

# **UNPROFESSIONALISM REVISITED**

## **Channel 4 News, Sri Lanka and “Fernando”**



**Sri Lanka Media Watch**, a project of Engage Sri Lanka

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## **Unprofessionalism revisited: Channel 4 News, Sri Lanka and “Fernando”**

On 27 July 2011, Channel 4 News screened a programme in which they claimed to have testimony from an eyewitness, “Fernando”, who said he had seen systematic war crimes committed by Sri Lankan soldiers in the final stages of the 26 year-long civil war between the Sri Lankan government and the Liberation Tigers of Tamil Eelam (LTTE, also known as the “Tamil Tigers”).<sup>1</sup> Channel 4 claimed that “Fernando”, who as usual for Channel 4 allegations about Sri Lanka was unidentified and disguised, was operating with Sri Lanka’s 58th Division during the final assaults in question. Channel 4 News claimed that he said “men, women, and children were actively targeted with small arms by government forces”.

Channel 4 reported him as stating:

When I look at it as an outsider I think they’re simply brutal beasts. Their hearts are like that of animals, with no sense of humanity. They shoot people at random, stab people, rape them, cut their tongues out, cut women’s breasts off. I have witnessed all this with my own eyes. I have seen small children laying dead. I saw a lot of small children, who were so innocent, getting killed in large numbers. A large number of elders were also killed. They were shooting when a large number of civilians were crossing through a lagoon, including women and children. The soldiers were shooting at them.

Channel 4 has already alleged that government forces deliberately shelled civilians in the final months of the war<sup>2</sup>, claims rejected by the government.<sup>3</sup> Channel 4 states that the “Fernando” testimony is believed to be the first eyewitness account to suggest civilians were actively targeted by troops on the ground, a claim the Sri Lankan government also denies. “Fernando” claimed troops were allowed to act with impunity. Channel 4’s “Fernando” claimed that Sri Lankan soldiers had turned into “vampires”:

For the soldiers at the battlefield, their hearts had turned to stone. Having seen blood, killings and death for so long, they had lost their sense of humanity. I would say they had turned into vampires.

“Fernando” claimed that these inhumane acts extended to acts of torture and mutilation: “I saw the naked dead bodies of women without heads and other parts of their bodies. I saw a mother and child dead and the child's body was without its head.”

A very different picture of the Sri Lankan army and its behaviour on the ground in the last few weeks and days of the war is provided by Gordon Weiss, a former UN spokesman in Sri Lanka, and author of *The Cage: The Fight for Sri Lanka and the Last Days of the Tamil Tigers*, a controversial, anti-government, view of the last few months of the war.<sup>4</sup> Weiss is clearly no friend of the government. Weiss has been presented by Channel 4 as a credible commentator on Sri Lanka, and especially the final phase of the war. He was interviewed extensively on Channel 4’s June 2011 programme, “Sri Lanka’s Killing Fields”, making eight separate appearances.<sup>5</sup>

It is a simple fact, albeit one possibly not totally acknowledged or even realised by Channel 4, that the LTTE and its supporters have a particularly active and well-honed propaganda machine, rooted within the Tamil diaspora. A western intelligence service has noted that “[t]he LTTE international propaganda war is conducted at an extremely sophisticated level.”<sup>6</sup> In “The Sri Lankan soldiers ‘whose hearts turned to stone’”, it appears that Channel 4 was spoon-fed, and accepted at face value, questionable claims without even the most basic of fact checking. A basic check would have been to evaluate the claims made by “Fernando” against the observations of Weiss, as outlined in his book covering the same events. This was not the first time Channel 4 had accepted and broadcast what could easily be described as semi-digested propaganda:

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<sup>1</sup> “The Sri Lankan soldiers ‘whose hearts turned to stone’”, Channel 4 News, 27 July 2011, available at <<http://www.channel4.com/news/the-sri-lankan-soldiers-whose-hearts-turned-to-stone>>.

