

## Gen Fonseka arrested under the Military Act 57 (1)

Following the last night's arrest of former Sri Lanka Army chief, Chief of Defence Staff and presidential candidate General (Retired) Sarath Fonseka, his wife Anoma Fonseka called for a media briefing this morning at their residence in Colombo. She spoke in English.

Ms. Fonseka said that her husband was taken away by army personnel last night at around 9.30 and that she is unaware of her husband's whereabouts. She asked was this the way to treat the General Fonseka who fought the LTTE for almost 30 years ?

Ms. Fonseka said her husband was still under medication after the suicide bomb attack and she was worried of her husband's health. She regretted the way they took her husband away. What happened to her family might happen to others in the future, she said. Mrs. Fonseka went on to say "we expected something like this to happen but not in this way".

Sri Lanka Watch learns from military sources involved in the operation, that Gen. Fonseka has refused to cooperate and resisted physically insulting the military officers who wanted to arrest him. That had led the military police to use of physical force on the General.

According to our sources the former Army Commander was driven away in a bullet-proof land rover and presently being held in one of the quarters located at the Sri Lanka Navy Head Quarters. He is being treated well as well as medical facilities are provided to him.

It seemed like defeated presidential candidate General Sarath Fonseka was "hell-bent" on betrayal and would be court-martialled on charges of conspiring against the president.

After losing by an 18 % to President Mahinda Rajapaksa in the presidential election on the 26th he went on accused his former commander-in-chief of vote-rigging. The Gen. vowed to challenge the results in court and stand for parliament, in spite of the election commissioner rejecting all accusations.

The government said the general, who quit the army in November to enter the presidential race, would be tried for conspiring with opposition politicians while still serving. The main charges against him are Politicking whilst in uniform, Conspiring against the Commander-in-Chief whilst in Service, Harboring more than 1,500 deserters whilst on service, And corrupt practices in relating to military procurements with his son in law.

Mrs. Anoma Fonseka said that her husband's arrest was not legal as he was retired and even if so the arresting officer should be a higher ranking officer to Gen. Fonseka.

But according to defence spokesman Keheliya Rambukwella under Sri Lankan military law, the armed forces can arrest and try personnel who have left service for up to six months after their departure. Military spokesman Major General Prasad Samarasinghe speaking at the same media briefing, denied that General Fonseka was now cut off from family or friends. He said "Family members are allowed to see him and he has been allowed to obtain legal advice also," he said, adding that the former army commander was not even in a cell.

Fonseka was the only four star General in Sri Lanka. Further it may well have been that the arresting military police officer may have been the next highest ranking officer acting on the orders of the Commander in Chief as the General was already retired.

The last presidential campaign turned in to a bitter and personal fight in public, with Fonseka and Rajapaksa trading allegations of corruption and misconduct. Fonseka threatened Government authorities and high Ranking forces Officers be thrown in Jail for ever. At the last political meeting Fonseka publicly announced that he will have a committee of 20 three star generals to take decisions on the future of the country.

Political observers believe what may have pushed the Government to arrest him could have been General Fonseka's comment to BBC yesterday morning (8th) that he was willing to testify in a war crimes probe proved his disloyalty to the troops he led to defeat the Tamil Tigers rebels and end a 25-year war. And challenging the Government publicly why they are not arresting him, if he has violated laws of the country, instead arrest his supporters.

The Observers point out with such a provocation by Fonseka the Sri Lankan Government had no other choice but to take action against him.