October 2018 International Crisis Group report said. that 'Sri Lanka's Muslims, who suffered four days of violent attacks on mosques, businesses and homes by militant Buddhist nationalists in March, could also be at greater risk under a resurgent Rajapaksa administration'. The report noted that 'a key suspect in the anti-Muslim violence was released on bail from prison on 29 October, following a concerted campaign by Sinhala nationalists with connections to the military and to Gotabaya Rajapaksa, Mahinda's powerful brother, formerly in charge of the police and military'. The report said that two days earlier, Gotabaya had held a press conference to defend Wickremesinghe's removal in the company of the Buddhist monk Ittakande Saddhatissa, who has been arrested multiple times for his involvement in violent protests.⁶⁸

On 19 November 2018, police used tear gas and water cannons on monks from the Sinhalese nationalist Bodu Bala Sena (BBS) organisation protesting in front of the Presidential Secretariat in Colombo. The monks were protesting to demand the release of BBS leader Galagoda Aththe Gnanasara, who is currently servicing a six year prison sentence for contempt of court. Sirisena expressed his regret over the incident.⁶⁹

⁶⁴ '<u>IGP visits Batticaloa following killing of 2 policemen</u>', adaderana.lk (Ada Derana), 30 November 2018, CXBB8A1DA39830; '<u>Ex-LTTE member arrested over Batticaloa cop killings</u>', Daily News Sri Lanka, 4 December 2018, CXBB8A1DA39835

⁶⁵ '<u>Ex-LTTE member arrested over Batticaloa cop killings</u>', Daily News Sri Lanka, 4 December 2018, CXBB8A1DA39835

⁶⁶ '<u>TNA suspects Karuna and EPDP involved in criminal acts</u>', Colombo Gazette, 30 November 2018, CXBB8A1DA39831; '<u>Questions raised in Parliament over Karuna Amman's tweet</u>', *adaderana.lk (Ada Derana)*, 30 November 2018, CXBB8A1DA39832

⁶⁷ <u>'Questions raised in Parliament over Karuna Amman's tweet</u>', *adaderana.lk (Ada Derana)*, 30 November 2018, CXBB8A1DA39832

⁶⁸ '<u>Sri Lanka: Stepping Back from a Constitutional Crisis</u>', *International Crisis Group (ICG)*, 31 October 2018, CXBB8A1DA37723

⁶⁹ '<u>President Sirisena Expresses Regret Over Tear Gas And Water Cannon Attack On Bodu Bala Sena Monks;</u> <u>Says He Was Unaware of Protest</u>', Asian Mirror, 19 November 2018, CXBB8A1DA39190



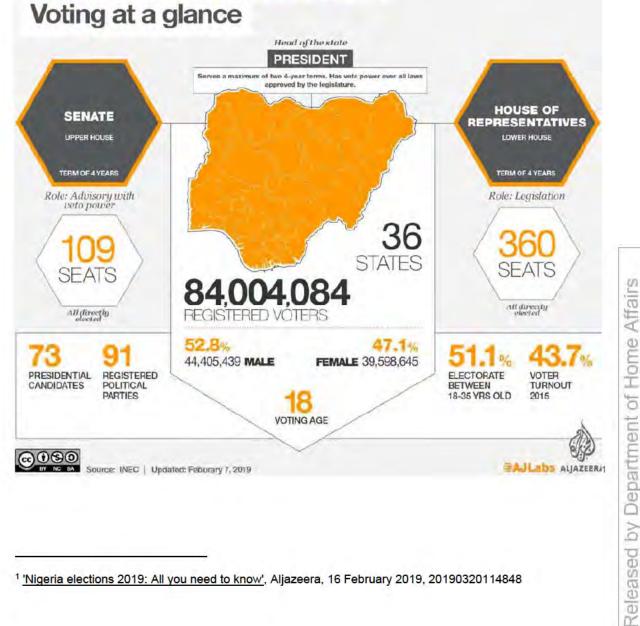
Australian Government **Department of Home Affairs**

Situational Update

Nigeria: 2019 Presidential and Legislative Elections

Country of Origin Information Services Section (COISS) Humanitarian Program Capabilities Branch Effective from 18 April 2019

NIGERIA ELECTIONS 2019



¹ 'Nigeria elections 2019: All you need to know', Aljazeera, 16 February 2019, 20190320114848

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Background

The two major competing political parties at Nigeria's 2019 presidential elections were the centre-right leaning People's Democratic Party (PDP) and the left-leaning All Progressive Congress (APC). In September and October of 2018 the APC and PDP held primary elections to select a party leader and candidate for the 2019 presidential elections. The main presidential contenders were APC leader Muhammad Buhari and PDP leader Atiku Abubakar, both Muslims who originate from the northern states of Nigeria. Although the PDP remained the ruling party throughout Nigeria's Fourth Republic after the fall of Sani Abacha's dictatorial regime in 1998, the PDP was defeated by the APC at the 2015 national elections. The APC was formed on 6 February 2013 through an alliance of Nigeria's largest three opposition parties and current APC leader, General Muhammadu Buhari, is the country's incumbent president.

Internal displacement resulting from internal conflicts posed serious security and logistical challenges. The 2019 presidential elections were scheduled to occur on 16 February 2019.² The election of Governors (Gubernatorial elections) in each of Nigeria's 36 states was scheduled to occur on 2 March 2019. Hours before polling opened on 16 February the Independent Electoral Commission announced that polling would be postponed due to logistical challenges. Presidential and legislative elections were rescheduled to 26 February 2019. Buhari and the APC retained their majority on polling day and were re-elected despite the lowest voter turnout recorded in the country's history.

The APC also retained a majority of states in the Gubernatorial elections which were rescheduled to 9 March 2019. Although there were widespread reports of violence, rigging and intimidation throughout the election process, observers noted fewer deaths arising from electoral violence. A legal challenge to the presidential elections and pending supplementary elections for inconclusive Gubernatorial results in seven states remains unresolved.

Key contenders and their campaigns

<image>

³ <u>'Nigeria elections 2019: All you need to know'</u>, Aljazeera, 16 February 2019, 20190320114848

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² <u>'Nigeria Country Profile'</u>, CLGF, 30 January 2019, 20190410151856

Observers noted that the outcome of the 2019 general elections would be determined by the three main areas of contention: corruption, insecurity and the economy.⁴

In terms of corruption, Buhari was elected in 2015 on a wave of hope that he would live up to his image of "unimpeachable character" and take a hard line to tackle the country's notorious and staggering levels of corruption.⁵ Despite falling short of expectations during his term, Abubakar's reputation had been plagued by allegations of his involvement in several international money laundering scandals.6

In terms of security, Nigeria is rife with crime and seriously affected by violent insurgencies against which Buhari had had failed to deliver any resolutions, despite a decreased rate of attacks from Boko Haram in the northern states throughout 2017 and 2018.7

Finally, in terms of the economy, Nigeria is the largest African country in terms of population size and economic revenue, however figures released in 2018 revealed that the country is home to the largest proportion of people living in extreme poverty worldwide.⁸ Buhari's term as president had been hindered for the large part by recession when commodity prices fell in 2016 and Abubakar's campaign was largely based on privatisation and commercial enterprise.⁹

There were 71 presidential hopefuls keen to challenge Nigeria's two party political establishments.¹⁰ An important legal development in 2018 was that the required legal age of a president that had been lowered from 40 to 35 years after Buhari signed the #NotTooYoungToRun Bill on 31 May 2018.¹¹ However both presidential candidates pinned to win the elections are older than 70 years of age¹² and a significant influencing factor is the role that the so-called "godfathers" play in the election process.¹³ "Godfathers" are not candidates, but political sponsors who use money and influence to win support for their preferred candidate.¹⁴ Their preferred candidate or "godson" is chosen based on their ability to repay and enrich their "godfather" rather than for their political aptitude.¹⁵ Godfather influence made it unlikely that any other candidate outside the two party establishment could win.¹⁶

The lead female candidate, former Government Minister Obiageli Ezekwesili, quit the presidential race on 24 January 2019 to help build a coalition which might become a viable alternative to the country's

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⁴ '2019 Nigeria election: What you need to know', Deutsche Welle, 14 February 2019, 20190313112219; 'Nigeria's Election Brings Dual Crises Back to the Polls: Corruption and Boko Haram', New York Times, The, 12 February 2019, 20190320103934

⁵ 'Nigeria election: 'Mr Honesty' tainted by failure to tackle corruption', The Guardian, 11 February 2019, 20190318135052; and '2019 Nigeria election: What you need to know', Deutsche Welle, 14 February 2019, 20190313112219

⁶ 'Nigerian candidate's U.S. visit was temporary reprieve from graft ban', Reuters, 4 February 2019, 20190318144331

⁷ '<u>Nigeria's Election Brings Dual Crises Back to the Polls: Corruption and Boko Haram</u>', New York Times, The, 12 February 2019, 20190320103934; and '2019 Nigeria election: What you need to know', Deutsche Welle, 14 February 2019, 20190313112219;

⁸ 'Nigeria overtakes India in extreme poverty ranking', CNN, 26 June 2018, 20190410152532

