This response was prepared by the Research & Information Services Section of the Refugee Review Tribunal (RRT) after researching publicly accessible information currently available to the RRT within time constraints. This response is not, and does not purport to be, conclusive as to the merit of any particular claim to refugee status or asylum. This research response may not, under any circumstance, be cited in a decision or any other document. Anyone wishing to use this information may only cite the primary source material contained herein.

Questions
1. Please provide updates on the UNP, its current status following LTTE’s defeat at the hands of the Sri Lankan army and the treatment of its members and supporters by the SLFP.
2. What is the impact of elections on the rise of political violence between the UNP and the SLFP in Sri Lanka? What is the situation in Puttalam?
3. Please provide a list of all elections held in Sri Lanka over the past 10 years, specifying the year and the type (ie national, provincial, local). In case of local and provincial elections, please indicate when these elections were held in Puttalam in the past 10 years.
4. Deleted.
5. Please provide an update on the state of the LTTE following its defeat and the extent of its current activities, if any. Does it have any room to reassert itself? Has it conducted any revenge attacks on Sri Lankan politicians, army or intelligence officers? Is it in a position to do so?

RESPONSE

1. Please provide updates on the UNP, its current status following LTTE’s defeat at the hands of the Sri Lankan army and the treatment of its members and supporters by the SLFP.

A reading of recent media indicates that the status of the United National Party (UNP) (which has been in opposition since 2004) has suffered due to the perceived anti-war stance of the party and its leader, Ranil Wickremesinghe, especially since the government has claimed victory over the LTTE. An article in The Nation on Sunday, dated 31 May 2009, states that “the UNP is down in the dumps in the popularity ratings, following its anti-war stance”. Following the February 2009 provincial elections (before the claimed defeat of the LTTE) a Nation on Sunday commentator states that the SLFP-led UPFA “has a stranglehold on the voter at least for now”. According to this article, the UPFA gathered over 70 per cent of the
vote in most electorates in the Provincial Council elections which have been held in various provinces at various stages over recent months. The UNP’s vote base has slipp to below 30 percent. Recent articles and opinion pieces were found in some media accusing UNP leaders of assisting the LTTE or plotting against the government. For example, a Sunday Observer article states that the “President, government and the Security Forces were committed to end the war and bringing about a permanent solution to the 26-year-old conflict but the Opposition headed by Ranil Wickremesinghe was hell-bent on disrupting this smooth flow to peace”. The article appears to accuse Wickremesinghe of having entered a secret pact with Prabhakaran (‘Better to close the stable even after the horse has bolted’ 2009, Nation on Sunday, 31 May http://www.nation.lk/2009/05/31/mynation.htm – Accessed 3 June 2009 – Attachment 1; ‘Polls throw dilemmas for main parties’ 2009, Nation on Sunday, 22 February http://www.nation.lk/2009/02/22/mynation.htm – Accessed 3 June 2009 – Attachment 2; Srimane, S. 2009, ‘UNP allowed parallel armies at same time’, Sunday Observer, 31 May http://www.sundayobserver.lk/2009/05/31/new20.asp – Accessed 3 June 2009 – Attachment 3).

Little recent general information was found within the time constraints of this response on the treatment of UNP members and supporters by the SLFP. Some recent reports of violence involving the UNP in Puttalam can be found in Question 2 of this research response.

For a recent background on the UNP, see Question 1 of Research Response LKA33778, dated 22 September 2008. This includes sources summarising the complicated political situation with a number of UNP MPs supporting the governing SLFP-led UPFA (RRT Research & Information 2008, Research Response LKA33778, 22 September – Attachment 4).

A past research response, dated 9 October 2007, looks at the SLFP-led government’s treatment of UNP members and supporters (RRT Research & Information 2007, Research Response LKA32414, 9 October – Attachment 5).

The UNP maintains a website at: <http://www.unp.lk>. A number of recent articles were found on the UNP website emphasising the role which the UNP played in defeating the LTTE:

- ‘This war victory is not the consequence of efforts of one person , leader or party or Govt.- everyone contributed and sacrificed –Akila Viraj Kariyawasam’ 2009, United National Party website, 1 June http://www.unp.lk/portal/index.php?option=com_content&task=view&id=3048&Itemid=1 – Accessed 3 June 2009 – Attachment 6;


A Daily Mirror article, dated 2 June 2009, reports UNP criticism that the government was attempting to showcase the victory against the Tigers as a victory of one party (Perera, Y.


