



Embassy of Sri Lanka

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MOST URGENT

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Mr. Arne Helsingen (arne.helsingen@nrk.no)
Chief of TV-NRK
Oslo.

Dear Sir,

The Embassy of Sri Lanka in Oslo registers its vehement protest at the proposed re-telecasting of the UK Channel 4 documentary titled "Sri Lanka's Killing Fields" on the NRK 2 Channel on 27th September on the basis that the program content is completely biased and contains unsubstantiated allegations against the Government of Sri Lanka. The views expressed in the film are without any guarantee of authenticity. The video footage of executions supposedly taken from a mobile phone has not been verified as authentic.

The obvious bias of the program is further illustrated by the fact that a major portion of the dubious video footage has been acquired from LTTE-related sources. All video footage taken in LTTE controlled areas during the final days of the conflict was very selective in its portrayal of the ground reality. The LTTE deliberately embedded its military resources amongst the civilian population and it is very surprising that none of the video footage in the Channel 4 program shows any LTTE military activity in the midst of the civilian population. The portrayal of the ground situation in the program is as if the LTTE never existed in the areas that were being filmed and the Government forces were deliberately targeting innocent civilians. This is a clear distortion of facts and the ground reality that existed at that time.

Another aspect which did not get captured in the Channel 4 program was that the LTTE was a formidable fighting force that had developed a conventional military capability. The LTTE had an artillery unit which had 5- 152mm artillery guns, 9- 130mm artillery guns, 7- 122mm artillery guns, wide range of rocket propelled grenade launchers, several SA-14 Manpads and other stand-off weapons. The LTTE ground formations had several brigades of combatants including suicide cadres. The LTTE had combat maritime capability and an air capability. In fact LTTE aircrafts undertook suicide missions ramming into the Tax Office in the city of Colombo in early 2009. Therefore, the LTTE was NOT a passive bystander during this period. The Channel 4 program fails to present the offensive role played by the LTTE. At the start of the program and in the 7 minutes the LTTE is shown briefly using mortars and artillery shelling. However, the narrators continue to assert throughout the program that it is the Government forces that were shelling and using heavy weaponry on civilians. At no point in the program do they refer to the fact that the LTTE used artillery shelling and refer to the possibility that the shelling could be from the LTTE. This is a deliberate attempt to mislead the viewers.

A question was posed to an unidentified “victim” in English in the program regarding an alleged attack on the hospital (Puthukkudiyimppu) “do you think this was an accident?” The literal English translation for the response in Tamil at best could be (“that means,) they might have attacked targetting the hospital (only”), but the text of the English translation that appeared in the screen was “the hospital was targeted.” Of the four or five Tamil civilians that spoke in the program none of them specifically mentioned that the Sri Lankan army attacked them.

The program narrators insist that the Sri Lanka Army carried out systematic attacks on civilians which is a completely baseless allegation. The Sri Lankan forces rescued 300,000 innocent Tamil civilians held hostage and used as human shields by the LTTE. In addition virtually all of these civilians have been successfully resettled in their own habitat. In addition, of the 11,600 LTTE cadres that surrendered at the end of the conflict 6,596 ex-combatants have been successfully rehabilitated and reintegrated into civil society. This includes 594 youngsters who had been recruited as child soldiers. Others are still undergoing rehabilitation whilst a few will be prosecuted through the legal system for alleged high level involvement in terrorist activities. The Security forces accepted civilians and LTTE combatants alike when they were crossing over to the Government controlled areas and risked their own lives to save any civilians in danger of drowning while trying to escape through the lagoon.

As you may be aware, the former UNSG Representative on Internally Displaced Persons, Dr Francis Deng stated that the situation in Sri Lanka was very unique as the Government of Sri Lanka continued to supply food and medicine to the population that lived under LTTE control. This role of the Sri Lankan government is not reflected at all in the Channel 4 program. Throughout the many years of the conflict, the Sri Lanka Government sent supplies of food and medicine through the ICRC to the population under LTTE control. Further to this, the entire civil administration, including school and hospitals were run in the LTTE controlled areas with the salaries paid by the Sri Lankan government. None of these facts are presented in the program which is a deliberate attempt to distort the true situation.

