



Australian Government
Refugee Review Tribunal

Country Advice

Sri Lanka

Sri Lanka – LKA37498 – United National
Party
21 October 2010

1. Please provide an update since June 2009 on the UNP and the treatment of its members.

A general election was held in Sri Lanka on 8 April 2010. The United National Party (UNP) led an electoral coalition, with the Sri Lanka Muslim Congress, called the United National Front (UNF). The UNF was led by UNP leader, Ranil Wickramasinghe.¹ The United People's Freedom Alliance (UPFA), the previous ruling party, obtained 60.33% of the overall vote and secured 144 out of a possible 225 seats.² The UNF obtained 29.34% of the vote and secured 60 parliamentary seats.³ This was a decline from the previous general election held in 2004 in which the UNP secured 82 seats and 37% of the overall vote.⁴ The UNP gained the second highest number of votes in the 2010 general election making it the primary opposition party.⁵ Voter turn out at the election was reported to be low and the election was not monitored by any major international organisation.⁶ The Department of Elections ordered that the election be repeated in Kandy and Trincomalee districts on 20 April due to fraud and violence.⁷

¹ Inter Parliamentary Union 2010, 'Last Elections', Inter Parliamentary Union website http://www.ipu.org/parline/reports/2295_E.htm - Accessed 20 October 2010 – Attachment 2.

² Inter Parliamentary Union 2010, 'Last Elections', Inter Parliamentary Union website http://www.ipu.org/parline/reports/2295_E.htm - Accessed 20 October 2010 – Attachment 2; US Department of State 2010, *Background Note: Sri Lanka*, 7 June <http://www.state.gov/r/pa/ei/bgn/5249.htm> - Accessed 20 October 2010 – Attachment 1; 'Parliamentary General Election – 2010', (undated), Department of Elections website http://www.slelections.gov.lk/parliamentary_elections/AICOM.html - Accessed 7 October 2010 – Attachment 3; 'Rajapaksa's party wins hands down, but can not amend the constitution' 2010, *Asia News IT*, 21 April – Attachment 4

³ Inter Parliamentary Union 2010, 'Last Elections', Inter Parliamentary Union website http://www.ipu.org/parline/reports/2295_E.htm - Accessed 20 October 2010 – Attachment 2; US Department of State 2010, *Background Note: Sri Lanka*, 7 June <http://www.state.gov/r/pa/ei/bgn/5249.htm> - Accessed 20 October 2010 – Attachment 1; 'Parliamentary General Election – 2010', (undated), Department of Elections website http://www.slelections.gov.lk/parliamentary_elections/AICOM.html - Accessed 7 October 2010 – Attachment 3; 'Rajapaksa's party wins hands down, but can not amend the constitution' 2010, *Asia News IT*, 21 April – Attachment 4

⁴ Inter Parliamentary Union 2010, 'Last Elections', Inter Parliamentary Union website http://www.ipu.org/parline/reports/2295_E.htm - Accessed 20 October 2010 – Attachment 2; US Department of State 2010, *Background Note: Sri Lanka*, 7 June <http://www.state.gov/r/pa/ei/bgn/5249.htm> - Accessed 20 October 2010 – Attachment 1

⁵ 'Rajapaksa's party wins hands down, but can not amend the constitution' 2010, *Asia News IT*, 21 April – Attachment 4

⁶ Inter Parliamentary Union 2010, 'Last Elections', Inter Parliamentary Union website http://www.ipu.org/parline/reports/2295_E.htm - Accessed 20 October 2010 – Attachment 2;

⁷ 'Rajapaksa's party wins hands down, but can not amend the constitution' 2010, *Asia News IT*, 21 April – Attachment 4; Jayasekera, S.A., Jayasingha, J & Amarajeewa, A. 2010, 'Kandy, Trincomalee final results withheld', *Daily Mirror*, 10 April <http://www.dailymirror.lk/print/index.php/news/front-page-news/8006.html> - Accessed 20 October 2010 – Attachment 5; 'Re-polling in Kandy and Trincomalee districts of Sri Lanka