Recent opinion articles were found accusing UNP leaders of plotting against the government and/or of assisting the LTTE:


A Sunday Observer article dated 24 May 2009 states that “[e]ventually, when the LTTE leaders were trapped in Mullaitivu, some UNP leaders even sought the help of the international community to rescue Velupillai Prabhakaran and his cohorts” (‘A Victory For The Nation’ 2009, Sunday Observer, 24 May http://www.sundayobserver.lk/2009/05/24/main_Editorial.asp – Accessed 3 June 2009 – Attachment 13).

2. What is the impact of elections on the rise of political violence between the UNP and the SLFP in Sri Lanka? What is the situation in Puttalam?

A paper on electoral violence in Sri Lanka was presented at the September 2008 conference of the Swedish Political Science Association (SWEPSA). The paper looked at general information on electoral violence in Sri Lanka and also presented a case study on a village in the Kandy area. The paper states that “[v]iolence has become a recurring phenomenon at election times in Sri Lanka”. The paper made the following findings on electoral violence in Sri Lanka: “much of the political violence has been carried out in areas which have not been contested by the LTTE…Instead, the main perpetrators of electoral violence have been the established parties, the SLFP and the UNP”; “generally speaking it is more likely that the police, judiciary and election commissioner or commission will side with the party in power”; “supporters of the opposition party are particularly vulnerable as to become victims of electoral violence”; and: “Local elites stand a better chance of protecting themselves from violence, than the common activists”. Pertinent extracts from the report follow addressing the relationship between the SLFP and UNP in terms of electoral violence:
Politics in Sri Lanka is strongly dominated by two main parties, the Sri Lanka Freedom Party (SLFP) and the United National Party (UNP). Since independence these two parties have alternated in power. Due to the electoral reform in 1978 – which included a shift from a majoritarian system to a proportional system – there has been an increased dependence on smaller and minority parties to gain comfortable majorities. Sri Lanka is a multi-ethnic society and since the SLFP and UNP are Sinhalese-dominated, several minority mono-ethnic political parties have been formed. These include, for instance, the Sri Lanka Muslim Congress (SLMC), the Ceylon Workers’ Congress (CWC), the Eelam People’s Democratic Party (EPDP) and Tamil United Liberation Front (TULF). In recent years, the JVP – responsible for political uprisings in the 1970s and 1980s and traditionally described as Sinhalese nationalistic – has become the third largest political party in Sri Lankan politics. In 2004, a Buddhist party, the Jathika Hela Urumaya (JHU), entered into parliamentary politics.

Electoral reform in 1978 introduced a proportional system for electing the parliament, in place of the Westminster system introduced after independence. The national elections held for the 225-member parliament are held in 22 electoral districts. 196 of the seats are proportionally distributed according to the seats assigned to each district. The remaining 29 seats are elected from what is called the national list and distributed proportionally by party share. The president is elected with preferential vote for a six-year term. Elections are also held at the provincial and local level, but Sri Lanka is in essence a highly centralised state, with strong (rather extreme) presidential powers.

Violence has become a recurring phenomenon at election times in Sri Lanka. Such violence preceded the armed conflict between the LTTE and the government over an independent Tamil state in the north and east of Sri Lanka. Electoral violence was a feature of the JVP uprisings. For instance, in the 1988 presidential election and the 1989 parliamentary one, the JVP issued death threats against both voters and election workers, and carried through on those threats, in deliberate attempts to sabotage the elections. Due to the fear created, the election had an extremely low voter turnout. However, what is striking about electoral violence in Sri Lanka, is that much of the political violence has been carried out in areas which have not been contested by the LTTE and not only in times of political uprisings in the southern parts of the island. Instead, the main perpetrators of electoral violence have been the established parties, the SLFP and the UNP.


Several reasons have been pointed out as explanations for the rise of electoral violence in Sri Lanka: the unusually strong powers of the president which opens up for political manipulation; multi-member constituencies which makes campaigning costly and increases intra-party rivalry; individual candidates’ dependence on criminal elements for political survival; militarization of politics due to the violent conflict with JVP and LTTE (e.g. availability of arms) (Höglund, K. & Piyaratne, A. 2008, ‘Paying the Price for Patronage: Electoral Violence in Sri Lanka’, Uppsala University website, presented at Swepsa, 26–27 September http://www2.statsvet.uu.se/Portals/7/Pdf/8_Kristine_H%C3%B6glund.pdf – Accessed 22 September 2008 – Attachment 14).
The most recent elections in Puttalam were the provincial elections, held in February 2009. Puttalam is one of the two districts comprising the North-Western province. According to a 16 February 2009 article in *The Island*, in the North Western Province the UPFA “gained four of the five electorates in the Puttalam District, while sweeping the entire Kurunegala District comprising 14 electorates” (Ferdinando, S. 2009, ‘Govt. bags Central PC, leads in NWP, where results are suspended’, *The Island*, 16 February http://www.island.lk/2009/02/16/news1.html – Accessed 4 June 2009 – Attachment 15).

