



FMM නිදහස් මාධ්‍ය චර්යාලය
சதந்திர ஊடக இயக்கம்
SRI LANKA Free Media Movement



2020

**MEDIA FREEDOM IN
SRI LANKA**

ANNUAL REPORT

INCIDENCE & TRENDS

Media Freedom in Sri Lanka

Released to coincide with World Press Freedom Day
2021 May 03

Free Media Movement



FMM கிழவல் மூவெ வலவாரவ
சுதந்திர ஊடக இயக்கம்
SRI LANKA Free Media Movement

Other published works by Free Media Movement

Seetha Ranjanee (2011) *Martyrs of the Freedom Of Expression in Sri Lanka*

Free Media Movement (2017) *Blue Print for Media Reform*

Dr Sunil Wijesiriwardena (2018 May) *Role of the Media to Transform the Collective Imagination*

ILO-IFJ-FMM (2019) *Reporting on the forced labour and fair recruitment*

Free Media Movement, Sri Lanka Working Journalists' Association (2019) *Digital Media: Workers Survey*

Free Media Movement (2020) *Digital Media Workers Survey 2020*

Annual Report on Media Freedom in Sri Lanka 2020

© **Free Media Movement - May 2021**

1st Edition - Colombo

Pages 36, Infographics 03, Table 03

ISBN 978-624-5909-00-1

No part of this report may be quoted in full or part, reproduced and distributed in any form including print, written or electronic media, or transmitted in any form or by any means, including photocopying, recording, or other electronic or mechanical methods and sales and distribution of counterfeit copies and adaptations without the prior written permission of the publisher.

Researcher: Viranjana Herath (Attorney-At-Law)

PhD. Scholar at South Asian University, New Delhi, India

Cover, Layout & Infographic: Nalinda Seneviratne

Published by

Free Media Movement

No. 96 Bernard Zoysa Avenue,

Colombo 05

Tel. 011 236 8895

e-Mail: fmmsrilanka@gmail.com

www.fmmsrilanka.lk

www.mediareform.lk

Contents

Message from Convener	6
1. Introduction	7
1.1 Research background	7
1.2 Objectives	8
1.3 Methodology	8
1.4 Scope and Limitations	8
2. Media Freedom of Sri Lanka- An Overview Prior To Year 2020	9
3. Media Freedom Status of Sri Lanka in 2020	12
3.1 Freedom of thought	12
3.2 Freedom of opinion	13
3.3 Freedom of speech	13
3.4 Freedom of expression	13
3.5 Right to the Freedom of information	13
3.6 Freedom of recording	14
3.7 Freedom of publication	14
3.8 Freedom of press	14
3.9 Freedom of broadcasting	15
3.10 Freedom of the internet	15
4. Categories and actions against media freedom of 2020	17
5. Other findings	22
6. Conclusion	24
Annexure	27

Message from Convener

The Free Media Movement, advocates for a socially responsible free media culture and with a broad democratic vision for media freedom, engages at policy and operation levels to guarantee the right to freedom of expression and the rights of journalists. While the Free Media Movement intervened at various levels concerning violations of media freedom, the absence of a formal collating of information on an annual basis remained a shortcoming in the field. Many groups and individuals proposed that the Free Media Movement take steps to meet this critical need for an annual report to systematically assess and analyze media freedom violations in the country. The Free Media Movement has been attempting to formulate this report for a long time and finally had the opportunity to compile the annual report based on the incidents of 2020. The Free Media Movement has also been able to publish a monthly monitoring report of incidents and this has been issued monthly from January 2021.

This annual report has been prepared in consideration of the tenfold facets of media freedom and will provide an overview of the state of media freedom in Sri Lanka in 2020. This report does not endeavour to assess or analyze the media freedom situation in Sri Lanka in 2020 since this is the first attempt in compiling this report. This report has been compiled in a very short period of time, in order to be ready for the release on World Press Freedom Day on May 3, 2021. However, an assessment has been planned for future reports with the participation of a majority of stakeholders in the media sector. We are confident that your comments and suggestions will lead to further improvements and developments in future reports.

The report is compiled and available in all three languages.

The success of the Free Media Movement's attempt to compile this report was due to the contribution of

the Open Society Foundation. Therefore, we would take this opportunity to thank the Open Society Foundation for its contribution. We greatly appreciate the efforts of Viranjana Herath for the research and preparation of this report in a short period of time. We are also grateful to the 'Media Freedom' subcommittee appointed by the Executive Committee of the Free Media Movement. The committee comprised of Seetha Ranjaneer, Lasantha de Silva, C. Dodawatte, Hana Ibrahim, Niranjani Roland, Lakshman Gunasekara and Ananda Jayasekara, who read the drafts of the report and enriched it with their inputs and ideas. Special appreciation to the members of the subcommittee and to the staff members Bernard Edirisinghe and Infaz Issadeen for their exceptional coordination!