Following the general election in April 2010, the UNP has strongly opposed some UPFA proposed legislation including constitutional reform and continued extensions to the state of emergency.⁸ The UNP has also criticised the government's continued detention of retired Army General Sarath Fonseka in relation to charges of corruption and 'illegal engagement in politics'.^{9,10}

The UNP's relationship with Tamil parties also appears to be problematic. According to a report published by *New Indian Express*, dated 29 September 2010, Tamil parties have recently criticised the UNP for not supporting a political solution to the problems for Tamils. The report states that:

The Tamil parties in Sri Lanka have slammed the opposition United National Party (UNP) for backtracking on the issue of finding a political solution to the Tamil question. In an interview with the Sinhalese service of the BBC on Tuesday, UNP's general secretary Tissa Attanayake said that after the defeat of the LTTE, the people of Sri Lanka should work for the economic development of the Tamil areas and not spend time trying to find a political solution to the ethnic question.¹¹

News media reports indicate a high degree of instability within the UNP including intra party rivalry, threats and violence. The following reports outline recent problems within the party:

- Reports indicate that there have been calls for a change of leadership within the UNP. On 14 October 2010, the Association of the Former Parliamentarians of the UNP called upon the Party leader, Ranil Wickremesinghe, to resign.¹² The Lawyers Association of the UNP also stated in September 2010 that Wickremesinghe should resign as leader of the UNP.¹³

scheduled on April 20th 2010, *Colombo Page*, 10 April

http://www.colombopage.com/archive_10/Apr1270908795CH.php - Accessed 20 October 2010 – Attachment 6.

⁸ Ratnayake, K. 2010, 'Sri Lankan government extends state of emergency', World Socialist Web site, 7 May – Attachment 7; Department of Foreign Affairs and Trade 2010, 'State of Emergency extended on 3 August', 6 September – Attachment 8; Department of Foreign Affairs and Trade 2010, 'Sri Lanka's State of Emergency', 20 April – Attachment 9

⁹ 'UNP launches protest near Fort railway station to free Fonseka' 2010, *The Sunday Times*, 8 October

<http://sundaytimes.lk/latest/792-unp-launches-protest-near-fort-railway-station-to-free-fonseka> - Accessed 20 October 2010 – Attachment 10; 'UNP TO TAKE FONSEKA CASE BEFORE INTER PARLIAMENTARY UNION IN GENEVA' 2010, *News First LK*, 23 September

http://www.newsfirst.lk/index.php?option=com_content&view=article&id=13389:unp-to-take-fonseka-case-before-inter-parliamentary-union-in-geneva&catid=97:news-items-2&Itemid=294 - Accessed 20 October 2010 – Attachment 11.

¹⁰ On 25 January 2010 Presidential elections were held in Sri Lanka. The incumbent President, Mahinda Rajapakse, defeated retired Army General Sarath Fonseka in the election by a margin of 18%. General Sarath Fonseka, who represented the New Democratic Front, was supported by the United National Party (UNP). On 8 February 2010, Mr Fonseka was arrested by the military in relation to charges of corruption and "illegal engagement in politics". The UNP pledged to release Mr Fonseka if it won a parliamentary majority in the next general election (US Department of State 2010, *Background Note: Sri Lanka*, 7 June

<http://www.state.gov/r/pa/ei/bgn/5249.htm> - Accessed 20 October 2010 – Attachment 1; Inter Parliamentary Union 2010, 'Last Elections', Inter Parliamentary Union website http://www.ipu.org/parline/reports/2295_E.htm - Accessed 20 October 2010 – Attachment 2).