⁹ <u>'2019 Nigeria election: What you need to know'</u>, Deutsche Welle, 14 February 2019, 20190313112219; and 20190416172848

¹⁰ 'Nigeria's 2019 presidential polls: 72 aspirants on ballot - Official', Africa News, 18 January 2019, 20190318143343

¹¹ 'The young politicians aiming to consign Africa's old guard to history', CNN, 9 February 2019, 20190318135356

¹² <u>'Nigeria's election: young voters, old candidates'</u>, Reuters, 13 February 2019, 20190318133032 ¹³ 'Godfathers in Nigeria that would shape 2019 general election', Business Insider, 27 November 2017, 20190320114457

¹⁴ 'Nigeria election 2019: How 'godfathers' influence politics', BBC News, 4 February 2019, 20190318140321 ¹⁵ 'Nigeria election: Muhammadu Buhari re-elected as president', BBC News, 27 February 2019,

^{20190315153411;} and 'Muhammadu Buhari, Nigeria's 'new broom' president in profile', BBC News, 27 February 2019, 20190410153843

¹⁶ 'Godfathers in Nigeria that would shape 2019 general election', Business Insider, 27 November 2017, 20190320114457

two main parties.¹⁷ Obiageli Ezekwesili was known for her involvement in an international campaign to raise awareness over 200 school girls abducted by Boko Haram in 2014.¹⁸

Muhammad Buhari, a former military figure, is known to have been ruthless in his fight against corruption.¹⁹ During his rule, he was accused of jailing political actors without trial and committing widespread human rights abuses.²⁰ Buhari made a political comeback when he won the 2015 presidential elections on a pledge to tackle insecurity and corruption²¹. As the incumbent for Nigeria's 2019 presidential elections, Buhari retained his leadership of the APC at the party's primary election which were held on 29 September 2018.²²

Buhari's public image is one of being an incorruptible disciplinarian based on his 20 month stint as military leader in the 1980s²³. Although Buhari was Nigeria's first opposition leader to win a democratic presidential election, his failure to deliver on his 2015 campaign promises has cast doubts over his effectiveness as a future leader.²⁴

Whilst Buhari had taken notable steps to tackle corruption, much remains to be achieved.²⁵ He has been accused of being too lenient towards his allies, whilst focusing his efforts on targeting those outside of his circle.²⁶ Corruption cases against some prominent officials were only acted upon after pressure from the media and the public.²⁷

Throughout the 2018-2019 campaign Buhari was widely criticised for his inaction towards the rise in violent clashes between Christian farmers and Muslim Herdsmen in the Middle Belt²⁸. Furthermore, he has been criticised over his failure to defeat Boko Haram despite a decrease in number of attacks since 2017²⁹. Questions also remained unanswered about the 170 days of medical leave Buhari has taken during his presidential term to receive treatment abroad, raising concerns about his health.³⁰ In December 2018, Buhari was forced to publicly deny online rumours claiming he died and was replaced by a body double from Sudan called "Jubril".³¹

^{20 20} <u>'Nigeria election: Muhammadu Buhari re-elected as president'</u>, BBC News, 27 February 2019, 20190315153411; and <u>'Muhammadu Buhari, Nigeria's 'new broom' president in profile'</u>, BBC News, 27 February 2019, 20190410153843

^{21 21} <u>'Nigeria election: Muhammadu Buhari re-elected as president'</u>, BBC News, 27 February 2019, 20190315153411; and <u>'Muhammadu Buhari</u>, Nigeria's 'new broom' president in profile', BBC News, 27 February 2019, 20190410153843

²² <u>'Nigeria election: Muhammadu Buhari re-elected as president'</u>, BBC News, 27 February 2019, 20190315153411; and <u>'Muhammadu Buhari, Nigeria's 'new broom' president in profile'</u>, BBC News, 27 February 2019, 20190410153843

²³ <u>'Nigeria election: Muhammadu Buhari re-elected as president'</u>, BBC News, 27 February 2019, 20190315153411; and <u>'Muhammadu Buhari, Nigeria's 'new broom' president in profile'</u>, BBC News, 27 February 2019, 20190410153843

²⁴ <u>'2019 Nigeria election: What you need to know'</u>, Deutsche Welle, 14 February 2019, 20190313112219
 ²⁵ <u>'Nigeria election: 'Mr Honesty' tainted by failure to tackle corruption'</u>, The Guardian, 11 February 2019, 20190318135052

²⁶ <u>'Nigeria's Election Brings Dual Crises Back to the Polls: Corruption and Boko Haram'</u>, New York Times, The,
 12 February 2019, 20190320103934; and <u>'Nigeria election: 'Mr Honesty' tainted by failure to tackle corruption'</u>,
 The Guardian, 11 February 2019, 20190318135052

²⁷ <u>'Nigeria election: 'Mr Honesty' tainted by failure to tackle corruption'</u>, The Guardian, 11 February 2019, 20190318135052

²⁸ <u>'2019 Nigeria election: What you need to know'</u>, Deutsche Welle, 14 February 2019, 20190313112219

¹⁷ <u>'Nigerian Chibok girls' champion Ezekwisili quits presidential race'</u>, Reuters, 24 January 2019, 20190318141729

¹⁸ <u>'Nigerian Chibok girls' champion Ezekwisili quits presidential race'</u>, Reuters, 24 January 2019, 20190318141729

¹⁹ <u>'Muhammadu Buhari, Nigeria's 'new broom' president in profile'</u>, BBC News, 27 February 2019, 20190410153843

 ²⁹ <u>'2019 Nigeria election: What you need to know</u>', Deutsche Welle, 14 February 2019, 20190313112219
 ³⁰ <u>'Buhari's Health Re-emerging as a Factor in 2019 Nigerian Elections</u>', Council on Foreign Relations, 09 May 2018, 20190410153132

³¹ <u>'Nigerian President Buhari denies death and body double rumours'</u>, BBC News, 03 December 2018, 20190410153403 and <u>'Muhammadu Buhari, Nigeria's 'new broom' president in profile'</u>, BBC News, 27 February 2019, 20190410153843

Without deviating from his 2015 election promises, Buhari's campaign for 2019 (symbolised by the traditional broom) remained centred on reviving the economy, continuing in his efforts to root out corruption, and take more measures to defeat the extremist militant groups in the north.³²

Atiku Abubakar, former Nigerian Vice President when the PDP held Government from 1999 to 2007, was elected party leader on 5 October 2018 to challenge Buhari at the 2019 presidential elections³³.

Abubakar's nomination was plagued by controversy in view of him being implicated in international money laundering scandals.³⁴. In 2009 former US Representative William Jefferson was convicted of bribing Abubakar for business expansion in Nigeria.³⁵ In a separate matter, in 2010 US Senate investigators alleged that one of Abubakar's four wives helped him transfer more than \$40 million in "suspected funds" into the United States from offshore shell companies for which at least \$1.7 million had been used by German tech company Siemens to pay in bribes.³⁶ Siemens pleaded guilty to the bribery charges in 2008.³⁷

Prior to the election campaign, Abubakar had been unable to travel to the United States. However, in view of the possibility that he may become Nigeria's head of state, Abubakar's travel ban to the United States was temporarily lifted enabling him to meet with top US diplomats and lawmakers in January 2019³⁸. Abubakar's supporters claimed that his visit to the United States was evidence that the allegations made against him were baseless³⁹. However, *Reuters* reported that sources indicate Abubakar's visit to Washington was arranged with the help of US lobbying firms 'Holland & Knight' and 'Ballard Partners'⁴⁰.

Both firms were hired by Abubakar and subsequently paid large sums in order to help him secure a visa, in part by enlisting members of Congress to request one on his behalf.⁴¹ Abubakar's 2019 campaign pledges remain more centred towards privatisation, adopting market friendly policies, restructuring the oil sector's Nigerian National Petroleum Corp and raising fuel prices⁴².