<sup>2</sup> “Sri Lanka’s Killing Fields”, Channel 4, 14 June 2011, available at <<http://www.channel4.com/programmes/sri-lankas-killing-fields/4od>>.

<sup>3</sup> See, for example, “Lies Agreed Upon”, Ministry of Defence, Democratic Socialist Republic of Sri Lanka, Colombo, available at “Lies Agreed Upon: Sri Lanka counters Channel 4 (Full Video)”, Uploaded by gihangamos on 1 August 2011 available at <<http://www.youtube.com/watch?v=z5O1JAfRXew>>. For the government's history of the final phase of the war, see *Humanitarian Operation Factual Analysis July 2006-May 2009*, Ministry of Defence, Democratic Socialist Republic of Sri Lanka, Colombo, July 2011, available at <[http://www.defence.lk/news/20110801\\_Conf.pdf](http://www.defence.lk/news/20110801_Conf.pdf)>.

<sup>4</sup> Gordon Weiss, *The Cage: The Fight for Sri Lanka and the Last Days of the Tamil Tigers*, The Bodley Head, London, 2011.

<sup>5</sup> “Sri Lanka’s Killing Fields”, *op. cit.*

<sup>6</sup> *Liberation Tigers of Tamil Eelam's (LTTE) International Organization and Operations - A Preliminary Analysis*, Commentary No 77, Canadian Security Intelligence Service, Ottawa, 1999, available at <<http://www.fas.org/irp/world/para/docs/com77e.htm>>.

Channel 4's "Sri Lanka's Killing Fields", screened a month before this news item, had broadcast very questionable narratives, presented very questionable witnesses and made equally questionable claims.

### The background to conflict

The Sri Lankan civil war was fought from 1983 until the defeat of the LTTE in May 2009. The LTTE was a militant organisation which sought to establish an independent Tamil state in the north and the east of the island, separate from Sri Lanka's Sinhalese majority. The LTTE was internationally recognised to be a particularly vicious terrorist group and was listed as a terrorist organisation by 31 countries. The *Economist* noted that "The Tigers were as vicious and totalitarian a bunch of thugs as ever adopted terrorism as a national-liberation strategy."<sup>7</sup> After several failed rounds of peace talks and an internationally-mediated ceasefire agreement which failed – the government claimed the LTTE had violated the agreement over 10,000 times – the war recommenced.<sup>8</sup> The Sri Lankan President Mahinda Rajapaksa and his government decided that it would bring the LTTE's hold on parts of Sri Lanka to an end and to do that the government had to reoccupy the territory controlled by the organisation. Government action drove the LTTE out of the entire Eastern province of Sri Lanka with remarkably few civilian casualties, and in 2007 the government launched an offensive in the north of the country. Government forces gradually re-established control of the rest of LTTE-controlled areas, including their de-facto capital Kilinochchi and the main LTTE military base at Mullaitivu, in the Vanni region.<sup>9</sup> From late 2008 onwards, as their area of control shrank, the LTTE illegally forced 300,000 Tamil civilians to accompany their fighters as human shields.<sup>10</sup> By 25 April 2009, the area held by the LTTE, a shrinking pocket of land on the north-east coastline, was reduced to some 10 square kilometres in size. The government declared several "no-fire zones" to protect civilians. These were nevertheless caught up in the relentless fighting between government forces and the LTTE. The LTTE admitted defeat on 17 May.

It is against this backdrop that the allegations made by "Fernando" must be examined. The difficulty of dealing with the Tamil civilians being held and used by the LTTE as human shields was a stated concern of government forces. The Sri Lankan government has outlined the detailed protocol it devised to avoid civilian casualties.<sup>11</sup> Weiss correctly notes that "[f]or the [Sri Lankan army], it made no tactical sense to kill civilians."<sup>12</sup> He also notes that "for thirty-seven months [the Sri Lankan army] had worked its way meticulously across the territory controlled by the Tigers, at great cost to young Sinhalese soldiers".<sup>13</sup> Weiss also wrote of the dangers facing the Tamil civilians attempting to flee the LTTE controlled area: "if they survived the jungles, minefields, booby traps and shelling, and managed to cross the Tiger lines, they might be shot *in error* by government forces."<sup>14</sup> [Emphasis added.]