¹¹ 'Tamil parties slam UNP's backtracking' 2010, *New Indian Express*, 29 September – Attachment 12

¹² 'Demand For Leadership Change In Unp Builds Up' 2010, *Sri Lankan Government News*, 16 October – Attachment 13; 'UNP ex-MPs call Opposition Leader Ranil Wickremesinghe to step down' 2010, *Asian Tribune*, 14 October – Attachment 14

¹³ 'Lawyers Association of UNP says Ranil Wickremesinghe should step down from party leadership if party wants to move forward strongly' 2010, *Sri Lankan Government News*, 14 September – Attachment 15

- On 15 September 2010, *The Wall Street Journal* reported that the “United National Party is riven by intraparty feuding”.¹⁴
- News media reports indicate that during September 2010 25 out of 43 UNP legislators threatened to sit as independents if the party does not enact major reforms.¹⁵
- The UNP boycotted the parliamentary debate and vote on constitutional changes on 8 September 2010. UNP activists reportedly held a demonstration outside of parliament during which they set fire to an effigy of the President.¹⁶ Nonetheless, many UNP members of Parliament voted with the government for the constitutional amendments. According a *BBC News* report “a cluster of opposition members crossed to the government side, some even defecting to the governing party, for reasons that are unclear”.¹⁷ *BBC News* reported that, however, that “some opposition supporters accuse the government of using bribes and threats to secure MPs votes, which the administration denies”.¹⁸
- On 1 August 2010, *The Sunday Observer* reported that prominent UNP member, Rienzie Algama, recently committed suicide due to problems within the party. The report states that “the recent suicide of Rienzie Algama sent shock waves among UNP circles as he had stated that he decided to commit suicide as there is no harmony among the UNP leaders today, resulting in the party’s downfall”. According to the report “he resented the proposed reforms and wanted everybody to extend unconditional support to the leader Ranil Wickremesinghe.”¹⁹
- On 5 July 2010, *The Daily News* reported that UNP Parliamentarian A.R.M. Abdul Cader received telephone death threats following his decision to vote in favour of the government’s budget. Fellow UNP members voted against the proposed budget. The police had not identified the source of the death threats at the time of the report. The report states, however, that Cader “alleged that his own party had taken steps to prevent him from making an earlier scheduled speech in Parliament during the Budget.”²⁰
- On 12 April 2010, *The Daily News* reported that UNP defeated candidate, Shantha Abeysekara, was arrested with four other in relation to a “brutal assault on former UNP Parliamentarian Palitha Range Bandara and his supporters”. The assault was reportedly in relation to a preference vote issue.²¹

NGO and news media reports also indicate some recent incidences of harassment, attacks and election related violence against UNP members:

¹⁴ ‘Sri Lanka’s Peace-Torn Democracy; In consolidating power, President Rajapaksa risks squandering one of his country’s greatest advantages’ 2010, *The Wall Street Journal*, 15 September – Attachment 16

¹⁵ Perera, A. 2010, ‘Constitutional Change Undermines Political Checks’, *Inter Press Service*, 15 September – Attachment 17; ‘Lawyers Association of UNP says Ranil Wickremasinghe should step down from party leadership if party wants to move forward strongly’ 2010, *Sri Lankan Government News*, 14 September – Attachment 18

¹⁶ ‘Thousands protest while amendments come to parliament’ 2010, *BBC Sinhala*, 8 September – Attachment 19.

¹⁷ Haviland, C. 2010, ‘Sri Lanka MPs vote in sweeping powers for president’, *BBC News*, 8 September – Attachment 20

¹⁸ Haviland, C. 2010, ‘Sri Lanka MPs vote in sweeping powers for president’, *BBC News*, 8 September – Attachment 20

¹⁹ ‘Staunch UNP supporter commits immolation’ 2010, *Sunday Observer*, 1 August – Attachment 21

²⁰ ‘Death threat on MP for voting with Govt’ 2010, *Daily News*, 5 July – Attachment 22

²¹ ‘Defeated UNP candidate arrested’ 2010, *Daily News*, 12 April – Attachment 23

- On 8 April 2010, *The Daily Mirror* reported on incidents of election related violence. The report states that “polling agents from the UNP had been chased away from the booths at the Anamaduwa Walapanawa Vidyalyaya and Madawakkulama booth in Galle”.²²
- On 10 February 2010, *Xinhua News Agency* reported that a protest in Colombo involving several UNP and Peoples Liberation Front members was attacked by an armed gang led by a UPFA member. 10 UNP party supporters were reportedly injured in the attack. Police dispersed the rally and arrested six people. The UNP General Secretary, Tissa Attanayake, is reported to have stated that UNP protests in other districts were held successfully.²³
- On 12 January 2010 a bus taking UNP supporters to a rally was fired upon in Tangalle by gunmen on motorbikes. A woman was killed and many others are reported to have been injured.²⁴ On 13 January 2010, *Kyodo News* reported that police had arrested two people in connection with the incident. The report states that:

The Hong Kong-based Asian Human Rights Commission said the attack “was carried out in a manner that reeks of the organized violence practiced in previous elections.”