Seetha Ranjaneer

Convener - Free Media Movement

1. Introduction



It has been a year since Ahnaf Jazeem, a poet and a teacher, has been detained without charge. 13 human rights organisations have expressed grave concern over the ongoing detention of Ahnaf Jazeem. www.theleader.lk

Media freedom is very closely associated with democracy. Countries that ensure greater media freedom usually have strong political stability, rule of law, efficiency in the government policy process, regulatory quality and minimum corruption.¹ According to the UNESCO, media freedom is one of the crucial foundations of democracy, development and dialogue and a precondition for protecting and promoting all other human rights.² Therefore, the status of media freedom of a country provides a vivid picture of the level of democracy.

1.1 Research background

Against this backdrop, the research on “Media Freedom of Sri Lanka - 2020” highlights not only the status of media freedom but also the level of

democracy of the country. The research examines various threats and challenges against media freedom and the process of assessing such incidents in the year. However, the status of media freedom of 2020 cannot be analyzed in isolation as it is attached to historical developments, factors and incidents. Accordingly, the research study, “Media Freedom of Sri Lanka-2020” is an attempt to examine the existing status of media freedom and its evaluating process and the democracy of Sri Lanka. The research also provides some guidelines to evaluate the situation in the future.

Whilst examining “media freedom” in any jurisdiction, there should be some consensus for the ambiguous terms. For instance, there is no concrete definition for ‘media freedom’. According to Britannica, media freedom is the freedom of various

kinds of media and sources of communication to operate in a political and civil society. It extends the traditional idea of freedom of the press to electronic media, such as radio, television and the Internet.³ The UNESCO states that to “promote the free flow of ideas by word and image” is the backbone of the media freedom.⁴ Accordingly, the research needs to adopt some clarifications on the terms - media freedom, media and journalist.

Although the term “media freedom” does not have a universally recognized definition, there is a widely recognized consensus over the components of media freedom. Freedom of expression is the backbone of media freedom. However, it includes several other components such as freedom of right to information, to hold an opinion and publication of ideas and opinion.⁵

In this research, ten components of media freedom have been considered collectively. They include the freedoms of thought, holding an opinion, expression, speech, information, publication, recording (text, photos, audio and video), press, broadcasting and the Internet.⁶ Therefore, this research adopts media freedom as a collection of these ten freedom components.

The term “media” is also complicated in the existing digitalized world. Up until the year 2000, “media” generally consisted of four key media industries such as print, broadcasting, music and cinema. Due to the rapid changes of technology (mainly the development of the internet) all features of the industry are subject to a facelift and various novel platforms such as social media and online media have entered into the scope of the umbrella term – Mainstream Media.⁷ Therefore, the research examines the freedom of all kinds of media including both traditional media and new media.

Identifying a journalist has also become an issue at present. Earlier, it was easy to identify a journalist due to the limited scope of traditional media. However, bloggers, citizen journalists and YouTube video producers have to be considered as journalists as well as accepting the emerging role of digital and social media. Therefore, in identifying a journalist, examining the goals, strategies and values of those involved in the media field was an important task that went beyond their organizational relationships.⁸ Therefore, this study identifies a journalist all including traditional media personnel in newspapers, radio, and television and bloggers, citizen journalists and cyber activists.

Furthermore, it is important to note that the research includes any threat or challenge against media freedom orchestrated by either government or private parties. Since media freedom and media rights violation is not merely an act by the state or government only, there are also private groups including big companies, civil groups and ethnoreligious extremists that actively engage against media freedom. Therefore, any threat made by any party against the media freedom of Sri Lanka will be examined.

1.2 Objectives

- Examining the status of media freedom of Sri Lanka in 2020.
- Identifying the relationship between media freedom and democracy in the Sri Lankan context.
- Identifying actions, forms and dimensions against the country's media freedom and assessing their impact
- Evaluating the indicators which are being applied to identify media rights violations in Sri Lanka
- Identifying suitable indicators to cover and find all activities against media freedom.

1.3 Methodology

The research follows a *mixed methodology* that comprises both theory and empirical practices. The theory aspect includes reviewing documents, articles and reports. Empirical practices contain interviews and participatory observations. Manual methods and Microsoft software tools will be used for the analysis.

1.4 Scope and Limitations

The research is conducted within short a period of time (precisely within three months). Limitations of movement due to the Coronavirus Pandemic created several challenges to conduct empirical work of the research. However, virtual access helped to bridge the gap to some extent.

