

NEWS

Army chief details murders of Nadesan, Puleedevan

SRI LANKA'S former Army Commander has claimed that his forces were responsible for the killing of surrendering senior members of the Liberation Tigers in May this year.

Presidential candidate Major General Sarath Fonseka (ret'd) initially accused Defence Secretary Gotabhaya Rajapaksa and Shavendra Silva, commander of army's 58th division as directly responsible for the assassination of LTTE's political leaders Balasingham Nadesan, Seevaratnam Puleedevan and police chief Ramesh.

Fonseka claimed that the army was ordered to execute the surrendering LTTE leaders.

He also named presidential advisor Basil Rajapaksa, Norwegian minister Erik Solheim and various foreign parties as people involved in the episode, according to a story in the latest *The Sunday Leader* newspaper.

But the following day, he qualified the statement, taking responsibility, as the army chief, of what happened on the nights of May 16 and 17 on a patch of marshy land near the north-eastern coast.

Fonseka said he had been personally unaware of the Tamils' attempts to give themselves up, which included frantic last-minute appeals for help to a Norwegian minister, diplomats, journalists and UN and Red Cross officials.

"Later I learned that Basil [Rajapaksa, a senior presidential adviser] had conveyed this information to the defence secretary, Gotabhaya Rajapaksa, who in turn spoke with Brigadier Shavendra Silva, commander of the army's 58th division, giving orders not to accommodate any [Tiger] leaders attempting surrender and that they must all be killed," Fonseka told *The Sunday Leader* newspaper in Colombo.

Fonseka said Nadesan, head of the Liberation Tigers' political wing, Puleedevan, head of the group's peace secretariat, and Ramesh had been assured through intermediaries by Basil Rajapaksa and Gotabhaya Rajapaksa, brothers of the president, that they would be given safe conduct.

According to subsequent accounts, the men were advised: "Get a piece of white cloth, put up your hands and walk towards the other side in a non-threatening

manner."

"It [the surrender method] was their idea," Fonseka told the newspaper, referring to Basil and Gotabhaya Rajapaksa.

When the three men approached government lines some time after midnight on 17 May they walked into a trap, Fonseka suggested. Troops opened fire with machine guns, killing all three and a number of family members.

A Tamil eyewitness account said Nadesan's wife, a Sinhalese, called in Sinhala to the soldiers: "He is trying to surrender and you are shooting him." She also died in the hail of bullets.

The chief intermediary was Norway's Erik Solheim, *The Sunday Leader* said, while including the ICRC too in the process.

Fonseka said that he came to know what exactly had happened after the event through journalists who had been with Shavendra Silva's Brigade Command at that time.

These journalists were privy to the telephone message from Gotabhaya to the Brigade Commander, ordering the latter not to accommodate surrenders but to simply go ahead and kill them, Fonseka said.

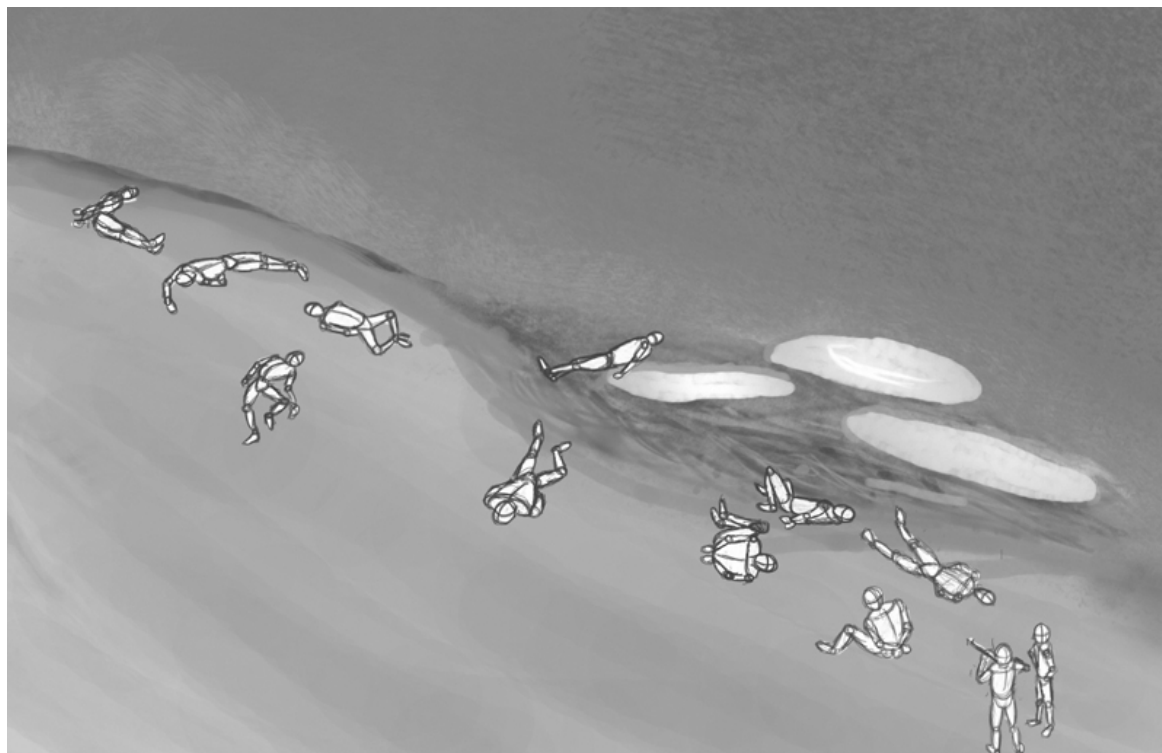
The Sri Lankan government reacted angrily, denying the allegation. Responding to Fonseka, Mahinda Samarasinghe, the human rights minister, said: "The government totally denies this allegation... We reject this malicious allegation against our heroic soldiers."