Abubakar also declared that he would consider an amnesty for corruption suspects to recover funds from politicians who stashed billions of dollars abroad.⁴³ He claimed the amnesty program would encourage looters to voluntarily return stolen funds needed for infrastructure.⁴⁴

³³ 'PDP Presidential Primaries last-minute intrigues', Vanguard Media, 07 October 2018, 20190416174905
 ³⁴ 'Nigerian candidate's U.S. visit was temporary reprieve from graft ban', Reuters, 4 February 2019, 20190318144331

³² <u>'Muhammadu Buhari, Nigeria's 'new broom' president in profile'</u>, BBC News, 27 February 2019, 20190410153843

³⁵ <u>'Nigerian candidate's U.S. visit was temporary reprieve from graft ban'</u>, Reuters, 4 February 2019, 20190318144331

³⁶ <u>'Nigerian candidate's U.S. visit was temporary reprieve from graft ban'</u>, Reuters, 4 February 2019, 20190318144331

³⁷ <u>'Nigerian candidate's U.S. visit was temporary reprieve from graft ban'</u>, Reuters, 4 February 2019, 20190318144331

³⁸ <u>'Nigerian candidate's U.S. visit was temporary reprieve from graft ban'</u>, Reuters, 4 February 2019, 20190318144331

³⁹ <u>'Nigerian candidate's U.S. visit was temporary reprieve from graft ban'</u>, Reuters, 4 February 2019, 20190318144331

⁴⁰ <u>'Nigerian candidate's U.S. visit was temporary reprieve from graft ban'</u>, Reuters, 4 February 2019, 20190318144331

⁴¹ <u>'Nigerian candidate's U.S. visit was temporary reprieve from graft ban'</u>, Reuters, 4 February 2019, 20190318144331

⁴² <u>'Nigerian opposition candidate to consider amnesty for corruption suspects'</u>, Reuters, 31 January 2019, 20190318140813

⁴³ <u>'Nigerian opposition candidate to consider amnesty for corruption suspects'</u>, Reuters, 31 January 2019, 20190318140813

⁴⁴ <u>'Nigerian opposition candidate to consider amnesty for corruption suspects'</u>, Reuters, 31 January 2019, 20190318140813

Security concerns

Security remained an issue of concern and featured prominently throughout the campaign. Nigeria remains seriously affected by a number of local conflicts, which threaten the security of voters across various regions.⁴⁵ The displacement of populations in regions affected by conflict increases the possibility of vote rigging and creates significant challenges in terms of voter registration, access and logistics⁴⁶:

Delta conflict: Due to a spike in attacks from insurgent groups operating in on the oil-rich southern Niger Delta region, Nigeria's crude oil output was cut by more than half after the 2015 elections. The Niger Delta Avengers, a militant group fighting for a greater share in oil revenue, were behind a wave of attacks in 2016 which further exacerbated the conditions that led to the country's recession.⁴⁷ Referring to a proposed policy by PDP candidate Abubakar's, dubbed "restructuring", oil-rich states in the south may retain a greater share of the revenue generated from crude production. The Niger Delta Avengers subsequently proclaimed that Abubakar was "the sole candidate to be voted for by all the people of the Niger Delta". The group further stated that the "restructuring of Nigeria" had to commence within six months of Abubakar being elected president in order to forestall further attacks.⁴⁸ The Niger Delta Avengers have not carried out any substantial attacks since January 2017.

North West Conflict: Despite a decrease in attacks since 2017, the extremist Islamic militant group Boko Haram continues to threaten the country's Northern states with regular assaults.⁴⁹ There has been a sharp rise in systematic attacks throughout 2018-19 perpetrated by Boko Haram's offshoot, the Islamic State West African Province (ISWP).⁵⁰ Both militant groups pledged to disrupt the election by conducting attacks.⁵¹ In late December (year), the IS-affiliated group briefly took over the town of Baga near Lake Chad seizing weapons and vehicles form a multinational unit of 500 soldiers.⁵²

An estimated 59,000 people fled attacks in the north between November 2018 and February 2019 resulting in the loss or destruction of many of the victims' voter cards.⁵³ Although polling booths were to be set up in displacement camps, only those with voter cards could cast ballots⁵⁴. Disorderly conditions in the camps could create an environment for vote-rigging and other irregularities..⁵⁵.⁵⁶

According to the UN High Commissioner for Refugees (UNHCR), as many as 39 attacks were recorded in Borno and Yobe states throughout the month of January 2019.⁵⁷ The town of Rann was hit twice emptying the area of all civilians and aid workers.⁵⁸ In January 2019, attacks perpetrated by

⁴⁶ <u>'Insecurity throws Nigeria's election preparations into disarray</u>', Reuters, 2 February 2019, 20190318140112
 ⁴⁷ <u>'It's Not Getting Better': Nigeria Braces for Election Day as Frustrations Boil</u>, New York Times, The, 14

⁴⁵ 'Nigeria: Election in Times of Terrorism', Bertelsmann Stiftung, 9 February 2019, 20190315145549

February 2019, 20190218095101 ⁴⁸ <u>'Nigeria 'Delta Avengers' militants vow to cripple economy if Buhari re-elected'</u>, Reuters, 18 February 2019, 20190218100624

⁴⁹ <u>'Nigeria election: 'Mr Honesty' tainted by failure to tackle corruption'</u>, The Guardian, 11 February 2019, 20190318135052; and <u>'2019 Nigeria election: What you need to know</u>, Deutsche Welle, 14 February 2019, 20190313112219

⁵⁰ <u>'It's Not Getting Better': Nigeria Braces for Election Day as Frustrations Boil'</u>, New York Times, The, 14 February 2019, 20190218095101

 ⁵¹ <u>'Insecurity throws Nigeria's election preparations into disarray'</u>, Reuters, 2 February 2019, 20190318140112
 ⁵² <u>'Nigeria: Election in Times of Terrorism'</u>, Bertelsmann Stiftung, 9 February 2019, 20190315145549; and
 <u>'Islamic militants' deadly resurgence threatens Nigeria polls'</u>, ABC News (USA), 12 February 2019, 20190320103735

⁵³ <u>'Insecurity throws Nigeria's election preparations into disarray'</u>, Reuters, 2 February 2019, 20190318140112

 ⁵⁴ '<u>Nigeria: The challenges of registering to vote'</u>, Deutsche Welle, 18 February 2019, 20190218100942
 ⁵⁵ '<u>Insecurity throws Nigeria's election preparations into disarray</u>', Reuters, 2 February 2019, 20190318140112
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 ⁵⁶ '<u>Nigeria: Election in Times of Terrorism'</u>, Bertelsmann Stiftung, 9 February 2019, 20190315145549
 ⁵⁷ '<u>Islamic militants' deadly resurgence threatens Nigeria polls'</u>, ABC News (USA), 12 February 2019, 20190320103735

⁵⁸ <u>'Islamic militants' deadly resurgence threatens Nigeria polls'</u>, ABC News (USA), 12 February 2019, 20190320103735

the Islamic Militant group Jamaat Ahlis Sunna liDawatti wal Jihad left as many as 60 people killed and two humanitarian workers were also abducted in the Rann.⁵⁹ The town of Baga was also captured by ISWP who overran the nearby military camp.⁶⁰ Early in January 2019, Buhari pledged to boost the nation's security and equip the military to "overcome the insurgency".⁶¹ The National Assembly approved a record \$147 million for security measures during the 2019 elections.

Central Belt Conflict: An intensifying conflict between Fulani Muslim nomadic herders and Christian farmers across the country's North West and Central states significantly added to the number of those affected by displacements.⁶² Buhari, himself an ethnic Fulani Muslim from the north, had long been criticised for his inaction and failure to stop the violence across the Middle Belt where over the last year 2,000 people had been killed in series of attacks and counter attack between herders and farmers who have come into increased proximity due to climate change.⁶³

Events and incidents

- In mid-January 2019, the country's Chief Justice, Walter Onnoghen who is from the Christian south,⁶⁴ was asked by the Buhari government to step down whilst he faced changes on six counts of failing to declare assets related to offshore accounts.⁶⁵ This event set off an uproar as the Chief Justice would play a key role in any legal challenge to the election⁶⁶. On 26 January 2019, the PDP halted their campaign for 72 hours calling on Nigerians to "rise in defence of democracy" and save the nation form an "imminent slide in to tyranny".⁶⁷ On 28 January 2019, the Nigerian Bar Association (NBA) who called the suspension an "assault, intimidation and desecration of the judiciary" by government agencies⁶⁸ directed its members to boycott courts across the country from 29 to 30 January to protest against the suspension.⁶⁹
- After Onnoghen did not show up to his initial hearings before the country's code of conduct tribunal⁷⁰ on 14 and 22 January, he was issued an arrest warrant to appear on 15 February.⁷¹ Onnoghen did not receive the summons and claimed the panel lacked jurisdiction.⁷² Days

 ⁵⁹ <u>'Nigeria: Election in Times of Terrorism</u>', Bertelsmann Stiftung, 9 February 2019, 20190315145549
 ⁶⁰ <u>'Islamic militants' deadly resurgence threatens Nigeria polls'</u>, ABC News (USA), 12 February 2019, 20190320103735

⁶¹ <u>'Nigerian President Plans to Do More on Security Over Boko Haram'</u>, Bloomberg.com, 8 January 2019, 20190318144606

⁶² '<u>Guns, religion and climate change intensify Nigeria's deadly farmer-herder clashes</u>', Los Angeles Times, 21 February 2019, 20190315161426

⁶³ <u>'Guns, religion and climate change intensify Nigeria's deadly farmer-herder clashes'</u>, Los Angeles Times, 21 February 2019, 20190315161426

 ⁶⁴ '<u>Nigerian govt asks chief justice to step down</u>', Anadolu News Agency, 22 January 2019, 20190318142946
 ⁶⁵ '<u>US, EU Express Concern after Nigeria Chief Justice Suspended</u>', ABC News (USA), 27 January 2019, 20190320103043

⁶⁶ <u>'US, EU Express Concern after Nigeria Chief Justice Suspended'</u>, ABC News (USA), 27 January 2019, 20190320103043; and <u>'Opposition Slams Trial of Nigerian Chief Justice Before Vote'</u>, Bloomberg, 16 January 2019, 20190116104056

