

**Refugee Review Tribunal
AUSTRALIA**

RRT RESEARCH RESPONSE

Research Response Number: LKA35678
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Questions

- 1. Please provide a brief background about the National Unity Alliance (NUA): when it was founded; by whom; its objective; its leader; when it joined the UPFA and if it still is part of that alliance; who led the NUA in 2004.**
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RESPONSE

- 1. Please provide a brief background about the National Unity Alliance (NUA): when it was founded; by whom; its objective; its leader; when it joined the UPFA and if it still is part of that alliance; who led the NUA in 2004.**

Information provided in the *Political Handbook of the World: 2007* on the National Unity Alliance (NUA) states that it was formed in 2000 by the Sri Lankan Muslim Congress, from which it subsequently parted. The NUA's leader is Ms Ferial Ashraff, widow of Mr M.H.M. Ashraff, leader of the SLMC at the time of the NUA's inception:

The NUA was formed prior to the October 2000 election by the Sri Lankan Muslim Congress (SLMC, below) as a vehicle for expanding its influence beyond its Muslim base. Although the NUA took four seats at the balloting, the death of the SLMC's Mohamed H.M. Ashraff in September 2000 ultimately led to a power struggle between Rauff Hakeem and Ashraff's widow, Ferial, with the former assuming control of the SLMC and Mrs. Ashraff being relegated to the NUA. A further rupture between the two leaders occurred following Hakeem's removal from the cabinet in June 2001. Mrs. Ashraff ultimately remained loyal to the PA [People's Alliance] and in early July was affirmed by the courts as the NUA leader, despite Hakeem's objections. She was named to the Rajapakse cabinet in April 2004 but threatened to leave the government because she was not consulted about tsunami aid

negotiations. The potential rift was repaired in June 2005, and she continued to serve under Prime Minister Wickremanayake.

Leaders: Ferial ASHRAFF (President of the Party and Minister of Housing and Construction), M.I.M. RAFEER [sic] (Secretary General) (Banks, A.S., Muller, T.C. & Overstreet, W.R. (eds) 2007, *Political Handbook of the World: 2007*, CQ Press, Washington D.C., p.1161 – Attachment 1).

A monograph entitled ‘Muslim Perspectives on the Sri Lankan Conflict’, published by the East-West Center in Washington in 2007, provides further information on the history and objectives of the NUA, outlining its origins within the SLMC as follows:

the SLMC has suffered from party infighting and schismatic tendencies that seem to pervade northeastern Muslim politics, reducing its ability to provide a unified voice to represent the Muslims of the region, particularly following the death of the charismatic Ashraff in a helicopter crash in September 2000... Soon after Ashraff’s death, the party split when his widow, Ferial Ashraff, and the party’s deputy leader, Rauf Hakeem, both vied for the leadership. When Mrs. Ashraff’s group lost the battle, she left the party and formed the National Unity Alliance (NUA), perpetuating a familiar Sri Lankan pattern of dynastic succession by political widows.

NUA was itself the brainchild of the late Mr. Ashraff, who before his death was reportedly contemplating going beyond identity politics in order to create a new kind of multiethnic political party. The NUA is recognized as the second major Muslim political party, although it relies on the Sinhala votes in Ampara District to secure its seats. From its inception, NUA has always contested elections as part of the People’s Alliance coalition centred around the Sinhala-oriented SLFP, so the level of independent popular Muslim support for the party is unclear. However, the fact that a woman, Ferial Ashraff, was able to take on the leadership of a Muslim Party and remain in that position in the face of Muslim political factionalism is obviously noteworthy, especially since negative gender issues have been raised by SLMC partisans at critical points to undermine her legitimacy. Interestingly, both Rauf Hakeem and Ferial Ashraff have Kandyan family backgrounds, whereas the late Mr. Ashraff, with his roots in Kalmunai, was able to contest in the Eastern Province as a son of the soil. Family background has been more of a liability than a political resource for Hakeem, in particular, because he seeks to attract Muslim voters from all regions of the island, including the east. The Kandyan issue has also been used negatively by some eastern-born rivals who seek to discredit both Rauf Hakeem and Ferial Ashraff as interlopers. This was a key reason why Hakeem contested from Ampara District rather than from his home district of Kandy in the parliamentary elections of 2004.