2. Media Freedom of Sri Lanka- An Overview Prior To Year 2020



While there were seven journalists attending an event at the Jaffna Media Society for the 16th annual commemoration of the assassination of the Tamil Media Forum vice President and journalist, I. Nadesan on May 31, there were 14 members of the security forces present. source: www.theleader.lk

There are several international human rights mechanisms in place to ensure media freedom such as the United Nations Universal Declaration of Human Rights, the Convention on Civil and Political Rights, and the Convention on Economic, Social and Cultural Rights. The Convention on Civil and Political Rights is of paramount importance, and Article 19 states that everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and

ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice. Sri Lanka has ratified the Convention, which includes a number of key elements of media freedom.

Like many other countries in the world, Sri Lanka has received these international approaches to media freedom in various ways. For example, freedom of speech and expression is a fundamental right recognized by the Constitution of Sri Lanka⁹.

In addition, the government has enacted the Right to Information Act.¹⁰ In addition, the Supreme Court of Sri Lanka has delivered landmark judgments that uphold the principles of media freedom.¹¹

However, issues related to media freedom in Sri Lanka continue to be reported on a significant scale. For example, between 1981 and 2009, a total of 116 media activists, media workers, artists and cultural activists have been assassinated.¹² Also, during the period 2010-2014, a total of 40 journalists and media personnel have been killed or disappeared¹³. In

addition, abductions, assaults and intimidation have taken place not only against journalists but also against media institutions.¹⁴ At the same time impunity for crimes against journalists, the justification of media repression and Internet shutdowns have all become critical issues in the media freedom landscape. Studies and analyses of media freedom in Sri Lanka from 2000 to 2019 have identified incidents against media freedom under the following 13 categories.

Table 02:01 Media Freedom Issues: Summary of Incidents 2000-2019

Categories	Examples
Killings and disappearances	M. Nimalarajan – killed - 19/10/2000, Darmarathnam Sivaram- killed- 28/04/2005, Ralangee Selvaraja- Killed 12/08/2005, Lasantha Wickramathunga- Killed- 08/01/2009, S. Ramachandran- Disappeared- 15/022007, Prageeth Eknaligoda- Disappeared- 24/01/2010
Attacks and abductions	Keith Noyar- Abducted and attacked- 22/05/2008, Upali Thenakoon- Attacked-23/01/2009, N. Vidyadaran-Abducted and attacked-26/02/2009, Poddala Jayantha- Abducted and attacked-01/06/2009
Threats	Mandana Ismail- 23/08/201, K. Prasanna- 12/08/2019
Obstructions and Intimidations	M N Aminulla –Obstructed- 21/07/19, Suspension of the Parliament Select Committee live proceedings- Obstructed- 04/06/19
Attacks on media stations	Sudoroili Newspaper office- Bomb attack- 29/08/2005, Sirasa complex- Attacked- 06/01/2009, Siyatha Media station-Attacked- 30/07/2010, Lankaenews- Arson attack - 01/02/2011, Udayan Newspaper office-Attacked- 13/04/2013
Blocking social media and websites	Restricted access to social media after Easter Sunday Attack, Blocking Lankaenews website on the 10th of November 2017
Internet shut- down	Internet shutdown on 7 March 2018 in some areas of the country.
Legal issues (Introducing new laws or attempts to reform the law that would detrimentally affect media rights)	Government attempt to amend the Voluntary Social Service Act No 30 of 1980 in March 2018.

Categories	Examples
Executive decisions (Decision made by executive including the president and ministers against media freedom)	President attempted to take control of Sri Lanka Rupavahini Corporation with the Ministry of Defense in September 2019.
Misbehavior of police (Negligence, misuse of laws against media and journalists)	Police attempted to take action against journalist, Kusal Perera by misusing the law in June 2019.
Impunity (Delaying justice for crimes against journalists)	The Free Media Movement identified 30 major crimes against journalists (2000-2015); however, no justice has been served. ¹⁵
Media worker's rights (Violating all professional and labour rights of media workers including journalists)	The administration of Swaranvahini TV station sacked 15 media workers on the basis of a forming trade union in August 2018.
Censorship (exercised by law and private groups)	Book named "Budunge Rasthiyaduwa" was opposed by Buddhist extremist groups in August 2018.

For example, between 1981 and 2009, a total of 116 media activists, media workers, artists and cultural activists have been assassinated. Also, during the period 2010-2014, a total of 40 journalists and media personnel have been killed or disappeared. In addition, abductions, assaults and intimidation have taken place not only against journalists but also against media institutions. At the same time impunity for crimes against journalists, the justification of media repression and Internet shutdowns have all become critical issues in the media freedom landscape.