Weiss confirmed that the government was very aware of the need to prevent the deaths of civilians: "Up until the beginning of 2009, the army's tactic of driving civilians away from the front lines had been relatively successful in limiting the propaganda advantage that the Tigers might gain from images of dead civilians."<sup>15</sup> He also noted that "[t]he SLA's strategy...had limited the deaths of non-combatants for the previous two years."<sup>16</sup>

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<sup>7</sup> "Truth and consequences. Nationalistic fury is good for the government, terrible for Sri Lanka", *The Economist*, 28 April 2011, available at <[http://www.economist.com/node/18620572?fsrc=nl%7Cwpp%7C04-28-11%7Cpolitics\\_this\\_week](http://www.economist.com/node/18620572?fsrc=nl%7Cwpp%7C04-28-11%7Cpolitics_this_week)>.

<sup>8</sup> "Government takes policy decision to abrogate failed CFA", Ministry of Defence, Democratic Socialist Republic of Sri Lanka, Colombo, 2 January 2008, available at <[http://www.defence.lk/new.asp?fname=20080102\\_12](http://www.defence.lk/new.asp?fname=20080102_12)>.

<sup>9</sup> The Vanni, also spelled Wannai, is in the northern part of Sri Lanka, and comprises parts of the districts of Kilinochchi (to the north), Mullaitivu (east), Mannar (west), and Vavuniya (south).

<sup>10</sup> For a detailed analysis by Human Rights Watch of the forced displacement of the civilians, see, for example, *Sri Lanka - Trapped and Mistreated: LTTE Abuses against Civilians in the Vanni*, Human Rights Watch, New York, 15 December 2008, available at <<http://www.hrw.org/en/reports/2008/12/15/trapped-and-mistreated-0>>, and *Besieged, Displaced and Detained: The Plight of Civilians in Sri Lanka's Vanni Region*, Human Rights Watch, New York, December 2008, available at <<http://www.hrw.org/en/reports/2008/12/22/besieged-displaced-and-detained>>. See, also, "Britain accuses Tamil Tigers of using civilians as human shields. David Miliband, the Foreign Secretary, and his French counterpart said that Tamil Tiger rebels in Sri Lanka were using civilians as human shields, which was preventing them from leaving the conflict zone", *The Daily Telegraph*, 16 April 2009, available at <<http://www.telegraph.co.uk/news/worldnews/asia/srilanka/5161118/Britain-accuses-Tamil-Tigers-of-using-civilians-as-human-shields.html>>, and "Civilians escape the Tigers. Sri Lanka's army enters the last redoubt of the Tamil Tigers", *The Economist*, 20 April 2009, available at <<http://www.economist.com/node/13522269>>.

<sup>11</sup> For the government's history of the final phase of the war, see *Humanitarian Operation Factual Analysis July 2006-May 2009*, Ministry of Defence, Democratic Socialist Republic of Sri Lanka, Colombo, July 2011, available at <[http://www.defence.lk/news/20110801\\_Conf.pdf](http://www.defence.lk/news/20110801_Conf.pdf)>.

<sup>12</sup> Weiss, *op. cit.*, p.103.

<sup>13</sup> *Ibid.*, xxiv.

<sup>14</sup> *Ibid.*, p.103.

<sup>15</sup> *Ibid.*, p.108.

<sup>16</sup> *Ibid.*, p.133.