⁶⁷ '<u>Nigeria's main opposition PDP party halts campaign over suspended chief justice'</u>, Africa News, 26 January 2019, 20190318141350

 ⁶⁸ '<u>Opposition Slams Trial of Nigerian Chief Justice Before Vote</u>', Bloomberg, 16 January 2019, 20190116104056
 ⁶⁹ '<u>Nigeria lawyers announce nationwide strike over Chief Justice's removal</u>', Africa News, 28 January 2019, 20190318141100

 ⁷⁰ <u>'Opposition Slams Trial of Nigerian Chief Justice Before Vote'</u>, Bloomberg, 16 January 2019, 20190116104056
 ⁷¹ <u>'Nigeria tribunal issues arrest warrant for top judge before elections'</u>, Reuters, 14 February 2019,

²⁰¹⁹⁰³²⁰¹⁰⁵⁵⁴⁴

⁷² '<u>Nigeria's top judge absent from his corruption trial</u>', News24, 17 January 2019, 20190117133511

later a Nigerian appeals court issued an interim order stopping the Tribunal from charging the Chief of Justice.73

- In a 22 January 2019 article published by Aljazeera, Ex-president Olusegun Obasanjo • attacked Buhari stating that he could not hold fair elections and that he had failed to secure the country against Boko Haram.⁷⁴ The Buhari Government's attempt to remove the Chief Justice only weeks before polling was also criticized by foreign allies such as the United States, Britain and the European Union⁷⁵ as well as the United Nations special rapporteur on the independence of judges and lawyers, Diego Garcia-Sayan, who said that it broke international human rights standards related to judiciary independence and the separation of powers.76
- There is no requirement to renew voter registration cards in Nigeria however reports of • administrative inefficiencies created barriers and obstacles do exist in reobtaining one once lost.⁷⁷ This affects internally displaced persons (IDPs), often residing in a state which is different to the one they were initially registered in and who as a result are only permitted to cast a ballot for the presidential round of elections.⁷⁸ IDPs who reside in the same state may participate in voting at state level and, in theory, voters can re-register when they move to a different polling area. However reports also indicated that some were doubly registered owning two voter cards.79
- On 13 February, Buhari and Abubakar pledged peaceful presidential and legislative elections whilst signing a peace agreement in the capital Abija, calling on supporters to refrain from violence and acts that might jeopardize a 'collective vision of free, fair and credible elections'.80
- An office for Nigeria's election commission (INEC) in Plateau state was burned down • destroying ballot boxes and voting slips only six days before the date of the elections.81 Sources indicate that INEC offices were also set alight in Abia state and in Anambra state throughout the month of February.82
- Five APC members were killed in clashes with opposition members near the oil city of Warri • (located in Nigeria's southeast Delta state) which resulted in a revenge attack.⁸³ On 13 February, the BBC News reported that a campaign rally for Buhari in the southern city of Port Harcourt ended in a stampede killing multiple APC supporters.84
- An election motorcade was ambushed by jihadist insurgents in Nigeria's Borno state on 12 • February killing four people.⁸⁵ APC state governor Kashim Stettima who was campaigning for a seat in the Senate and Babagana Umaru who was campaigning for the Governorship both

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 ⁷³ <u>'Nigerian court gives order to stop trial of top judge'</u>, Reuters, 25 January 2019, 20190318142031
 ⁷⁴ <u>'Nigeria leader says President Buhari 'can't hold fair election"</u>, Aljazeera, 22 January 2019, 20190318143116 ⁷⁵ US, EU Express Concern after Nigeria Chief Justice Suspended', ABC News (USA), 27 January 2019, 20190320103043

⁷⁶ 'UN: Suspension of Nigeria's top judge breaches human rights', Aljazeera, 11 February 2019, 20190318134723

⁷⁷ 'Nigeria: The challenges of registering to vote', Deutsche Welle, 18 February 2019, 20190218100942

⁷⁸ 'Nigeria: The challenges of registering to vote', Deutsche Welle, 18 February 2019, 20190218100942 ⁷⁹ <u>'Nigeria: The challenges of registering to vote'</u>, Deutsche Welle, 18 February 2019, 20190218100942

⁸¹ 'Nigeria election: Election office burnt down six days before polls', BBC News, 10 February 2019, 20190318135816

⁸² 'Winning Back Trust in Nigeria's Rescheduled Elections', International Crisis Group (ICG), 19 February 2019, 20190327160617

⁸³ 'Five killed in pre-election violence in Nigeria: police', Agence France-Presse, 12 February 2019, 20190318134513

⁸⁴ 'Nigeria stampede: Deaths at Buhari rally in Port Harcourt', BBC News, 13 February 2019, 20190318133425 ⁸⁵ 'Nigeria: Deadly Attack on Borno Governor's Election Convoy', Deutsche Welle, 14 February 2019, 20190320105854

survived the attack.⁸⁶ ISWAP fighters claimed to have killed 42 people although an official statement put the casualties at two.⁸⁷

- On 14 February, Nigeria was featured among a list of 23 countries blacklisted by the European Commission over a weakness or absence of measures to counter money laundering and terrorism financing.⁸⁸ Earlier in February, president Buhari had publicly stated that the Economic and Financial Crimes Commission had issued concerns over laundered money 'being funnelled into vote buying'.⁸⁹
- On 15 February, the eve of the general elections, violence erupted in the country's North West state of Kaduna killing 66 people in attacks across eight settlements.⁹⁰ The region had been plagued by armed bandits and religious zealotry, however statements made by the governor's spokesmen suggested the violence may have been communal.⁹¹ The attacks in Borno, combined with deadly clashes in Kaduna and Zamafra states, raised questions on voting suspension in some areas.⁹²That same evening media reports revealed that polling material 'had not been delivered in parts or all of several states, including Ekiti, Oyo, Taraba, Edo, Niger, Ogun and River states'.⁹³

Election postponed

At 2:40 AM on the morning of 16 February , just over five hours before the polling was scheduled to commence, the Electoral Commission (INEC) announced a postponement of the vote until 23 February, one week later, citing logistical challenges in delivering electoral materials to polling stations on time.⁹⁴ The INEC's chairman also stated that Gubernatorial and State legislative votes would be rescheduled form the 3 to 9 March. Whilst expressing his disappointment, president Buhari appealed to all Nigerians to "refrain from all civil disorder and remain peaceful, patriotic and united".⁹⁵

Later that morning the State Emergency Management agency announced that a bomb blast had killed six people in Maiduguri.⁹⁶ Figures in an article by *Africa Confidential* however indicated that the incident involved a Mosque suicide bombing in the Kushari district of Maiduguri killing 11 people.⁹⁷

Whilst the last minute nature of the postponement raised certain suspicions, it also outraged voters many of whom had travelled long distances and shut down their businesses for the weekend.⁹⁸ The APC's spokesman called it a national embarrassment whilst and the PDP stated it was "dangerous for

- ⁹⁰ <u>'66 killed in Nigeria's northwest ahead of polls'</u>, Anadolu News Agency, 15 February 2019, 20190327160936
- ⁹¹ <u>'66 killed in Nigeria's northwest ahead of polls'</u>, Anadolu News Agency, 15 February 2019, 20190327160936

⁸⁶ <u>'It's Not Getting Better': Nigeria Braces for Election Day as Frustrations Boil'</u>, New York Times, The, 14 February 2019, 20190218095101

^{87 &#}x27;Drama in the delay', Africa Confidential, 22 February 2019, 20190320114220

⁸⁸ <u>EU blacklists Nigeria, Libya over money laundering, terrorism financing'</u>, Africa News, 14 February 2019, 20190320110148

⁸⁹ <u>'Nigeria election: Election office burnt down six days before polls'</u>, BBC News, 10 February 2019, 20190318135816

⁹² <u>'Drama in the delay'</u>, Africa Confidential, 22 February 2019, 20190320114220

⁹³ Winning Back Trust in Nigeria's Rescheduled Elections', International Crisis Group (ICG), 19 February 2019, 20190327160617

⁹⁴ <u>Winning Back Trust in Nigeria's Rescheduled Elections'</u>, International Crisis Group (ICG), 19 February 2019, 20190327160617

⁹⁵ <u>'Nigerian presidential election postponed, all sides appeal for calm'</u>, Reuters, 16 February 2019, 20190410155914

⁹⁶ <u>'Nigerian presidential election postponed, all sides appeal for calm'</u>, Reuters, 16 February 2019, 20190410155914

⁹⁷ <u>'Drama in the delay'</u>, Africa Confidential, 22 February 2019, 20190320114220

⁹⁸ <u>Drama in the delay'</u>, Africa Confidential, 22 February 2019, 20190320114220; and <u>Winning Back Trust in</u> <u>Nigeria's Rescheduled Elections'</u>, International Crisis Group (ICG), 19 February 2019, 20190327160617

democracy" whilst requesting the resignation of the INEC's chairman.⁹⁹ Both parties then went on to accuse each other of orchestrating the delay¹⁰⁰ without however producing any evidence to support their claims.¹⁰¹ An article published by *Voice of America* observed that across the continent, one in every four elections have faced delays; Nigeria has not held a presidential election without a delay since 2007 and 27 of the 102 presidential elections held across Africa since 2009 have been delayed.¹⁰² *BBC News* noted that the delay cost the Nigerian economy \$1.5 billion.¹⁰³