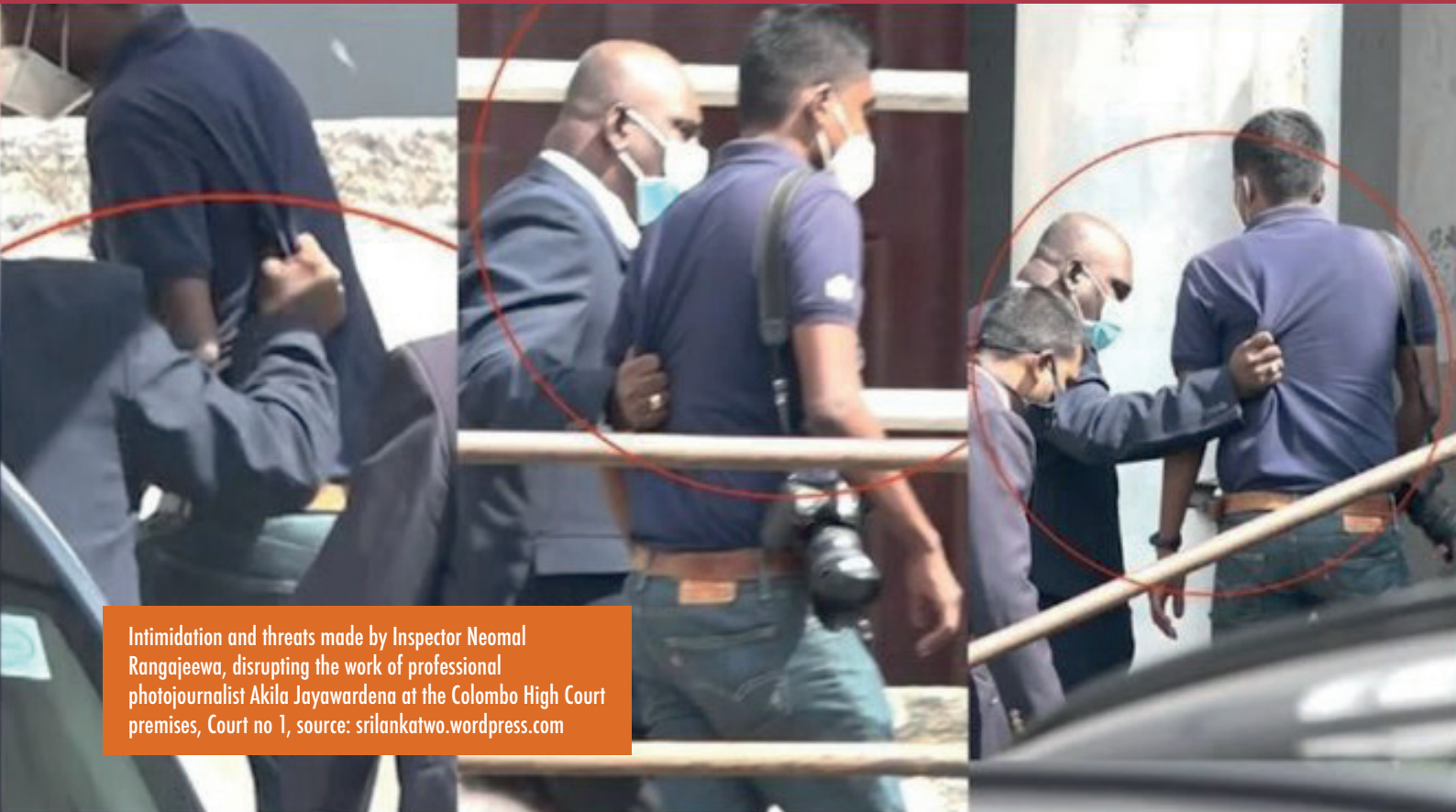
Due to these issues, Sri Lanka has been ranked at an extremely lower position in the media freedom index for years. Freedom House has positioned Sri Lanka in a "not free zone" of their press freedom status¹⁶ while RSF has ranked the country 127 out of 180 countries in their press freedom index since 2013.¹⁷

Although media freedom within the country has not been healthy, around 10,000 people have

been engaging in journalism through different streams in various capacities.¹⁸ 2019 year-end records reflect that 35 newspapers, 24 television channels and 58 radio stations have been registered in the country.¹⁹ In addition, digital media platforms such as news sites, Facebook pages, YouTube channels, and digital versions of traditional media organizations as websites have become a very important media category. According to one research, many young media personnel are engaged with digital media platforms in a significant manner.²⁰

There are a number of media organizations in Sri Lanka that operate along the themes of media freedom, media rights and similar areas. Key organizations such as the Free Media Movement, Sri Lanka Working Journalists Association, Federation of Media Employees Trade Unions of Sri Lanka are affiliated to the International Federation of Journalists and operate from Sri Lanka. In addition, the Young Journalists' Association, the Tamil Media Alliance, the Muslim Media Forum, and the South Asian Free Media Women, work for media rights at various levels including specializations for young people, Tamils, Muslims, and women. With the growth of digital media, some new platforms have emerged, such as the Online Media Forum and the Professional Web Journalists Association. In addition, there are active district media associations such as the Jaffna Press Club, Vavuniya Press Club, Batticaloa Press Club and Matara Journalists, as well as many other media organizations operating on a regional basis.