By chance, Weiss provides a snapshot of the behaviour of the very unit of which “Fernando” claimed to have been a member:

58th Division troops overran 20,000 civilians crouching in bunkers inside the No Fire Zone. Using loudspeakers as they inched forward through the jungles and across the rice paddy fields, troops summoned people towards their lines, despite the ferocious fighting and shelling all around...On the whole...the vast majority of people who escaped seem to have been received with relative restraint and care by the front-line SLA troops, who quickly passed them up the line for tea, rice and first aid.<sup>17</sup>

Weiss records that “the army probed the Tiger defences, and calculated how to separate civilians from cadres.” That is to say to differentiate who, as LTTE fighters, were legitimate targets, and who as civilians were not. And he notes further that in the last few days “[c]ommandos were fighting their way through a tent city, hurling grenades, trying to distinguish Tiger fighters from civilians...Thousands of people streamed across the lagoon to the safety of army lines as soldiers urged them on. Tiger cadres fired at both soldiers and civilians.”<sup>18</sup>

The contrast with the grotesque claims made by Channel 4’s unidentified witness “Fernando”, and the reality provided by Weiss – could not have been starker:

It remains a credit to many of the front-line SLA soldiers that, despite odd cruel exceptions, they so often seem to have made the effort to draw civilians out from the morass of fighting ahead of them in an attempt to save lives. Soldiers yelled out to civilians, left gaps in their lines while they waved white flags to attract people forward and bodily plucked the wounded from foxholes and bunkers. Troops bravely waded into the lagoon under fire to rescue wounded people threading their way out of the battlefield or to help parents with their children, and gave their rations to civilians as they lay in fields, exhausted in their first moments of safety after years of living under the roar and threat of gunfire.<sup>19</sup>

Weiss, therefore, clearly states that civilians coming into contact with the army were able to enjoy “first moments of safety” in years. “Fernando” and Channel 4 would have the world believe that exactly the opposite took place. They claim that the Sri Lankan army were “simply brutal beasts”, that “[t]heir hearts are like that of animals” and that they had “no sense of humanity”. Rather than going out of their way to save civilians – as repeatedly reported by Weiss – Channel 4 claims that they instead shot, stabbed and raped them – and if that was not enough they also found time during the intense combat to “cut their tongues out” and “cut women’s breasts off”. One version comes from an opponent of the government. One version sounds like crass propaganda.

Weiss also provides another, very different picture of the last few hours – the very moments allegedly featured in the Channel 4 news item – that differs in all respects from that claimed by “Fernando”:

By most accounts, despite isolated cases of looting by soldiers, the army did their best to retrieve the wounded and transport them to hospitals. One old man, left alone and with a wounded leg in the burning tent city, was retrieved by soldiers and was then able to notify his family that he was alive because he could recall his son's telephone number in Germany. There were many acts of mercy that emerged from the inferno of civil war. The bedraggled columns of civilians were massed and counted, fed as well as possible and then transported by truck and bus to waiting internment camps in Vavuniya. Front-line soldiers gave their own rations to the terrified civilians.<sup>20</sup>

Weiss provides an additional description of the treatment of civilians as they encountered government forces: “The front-line soldiers who received the first civilians as they escaped to government lines, those who guarded them in the camps and the civilian and military doctors who provided vital treatment distinguished themselves most commonly through their mercy and care.”<sup>21</sup>

There was an additional observer of events towards the end of the conflict, the University Teachers for Human Rights (UTHR). Weiss describes the University Teachers for Human Rights as a “highly regarded” and “independent” human rights organisation.<sup>22</sup> Like Weiss, UTHR has historically been very critical of the government. Nonetheless, UTHR stated:

In the context of the present war which took a heavy toll on the lives of soldiers, these ordinary men have shown remarkable restraint towards civilians when they come to contact with them. The civilians are uniformly scathing about the LTTE, and frequently found the Army helpful and considerate...It is hard to identify any other Army that

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<sup>17</sup> *Ibid.*, p.181.