Some incidences of violence between various party supporters, including UNP and SLFP (or SLFP-led UPFA) supporters, during the provincial election campaigns were found in election-monitoring sources. According to the list of complaints collated by the Centre for Monitoring Election Violence (CMEV) in a February 2009 pre-election press release, the UPFA was allegedly responsible for the majority of incidents in the North Western Province (Centre for Monitoring Election Violence 2009, ‘Central and North-Western Provincial Council Elections Press Release No. 2’, Centre for Policy Alternatives website, 6 February http://www.cpalanka.org/file.report.php?fileName=attach/478/CMEV_PR2_6-02-2009_english.pdf – Accessed 4 June 2009 – Attachment 16).

The following news reports articles report on electoral violence in Puttalam during the elections:


A January 2009 Neth News article reports that a group of UNP supporters had been attacked in an election-related incident. The article states that “[a]ccording to Puttalam Police, an area politician is responsible for the attack”:

A group of supporters of the main opposition UNP came under attack at Puttalam town last night (Jan. 19), police said.

They had been returning after attending a poll-related discussion, when the assailants had struck.

According to Puttalam Police, an area politician is responsible for the attack.


**Other Puttalam reports**


Other information

A few articles which mention Puttalam UNP parliamentarian, Ranga Bandara, are included:

A February 2009 Daily Mirror article reports that the UNP had charged that a senior police official was attempting to arrest Puttalam District Parliamentarian Palitha Range Bandara on false evidence. The article also reports allegations that “a senior police officer had sent faxed name lists of UNP supporters in the area to all police stations in the Nuwara Eliya District requesting them to arrest these supporters”. The UNP claimed that this was election related. The article states:

The UNP yesterday charged there was a move to arrest Puttalam District Parliamentarian Palitha Range Bandara by fabricating evidence against him.

UNP MP Lakshman Kiriella told a news conference yesterday that moves were afoot by a senior police officer in the North Western Province to arrest Mr. Range Bandara on false evidence.

Mr. Kiriella said one of the charges that was made against Mr. Range Bandara was that he had harassed one of his security personnel.

He said this security officer had lodged a complaint with the Police Headquarters stating that a senior police officer in the North Western Province had applied undue influence on him to state that Mr. Range Bandara has harassed him.

The said police officer had allegedly threatened him saying that a white van would be sent to destroy him.

He said another false evidence had been fabricated against the UNP MP stating that firearms has been found in a vehicle which Mr. Range Bandara has rented. This firearm was reported to be one which he had legally purchased from the commercial division of the Navy.

Meanwhile, Mr. Kiriella also alleged that a senior police officer had sent faxed name lists of UNP supporters in the area to all police stations in the Nuwara Eliya District requesting them to arrest these supporters

“This kind of harassment is unleashed by the government as it is facing defeat in this district,” he said. He charged that the government was using the police to harass its opponents and thereby gradually unleashing state terrorism. “Government is avoiding implementing the 17th Amendment of the Constitution for this reason,” he further charged (Perera, Y. 2009, ‘Moves to arrest Range Bandara:UNP’, Daily Mirror, 4 February http://www.dailymirror.lk/DM_BLOG/Sections/frmNewsDetailView.aspx?ARTID=39626 – Accessed 4 June 2009 – Attachment 21).

An August 2008 Express News news brief states that “Party office of the UNP parlimentarian [sic] Palitha Ranga Bandara in Anamaduwa has been set fire by unidentified gang last night around 10.30” (‘Palitha Ranga Bandara MP’s office burnt down’ 2009, Express News, 25

A 2006 article in *The Nation on Sunday* reports that Ranga Bandara, a “maverick” UNP politician in Puttalam, had crossed over to join ranks with the Rajapaksa’s government. The article suggests there was a “running battle” between local SLFP and UNP leaders (Ravana 2006, ‘India drifts away from MR’, *Nation on Sunday*, 23 July http://www.nation.lk/2006/07/23/politics2.htm – Accessed 4 June 2009 – Attachment 23).