3. Media Freedom Status of Sri Lanka in 2020



Intimidation and threats made by Inspector Neomal Rangajeewa, disrupting the work of professional photojournalist Akila Jayawardena at the Colombo High Court premises, Court no 1, source: srilankatwo.wordpress.com

As mentioned above, media freedom consists of ten freedoms. More precisely, it is the ten freedoms that a journalist and the people who enjoy media freedom should possess. Violation of any freedom would badly affect media freedom. The ten freedoms are interconnected and interrelated thus it is not easy to analyze them as separate components. However, it should be understood separately along with specific instances to identify the true picture of media freedom in Sri Lanka although some incidents are overlapped.

3.1 Freedom of thought

The general understanding of “freedom of thought” means the freedom to hold a fact, viewpoint or thought, independently. It is considered as the basis and origin of all human rights. Moreover, it is recognized as an absolute and fundamental human

right by several international, regional and domestic human right mechanisms.²¹ Sri Lanka also recognizes the right as a fundamental right by its constitution.²²

In 2020 there was an incident, where a journalist who belonged to a minority community had been targeted with hate campaigns.²³ Moreover, the researcher personally observed several incidents in the country that discriminated against some journalists based on being members of minority communities. The researcher was able to observe how Tamil and Muslim journalists in particular were being falsely and unfairly accused of their reporting. Mainly, such hate campaigns were organized by extremist groups and the authorities have not taken any meaningful intervention to counter such actions. It is noteworthy to mention that, if a journalist is attacked or discriminated based on being a member of a minority community, it is a clear violation of freedom of thought. In turn, it would adversely affect

their freedom of thought and is a threat to the overall media freedom landscape.

3.2 Freedom of opinion

According to the International Convention of Civil and Political Rights (ICCPR), everyone should have the right to hold opinions without interference.²⁴ It means all persons including journalists shall have a right to hold their own opinion without interference from any party including government, social groups, or media owners. In the Sri Lankan context, the right is guaranteed in Articles 10 and 14 of the Constitution.²⁵

In 2020, there were several incidents that violated the freedom of opinion of journalists. For instance, some journalists and media workers of government-owned Lakehouse Newspaper were discriminated and subjected to baseless police complaints due to their different political opinion.²⁶ Further, the researcher found out that several journalists of government-owned media institutions have been transferred to non-related units because of their different political opinion.²⁷ Such acts should be considered as “acts against media freedom” based on freedom of opinion.

3.3 Freedom of speech

Although freedom of speech and expression are described together on several occasions, there is a slight difference between the two rights. Freedom of speech is the freedom to make any form of speech (oral or written). There is a need for freedom to publish opposing views backed by good logic, rationality and reasonability. Several international, regional and domestic mechanisms including Sri Lanka²⁸ recognizes the right, subject to reasonable restrictions.

Within the landscape of media freedom, all journalists including bloggers and citizen journalists should have this right. In 2020, it has been reported that some citizen journalists have been arrested or subjected to police investigation over their posts on social media.²⁹ Among them were those who commented critically on social media regarding government activities in the wake of the Covid pandemic. However, it should be noted that some of the arrests were made due to the spread of unconfirmed false information, which threatens to instigate society.³⁰ However, investigations and

arrests in connection with the publication of false news must be subject to reasonable restrictions and their execution must pass a test of legitimacy and necessity.³¹ However, it is still too early to draw conclusions about such actions. However, with arrests and detentions, it has been observed that in some cases the authorities have exceeded their limits. There are reports of those arrested being detained without charge for such misrepresentations, which violates not only their freedom of speech but also many other human rights.

Furthermore, there are several incidents where journalists of some private radio and TV stations had been suspended and terminated for seeking their professional and labour rights.³² Such acts can also be included as a violation of media freedom on the basis of freedom of speech.

3.4 Freedom of expression

Generally, freedom of expression is used as the umbrella term regarding media freedom due to the broad meaning of the phrase. Therefore, it includes not only speech but also any expression such as paintings, fiction, cartoons, films, dramas, petitions and associations.³³ The right is widely recognized and Article 14 of the Constitution of Sri Lanka also guarantees the freedom of expression.

Although, the right is considered “the backbone” of media freedom, there are several violations against journalists reported in Sri Lanka in 2020 pertaining to this right. For instance, a group of journalists was subjected to hate campaigns over their reporting on the inequality of Covid relief distributions.³⁴ The residences and offices of several journalists were attacked due to their reporting. Such violations can be identified as a trend in 2020 and it has to be considered as an act against media freedom under the component of freedom of expression.

3.5 Right to the Freedom of information

Freedom of information can be defined as the freedom to seek, receive and effectively impart information.³⁵ Sri Lanka recognizes this right under Article 14 (a) of the Constitution and it has enacted specific laws to guarantee this right³⁶, and established an Information Commission and taken a number of progressive measures (36).