In the days following the delay, Buhari threatened that all person found disrupting or interfering in the voting process would "do so at the expense of their life" and ordered the military to be "ruthless".¹⁰⁴

Only 24 hours later, the military stated that they had uncovered a plot to disrupt the process in the Niger Delta region.¹⁰⁵ Buhari defended the military's role in the country's "complex security setup", especially in regions affected by terrorism, and he reaffirmed his orders for the military and police to be ruthless in preventing any disruptions or interferences during the elections.¹⁰⁶ Voters, many of whom are impoverished, would have to travel back to their area of registration on the 23rd and struggle to afford making arrangements a second time.¹⁰⁷ Over the week leading up to the rescheduled vote, businesses and the government introduced measures to avoid a low turnout such as declaring the eve of the vote a "work-free" day as well as companies offering free bus services, discounted airline tickets and lower fuel prices.¹⁰⁸

Polling went ahead as scheduled on Saturday 23 February however civil society groups reported that most polling stations did not open until hours after the official starting time.¹⁰⁹ Numerous incidents were reported throughout the day which included failures in technical equipment, violence and allegations of vote buying. According to a head researcher at SBM intelligence, much of the violence played out in the South of the country, in opposition strongholds where the election is particularly contested.¹¹⁰ On the first polling day, four people including two APC leaders were shot dead by thugs in separate incidents in Rivers state.¹¹¹ In North eastern Yobe, an attack by ISWAP forced hundred to flee Geidam. Many were alerted by sounds of heavy gun fire in Maiduguri North east of Borno.¹¹²

According to civil society groups, by the second day of polling as many as 39 people had been killed, a number considerably lower than at previous Nigerian elections (800 were killed in post-election violence in 2011 and 100 deaths were recorded in 2015).¹¹³ The Nigerian Police claimed to have made up to 128 arrests for election related offences.¹¹⁴ Crimes included ballot snatching, vote trading and impersonation. Authorities also stated that a "cache of explosives" which included 38 "assorted

¹⁰⁰ '<u>Nigeria's Candidates Blame Each Other in Surprise Vote Delay</u>', PBS, 16 February 2019, 20190320111431b
 ¹⁰¹ Winning Back Trust in Nigeria's Rescheduled Elections', International Crisis Group (ICG), 19 February 2019, 20190327160617

¹⁰⁵ <u>'After Buhari's ruthless order, Nigeria army uncovers 'unholy' political plan</u>', Africa News, 19 February 2019, 20190320111143

¹⁰⁸ Nigeria rallies disillusioned voters after postponed polls', CNN, 21 February 2019, 20190315161020

¹⁰⁹ '<u>Dozens Dead in Nigeria as Election Results Are Delayed'</u>, New York Times, The, 25 February 2019, 20190410160220

- ¹¹¹ <u>'#NigeriaDecides2019: Four shot dead in Rivers'</u>, Premium Times, 23 February 2019, 20190410160711
- ¹¹² '#NigeriaDecides2019: Four shot dead in Rivers', Premium Times, 23 February 2019, 20190410160711

⁹⁹ <u>Winning Back Trust in Nigeria's Rescheduled Elections'</u>, International Crisis Group (ICG), 19 February 2019, 20190327160617

¹⁰² <u>'In 1 in 4 Elections, African Voters Face Delays'</u>, Voice of America (VOA), 18 February 2019, 20190320110521

¹⁰³ <u>'Nigeria election 2019: Who benefits from poll delay?'</u>, BBC News, 20 February 2019, 20190315161911

¹⁰⁴ <u>Nigeria's opposition urges military to stay away from vote'</u>, News24, 19 February 2019, 20190315162309

¹⁰⁶ <u>'After Buhari's ruthless order, Nigeria army uncovers 'unholy' political plan</u>, Africa News, 19 February 2019, 20190320111143

¹⁰⁷ <u>'Nigeria rallies disillusioned voters after postponed polls'</u>, CNN, 21 February 2019, 20190315161020

¹¹⁰ <u>'Dozens Dead in Nigeria as Election Results Are Delayed'</u>, New York Times, The, 25 February 2019, 20190410160220

¹¹³ 'Roots of Nigeria's election violence', Institute for Security Studies, 4 March 2019, 20190315145114

¹¹⁴ <u>'Nigeria: Dozens dead in election violence'</u>, Deutsche Welle, 25 February 2019, 20190410161646

weapons" was found.¹¹⁵ According to a 25 February article published by *Aljazeera*, ballot stations in Southern Nigeria were attacked overnight as results started to come in.¹¹⁶

Although there was only a brief pause in the ballot count, t became apparent on Sunday and Monday that election violence had been worse than originally reported. Election workers and police officers were taken hostage in Rivers state and later released unharmed.¹¹⁷ Violence broke out in polling places in the capital, Lagos, where ballot boxes had been set on fire, shots fired and where election materials did not arrive on time riots broke out amongst voters.¹¹⁸

International observers noted however that prior elections had been worse and Hailemariam Desalegn, the former prime minister of Ethiopia, stated that "overall, generally the process was peaceful and orderly".¹¹⁹ When results were announced a total of 130 people had been taken into custody under suspicion of electoral related offences.¹²⁰ Nigerian research groups however estimated that the death toll from election related violence from the start of campaigning in November 2018 until February 2019 amounted to 600 people.¹²¹

Outcome

Earlyc results were released on Monday 25 February indicating that Buhari had taken the lead, winning votes in at least six states, which the opposition contested.¹²² Abubakar had won the in the Federal Capital Territory and the Chairman of the PDP stated that there were irregularities in Nasarawas state and the Capital Abuja.¹²³

Counting finished on the Tuesday night and on Wednesday 27 February the INEC officially declared Buhari victorious after he polled 15,191,847 votes (56 percent), against the PDP's Abubakar who received 11,262,978 (41 percent) according to official INEC figures.¹²⁴ Abubakar had gained only 17 states including the capital Abija whereas Buhari had won in 19 of Nigeria's 36 states.¹²⁵

Abubakar immediately released a statement rejecting the result declaring the election a sham and refusing to congratulate Buhari.¹²⁶ Abubakar subsequently stated he would challenge these results in court, arguing that the government made use of the military to harass citizens in two PDP stronghold

¹¹⁵ 'Nigeria: Dozens dead in election violence', Deutsche Welle, 25 February 2019, 20190410161646

 ¹¹⁶ "Dozens killed' in Nigeria poll violence, counting under way', Aljazeera, 25 February 2019, 20190320112005
 ¹¹⁷ zens Dead in Nigeria as Election Results Are Delayed', New York Times, The, 25 February 2019,

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¹¹⁸ <u>zens Dead in Nigeria as Election Results Are Delayed'</u>, New York Times, The, 25 February 2019, 20190410160220

¹¹⁹ Do<u>zens Dead in Nigeria as Election Results Are Delayed'</u>, New York Times, The, 25 February 2019, 20190410160220

¹²⁰ <u>'Nigeria election: Muhammadu Buhari re-elected as president'</u>, BBC News, 27 February 2019,

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¹²¹ <u>'Nigeria's ruling party takes close lead in governor elections, but balance could tip'</u>, Reuters, 13 March 2019, 20190318144803

¹²² <u>'Nigeria's Buhari Takes Election Lead; Opposition Rejects Results'</u>, Voice of America (VOA), 25 February 2019, 20190315154144

¹²³ <u>'Nigeria's Buhari Takes Election Lead; Opposition Rejects Results'</u>, Voice of America (VOA), 25 February 2019, 20190315154144

¹²⁴ <u>'Nigeria's President Muhammadu Buhari reelected, but opponent rejects results'</u>, CNN, 27 February 2019, 20190313111449

¹²⁵ <u>'Nigeria's President Muhammadu Buhari reelected, but opponent rejects results'</u>, CNN, 27 February 2019, 20190313111449

¹²⁶ <u>'Nigeria's President Muhammadu Buhari reelected, but opponent rejects results'</u>, CNN, 27 February 2019, 20190313111449

regions across the south east and south-south where voting turnout numbers were very low.¹²⁷ However, the Supreme Court of Nigeria has historically never overturned a presidential election.¹²⁸

The legal challenge was issued on 18 March to the presidential tribunal, appointed by the Supreme Court, which is required to issue a ruling within 180 days.¹²⁹ According to a 6 April article published by Africanews, Nigeria's suspended chief of Justice Walter Onnoghen submitted his resignation¹³⁰ and Abubakar's legal challenge remains ongoing. Meanwhile Buhari's inauguration day for his second term as president is set for 29 May.131