During a daily press briefing held on 21st June 2011 in New York, in response to a media question, Martin Nesirky, Spokesperson for the Secretary-General had this to say regarding how the Secretary General's visit to Sri Lanka in May 2009, following the end of the conflict, was portrayed in the Channel 4 program:

“I don't think the Secretary-General has seen the film. As you well know, he has been on the move quite a bit. He has been briefed on the film; he is aware of it. And certainly, you were there yourself with the Secretary-General in Sri Lanka. I think you know well yourself that the Secretary-General did much more than a whistle-stop tour to one refugee camp, and that he most certainly did speak to refugees in camps. And I think that you were a witness to that yourself. This is something that is not correctly portrayed in that film.”

This clearly demonstrates the liberties taken by the program producers in twisting the truth to fit in with the agenda of the telecast. Furthermore, the UN chose to leave the combat zones in the North of Sri Lanka. The Government merely highlighted that they could not guarantee the safety of UN officials. There was a very plausible danger of the LTTE killing UN employees and blaming it on the Government. At one point several UN staff were taken hostage by the LTTE.

It is very likely that the LTTE orchestrated the protest by the Tamil people in front of the UN office, shown in the program. It is also possible that the Tamil civilians were begging the UN to stay as they were afraid of being taken hostage by the LTTE and used as human shields or forcibly conscripted. These possibilities are not reflected in the program. With regard to Thamilvani Gananakumar (Vany Kumar) who was interviewed on the program she is a prominent member of the London Branch of the Tamil Youth Organization (TYO), a front organization for the LTTE.

She arrived in Sri Lanka in February 2008 at the request of Castro, former head of the LTTE foreign division based in the Wanni, as a part of the LTTE's strategy to provide military training and familiarization program for selected youth in Europe. She had not disclosed her whereabouts to even her close relatives as she wanted to maintain the secrecy of her visit to Sri Lanka and her links to the LTTE. She has undergone basic military training under the leadership of Durga, the female leader of LTTE's Sodia Regiment. Subsequent to her training in Wanni she has worked with Castro to coordinate TYO activities overseas. On the instructions of Castro she had been working as a volunteer medical assistant with Dr. Shanmugarajah during the last stages of the humanitarian operations in Wanni where she had been tasked to work closely with LTTE propaganda outfits overseas. She came to Menik Farm IDP centre with other Tamil civilians who were fleeing the LTTE and after a short time she was allowed to join her parents in the UK at the request of the British Government. On humanitarian grounds she was not detained by the Government of Sri Lanka for her activities with the LTTE and not charged for violating visa regulations by entering the country as a tourist and working for the LTTE. In view of her links with the LTTE her depiction of events can hardly be considered impartial. Vany Kumar claimed in the program that doctors had performed surgeries without anesthesia and the concerned doctors who were working in that area at the time have confirmed that it was a lie and all surgeries were done under anesthesia.

The five doctors who were working in the area at the time were Dr Shanmugaraja, Dr Sivapalam, Dr Ilancheliyan, Dr Sathymoorthy and Dr Vartharaja. All these doctors stated that they were intimidated by the LTTE to provide false casualty figures. The LTTE lies were exposed at a media briefing held in Colombo in July 2009 by these doctors who served in the non liberated areas. Today, these doctors have returned to the Wanni to resume duties. There are countless such issues regarding the footage shown in this program which clearly demonstrates its bias.

The Government of Sri Lanka through its High Commission in London has repeatedly requested Channel 4 to provide a copy of the footage that was aired by them in order to ascertain the authenticity of the footage. To date Channel 4 has not provided a copy of the footage that is in their possession to the Government.