“The failure of the police to provide protection remains the major cause of such violence,” it said, while accusing the police of essentially backing the incumbent president in the election campaign.²⁵
- The Asian Human Rights Commission reported a case in December 2009 “of police brutality against members of the United National Party who were in possession of lawful posters for a rally supporting the presidential opposition candidate”. The report states that “one man from the party has been arrested and charged with carrying illegal political posters.”²⁶
- International Crisis Group have reported that in October 2009, “the home of UNP parliamentarian Ranga Bandara was burned to the ground after he had helped lead a public campaign against the alleged construction of houses on state land by a Rajapaksa family member”.²⁷

²² ‘Sri Lanka polls see several incidents of violence – observers’ 2010, *BBC Monitoring Newsfile*, source: *Daily Mirror*, 8 April – Attachment 24

²³ Zhan Jie, C. 2010, ‘6 arrested, 12 vehicles damaged in protest rally in Sri Lanka’, *Xinhua News Agency*, 10 February – Attachment 25

²⁴ ‘2 arrested after 1st killing of Sri Lanka election campaign’ 2010, *Kyodo News*, 13 January – Attachment 26; ‘Supporters of Sri Lankan president’s challenger shot on bus’ 2010, *BBC Monitoring Newsfile*, source: *Daily Mirror*, 12 January 2010 – Attachment 27.

²⁵ ‘2 arrested after 1st killing of Sri Lanka election campaign’ 2010, *Kyodo News*, 13 January – Attachment 26

²⁶ ‘Sri Lanka: Two men are abused by police for carrying opposition posters during the presidential election; one is arbitrarily arrested’ 2010, Asian Human Rights Commission website, AHRC-UAC-021-2010, 4 March <http://www.ahrchk.net/ua/mainfile.php/2010/3385/> – Accessed 22 April 2010 – Attachment 29

²⁷ International Crisis Group 2010, *Sri Lanka: A Bitter Peace: Asia Briefing N°99*, 11 January, p.6 <http://www.crisisgroup.org/~media/Files/asia/south-asia/sri-lanka/b99%20sri%20lanka%20a%20bitter%20peace.ashx> - Accessed 20 October 2010 – Attachment 30