According to a 4 March article published in the Times Live, Abubakar's lawyer and son in law, Alhaji Babalele Abdullahi, who lost in the election polls, were arrested.¹³² An official from the Economic and Financial Crimes Commission (EFCC) stated that Abdullahi was being 'investigated over an alleged case of money laundering' for a sum involving '150 million Euros (\$169 million)'.¹³³ Abdullahi was also Abubakar's director of finance for the presidential campaign.¹³⁴

Figures from the INEC indicate that it had been the lowest voter turnout in 20 years where just 27 million votes had been cast out of the 84 million registered.¹³⁵ Figures listed in a BBC News article published the same day listed the turn out figure at just 35.6 percent and no independent observer cited any instance of electoral fraud.136

According to the figures, Buhari's strongest support came from the country's northern and most impoverished states and some of his success was also accredited to his running mate, Yemi Osinbajo, a popular pastor from the largely Christian south.¹³⁷ Of the two northern regions lost by Buhari was Adamawa from where Abubakar hails.¹³⁸

In terms of the Senate and House of Representatives, numbers revealed on 28 February that Buhari's APC had won 47 seats to the PDP's 26 seats in the 109 seat senate, indicating a comfortable majority despite votes still being counted.¹³⁹ In the 360 seat House, numbers also revealed that the APC had thus far won 75 seats against 28 seats won by the PDP.¹⁴⁰

¹³⁰ 'Nigeria's chief justice resigns', Africa News, 06 April 2019, 20190410162350

¹³⁴ <u>'Nigeria election: Defeated candidate's relative and lawyer arrested'</u>, Times Live, 4 March 2019, 20190315150806

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¹²⁷ 'Nigeria's Vote: the Numbers, the Surprises, the Market Reaction', Bloomberg, 28 February 2019, 20190315151456

¹²⁸ 'Nigeria's President Buhari defends election win as challenger takes him to court', Deutsche Welle, 27 February 2019, 20190315151106

¹²⁹ 'Atiku Appeals Buhari's Election Victory in Nigeria', Council on Foreign Relations, 19 March 2019, 20190410162548

¹³¹ <u>'Atiku Appeals Buhari's Election Victory in Nigeria'</u>, Council on Foreign Relations, 19 March 2019, 20190410162548

¹³² 'Nigeria election: Defeated candidate's relative and lawyer arrested', Times Live, 4 March 2019, 20190315150806

¹³³ 'Nigeria election: Defeated candidate's relative and lawyer arrested', Times Live, 4 March 2019, 20190315150806

¹³⁵ 'Nigeria's President Muhammadu Buhari reelected, but opponent rejects results', CNN, 27 February 2019, 20190313111449

¹³⁶ <u>'Nigeria election: Muhammadu Buhari re-elected as president'</u>, BBC News, 27 February 2019, 20190315153411

¹³⁷ <u>'Muhammadu Buhari, Nigeria's 'new broom' president in profile'</u>, BBC News, 27 February 2019, 20190410113527

¹³⁸ 'Nigeria's Vote: the Numbers, the Surprises, the Market Reaction', Bloomberg, 28 February 2019, 20190315151456

¹³⁹ <u>'Nigeria's Vote: the Numbers, the Surprises, the Market Reaction'</u>, Bloomberg, 28 February 2019, 20190315151456

¹⁴⁰ 'Nigeria's Vote: the Numbers, the Surprises, the Market Reaction', Bloomberg, 28 February 2019, 20190315151456

Governor elections

The second set of elections for the Gubernatorial (state Governorship) were rescheduled to 9 March for voters to choose 29 Governors and lawmakers for 36 state legislatures.¹⁴¹ As the Governors wield power over their states in Nigeria's Federal system, the 36 Governors are considered by some to be more politically powerful than the president himself.¹⁴² Governorship elections hinge mostly on candidates' ability to 'rally state powerbrokers, religious leaders, traditional leaders and local organisations to their side'.¹⁴³

Polling remained peaceful despite the destruction of some election materials'.¹⁴⁴ The INEC stated that staff had been 'abducted by thugs in the southern states of Rivers and Akwa Ibom'¹⁴⁵. Seven deaths had been recorded by civil society monitoring organisations and similar to the February 23rd general elections there were reports of 'voter intimidation, buying and sabotage'.¹⁴⁶

On 11 March, the INEC announced that the APC's Babajide Sanuwo-Olu won the Governorship of Lagos, the capital.¹⁴⁷ On 12 March the INEC announced that due to violence and other irregularities 'voting had been cancelled in some areas of Kano and Sokoto, in the northwest, Bauchi and Adamawa in the northwest, and the central states of Benue and Plateau'.¹⁴⁸ Elections were concluded in 22 states, however, six states remained inconclusive including the state of Rivers.¹⁴⁹

Also on 11 March, the INEC revealed that the APC had won 13 states whereas the PDP had won in nine states, mostly situated in the Delta region.¹⁵⁰ use both sources¹⁵¹ On 13 March it was announced that the APC had taken the lead in Governorships despite the number of inconclusive state results increasing to seven.¹⁵² Re-runs in those states with inconclusive results had to be held within 21 days with the exception of Rivers where voting had been suspended.¹⁵³ On 23 March, an election petition tribunal declared that the PDP had won the southwest Osun state for the 22 September ballot, cancelling a vote from a supplementary election on 27 September that declared the APC victorious.¹⁵⁴ On 23 March, ballots were also cast in Kano state and APC incumbent Abdullahi Umar Ganduje was declared victorious despite reports of massive vote rigging, manipulation and obstruction of independent observers.¹⁵⁵ PDP candidate Nyeson Wike retained the oil state of Rivers for a second

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¹⁴¹ 'Nigerians Head to the Polls Again for State Elections', ReliefWeb, 7 March 2019, 20190321102209

¹⁴² <u>'Nigeria's governorship elections peaceful despite voter buying and ballot box sabotage'</u>, RFI, 9 March 2019, 20190315150429

¹⁴³ 'Governors get set', Africa Confidential, 22 February 2019, 20190320114000

¹⁴⁴ <u>'Nigeria's governorship elections peaceful despite voter buying and ballot box sabotage'</u>, RFI, 9 March 2019, 20190315150429

¹⁴⁵ <u>'Nigeria's governorship elections peaceful despite voter buying and ballot box sabotage</u>, RFI, 9 March 2019, 20190315150429

¹⁴⁶ '<u>Nigeria's governorship elections peaceful despite voter buying and ballot box sabotage'</u>, RFI, 9 March 2019, 20190315150429

¹⁴⁷ <u>'Nigeria's Ruling Party Wins Lagos State in Gubernatorial Poll'</u>, Bloomberg.com, 11 March 2019, 20190315150138

¹⁴⁸ <u>'Nigeria says governship vote 'inconclusive' in six states'</u>, Mail & Guardian Africa, 12 March 2019, 20190318145059

¹⁴⁹ <u>'Nigeria says governship vote 'inconclusive' in six states'</u>, Mail & Guardian Africa, 12 March 2019, 20190318145059

¹⁵⁰ <u>'Nigeria's ruling party takes close lead in governor elections, but balance could tip'</u>, Reuters, 13 March 2019, 20190318144803

¹⁵¹ <u>'Check list of all winners in Governorship elections across Nigeria</u>, Pulse (Nigeria), 12 March 2019, 20190313105634

¹⁵² <u>'Nigeria's ruling party takes close lead in governor elections, but balance could tip'</u>, Reuters, 13 March 2019, 20190318144803

¹⁵³ <u>'Nigeria's ruling party takes close lead in governor elections, but balance could tip'</u>, Reuters, 13 March 2019, 20190318144803

¹⁵⁴ <u>Court declares winner in governor's poll</u>, Anadolu News Agency, 23 March 2019, 20190415171236

¹⁵⁵ 'Violence and fraud in Nigeria's gubernatorial elections', Deutsche Welle , 27 March 2019, 20190417102029

term.¹⁵⁶ The outcome of the remaining inconclusive state Governorships has yet to be determined in supplementary elections.

The following is a map released by the *BBC News* based on official figures regarding Nigeria's general elections as released from the INEC¹⁵⁷:



 ¹⁵⁶ '<u>Nigeria's opposition party retains key oil state of Rivers</u>', Reuters, 4 April 2019, 20190417101858
 ¹⁵⁷ '<u>Nigeria election: Muhammadu Buhari re-elected as president</u>', BBC News, 27 February 2019, 20190315153411



Australian Government

Situational Update

Sri Lanka – Elections

Country of Origin Information Services Section (COISS) Humanitarian Program Capabilities Branch Effective from 29 November 2019

Situation summary

Gotabaya Rajapaksa has been sworn in as Sri Lanka's new president following his decisive election win on Saturday 16 November 2019. Gotabaya, a controversial former Defence Secretary and brother of former president Mahinda Rajapaksa who is alleged to have authorised crimes committed at the end of the civil war as well as having been involved in the disappearance of government critics, captured 52.25 per cent of the vote, well ahead of his nearest challenger, former housing minister Sajith Premadasa. Concerns about security following the Easter Sunday bombings, Sri Lanka's underperforming economy and government dysfunction were among the main factors which accounted for Gotabaya's victory. Gotabaya's campaign was conspicuous for its strongly Sinhalese nationalist character and his backing by extremist groups such as the Bodu Bala Sena, while the election results were notable by the extent to which they revealed the polarised nature of the Sri Lanka's most peaceful, with only a handful of violent incidents.