<sup>18</sup> *Ibid.*, p.211.

<sup>19</sup> *Ibid.*, p.217.

<sup>20</sup> *Ibid.*, p.212.

<sup>21</sup> *Ibid.*, p.186.

<sup>22</sup> *Ibid.*, p.69.

would have endured the provocations of the LTTE, which was angling for genocide, and caused proportionately little harm.<sup>23</sup>

This attitude appeared to be across the services. It is also worth mentioning that the International Committee of the Red Cross (ICRC) commended the Sri Lankan navy for its role in the medical evacuations by sea of sick and injured civilians during the Vanni operation. The ICRC noted that the navy personnel “*displayed a strict discipline and respect of rules of engagement* and at the same time a very respectful and kind attitude to help those in need. In that regard in addition to all others who contributed to this medical evacuation, we wish to express our special thanks to the Director General for Operations, at the Navy HQ, the Officiating Commander Eastern Naval Command, in Trincomalee, and to the Deputy Area Commander North, in Jaffna. They spent many sleepless hours coordinating the operation and played a crucial role to make it a success. These days demonstrated that soldiering is a noble profession”.<sup>24</sup> (Emphasis added.)

The University Teachers for Human Rights also described the behaviour of the very Sri Lankan army unit referred to by “Fernando”:

Soldiers who entered the No Fire Zone on 19th April 2009 and again on the 9th and 15th May acted with considerable credit when they reached the proximity of civilians. They took risks to protect civilians and helped across the elderly who could not walk. Those who escaped have readily acknowledged this.<sup>25</sup>

Once again, this independent perspective, from a human rights organisation hostile to the government, totally contradicts the claims made by Channel 4 and “Fernando”.

Weiss additionally reports on the response of the rest of the Sri Lankan society – overwhelmingly Sinhalese – to the reception of the freed Tamil civilians: “As the injured evacuated by the ICRC ships began to overwhelm the hospitals in government territory, hundreds of Sinhalese doctors and nurses were drafted in from the south.”<sup>26</sup>

He notes that:

In Colombo, as television images appeared of those civilians who had escaped and were not in internment camps, many dozens of private individuals, schools, banks, religious institutions, department stores and newspapers began drives to raise money, food and clothing for the bedraggled ‘enemy’, to the considerable credit of a population that had lived in fear of random Tamil Tiger terrorism for three decades.<sup>27</sup>

This description also provides a marked contrast with the imagery presented by Channel 4 and “Fernando”. They claim that the government forces acted with “impunity”. If, as we will subsequently see, “Fernando’s” claims that the army were allowed to kill 50,000 civilians it would point to a clear policy of the army wanting to maximise Tamil civilian casualties and suffering. The positive attitude shown to the “enemy” both during the fighting and afterwards, as reported by Weiss, presents a very different picture.

One further point must be made. The propagandistic nature of the claims made by Channel 4 and “Fernando” manifests itself in another important respect – which is what he chose not to say. If “Fernando” had fought his way through the Vanni up to the final few days of the conflict, it is without question that he would have witnessed or heard of a pattern of human rights abuse and war crimes committed by the LTTE.

Weiss fills in what Channel 4 and “Fernando” chose to ignore:

Disturbingly, it became increasingly clear from reports emerging from the combat area that the Tamil Tigers were...exercising a brand of ruthless terror on their own people that defies imagination. As the combat area shrank and their desperation increased, their brutality increased exponentially. They would shoot, execute and beat to death many hundreds of people, ensure the deaths of thousands of teenagers by press-ganging them into the front lines, and kill those children and their parents who resisted.<sup>28</sup>

Weiss notes that the LTTE shelled their own civilians.<sup>29</sup> He also notes that the LTTE “shot many hundreds who tried to cross to the safety of government lines”.<sup>30</sup> In one instance alone, University Teachers for Human

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<sup>23</sup> “A Marred Victory and a Defeat Pregnant with Foreboding”, University Teachers for Human Rights (Jaffna), Sri Lanka, Special Report No. 32, 10 June 2009.