The Government of Sri Lanka has responded to the Technical Note of the UN Special Rapporteur on extrajudicial, summary or arbitrary executions, Mr Chistof Heyns, in relations to the authenticity of the second, extended Channel 4 videotape, stating inter alia that the legal efficacy of any report or publication is hinged upon the fundamental requirement of impartiality and a complete lack of bias, having regard to the rules of natural justice and that the process adopted in regard to the publication of the videos and subsequent steps taken fall far short of this requirement and is tainted with the fundamental vice of bias and partiality. The fact that the contents of the video were not made available to the Sri Lankan Government by Channel 4 lends support to the suspicion that the broadcast of the videos were for a collateral purpose.

We urge NRK 2 not to air the UK Channel 4 program and give coverage to content which is unsubstantiated and without any guarantee of authenticity. At a time when a great deal of efforts are underway for reconciliation, rehabilitation and reconstruction in Sri Lanka, this type of sinister and unsubstantiated visual material could inflame the passions of those elements concerned only about carving out a mono-ethnic enclave against the wishes of Sri Lankan nationals treading on democratic pluralistic ideals. Recalling the violent actions of several elements espousing the cause of separatist terrorism in Oslo, namely the attack on the Sri Lanka Embassy in Oslo, the killing of an innocent Tamil youth in Kalbakken, and numerous other criminal acts against persons of Sri Lankan origin in Norway, the safety and security of not only the Embassy of Sri Lanka in Oslo and its staff, but that of all persons of Sri Lankan origin residing in Norway assiduously pursuing genuine multi-culturism in Sri Lanka and within their own communities, could be compromised by these types of telecasts.

NRK 2 is also urged to consider telecasting the video titled “Lies Agreed Upon,” (http://defence.lk/new.asp?fname=20110801_LAUvdo) a documentary released by the Ministry of Defence of Sri Lanka along with a book titled “Humanitarian Operation Factual Analysis.” (<http://www.mea.gov.lk/images/stories/pdf/humanitariananalysis.pdf>) This video is a critical response to the Channel 4 program “Sri Lanka’s Killing Fields.” This documentary features interviews with family members of prominent LTTE leaders, former LTTE cadres along with persons featured on Channel 4. It gives detailed information and sheds light on the last stages of the war.

In the aftermath of the terrible terror attacks in Norway on 22nd July, Sri Lanka has drawn the attention of the Norwegian authorities to the fact that Anders Behring Breivik has closely followed the modus operandi of the terror tactics of the LTTE. Therefore, the Sri Lanka Embassy in Oslo is of the strong opinion that these facts be brought to the attention of the Norwegian public as they directly concern the safety and security of the Norwegian people.

Sri Lanka has experienced many horrendous acts of mass murder carried out by the LTTE (Liberation Tigers of Tamil Eelam) against civilians, the scale of some of which far exceeds the number of casualties of the twin attacks in Norway on 22nd July, like the massacre by gunmen at the Anuradhapura Sacred Buddhist pilgrimage sight in 1985, and the bombing of the Central Bank in 1996, both of which are similar to the actions carried out by the Norwegian terrorist.

Recalling the horrendous acts of killings of civilians and the bombing of state property carried out by the LTTE, I wish to mention that there are eerie similarities between Anders Behring Breivik’s action and what the LTTE has been well known for. Regrettably, much like the LTTE, the aim of the Norwegian terrorist was to end multi-culturism, engineer regime change and revolutionize political discourse through violence.

I would like to bring to your attention that in the publicized ‘manifesto’ of Breivik, he makes two references to Sri Lanka; namely the acts of the LTTE, as follows;

1. Page 1235

- Pro-Sri Lanka (supports the deportation of all Muslims from Sri Lanka) and;

2. Page 1479

*Fourth Generation War is normally characterised by a “stateless” entity fighting a state or regime (the EUSSR). Fighting can be physically such as the **Liberation Tigers of Tamil Eelam (LTTE)** to use a modern example.*

I wish to state categorically that all genuine Sri Lankans are engaged in the true spirit of multiculturalism in Sri Lanka in that all ethnic and religious groups are treated equally and fairly with absolutely no peace-loving citizen calling for the expulsion or exclusion of anyone from the Island nation and the cherished democratic form of governance. However, it must be pointed out that it was the LTTE that forcibly evicted all Muslim as well as the Sinhala population living for generations in the Northern Province as part of their well-known ideology of ‘ethnic cleansing’.