While Gotabaya has made some conciliatory statements towards minorities since his election, a number of his initial actions have heightened concerns that his presidency could sharpen ethnic and religious tensions in the country and have negative impacts on the future of democracy, human rights and the rule of law. Gotabaya made it clear during the election campaign that his government will step back from commitments to promote reconciliation and accountability that Sri Lanka made to the United Nations, while a controversial general has been named defence secretary. Gotabaya has also appointed Mahinda as Prime Minister, cementing the family's renewed hold on Sri Lankan politics.

Election results

Former Defence Secretary Gotabaya, the candidate of the Sri Lanka Podujana Peramuna (SLPP) party, has been sworn in as Sri Lanka's new president after easily winning elections held on 16 November 2019.¹ Gotabaya, a controversial former Defence Secretary during the presidency of his brother, Mahinda Rajapaksa, captured 52.25 per cent of the vote.² This was well ahead of his nearest challenger, former housing minister Sajith Premadasa of the United National Party (UNP), who

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¹ 'A polarising figure becomes president of Sri Lanka', Economist, The, 23 November 2019, 20191122115336

² 'Gotabaya Rajapaksa elected president of Sri Lanka', The Guardian, 17 November 2019, 20191118100421

attracted the support of 41.99 per cent of voters.³ Of the remaining 33 candidates in a record field of candidates, two others expected to do well - Anura Kumara Dissanayake, the leader of the leftist JVP, and former army commander Mahesh Senanayake – performed below expectations, winning 3.16 per cent and less than half a per cent of the vote respectively.⁴ While considered the favourite throughout the election campaign, Gotabaya's margin nevertheless surprised observers.⁵

Voter turnout was high, with about 80 per cent of eligible Sri Lankans casting a ballot.⁶ Despite being held in the wake of the Easter Sunday 2019 terrorist bombings, the election was considered one of Sri Lanka's most peaceful, with only a handful of violent incidents recorded.⁷ Of these, the most notable was an attack on a bus convoy of Muslims as they travelled from Puttalam to Mannar (both in the north-west) to cast their votes.⁸ Police also reported to the independent election commission on polling day that the army had illegally manned roadblocks in Jaffna that could discourage residents from travelling to polling booths.⁹ These were subsequently removed.¹⁰

While acts of violence were minimal, one notable concern highlighted by Election Commissioner Mahinda Deshapriya was the amount of 'fake news' that proliferated in both social and mainstream media, the majority of which targeted Premadasa's campaign.¹¹ The Centre for Monitoring Election Violence (CMEV), a respected Sri Lankan monitoring group, said in its final election-day statement that the campaign had been marred by an unprecedented level of fake news and racism.¹² The CMEV said this ranged from content intended to deliberately mislead voters on how to mark their ballot papers to language that amounted to the incitement of racial hatred.¹³

The election results were also notable by the extent to which they revealed the polarised nature of the Sri Lankan electorate along ethnic lines.¹⁴ Gotabaya overwhelmingly attracted the vote of Sinhalese Sri Lankans, to the extent that he required few minority votes to be elected.¹⁵ By contrast, the majority of Muslim and Tamil voters – together constituting about a quarter of the population – cast their ballots for Premadasa.¹⁶ The main political parties representing each minority group – the Sri Lanka Muslim Congress and the All Ceylon Makkal Congress, and the Tamil National Alliance respectively – all backed Premadasa's bid for president.¹⁷ However, analysts also note that Premadasa's strong

⁴ <u>'Sri Lanka's Presidential Election Brings Back a Polarising Wartime Figure'</u>, International Crisis Group (ICG), 18 November 2019, 20191119144914

'Support Sajith or minorities could suffer - Hakeem', Daily News Sri Lanka, 28 October 2019, 20191028114803

³ <u>'Gotabaya Rajapaksa elected president of Sri Lanka'</u>, The Guardian, 17 November 2019, 20191118100421

⁵ <u>'Sri Lanka's Presidential Election Brings Back a Polarising Wartime Figure'</u>, International Crisis Group (ICG), 18 November 2019, 20191119144914

⁶ <u>'Sri Lanka presidential election: buses carrying Muslim voters attacked'</u>, The Guardian, 16 November 2019, 20191118112246

⁷ <u>'Sri Lanka's Presidential Election Brings Back a Polarising Wartime Figure'</u>, International Crisis Group (ICG), 18 November 2019, 20191119144914

⁸ <u>'Sri Lanka presidential election: buses carrying Muslim voters attacked'</u>, The Guardian, 16 November 2019, 20191118112246

⁹ <u>'Sri Lanka presidential election: buses carrying Muslim voters attacked'</u>, The Guardian, 16 November 2019, 20191118112246

¹⁰ <u>'Sri Lanka presidential election: buses carrying Muslim voters attacked'</u>, The Guardian, 16 November 2019, 20191118112246

¹¹ <u>'Sri Lanka's Presidential Election Brings Back a Polarising Wartime Figure'</u>, International Crisis Group (ICG), 18 November 2019, 20191119144914

¹² '<u>Presidential Election 2019 – Final Statement on Election Day</u>', Centre for Monitoring Election Violence (CMEV), 16 November 2019, 20191118121754

¹³ '<u>Presidential Election 2019 – Final Statement on Election Day</u>', Centre for Monitoring Election Violence (CMEV), 16 November 2019, 20191118121754

¹⁴ <u>'Sri Lanka's Presidential Election Brings Back a Polarising Wartime Figure'</u>, International Crisis Group (ICG), 18 November 2019, 20191119144914

¹⁵ <u>'Sri Lanka's Presidential Election Brings Back a Polarising Wartime Figure'</u>, International Crisis Group (ICG), 18 November 2019, 20191119144914

¹⁶ <u>'Sri Lanka's Presidential Election Brings Back a Polarising Wartime Figure'</u>, International Crisis Group (ICG), 18 November 2019, 20191119144914

 ¹⁷ <u>'Sri Lanka: Presidential Election And Tamil Politics – OpEd'</u>, Eurasia Review, 27 November 2019, 20191128103208; <u>'Unfair to attribute racist dimension to Tamil vote, says Sampanthan'</u>, Hindu, The, 18 November 2019, 20191121095223;

support among Muslim and Tamil voters was motivated by concerns about Gotabaya's tenure as Defence Secretary,¹⁸ during which he is alleged to have authorised crimes committed at the end of the civil war and to have been involved in the disappearance of government critics in so-called 'white van' abductions.¹⁹

In Jaffna, the largest city in the north, Gotabaya won just 6 per cent of the vote, while the only district where Tamils are a minority that he failed to win was Ampara in the Eastern Province, where Muslims are the largest ethnic group.²⁰ Premadasa, although himself Sinhalese and the son of Ranasinghe Premadasa, a former president assassinated by the LTTE, was only able to attract around 30 per cent of the vote in the largely Sinhalese south of the country.²¹ By contrast, Premadasa attracted about 80 per cent of votes in the Tamil-dominated north, despite largely ignoring Tamil concerns.²²

Key issues during the election campaign

Concerns about security following the Easter Sunday bombings, Sri Lanka's underperforming economy – which is in the midst of the worst slump in 15 years following the attacks – and government dysfunction highlighted by infighting between outgoing president Maithripala Sirisena and Prime Minister Ranil Wickremesinghe were among the main factors which accounted for Gotabaya's victory.²³ Premadasa – the deputy leader of the UNP and a senior minister in the outgoing government – was unable to sufficiently distance himself from its failings.²⁴

As far as the Sinhalese portion of the Sri Lankan electorate is concerned, Gotabaya was able to successfully contrast security failures and general government ineffectiveness with his central role in ending the civil war as Defence Secretary from 2005 to 2015, as well as a reputation as a competent manager.²⁵ Part of the vote for Gotabaya was consequently a vote seeking competent government rather than just a vote in favour of Sinhalese dominance of Sri Lanka.²⁶ Gotabaya's campaign was nevertheless notable for its strongly Sinhalese nationalist character and his backing by extremist groups such as the Bodu Bala Sena (BBS).²⁷ Following the election, BBS chief Galagoda Gnanasara Thero took direct credit for Gotabaya's victory, saying that his group had completed its 'mission' to elect a leader with the concerns of the Sinhalese people forefront in their mind.²⁸

<u>'Sri Lanka: Presidential Election And Tamil Politics – OpEd'</u>, Eurasia Review, 27 November 2019, 20191128103208

^{; &}lt;u>'Sri Lanka Muslim party warns of a massive plot to buy minority votes to defeat Sajith Premadasa'</u>, Colombo Page, 09 November 2019, 20191111104451

¹⁸ <u>Sri Lanka: Presidential Election And Tamil Politics – OpEd</u>, Eurasia Review, 27 November 2019, 20191128103208

¹⁹ <u>'Gotabaya Rajapaksa launches Sri Lanka presidential bid'</u>, Aljazeera, 12 August 2019, 20190813112747; <u>"We</u> <u>Needed a Modi After the Easter Attacks"</u>, New York Times, The, 25 November 2019, 20191126161105