This right is crucial for journalists to obtain accurate and impartial information to ensure due

process in their reporting activities. However, in 2020 several issues related to this right have been identified. Proceedings of the Committee on Public Enterprises (COPE) were prohibited to the media in the month of September.³⁷ On the 8th of October, a journalist was forcibly removed from a Pradeshiya Sabha meeting.³⁸ Moreover, several journalists have complained over the unreasonable rejections and deliberate delays by the government information officers.³⁹ The 20th Amendment to the Constitution, introduced in 2020, contains provisions that will have a negative impact on the independence of the Information Commission, such as the introduction of a partisan mechanism for the appointment of Commissioners and the removal of Commissioners by the President.⁴⁰

Therefore, it has to be noted that several issues pertaining to media freedom have emerged in 2020 when considering the right to freedom of information.

3.6 Freedom of recording

Freedom of recording is one of the essential rights within the media freedom landscape. Recording in media refers to capturing records in any form as video, photographs, voice recordings, or text.⁴¹

Reflecting on the incidents in 2020, there were several incidents against the freedom of recording that were reported. For instance, on some occasions, access to journalists was denied to record the information.⁴² Moreover, journalists were attacked⁴³, assaulted⁴⁴, threatened⁴⁵ and obstructed and intimidated⁴⁶ while they were recording. Such incidents have been reported especially in the North and East and in many other parts of the island and many of these incidents are listed in detail in annexure one with accessible links to background reports.

However, it is important to note that the right to recording is subject to legal and ethical restrictions. For instance, there are places where taking photographs or video recording is not permitted. Further, the privacy of the people should be taken into consideration when a recording is conducted. In Sri Lanka, there were several unethical recordings reported in 2021 mainly to do with Covid infected persons.⁴⁷

For example, when covid infected cases were reported, journalists who were covering these situations were very often seen filming the infected, their loved ones and property while the health

authorities and the police were taking the patients for treatment, which is unethical as well as illegal. There were protests against the journalists during these times, which could not be interpreted as impediments to freedom of recording.

Therefore, it is important to note that freedom of recording is not an absolute freedom and it is interlinked with several responsibilities. Accordingly, all sides should be analyzed when exercising the freedom of recording.

3.7 Freedom of publication

Freedom of publication can be included in the scope of “freedom of the press” and it could also be identified as a separate component too. The general understanding of “freedom of publication” means the freedom to publish any kind of book, magazine or any such publications.

Freedom of publication includes the understanding that censorship does not operate, is not subject to the approval of the government or any other party, and has the opportunity to be published and distributed.

In the Sri Lankan context, the freedom of publication is guaranteed by Article 14 of the Constitution. However, recently several incidents were reported against this freedom such as the complaint made against Mr. K K Shreenath for his book “Budunge Rasthiyaduwa”.⁴⁸ In May 2020, Ahnaf Jazeem, a young Muslim poet was detained on terrorism charges after the CID decided his poem book published in the Tamil language contained an ‘extremist’ messages. However, many acclaimed Tamil scholars and writers are refuting the allegations made by the authorities.⁴⁹ It should be noted that if the publication of a book is a reason to be remanded for months, then it is a very unfavorable background to the freedom of publication.

Accordingly, it can be observed that a trend against the freedom of publication has been mainly based on religious perspectives. Some extremists groups and authorities are involved in restricting this freedom, creating fear and prior censorship against writers, journalists and publishers.

3.8 Freedom of the press

In the early days, freedom of the press covered almost all rights in this index.⁵⁰ However, with the advancement of technology and law, the scope of the

right developed significantly. Therefore, the freedom of the press can include all rights and freedoms related to the newspapers.⁵¹

It grants all rights related to the field of newspapers, including the protection of journalists, freedom of printing and distribution, non-censorship and editorial independence.

In 2020, several incidents occurred against the freedom of the press in Sri Lanka. For example, a female journalist of the Lankadeepa received a death threat from a private party and she was humiliated by the police too.⁵² Further, several journalists in the print media were attacked, threatened and intimidated.⁵³ Apart from these incidents, print media journalists were faced with several issues such as losing editorial independence, violation of basic labour rights, salary reductions and non compliance to safety measures against Covid 19.⁵⁴

3.9 Freedom of broadcasting

Freedom of broadcasting can be defined as the freedom for radio, television or any other broadcast to provide the public with maximum diversity of information and ideas without government, political or commercial interference.