... Each recent election has seen at least one new Muslim political party entering the fray. Although many of these parties consist of disgruntled MPs who are opposed to the SLMC leadership, they seldom coalesce even as a loose Muslim opposition alliance. Instead, each vies to secure the best deal it can get from the government in power and uses its leverage to negotiate deals for personal power and patronage in a manner reminiscent of the switchover politics of Muslim politicians in the 1950s and 1960s. At a deeper level, however, the actions of these renegade Muslim politicians is an unmistakable sign that the political interests of their constituents, the island’s regionalized Muslim voters, are deeply divided and situational (McGilvray, D.B. & Raheem, M. 2007, ‘Muslim Perspectives on the Sri Lankan Conflict’, Policy Studies 41, East-West Center, Washington D.C., pp.29-30 – Attachment 2).

According to the *Political Handbook of the World: 2007*, the NUA has formed part of the governing coalition since immediately after the October 2000 elections and has been part of the United People’s Freedom Alliance (UPFA) since 3 February 2004:

United People's Freedom Alliance (UPFA). Organized in preparation for the April 2004 parliamentary election, the UPFA was an expansion of the People's Alliance – PA ...

At the October 10, 2000, parliamentary election the PA won 45 percent of the vote and 107 seats, 6 short of a majority. Within days President Kumaratunga forged a governing coalition with the National Unity Alliance (NUA, below), the Tamil Eelam People's Democratic Party (EPDP), and an independent, for a total of 116 seats...

Formation of the UPFA was announced in January 2004 by the SLFP and the People's Liberation Front (JVP). On February 3 the National Liberation People's Party (DJVP), the NUA, the People's United Front (MEP), and the Sri Lanka People's Party (SLMP) announced their participation, as did the Lanka Equal Society Party (LSSP) and the Sri Lanka Communist Party (SLCP) two weeks later (Banks, A.S., Muller, T.C. & Overstreet, W.R. (eds) 2007, *Political Handbook of the World: 2007*, CQ Press, Washington D.C., p. 1160 – Attachment 1).

'The World Factbook 2009' reports that the NUA has two Members of Parliament and that Ferial Ashraff remains the party leader:

unicameral Parliament (225 seats; members elected by popular vote on the basis of an open-list, proportional representation system by electoral district to serve six-year terms)
elections: last held on 2 April 2004 (next to be held by 2010)
election results: percent of vote by party or electoral alliance - SLFP and JVP (no longer in United People's Freedom Alliance) 45.6%, UNP 37.8%, TNA 6.8%, JHU 6%, SLMC 2%, UPF 0.5%, EPDP 0.3%, other 1%; seats by party - UNP 68, SLFP 57, JVP 39, TNA 22, CWC 8, JHU 7, SLMC 6, SLMC dissidents 4, Communist Party 2, JHU dissidents 2, LSSP 2, MEP 2, NUA 2, UPF 2, EPDP 1, UNP dissident 1...

National Unity Alliance or NUA [Ferial ASHRAFF] ('South Asia: Sri Lanka' in Central Intelligence Agency 2009, 'The World Factbook 2009', CIA website, 11 November <https://www.cia.gov/library/publications/the-world-factbook/geos/ce.html> – Accessed 16 November 2009 – Attachment 3).

An interview with Ferial Ashraff, published in *The Island* on 7 April 2008, reported comment by the party leader that the NUA had been formed as "a party wanting to propagate unity in Sri Lanka" and that it remained "basically for unity". Excerpts from the published transcript follow:

Q. Can you explain the political style of your party?

A. The name of my party, by itself speaks a lot. It is called the National Unity Alliance, because this was a party that came into being during my late husband's time when the need of the hour was the unity of the people of Sri Lanka. We have been separated because of the war. Even if we go by the constitution of Sri Lanka, there was a time when we were considered Ceylonese. But that is all in fragments now. There was a need for uniting the people of Sri Lanka. That was the whole idea in the formation of the National Unity Alliance. We are still a party in our infancy. We are not a regional party, but a party wanting to propagate unity in Sri Lanka. We are not asking people to give up their identities. We want them to maintain their identities, but also try to develop a Sri Lankan identity.

...

Q. What does your party do to improve the lot of the Muslim people?

A. My party is basically for national unity. I, as a Member of Parliament representing the Ampara district, try to help people from all communities in every way possible whenever there is a need. But of course as we all know, minorities in this country have a feeling that there has been discrimination and therefore there is something called a 'minority interest'. If you take the district that I represent, Ampara, it was a district that had been neglected where development was concerned. We have a large number of Sinhalese living in the area, nearly 40%. Still for all, it was a neglected district. The only development that had taken place in that district was during my late husband's time. He had seen to it that the area at least started developing, but we still have a lot of work to do, especially in the Sinhala areas. The Divisional Secretariat areas of Dehiattakandiya, Padiyathalawa, Maha Oya, Damana and Lahugala are far from developed. It is not a question of me working only for the Muslim areas. I am very much involved in the development of my district where all the three communities live almost in equal proportions. I work with all the people.