 ²⁰ 'Sri Lanka's new president has a worrying past', Economist, The, 23 November 2019, 20191122115223
 ²¹ 'A polarising figure becomes president of Sri Lanka', Economist, The, 23 November 2019, 20191122115336

²² A polarising figure becomes president of Sri Lanka', Economist, The, 23 November 2019, 20191122115336;

 ²³ <u>'Unfair to attribute racist dimension to Tamil vote, says Sampanthan'</u>, Hindu, The, 18 November 2019, 20191121095223; <u>'Sri Lanka's Presidential Election Brings Back a Polarising Wartime Figure</u>, International Crisis Group (ICG), 18 November 2019, 20191119144914

 ²⁴ 'Sri Lanka's Presidential Election Brings Back a Polarising Wartime Figure', International Crisis Group (ICG),
 18 November 2019, 20191119144914

²⁵ <u>'Tale of two political parties'</u>, Daily Mirror (Sri Lanka), 13 August 2019, 20190813113426; <u>'The deadly contrast:</u> <u>Mahinda vs Gota'</u>, Daily Mirror, 07 August 2018, CXBB8A1DA33301

²⁶ <u>'Unfair to attribute racist dimension to Tamil vote, says Sampanthan'</u>, Hindu, The, 18 November 2019, 20191121095223

 ²⁷ 'Sri Lanka's Muslims have reason to fear the new Rajapaksa era', Aljazeera, 21 November 2019, 20191122114343; 'Sri Lanka's Presidential Election Brings Back a Polarising Wartime Figure', International Crisis Group (ICG), 18 November 2019, 20191119144914
 ²⁸ Our strate reason because a conserved. Description of the polarising of the polari

²⁸ <u>'Our strategy brought Gota to power – Gnanasara'</u>, Republic Next, 20 November 2019, 20191122120204

Gotabaya's actions since the election

While Gotabaya has made some conciliatory statements towards minorities since his election, a number of his initial actions have heightened concerns that his presidency could sharpen ethnic and religious tensions in the country and have negative impacts on the future of Sri Lankan democracy, human rights and the rule of law.²⁹

For his inauguration ceremony, Gotabaya chose the highly symbolic location of a massive stupa in the ancient city of Anuradhapura built to commemorate the defeat in 140 BC of a Tamil king and the reunification of Sri Lanka under his Sinhalese rival.³⁰ Similarly, a statement released by Mahinda immediately following the election criticised what it described as 'chauvinistic ethnic and religious groupings organised around narrow political agendas' – seemingly aimed at minorities.³¹

Gotabaya has appointed General Kamal Gunaratne – who commanded an elite unit that hunted LTTE leaders in the closing days of the war – as Defence Secretary.³² This appointment means that individuals alleged to have been involved in war crimes now serve as defence secretary, chief of the defence staff, and head of army.³³

On 21 November 2019, Shani Abeysekara, the director of the Criminal Investigations Department (CID), was reassigned as personal assistant to the South Deputy Inspector General of Police in Galle.³⁴ Abeysekara had led CID investigations into Rajapaksa-era (2005 to 2015) crimes such as the disappearance of cartoonist Prageeth Ekneligoda, the assault on journalist Upali Tennekoon, the murder of journalist Lasantha Wickrematunge and the disappearance of 11 youths – during the course of which he came under fire for the arrest of senior military officers.³⁵

Another senior police officer involved in high-level investigations, including some involving Gotabaya and the wider Rajapaksa family, Inspector Nishantha Silva, left Sri Lanka on 24 November 2019 after allegedly receiving threats, and has reportedly sought asylum in Switzerland.³⁶ A Swiss embassy official was subsequently 'detained' and threatened on a Colombo street by unidentified men, apparently in connection to Silva's departure.³⁷ Silva had been removed from his post when Mahinda was briefly appointed prime minister during Sri Lanka's 2018 political crisis but had been subsequently reappointed following the restitution of the Wickremesinghe government.³⁸ The *BBC* reported on 28 November 2019 that the government has put airports on alert and provided them with the names of hundreds of other police officers who might also attempt to leave the country.³⁹

³⁰ 'A polarising figure becomes president of Sri Lanka', Economist, The, 23 November 2019, 20191122115336

²⁹ <u>'Gotabaya's Sri Lanka: the risks ahead and how to respond'</u>, Sri Lanka Campaign for Peace and Justice, 19 November 2019, 20191122115832

³¹ <u>Opposition Leader urges party activists and supporters to celebrate Gotabhaya's victory peacefully</u>, Colombo Page, 17 November 2019, 20191128125145

 ³² <u>'A polarising figure becomes president of Sri Lanka'</u>, Economist, The, 23 November 2019, 20191122115336
 ³³ <u>'6 days'</u>, Sanjana Hattotuwa, 24 November 2019, 20191128105113;

<u>'Sri Lanka Police looking for former Navy Commander over abduction of 11 youth'</u>, Colombo Page, 23 February 2019, 20190226132554

^{; &#}x27;Sri Lanka's most senior military official in court over civil-war abductions', 29 November 2018,

CXBB8A1DA39688; <u>'Halt the deployment'</u>, Sri Lanka Campaign for Peace and Justice, 08 November 2019, 2019111110157; <u>'UN Takes Strong Stand on Sri Lanka's Army Chief'</u>, Human Rights Watch (HRW), 26 September 2019, 20190927164459

³⁴ '<u>CID Director who handled high profile cases transferred</u>', Colombo Gazette, 21 November 2019, 20191128130928

³⁵ '<u>CID Director who handled high profile cases transferred</u>', Colombo Gazette, 21 November 2019, 20191128130928

³⁶ <u>'Top detective who investigated high-profile cases flees Sri Lanka</u>', Aljazeera, 26 November 2019, 20191127115405; <u>'Swiss condemn 'attack' on Sri Lanka embassy worker</u>', BBC News, 28 November 2019, 20191128103629

 ³⁷ 'Swiss condemn 'attack' on Sri Lanka embassy worker', BBC News, 28 November 2019, 20191128103629
 ³⁸ 'Top detective who investigated high-profile cases flees Sri Lanka', Aljazeera, 26 November 2019, 20191127115405

³⁹ 'Swiss condemn 'attack' on Sri Lanka embassy worker', BBC News, 28 November 2019, 20191128103629

Gotabaya also made it clear during the election campaign that his government will step back from commitments to promote reconciliation and accountability that Sri Lanka made to the United Nations – and the broader international community – through its co-sponsorship of resolution 30/1.⁴⁰ New Foreign Minister Dinesh Gunawardana has already begun working on preparations to this end.⁴¹

The appointment of Mahinda Rajapaksa as Prime Minister

The renewed hold of the Rajapaksa family on Sri Lankan politics has been further cemented through the appointment of Mahinda as Prime Minister.⁴² This followed the resignation of Ranil Wickremesinghe on 20 November 2019.⁴³ Despite continuing to enjoy a parliamentary majority and with elections not due until late next year, Wickremesinghe stated that Gotabaya's election was an effective vote of no confidence in his government.⁴⁴ Fresh parliamentary elections are now expected to take place in April 2020, which the SLPP are likely to win.⁴⁵ Along with the appointment of Mahinda as prime minister, another Rajapaksa brother, Chamal, has been appointed to Cabinet.⁴⁶

At the time of publication it is unclear who will lead the opposition to the Rajapaksa government. While Wickremesinghe was recognised as Opposition Leader by Speaker Karu Jayasuriya on 26 November 2019, both Premadasa and Wickremesinghe have been nominated for the position by competing groups of supporters within the UNP.⁴⁷

 ⁴⁰ <u>'Will not honour UN deal on accountability, says Gotabaya'</u>, Hindu, The, 15 October 2019, 20191016132547
 ⁴¹ <u>'Govt. to 'revisit' UNHRC resolution as priority, says FM</u>', Daily FT, 26 November 2019, 20191129170710

⁴² <u>'Sri Lanka's new president picks brother Mahinda Rajapaksa as PM'</u>, Aljazeera, 21 November 2019, 20191121171701

⁴³ <u>'Sri Lanka's new president picks brother Mahinda Rajapaksa as PM'</u>, Aljazeera, 21 November 2019, 20191121171701

⁴⁴ <u>'Sri Lanka's new president picks brother Mahinda Rajapaksa as PM'</u>, Aljazeera, 21 November 2019, 20191121171701

⁴⁵ <u>'Sri Lanka's new president picks brother Mahinda Rajapaksa as PM'</u>, Aljazeera, 21 November 2019, 20191121171701

⁴⁶ <u>'New State & Deputy ministers sworn-in'</u>, News.lk, 27 November 2019, 20191128101558

⁴⁷ <u>'Speaker says UNP should resolve emerging crisis about Opposition Leader post</u>', Colombo Page, 21 November 2019, 20191128153816; <u>'Speaker to recognise Ranil Wickremesinghe as Leader of the Opposition'</u>, Lanka Business Online, 27 November 2019, 20191128102732