Further, broadcast content should not be subject to prior censorship either by the government or by regulatory bodies. Any sanctions for the breach of regulatory rules relating to content should be applied only after the material in question has been broadcast.⁵⁵

In the Sri Lankan context, there are a number of issues related to freedom of broadcasting. Sri Lanka does not have an accountability mechanism for issuing licenses to radio and television channels, and for allocating frequencies to content regulation. Instead of a public trust, all such actions are guided by political, personal or economic agendas.⁵⁶

Against this backdrop, the freedom of the public to receive maximum diversity of information and ideas has been obstructed and it is filled with various kinds of interference. Accordingly, freedom of broadcasting has been restricted and this right has been taken away from the public and the journalists in Sri Lanka. It has been observed that journalists have been subjected to self-censorship and termination of employment.⁵⁷ Therefore, it is clear that the use of electronic frequencies in Sri Lanka, which is public property, pays little attention to the relevant elements of the freedom of broadcasting. It seems that the

situation, which has been going on for many years, will continue in the same manner in 2020.

3.10 Freedom of the internet

Internet freedom has become one of the prime components of the existing media freedom context. Freedom includes equal participation, access and use of the internet without any restrictions. Furthermore, it affirms enjoying all rights related to freedom of expression via online too.⁵⁸

It can be observed that in the context of Sri Lanka, that the right to publishing on the web and the Internet is not favorable. This situation is exemplified by the number of incidents of online journalists and bloggers being harassed, censored, placed under surveillance and websites being blocked and intercepted in various ways.⁵⁹

In 2020, several online journalists were subjected to legal action.⁶⁰ Further, a website was blocked⁶¹ and the computer of an exiled journalist was seized.⁶² By the end of the year, the Media Minister stated that the government is planning to regulate online and social media.⁶³ Conversely, hate speech and disinformation contribute negatively to enjoying and affirming this right.⁶⁴ Therefore, the consequence is that the freedom of the internet in Sri Lanka is in an unhealthy position.

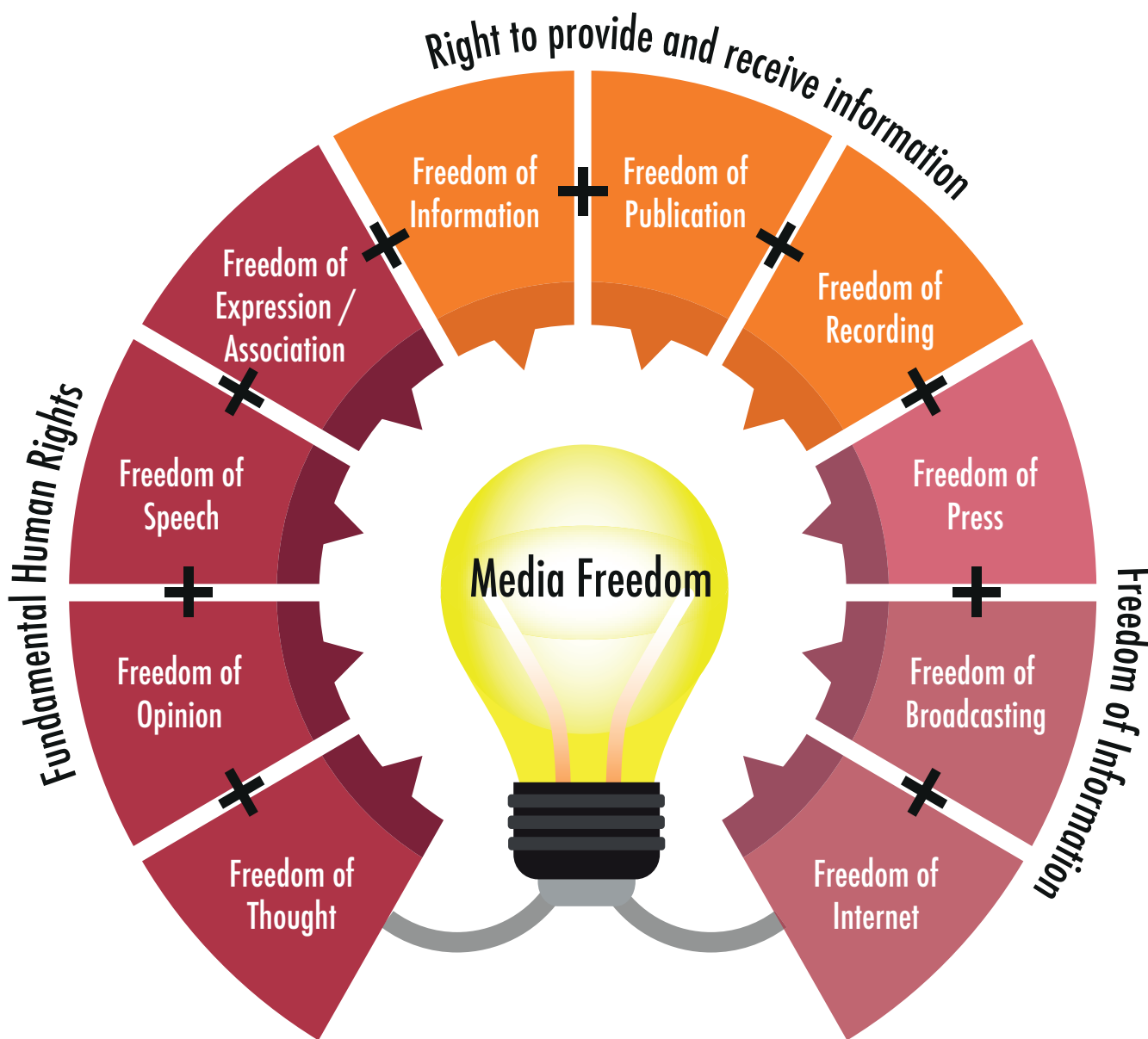
Accordingly, it is clear that all ten components of media freedom in Sri Lanka have been negatively affected in numerous ways during the year. Some freedoms such as freedom of recording, freedom of the press, freedom of the internet have been adversely affected but the impact on the other components like the freedom of publication and freedom of thought was comparatively less.