<sup>24</sup> “ICRC commended Sri Lanka Navy for evacuating Tamil civilians safely during the war”, Colombo Page, 21 June 2011, available at <[http://www.colombopage.com/archive\\_11A/Jun21\\_1308594615CH.php](http://www.colombopage.com/archive_11A/Jun21_1308594615CH.php)>.

<sup>25</sup> “A Marred Victory and a Defeat Pregnant with Foreboding”, *op. cit.*

<sup>26</sup> Weiss, *op. cit.*, p.186.

<sup>27</sup> *Ibid.*

<sup>28</sup> *Ibid.*, pp. 141-42.

<sup>29</sup> *Ibid.*, p.109 and p.220.

Rights reported that, on 14 May, the LTTE killed 500 civilians near a palmyra nursery near Nanthikadal Lagoon as they tried to cross to the other side or to Vattuvakkal to the south.<sup>31</sup> There were dozens of other examples. The evidence of these LTTE atrocities, in the shape of corpses, would have been staring “Fernando” in the face. He steadfastly ignored them.

### The death toll

The propagandistic nature of the claims made by “Fernando” and presented by Channel 4 is also manifested in his claims about the numbers of civilian deaths towards the end of the war. “Fernando” alleges that “[m]assive numbers of children, women and men were killed in the final stages of the war.” “Fernando” claims that more than 50,000 civilians died and that he personally saw 50,000 of them buried.

The United Nations put the death toll for the last few months of the war in question at under 6,500 as of 24 April 2009. The US government reported a figure, which did not differentiate between civilians and LTTE fighters, which recorded 6,710 people killed and 15,102 people injured between January 20 to April 20.<sup>32</sup> Several thousand of the dead would have been LTTE fighters. “Fernando” would have the world believe that 43,500 more civilians were killed by the government in the final 21 days of the fighting. “Fernando’s” claim is also seven times higher than the UN estimate. His claim is also deeply questionable in another respect. It is also a general statistic that for any one death in a war, there are three to four people who are wounded. This would mean that if one accepts “Fernando’s” death toll, then there would have been between 150,000-200,000 injured civilians. “Fernando’s” claimed figures simply do not add up. In December 2008, Human Rights Watch put the number of civilians in the Vanni, that is to say the total number of civilians that could have been affected in the fighting in question, at “between 230,000 and 300,000 civilians”.<sup>33</sup> At the end of January 2009, the BBC reported that “[t]here are thought to be about 250,000 civilians in the area in which the rebels are still operating.”<sup>34</sup> The government accepts that about 300,000 civilians were being held by the LTTE.<sup>35</sup> Gordon Weiss also states that there 300,000 civilians in the area.<sup>36</sup> The number of registered displaced civilians who emerged from the Vanni pocket at the end of the crisis was 294,000.<sup>37</sup> If 50,000 people had been killed, then there could only have been 250,000 registered IDPs rather than 293,000. While some of them may indeed have been injured, 150,000-200,000 of them were not. The 293,000 figure would also indicate 6,000 dead or missing people, which would tally with the UN figures.

To place this into another context, the UN estimated that between eighty and one hundred thousand people were believed to have died in the *entirety* of the 26 year-long civil war.<sup>38</sup> This figure would have included tens of thousands of government servicemen, tens of thousands of LTTE fighters and tens of thousands of civilians – many of them killed as a direct result of LTTE violence. “Fernando” is claiming that more civilians died in the last few weeks of the war than died in the entire course of the 26 year-long civil war, all of them killed by government forces.