Attachments

1. US Department of State 2010, *Background Note: Sri Lanka*, 7 June <http://www.state.gov/r/pa/ei/bgn/5249.htm> – Accessed 20 October 2010.
2. Inter Parliamentary Union 2010, 'Last Elections', Inter Parliamentary Union website http://www.ipu.org/parline/reports/2295_E.htm – Accessed 20 October 2010.
3. 'Parliamentary General Election – 2010', (undated), Department of Elections website http://www.slelections.gov.lk/parliamentary_elections/AICOM.html – Accessed 7 October 2010.
4. 'Rajapaksa's party wins hands down, but can not amend the constitution' 2010, *Asia News IT*, 21 April. (CISNET Sri Lanka CX242556)
5. Jayasekera, S.A., Jayasingha, J & Amarajeewa, A. 2010, 'Kandy, Trincomalee final results withheld', *Daily Mirror*, 10 April <http://www.dailymirror.lk/print/index.php/news/front-page-news/8006.html> – Accessed 20 October 2010.
6. 'Re-polling in Kandy and Trincomalee districts of Sri Lanka scheduled on April 20' 2010, *Colombo Page*, 10 April http://www.colombopage.com/archive_10/Apr1270908795CH.php – Accessed 20 October 2010.
7. Ratnayake, K. 2010, 'Sri Lankan government extends state of emergency', World Socialist Web site, 7 May. (CISNET Sri Lanka CX245977)
8. Department of Foreign Affairs and Trade 2010, 'State of Emergency extended on 3 August', 6 September. (CISNET Sri Lanka CX247197)
9. Department of Foreign Affairs and Trade 2010, 'Sri Lanka's State of Emergency', 20 April. (CISNET Sri Lanka CX244080)
10. 'UNP launches protest near Fort railway station to free Fonseka' 2010, *The Sunday Times*, 8 October <http://sundaytimes.lk/latest/792-unp-launches-protest-near-fort-railway-station-to-free-fonseka> – Accessed 20 October 2010.
11. 'UNP to take Fonseka case before inter parliamentary union in Geneva' 2010, *News First LK*, 23 September http://www.newsfirst.lk/index.php?option=com_content&view=article&id=13389:unp-to-take-fonseka-case-before-inter-parliamentary-union-in-geneva&catid=97:news-items-2&Itemid=294 – Accessed 20 October 2010.
12. 'Tamil parties slam UNP's backtracking' 2010, *New Indian Express*, 29 September. (FACTIVA)
13. 'Demand for Leadership Change in UNP builds up' 2010, *Sri Lankan Government News*, 16 October. (FACTIVA)
14. 'UNP ex-MPs call Opposition Leader Ranil Wickremesinghe to step down' 2010, *Asian Tribune*, 14 October. (FACTIVA)
15. 'Lawyers Association of UNP says Ranil Wickremasinghe should step down from party leadership if party wants to move forward strongly' 2010, *Sri Lankan Government News*, 14 September. (FACTIVA)
16. 'Sri Lanka's Peace-Torn Democracy; In consolidating power, President Rajapaksa risks squandering one of his country's greatest advantages' 2010, *The Wall Street Journal*, 15 September. (FACTIVA)

17. Perera, A. 2010, 'Constitutional Change Undermines Political Checks', *Inter Press Service*, 15 September. (FACTIVA)
18. 'Lawyers Association of UNP says Ranil Wickremasinghe should step down from party leadership if party wants to move forward strongly' 2010, *Sri Lankan Government News*, 14 September. (FACTIVA)
19. 'Thousands protest while amendments come to parliament' 2010, *BBC Sinhala*, 8 September. (CISNET Sri Lanka CX248971)
20. Haviland, C. 2010, 'Sri Lanka MPs vote in sweeping powers for president', *BBC News*, 8 September. (CISNET Sri Lanka CX248968)
21. 'Staunch UNP supporter commits immolation' 2010, *Sunday Observer*, 1 August. (FACTIVA)
22. 'Death threat on MP for voting with Govt' 2010, *Daily News*, 5 July. (FACTIVA)
23. 'Defeated UNP candidate arrested' 2010, *Daily News*, 12 April. (FACTIVA)
24. 'Sri Lanka polls see several incidents of violence – observers' 2010, *BBC Monitoring Newsfile*, source: *Daily Mirror*, 8 April. (FACTIVA)
25. Zhan Jie, C. 2010, '6 arrested, 12 vehicles damaged in protest rally in Sri Lanka', *Xinhua News Agency*, 10 February. (FACTIVA)
26. '2 arrested after 1st killing of Sri Lanka election campaign' 2010, *Kyodo News*, 13 January. (FACTIVA)
27. 'Supporters of Sri Lankan president's challenger shot on bus' 2010, *BBC Monitoring Newsfile*, source: *Daily Mirror*, 12 January 2010. (FACTIVA)
28. '2 arrested after 1st killing of Sri Lanka election campaign' 2010, *Kyodo News*, 13 January. (FACTIVA)
29. 'Sri Lanka: Two men are abused by police for carrying opposition posters during the presidential election; one is arbitrarily arrested' 2010, Asian Human Rights Commission website, AHRC-UAC-021-2010, 4 March
<http://www.ahrchk.net/ua/mainfile.php/2010/3385/> – Accessed 22 April 2010.
30. International Crisis Group 2010, *Sri Lanka: A Bitter Peace: Asia Briefing N°99*, 11 January, p.6 <http://www.crisisgroup.org/~media/Files/asia/south-asia/sri-lanka/b99%20sri%20lanka%20a%20bitter%20peace.ashx> – Accessed 20 October 2010.