3. Please provide a list of all elections held in Sri Lanka over the past 10 years, specifying the year and the type (i.e. national, provincial, local). In case of local and provincial elections, please indicate when these elections were held in Puttalam in the past 10 years.

4. Deleted.

The Department of Elections website indicates that there were presidential elections held nation-wide in 2005. The website also indicates that there were local authorities elections held in 2002 and 2006 in Puttalam district. A list of candidates was not found. The website indicates that there were provincial council elections held in 2004 and 2009 in the North West Province (of which Puttalam is part). The 2004 list of provincial council candidates for Puttalam does not include Leslie Mendis Balapawaduge. The list is included as Attachment 24 (‘Results of Provincial Council Elections – 2004’ (undated), Sri Lanka Department of Elections website http://www.slelections.gov.lk/pdf/2004Provincial.pdf – Accessed 4 June 2009 – Attachment 24).


5. Please provide an update on the state of the LTTE following its defeat and the extent of its current activities, if any. Does it have any room to reassert itself? Has it conducted any revenge attacks on Sri Lankan politicians, army or intelligence officers? Is it in a position to do so?

On 19 May 2009 the Sri Lankan president formally announced victory over the LTTE. It is claimed that Prabhakaran, leader of the LTTE, was killed on 18 May 2009. There is no lack of analysis and predictions on what will become of the LTTE following their defeat militarily; however, it is too early to have any clear indication. According to reports in *BBC News* and *The New York Times*, there is still the possibility of “guerilla-style attacks”. No reports of recent revenge attacks on Sri Lankan politicians, army or intelligence officers by the LTTE were found in a search of the available sources. According to *BBC News*, the leadership of the LTTE is decimated and for the first time in decades the army controls the whole of Sri Lanka’s territory. However, a range of sources note that the group has a powerful overseas network. A 26 May 2009 *Trend* article found on the ReliefWeb site reports the Sri Lankan government’s claims that LTTE leaders overseas are trying to purchase arms and ammunition for the group (‘Q&A: Sri Lanka conflict’ 2009, *BBC News*, last updated 19 May http://news.bbc.co.uk/2/hi/south_asia/2405347.stm – Accessed 4 June 2009 –
A 31 May 2009 *Agence France-Presse* article reports that the Sri Lankan government is seeking international help to disable the global political network of the LTTE which is seeking to resurrect the group:

Sri Lanka appealed Sunday for international support in dismantling the global political network of the Tamil Tiger rebels after declaring a full military victory over the separatist movement.


A 31 May 2009 *Times of India* article reports that while most of the top LTTE leadership has been destroyed, the whereabouts of some key leaders is still unknown. The article also reports concerns that a few hundred LTTE militants may have infiltrated into India (Dhawan, H. 2009, ‘LTTE men may have slipped into India’, *Times of India*, 31 May http://timesofindia.indiatimes.com/LTTE-men-may-have-slipped-into-India/articleshow/4600945.cms – Accessed 4 June 2009 – Attachment 29).

A 26 May 2009 *Trend* article found on the ReliefWeb site reports that the Tamil Tigers’ offer to enter a democratic process after their military defeat by government forces has been rejected by the government. The article states that “senior rebel spokesman Selvarasa Pathmanathan said they would now use non-violent methods to fight for the rights of the Tamils”. The article also reports the government’s allegations that LTTE leaders overseas were trying to purchase arms and ammunition for the group. The government has appealed to Western nations to help dismantle the LTTE’s overseas network (‘Sri Lanka rejects Tigers’ offer’ 2009, ReliefWeb site, source: *Trend*, 26 May http://www.reliefweb.int/rw/rwb.nsf/db900sid/KHII-7SE9UQ?OpenDocument&rc=3&cc=lka – Accessed 4 June 2009 – Attachment 27).

*BBC News* has a Q&A section on the conflict, last updated on 19 May 2009 when the Sri Lankan government declared victory over the LTTE. On the question of whether the rebels are now “finished”, the *BBC* article notes the Sri Lankan government’s claims that the rebels have been crushed and that for the first time in decades the army controls the whole of Sri Lanka’s territory. The article also states, however, that “correspondents say there are still likely to be scattered guerrilla-style attacks”. The article also notes the huge financial and logistical resources which were controlled by the Tigers. The relevant extract follows:

The government says the rebels have been crushed, following months of heavy fighting in the last rebel stronghold in the north-east.
For the first time in decades, the army now controls the whole of Sri Lanka’s territory, and President Mahinda Rajapaksa has formally declared the country “liberated”.