...

Q. Do you think that the Muslim community also needs a separate state?

A. I don't believe in any separate state for anybody in Sri Lanka. The whole idea of national unity goes for a six if I believe so. As Sri Lankans, we should make Sri Lanka a place for all to live peacefully with each other. We are all first class citizens of Sri Lanka. This is what we are trying to achieve – not to divide this little country.

...

Q. What kind of a solution do you envisage for the ethnic problem?

A. We believe in a negotiated political settlement. People in this country have a lot of issues. The minorities feel that their problems have never been dealt with, especially in terms of land, language, etc. We believe that it has to be a negotiated settlement and we should be able to listen to the other person's point of view. That is what is required in Sri Lanka. It is a basic question of understanding the other person's problems and aspirations ("Minorities in this country have a feeling that there has been discrimination..." – Ferial Ashroff, Interviewed by Manjari Peiris' 2008, *The Island*, 7 April <http://www.island.lk/2008/04/07/features4.html> – Accessed 6 November 2009 – Attachment 4).

In a more recent interview published in the *Sunday Observer* in June 2009, Ferial Ashraff was asked what action she, as the leader of NUA, proposed to ensure the equal treatment of all communities in the country. Ms Ashraff's reported response was as follows:

All people irrespective of narrow differences wish to live together peacefully in a United Sri Lanka. All should be treated as equal citizens. They all want to have a national identity.

Nobody wants to be discriminated. That is the aspiration and aim of President Mahinda Rajapaksa. The President in his speech in the Parliament said that there are no minorities in this country.

There are only two groups one, the patriots, the other is non-patriots. With a view to achieving national unity we created National Unity Alliance.

The party is still promoting that view ('National unity, our main aim – Ferial Ashraff' 2009, *Sunday Observer*, 28 June <http://www.sundayobserver.lk/2009/06/28/pol03.asp> – Accessed 6 November 2009 – Attachment 5).

2. Deleted.

3. Deleted.

4. Deleted.

List of Sources Consulted

Internet Sources:

Government Information & Reports

Government of Sri Lanka website <http://www.priu.gov.lk/>

Ministry of Housing and Common Amenities website <http://www.mhc.gov.lk>

The Official Government News Portal of Sri Lanka

http://www.news.lk/index.php?option=com_content&task=view&id=5828&Itemid=44

UK Home Office website <http://www.ind.homeoffice.gov.uk>

US Department of State website <http://www.state.gov>

Non-Government Organisations

Amnesty International website <http://www.amnesty.org>

Asian Human Rights Commission website <http://www.ahrchk.net>

Human Rights Watch website <http://www.hrw.org>

International News & Politics

BBC News website <http://news.bbc.co.uk>

The Colombo Times website <http://www.thecolombotimes.com>

Daily News website <http://www.dailynews.lk>

The Island website <http://www.island.lk>

Topic Specific

Community Portal of Sri Lanka Muslims <http://www.slmuslims.com>

Search Engines

Copernic search engine

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)

MRT-RRT Library Catalogue

List of Attachments

1. Banks, A.S., Muller, T.C. & Overstreet, W.R. (eds) 2007, *Political Handbook of the World: 2007*, CQ Press, Washington D.C.. (MRT-RRT Library)
2. McGilvray, D.B. & Raheem, M. 2007, 'Muslim Perspectives on the Sri Lankan Conflict', Policy Studies 41, East-West Center, Washington D.C..
3. 'South Asia: Sri Lanka' in Central Intelligence Agency 2009, 'The World Factbook 2009', CIA website, 11 November <https://www.cia.gov/library/publications/the-world-factbook/geos/ce.html> – Accessed 16 November 2009.

4. ““Minorities in this country have a feeling that there has been discrimination...” – Ferial Ashroff, Interviewed by Manjari Peiris’ 2008, *The Island*, 7 April
<http://www.island.lk/2008/04/07/features4.html> – Accessed 6 November 2009.
 5. ‘National unity, our main aim – Ferial Ashraff’ 2009, *Sunday Observer*, 28 June
<http://www.sundayobserver.lk/2009/06/28/pol03.asp> – Accessed 6 November 2009.
- 6-21 Deleted.