Offering yet another version of events, he said the senior LTTE cadres were carrying white flags in an attempt to fool the army and were not trying to surrender.

Basil Rajapaksa told the *Sunday Leader* he had not been contacted by a Norwegian intermediary over the surrender offer. Gotabhaya Rajapaksa and Brigadier Silva have not commented in public on Fonseka's claims.

The next day Fonseka appeared to qualify his statements. At no point of the war any member of the Army violated internationally accepted rules of war, he said.

"They (army soldiers) never committed any criminal act. There was no attempt at surrender on May 17, 18 and 19," he said.



Artists depiction of mobile phone footage showing men in military uniform shooting naked, bound men

Sri Lankan war crimes video authentic, says Times

VIDEO footage that appears to show Sri Lankan troops committing war crimes by summarily executing captured Tamil Tiger fighters on the battlefield was not fabricated, as claimed by the Sri Lankan Government, an investigation by *The Times* found.

The video of the alleged battlefield executions, which was aired on Channel 4 in August, shows a naked man, bound and blindfolded, being made to kneel.

Another man, dressed in what appears to be Sri Lankan army uniform, approaches from behind and shoots him in the head at point-blank range.

"It's like he jumped," the executor laughs. The camera then pans to show eight similarly bound corpses.

A 10th man was also shot in the same way towards the end of the video with men in the background gloating over the killings.

It is impossible to confirm when and where the filming occurred or the identities of the men shown, noted the *Times*.

Channel 4 stressed in its original report that it could not verify the authenticity of the video which it received from a group called Journalists for Democracy in Sri Lanka.

The group claims the video footage was taken in January by a soldier using a mobile phone.

The United Nations said at the time that it was viewing the footage "with the utmost concern" but could also not verify the video.

The Sri Lankan government has claimed that it has "established beyond doubt" that the footage was fake. It denies that the video shows soldiers shooting unarmed, naked men.

An analysis for *The Times* by Grant Fredericks, an independent forensic video specialist who is

also an instructor at the FBI National Academy, suggests otherwise, the *Times* report said.

He found no evidence of digital manipulation, editing or any other special effects. However, subtle details consistent with a real shooting, such as a discharge of gas from the barrel of the weapon used, were visible, the report said.

"This level of subtle detail cannot be virtually reproduced. This is clearly an original recording," said Mr Fredericks, who was previously the head of the Vancouver police forensic video unit in Canada.

There was also strong evidence to rule out the use of actors. "Even if the weapons fired blanks, the barrel is so close to the head of the 'actors' that the gas discharge alone leaves the weapon with such force it would likely cause serious injury or death," Mr Fredericks told *The Times*.

The reactions of those executed was consistent with reality, he added. "The victims do not lunge forward... [they] fall backward in a very realistic reaction, unlike what is normally depicted in the movies."

In Mr Fredericks's opinion "the injury to the head of the second victim and the oozing liquid from that injury cannot be reproduced realistically without editing cuts, camera angle changes and special effects. No [errors] exist anywhere in any of the images that support a technical fabrication of the events depicted," he said.

The Sri Lankan Government conducted its own investigations into the video in September and concluded that the footage was "done with a sophisticated video camera, dubbed to give the gunshot effect and transferred to a

mobile phone."

Mr Fredericks's research showed that code embedded in the footage appeared to match with software used in Nokia mobile phones. He said: "The recording is completely consistent with a cell phone video recording and there are no signs of editing or alterations."

The strong evidence that the footage does show real executions could reinforce international calls for an independent war crimes investigation, reported *The Times* - something that the Sri Lanka Government has resisted.

The *Times* UK report closely matches the key findings by the US Colorado-based Image and Sound Forensics (ISF) experts who performed the analysis on behalf of US pressure group Tamils Against Genocide (TAG).

Colorado ISF's report, parts of which appeared in the *Sunday Leader*, had previously confirmed, "[t]he video and audio of the events depicted in the Video, were continuous without any evidence of start/stops, insertions, deletions, over recordings, editing or tampering of any kind."

Philip Alston, the UN Special Rapporteur on extra-judicial, summary or arbitrary executions had earlier declared the video investigations by the local 'experts' appointed by the Sri Lanka Government as "not impartial."

However, Philip Alston's assertion that UN will conduct its own investigations on the authenticity of the video has not materialized.

Meanwhile, TAG spokesperson when contacted by *TamilNet* said, "While we have published the summary of the findings, ISF is due to provide TAG a detailed technical report detailing the analysis carried out."

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