There is another fly in Channel 4’s ointment. The US government report on events in the Vanni noted that there was considerable satellite surveillance of the area during the last few months - and especially the final days: “Numerous commercial imagery-based reports issued by UN agencies and non-governmental organizations identified evidence of shelling in the NFZ.”<sup>39</sup> Weiss also describes the presence and use of satellites: “Despite satellite pictures...the true numbers of people trapped inside the Cage remained uncertain. For this reason alone, nobody would ever know how many were killed in the attempt to ‘rescue’ them.”<sup>40</sup> As far back as 1996, satellite surveillance was said to have documented the fate and the possible graves of 8,000

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<sup>30</sup> *Ibid.*, p.96.

<sup>31</sup> “Let Them Speak: Truth about Sri Lanka’s Victims of War”, University Teachers for Human Rights (Jaffna), Sri Lanka, Special Report No. 34, 13 December 2009.

<sup>32</sup> *Report to Congress on Incidents During the Recent Conflict in Sri Lanka*, US Department of State, Washington-DC, 2009, available at <<http://www.state.gov/documents/organization/131025.pdf>>, p.15.

<sup>33</sup> *Trapped and Mistreated: LTTE Abuses against Civilians in the Vanni*, Human Rights Watch, New York, December 2008, available at <[http://www.hrw.org/sites/default/files/reports/lte1208web\\_1.pdf](http://www.hrw.org/sites/default/files/reports/lte1208web_1.pdf)>.

<sup>34</sup> “‘Civilians die’ in S Lanka battle”, BBC News, 26 January 2009, available at <[http://news.bbc.co.uk/1/hi/world/south\\_asia/7850603.stm](http://news.bbc.co.uk/1/hi/world/south_asia/7850603.stm)>.

<sup>35</sup> “Lies Agreed Upon”, *op. cit.*

<sup>36</sup> “Hell Or High Water”, Journeyman Pictures, YouTube, Uploaded by journeymanpictures, 22 February 2010, available at <<http://www.youtube.com/watch?v=0iFvLKdr0ho>>.

<sup>37</sup> See, “Sri Lanka: Resettlement of IDPs and challenging road to peace and economic recovery”, *Asian Tribune*, 14 April 2011, available at <<http://www.asiantribune.com/news/2010/04/14/sri-lanka-resettlement-idps-and-challenging-road-peace-and-economic-recovery>>.

<sup>38</sup> See, for example, “Up to 100,000 killed in Sri Lanka’s civil war: UN”, Australian Broadcasting Corporation News and Agence France Presse, 21 May 2009, available at <<http://www.abc.net.au/news/2009-05-20/up-to-100000-killed-in-sri-lankas-civil-war-un/1689524>>.

See also

“Sri Lankan army deaths revealed”, BBC News, 22 May 2009.

<sup>39</sup> *Report to Congress on Incidents During the Recent Conflict in Sri Lanka*, *op. cit.*, p.10.

<sup>40</sup> Weiss, *op. cit.*, p.210.

missing civilians from Srebrenica said to have been killed *en masse* during the war in the former Yugoslavia.<sup>41</sup> The technology is now considerably advanced and available commercially. Weiss points to the fact that UN agencies and non-governmental organisations, some of them hostile to the government, were monitoring events on the ground by satellite. Whereas it might be possible that the US government might be accused of withholding any imagery it might have had, it would have been easy for privately-commissioned commercial satellites to record and document “Fernando’s” 50,000 deaths and burials had they occurred. The imagery would have been released within days of the end of the conflict in May 2009. There has been no such imagery.

To say that “Fernando” is an unreliable witness is a gross understatement. His claims about the conduct of the Sri Lankan army are categorically disproved by the observations of Gordon Weiss, Channel 4’s own Sri Lanka expert, and the UTHR. The UN, Weiss and common sense also refute the wildly sensationalist claim that he could have personally seen 50,000 dead civilians. Channel 4 News comes out of this news item in a particularly unprofessional light. Given the very serious claims that Channel 4 have been making about war crimes and crimes against humanity in Sri Lanka, and the statutory requirement to be balanced and fair, one would have expected a duty of care on their part to fully research the claims they are making. Given that Gordon Weiss and his book *The Cage: The Fight for Sri Lanka and the Last Days of the Tamil Tigers*, are the only real source – albeit controversial and challenged by the government – did Channel 4 ask Weiss to comment on the credibility of “Fernando”, especially given that the claims he made jarred so much with Weiss’s observations?