Now the rebel movement is over as a conventional military force and its leadership has been decimated.

However, correspondents say there are still likely to be scattered guerrilla-style attacks – although it is not clear how many rebels may have escaped from the conflict zone in recent months.

The Tamil Tigers have also controlled huge financial and logistical resources, and are supported by many expatriate Tamils around the world (‘Q&A: Sri Lanka conflict’ 2009, BBC News, last updated 19 May http://news.bbc.co.uk/2/hi/south_asia/2405347.stm – Accessed 4 June 2009 – Attachment 25).

Prior to the announcement that Prabhakaran had been killed, a New York Times article dated 18 May 2009 also flags the possibility of guerilla strikes. The article states:

It does not, however, eliminate the possibility of guerrilla strikes. The L.T.T.E., as the rebels are often called, are known for suicide bombings. And the statement by their spokesman, Selvarasa Pathmanathan, posted on the pro-rebel Web site, TamilNet, pointed to the group’s “fearless and unending commitment to this cause.”

“This battle has reached its bitter end,” Mr. Pathmanathan said. “We have decided to silence our guns.” The statement made no mention of surrender and did not concede defeat, but the acknowledgment of finality suggested that the rebels knew the war was over (Sengupta, S. & Mydans, S. 2009, ‘Rebels Routed in Sri Lanka After 25 Years of War’, New York Times, 18 May http://www.nytimes.com/2009/05/18/world/asia/18lanka.html?_r=3 – Accessed 4 June 2009 – Attachment 26).


Information on the LTTE from Jane’s World Insurgency and Terrorism was found, last updated on 30 April 2009. This was prior to the government declaring that Prabhakan had been killed and the LTTE defeated. Jane’s does not give an indication of the future of the group following their defeat militarily. Like the BBC, Jane’s notes the huge resources available to the group (‘Liberation Tigers of Tamil Eelam (LTTE)’ 2009, Jane's World Insurgency and Terrorism, updated 30 April – Attachment 31).

No reports of revenge attacks outside of the war zone during the culmination of the conflict or since the defeat of the LTTE have been found in the available sources. For a timeline of events and terrorism related incidents in Sri Lanka, see the South Asia Terrorism Portal datasheets: http://satp.org/satporgtp/countries/shrilanka/database/index.html.

**Other information**

The latest UNHCR eligibility guidelines for assessing the international protection needs of asylum-seekers from Sri Lanka may be useful, and is included here as Attachment 32 (UN High Commissioner for Refugees 2009, ‘UNHCR eligibility guidelines for assessing the international protection needs of asylum-seekers from Sri Lanka’, UNHCR website, April [http://www.unhcr.org/refworld/docid/49de0b6b2.html](http://www.unhcr.org/refworld/docid/49de0b6b2.html) – Accessed 15 April – Attachment 32).

**List of Sources Consulted**

Internet Sources:


Databases:

FACTIVA (news database)
BACIS (DIAC Country Information database)
REFINFO (IRBDC (Canada) Country Information database)
ISYS (RRT Research & Information database, including Amnesty International, Human Rights Watch, US Department of State Reports)
RRT Library Catalogue

**List of Attachments**


6. ‘This war victory is not the consequence of efforts of one person, leader or party or Govt.- everyone contributed and sacrificed –Akila Viraj Kariyawasam’ 2009, United National Party website, 1 June [http://www.unp.lk/portal/index.php?option=com_content&task=view&id=3048&Item id=1](http://www.unp.lk/portal/index.php?option=com_content&task=view&id=3048&Item id=1) – Accessed 3 June 2009.

8. ‘Communique issued by UNP Acting Leader, Karu Jayasooriya on behalf of the party’ 2009, United National Party website, 19 May


12. Perera, C. 2009, ‘Was there a plot against Mahinda Rajapakse, to stop him from being the President of Sri Lanka?’, LankaWeb website, 1 June


http://www2.statsvet.uu.se/Portals/7/Pdf/8_Kristine_H%C3%B6glund.pdf – Accessed 22 September 2008.

15. Ferdinando, S. 2009, ‘Govt. bags Central PC, leads in NWP, where results are suspended’, The Island, 16 February


18. ‘UNP supporters attacked in Puttalam’ 2009, Neth News, 21 January

19. ‘Crowd protests over attacks on UNP offices’ 2008, Sunday Times, 29 June


