

Sri Lankan president releases jailed rival

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Sri Lankan President Mahinda Rajapakse granted a conditional pardon on Monday to Sarath Fonseka, former army commander and a 2010 presidential candidate. Fonseka was arrested just two weeks after the presidential election and convicted of trumped up charges in order to intimidate the opposition parties.

Rajapakse announced the decision, after much hesitation, to deflect international criticism over his government's human rights abuses, particularly from the US. The Obama administration has been exploiting the issue to pressure Rajapakse to align more closely with Washington and distance himself from Beijing.

Rajapakse did not grant a full pardon to Fonseka, despite having the constitutional power to do so, instead issuing a remission on his sentence due to end in March 2013. As Fonseka has served a prison term exceeding six months, under the constitution he loses his civil rights for seven years, including the right to stand in elections.

Fonseka is still facing trial on 41 counts of "harbouring army deserters" and could be jailed for up to 20 years if found guilty. He was granted bail last week in relation to these charges, but his passport has been impounded. Rajapakse is clearly seeking to ensure that Fonseka remains on a tight leash.

Fonseka's release came just three days after Sri Lankan Foreign Affairs Minister G. L. Peiris met with the US Secretary of State Hillary Clinton in Washington. According to a State Department spokesperson, Clinton stressed the "importance of protection of human rights" in the discussions. Despite denials in Colombo, Fonseka's release was obviously aimed at easing tensions with Washington. The Obama administration, which had previously called for

Fonseka to be given a fair trial, welcomed his release.

The Obama administration has continued to exploit the human rights issue to keep the pressure on the Rajapakse government. In March, the US pushed a resolution through the UN Human Rights Council calling on Sri Lanka to implement the limited recommendations of Rajapakse's own Lessons Learnt and Reconciliation Commission (LLRC).

During the final months of the civil war against the separatist Liberation Tigers of Tamil Eelam (LTTE) in 2009, the army killed tens of thousands of Tamil civilians and injured many more who were trapped in LTTE-held territory. Following the collapse of the LTTE, the military herded around 300,000 civilians into detention camps. Thousands of young Tamils were singled out as "LTTE suspects" and taken to unknown locations where many are still being detained.

The LLRC was a whitewash of the war crimes and human rights abuses for which the Rajapakse government and the military, including Fonseka, are responsible. Unlike the government, the LLRC was compelled to admit that the military could have been responsible for some deaths, but minimised the number. Its recommendations included the demilitarisation of the country's north and east gradually, the disarming of paramilitary groups and a limited devolution of power.

Prior to the visit by Peiris, Clinton called for a detailed "action plan" from Colombo to implement the LLRC proposals. The Sri Lankan government no doubt hopes that Fonseka's release will produce a let up in US pressure on these matters.

As army chief, Fonseka was a prominent figure in Rajapakse's military-political cabal that ruthlessly

prosecuted the war against the LTTE. He fell out with Rajapakse following the LTTE's defeat in May 2009 and was backed by the main opposition parties as their candidate in the 2010 presidential election.

After he lost the election, Fonseka challenged the result. He was arrested along with a number of his supporters for allegedly planning a coup. After being held for several weeks he was finally charged with relatively minor offences. No evidence has ever been produced that he was preparing a coup.

In 2010, Fonseka was convicted by two closed-door military courts, appointed by Rajapakse as commander in chief, of "engaging in active politics while in uniform" and corruption. He was stripped of his military rank, honours, pension and other benefits over the first charge and sentenced to 30 months in prison on the second.

Last November, the Colombo High Court convicted and sentenced Fonseka to three years jail for "propagating a false rumour", in what is known as the "white flag incident." He had hinted that Defence Secretary Gotabhaya Rajapakse, the president's brother, had ordered the killing of four top LTTE leaders who had been carrying a white flag and trying to surrender in the final days of the war.

Following his release, Fonseka told the BBC that he intended to engage in politics despite being banned from standing for election. "I have a political agenda to change the corrupt political culture in this country," he said. He and parliamentarian Jayantha Ketagoda have applied to register a new party—the Democratic Party.

Fonseka has declared that he would be "prepared to cooperate with any international inquiry into alleged war crimes," adding that he agreed with UN proposals for "focusing on human rights violations and reconciliation." At the same time, however, he denied that the military was responsible for tens of thousands of civilian deaths, as found by a UN report.

Fonseka's stance on "human rights" is a clear signal to the US and European powers that he supports a closer alignment with Washington. He took a similar

position in the course of the 2010 presidential election campaign, accusing Rajapakse of isolating Sri Lanka from the West.

Rajapakse, who relied heavily on financial support and weapons from China for his war against the LTTE, is desperately trying to balance between Washington and Beijing. While denouncing the human rights issue as an "international conspiracy" against Sri Lanka, the government is attempting to appease Washington in order to avoid becoming a possible target for US penalties.

Rajapakse is also confronting growing popular opposition at home as his government's austerity measures, including large price rises, affect the living standards of working people. By releasing Fonseka, the president is no doubt also hoping to divide the opposition parties.

Fonseka is a right-wing political figure, mired in Sinhala chauvinism, who campaigned in the 2010 election largely on the basis of his military victory over the LTTE. He was notorious during the war for his anti-democratic methods, particularly towards any critics of the military. If he ever came to power, Fonseka would be just as ruthless as Rajapakse in suppressing any opposition from the working class and rural poor.



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