The second reference in the Breivik ‘manifesto’ is a clear indication of him astutely following the modus operandi of the LTTE whereby the State was drawn into a conflict which was pursued vigorously by bombing state property, killing democratically elected leaders, public officials and civilians from all ethnic and religious denominations. As Breivik’s agenda and actions are virtually the same as that of the LTTE, it is conceivable that he may have had contact with some of the LTTE activists either in Norway or elsewhere. I have already raised this very pertinent issue with the senior political and security authorities in Oslo, who have assured me that they are pursuing all such queries seriously. I respectfully draw your attention to these important facts for you to reach a thorough understanding on what had transpired in Sri Lanka with regard to acts of the LTTE and the actions of the legitimate democratic administration.

I wish to allude to two other important facts in the Breivik case. It is known that Breivik wore a 'police' uniform to lure civilians to him for respect of that uniform so that he could execute his innocent victims at will. This was all too similar to what the LTTE did on numerous occasions, i.e. to carry out premeditated attacks on civilians from all walks of life, while at times impersonating as 'Sri Lankan military' in order to draw unsuspecting civilians into them and later apportion blame on the state apparatus as can be seen from the fabricated photographs and videos being circulated to discredit Sri Lanka's democratically elected leaders and heroic military forces.

Then it is reported that Breivik has said in his manifesto that he intended to film the attacks for propaganda purposes. This is once again very similar to what the LTTE had done in the past. It is noteworthy that the Norwegian people clearly think that Breivik is a terrorist who committed acts of terror and hence should not be given any platform to air any of his 'crooked' views on multiculturalism and that he should be fully investigated and punished by the letter and the spirit of the law. It therefore comes as no surprise that the law enforcement agencies in Oslo are currently pursuing action against Breivik in accordance with Section 147a of the Norwegian Penal Code which categorizes acts of terror.

Many elements had their own conclusions about the situation that prevailed in Sri Lanka and went about impressing those opinions on the Norwegian public. These characterizations mislead unsuspecting audiences with little or no knowledge of the LTTE's criminal and deceitful ways for decades. With the tragic incidents of 22nd July, it has become clear that terrorism and acts of terror, as defined under Norwegian law, can be applied to actions of the LTTE too. The Norwegian law as stipulated in the 14th Chapter of the Penal Code, promulgated in 1902, titled "Crimes endangering the public", and amended in June 2002 with a new section 147a, lists some acts of terror as follows:

1. *Seriously disrupting a function of vital importance to society, such as legislative or judicial authority, power supply, safe supply of food or water, the bank or monetary system or emergency medical services or disease control.*
2. *Seriously intimidating a population*
3. *Unlawfully compelling public authorities or an intergovernmental organization to perform, tolerate or abstain from performing any act of substantial importance for the country or the organization, or for another country or another intergovernmental organization.*

Recorded history of LTTE action in the past clearly contravenes above 1 and 2—for instance, the attack on Central Bank, massacres at Anuradhapura and Kathankudy, other acts of terror leading all the way up to the Maavil Aru incident (*please see pages 96-116 of the attached report*), which resulted in the Humanitarian Operation launched by the Government of Sri Lanka. It is for these reasons that Sri Lanka is now making a renewed effort to draw the attention of Norwegian authorities regarding above 3 whereby LTTE action on Norwegian soil need be curbed as a matter of high importance not only in cognizance of the threat posed to the national interests of Sri Lanka but also on account of the growing concerns for safety and security demanded by the Norwegian public (*pages 25-26 of the attached report lists some elements of activities in Norway*).

I remain, respectfully, at your disposal for clarifications on any concerns you have on Sri Lanka.

Sincerely,



E. Rodney M. Perera,
Ambassador