## Conclusion

In conclusion, Weiss states that with the “odd...exception” the Sri Lankan army “distinguished themselves most commonly through their mercy and care”, that Tamil civilians “seem to have been received with relative restraint and care by the front-line SLA troops”, and that government soldiers risked their lives under LTTE fire “to rescue wounded people”. He notes that “[t]here were many acts of mercy” by government soldiers and that “front-line soldiers gave their own rations to the terrified civilians”. The UTHR spoke of “remarkable restraint”. Channel 4 and their unidentified “witness”, “Fernando”, would have the world believe that this was not the case, and that the soldiers were instead murderous, blood-crazed “vampires” who murdered, raped and mutilated all the civilians they encountered. On the subject of the number of civilians killed, the United Nations issued an unverified report which claimed that six and half thousand civilians may have died up to three weeks before the end of the war. “Fernando” claims to have personally seen 50,000 civilians buried. This claim should have been treated with as much caution as his claim that Sri Lankan soldiers had turned into head-hunting vampires.

It must be stated that there is no doubt that the army may have killed civilians, either in crossfire with the LTTE or through accidental challenges in what was obviously a hellish situation. There may also have been what Weiss describes as “the odd cruel exception”.

At face value the claims made by Channel 4 appear to be an echo of the sorts of “atrocities” propaganda seen in most wars. They are strangely reminiscent of the sorts of claims made in the Bryce Report during the First World War. The distinguished British lawyer and diplomat Lord Bryce put his name to a report, published in 1915 by the British government and translated into thirty languages, which alleged, amongst other things, mass rapes, bayoneting babies, and the cutting off of children’s hands and women’s breasts. While there is no doubt that German forces were party to unacceptable behaviour, it is now evident that there were many questions about the accuracy of the Bryce Report. A Belgian commission of enquiry in 1922 was unable to corroborate a single significant allegation made in the Bryce Report. It has subsequently been described as “largely a tissue of invention, unsubstantiated observations by unnamed witnesses, and second-hand eyewitness reports, depending far more on imagination than any other factor.”<sup>42</sup> The American historian H.C. Peterson called the Bryce Report “one of the worst atrocities of the war”.<sup>43</sup>

It could quite easily be said that Channel 4’s claims about Sri Lanka also appear to be largely a tissue of invention, unsubstantiated observations by unnamed witnesses, and second-hand eyewitness reports, depending far more on imagination than any other factor. The question must therefore be why has Channel 4 News been so unprofessional in its coverage of events in Sri Lanka? Why are they enthusiastically embracing claims that are nothing more than superficial atrocity propaganda?

<sup>41</sup> “Probe in Bosnia Seeks ‘Echoes’ of Mass Killing”, *The Los Angeles Times*, 14 April 1996, available at <[http://articles.latimes.com/1996-04-14/news/mn-58546\\_1\\_bosnian-serb-leader](http://articles.latimes.com/1996-04-14/news/mn-58546_1_bosnian-serb-leader)>.

<sup>42</sup> See, for example, Peter Buitenhuis, *The Great War of Words: Literature as Propaganda 1914-18 and After*, B.T. Batsford Ltd, London, 1989, p.27, and Phillip Knightley, *The First Casualty: The War Correspondent as Hero and Myth-Maker from the Crimea to Kosovo*, Prion Books, London, 2000, p.87-88.

<sup>43</sup> H.C. Peterson, *Propaganda for War: The Campaign against American Neutrality*, University of Oklahoma Press, Norman, 1939, p.58.