

**High Commission for the Democratic  
Socialist Republic of Sri Lanka**



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My Ref:

17 December 2009

Mr. James Harding  
The Editor  
The Times  
1 Pennington Street  
London E98 1TT

Dear Mr. Harding

My attention has been drawn to a news report appearing in the Times of December 15, 2009 under the heading "**War crime execution video too subtle to be a fake says expert**". According to the news item, it is reported that the "**Video footage that appears to show Sri Lankan troops committing war crimes by summarily executing captured Tamil Tiger fighters on the battle field was not fabricated, as claimed by the Sri Lanka government**".

We are somewhat disturbed by the tone of this article, which has pronounced emphasis that Sri Lankan troops have committed the alleged war crimes. We find it extremely difficult to understand the basis on which the Times came to that finding, perhaps on the basis of an opinion expressed by Grant Fredericks, forensic video specialist who is also an instructor on the FBI National Academy. Quite apart from what is seen on the video footage, it is ridiculous to allege that those wielding guns are members of the Sri Lanka Army. We are equally perplexed of the basis on which the Times had come to the finding that the people on the ground are Tamil Tigers and by implication seeks to substantiate that position based on the forensic expert, that it was extrajudicial killings by the Sri Lanka Army.


We have consistently taken up the position that the Sri Lanka Government and its security forces were never engaged in extrajudicial killings. We do not know the origin of the video footage. We are in the dark as much as you are or any expert might be. We have no independent evidence at all that this video footage was filmed in the battle front or any where else.

Prof. Rajiva Wijesinghe, Secretary, Ministry of Disaster Management and Human Rights said in response to a question by Channel 4, that the technical reasons given by our expert are not even addressed by Mr. Fredericks.

It is my considered view that one has to exercise greater restraint when the Army Commander, a candidate at the Presidential Election is making allegations, after having left his position in the Sri Lanka Army. This kind of allegation must necessarily be taken in the context in which it is made. They are self-serving.

It is very unfortunate that these issues have been re-agitated in the press, especially at a time the Presidential Election has been announced and also at a time when the European Union is due to take its decision on the continuance of the GSP +.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Nihal Jayasinghe', written in a cursive style.

Justice Nihal Jayasinghe  
High Commissioner