

In cynical gesture, Sri Lankan president pardons journalist

Vilani Peiris
12 May 2010

Sri Lanka's External Affairs Minister, G.L. Peiris, announced at a press conference last week that President Mahinda Rajapakse had decided to grant a pardon to journalist J.S. Tissanayagam to mark World Press Freedom Day. Tissanayagam was convicted on trumped-up charges last August and sentenced to 20 years jail with hard labour in a decision that provoked outrage in Sri Lanka and internationally.

The terms of the pardon are still not clear, but include the withdrawal of Tissanayagam's appeal against his original conviction. Tissanayagam has always denied the charges, laid under the country's draconian Prevention of Terrorism Act (PTA), that he had through his articles incited communal disharmony and brought the government into disrepute, and had raised funds for "terrorism"—that is, the separatist Liberation Tigers of Tamil Eelam (LTTE).

The president's decision to pardon Tissanayagam is a cynical gesture aimed at blunting criticism of the government's democratic rights abuses and currying international favour, particularly with the US and European powers. In the months leading up to the LTTE's defeat last May, the US and the European Union expressed "concerns" about human rights as a means of countering China's growing influence in Colombo. The EU has resolved to stop GSP+ tariff concessions for Sri Lankan exports from August over the issue.

Last week the newly elected government also eased aspects of the state of emergency, including limitations on public marches and meetings, curfews and some media restrictions. At the same time, President Rajapakse retained key emergency powers, including to

detain people without trial and to ban industrial action. The cosmetic character of the changes is underlined by the fact that the security forces continue to hold at least 11,700 young Tamil men and women indefinitely without charge as "terrorist suspects".

External Affairs Minister Peiris denied that the easing of the state of emergency was connected to the government's attempts to thaw relations with the West. But the choice of Peiris, who is known for his pro-Western sympathies, as foreign minister was aimed at appeasing the US and European powers. His first task is to retain the GSP+ tariff concessions in order to protect the country's garment industry and shore up the heavily indebted economy.

Washington appears to have got the message. The US embassy in Colombo issued a statement welcoming Tissanayagam's pardon, declaring: "It is fitting that the announcement came on World Press Freedom Day, which celebrates the vital role a free media plays in every democracy." A report published last December by the US Senate Committee on Foreign Relations had already signalled a move away from concerns about human rights in Sri Lanka to "a broader and more robust approach to Sri Lanka that appreciates new political and economic realities in Sri Lanka and US geostrategic interests".

Tissanayagam's case involved a particularly glaring abuse of basic democratic rights. He was a columnist for the *Sunday Times* and editor of the *Outreach* web site and *North Eastern Monthly*. He was arrested on March 7, 2008 when he visited the police Terrorist Investigation Division (TID) to ask about two of his colleagues—the publisher of the *North Eastern*

Monthly, Jaseetharan, and his wife Valarmathy.

Tissanayagam was detained on an order issued by Defence Secretary Gotabhaya Rajapakse, the president's brother, under the PTA and held without charge for six months. His arrest took place as the Rajapakse government intensified its war against the LTTE in which thousands of civilians were killed and maimed. Pro-government death squads had killed scores of people, including journalists. Tissanayagam had first-hand knowledge of these crimes, which he sharply criticised.

In August 2008, Tissanayagam was charged on the basis of a confession extracted by TID interrogators, who are notorious for the use of torture. Under the PTA, a confession can be used in court. Tissanayagam later retracted the confession, saying it had been written under duress. "The police officer dictated to me and forced me to write the statement which has now become my confession," he told the court.

During his trial, Tissanayagam said he had spoken out against all forms of terrorism and human rights violations. He pointed out that he had collected information on widespread human rights abuses between 1988 and 1990 when the United National Party government unleashed a reign of terror against rural youth in southern Sri Lanka.

The court nevertheless convicted Tissanayagam on August 31 and sentenced him to 20 years rigorous imprisonment. He was the first journalist convicted under the PTA. Last October, the attorney general's department agreed to the release of Jaseetharan and his wife Valarmathy on the condition that they withdraw a fundamental rights case in the Supreme Court.

Tissanayagam was bailed out in January pending an appeal against his conviction filed by his lawyers in the Court of Appeal. The judge granted bail but impounded the journalist's passport. The government did not oppose the bail application.

Tissanayagam's pardon in no way addresses the government's past and continuing abuses of democratic rights. At least 14 journalists and media workers have

been killed by pro-government thugs since Rajapakse first won the presidency in November 2005. Many others were harassed, detained and in some cases beaten up, forcing about a dozen to flee the country.

In January last year, Lasantha Wickrematunge, editor of the opposition *Sunday Leader*, was killed in broad daylight as he drove to work in the suburbs of Colombo. Just two days earlier, an armed gang broke into the MTV/Sirasa building in the early hours of the morning and ransacked its studio and offices.

During the campaigns for the presidential election in January and the parliamentary poll in April, the Rajapakse government shamelessly used the state-owned media as its propaganda tool and continued the crackdown on political opponents and critics.

After the presidential election, the government detained defeated opposition candidate, retired general Sarath Fonseka and his supporters, on vague allegations that he had planned a coup against Rajapakse. He is currently being tried by two military courts-martial on charges that he engaged in political activities while in uniform and was involved in corruption over military procurements.

Police also arrested Chandana Sirimalwatte, editor of the opposition *Lanka* newspaper. Prageeth Eknaligoda, a journalist with the *Lanka-e-news* website, has been missing since January 24. The website itself has been blocked as part of the government's growing efforts to censor the Internet.

Significantly, President Rajapakse has appointed Keheliya Rambukwella, previously employment minister and the government's defence spokesman, as media minister. He is well known for vociferously defending the war against the LTTE and the criminal actions of the military.



To contact the WWS and the
Socialist Equality Party visit:

wws.org/contact