However, analyzing and drawing conclusions of the impact of the ten components individually will not provide an accurate picture due to the interrelationship of the components and the existence based on each other. Therefore, the best approach is to measure them together and make a conclusion about the overall situation. However, it is important to grasp the impact on these components separately in order to understand that none of the components of media freedom in Sri Lanka is completely safe.

When considering the incidents against media freedom in 2020, it is possible to identify various incidents that adversely affected the components of media freedom. Moreover, it is evident that not only the State but also private stakeholders acted in

a detrimental manner against media freedom. Both of these factors will be examined in-depth in the next chapter. However, the chart below is more helpful in understanding events, their impact on the components, and interconnectivity.

Figure 01
Impact of ten media freedom components in 2020



4. Categories and actions against media freedom of 2020



Ms. Sandhya Ekneligoda, a human rights activist, has request from the President to immediately rescind the appointment of a person who is in their cases against missing persons to the post of Chairperson of the Office of the Missing Persons and to represent justice for the missing persons. source: www.aithiya.lk

The researcher has listed 58 incidents/issues related to media freedom in 2020, which were publically available and discussed.⁶⁵ Although the list includes more incidents than figures reported by the main local media freedom monitors,⁶⁶ it does not mean the list covers all issues or incidents against media freedom during the year. Nevertheless, the list provides a vivid picture of the situation and help to categorize the actions and identify the main actors against media freedom. Further, the nature or actions against media freedom are used as indicators to examine the status of media freedom.

The chart below describes the issues against media freedom of Sri Lanka in 2020 with the figures under the categories, nature and actors against media freedom.

Accordingly, issues against media freedom of Sri Lanka in 2020 can be identified under four categories - safety and security of journalists, legal conditions, independence of the media and professionalism.

These categories or dimensions cover different areas, and there are cases where certain incidents can be included in these categories under two or more categories. For example, when thugs threatened a journalist, it was a security issue. She complained to the police and the law was not being enforced properly. Accordingly, this incident can be included in the dimension of security as well as in the dimension of law.

It has also been observed that in some cases incidents under these dimensions have been carried out in several forms. For example, the table above describes a number of forms or actions, such as attacks, assault and intimidation, or threats to the

Table 02 - Issues against media freedom 2020

Main Category	Nature /Acts /Indicators	Actors
Safety and security of Journalists (33)	Attacks (07) Assaults (02) Threats (13) Intimidations (04) Obstructions (02) Subjected to stealing of equipment (01) Collecting personal information (01) Organized hate speech (02) Organized discrimination (01)	Police Military Government officers Extremist groups Unidentified person Political groups
Legal Conditions (20)	Arrests (05) Access denial (05) Omission by the police(01) Investigating to find sources(01) Questioning (03) Summoning by police (01) Seizing media equipment (02) Introducing or attempting to introduce regulatory mechanisms (01) Filing cases (01)	Police Government
Independence of the media (03)	Subjected to hacking/Cyber attacking (01) Blocking websites (01) Stopping broadcast (01)	Extremist groups Government Media owners
Professionalism (02)	Termination (01) Taking disciplinary action (02)	Media owners

security dimension. However, it is important to note that in some cases or problems, two or three actions occur simultaneously. For example, an assault could include threat, intimidation and harassment/obstructions. However, a problem or incident is linked to only one category in order to avoid considering one event or problem in several categories creating overlaps. This will minimize research errors. In such situations, the most dominant or relevant of the forms was considered.

In 2020, the most common category or dimension against media freedom in the country was security and protection issues. It includes 13 threats, 07 assaults, 04 intimidations and other areas. The second most common category or dimension was the legal situation, which included five arrests and five denials to access. The Media independence category includes cyber-attacks, blocking a website and stopping broadcasts. Professional rights-related issues considered labour rights and accordingly, issues of termination of employment and disciplinary

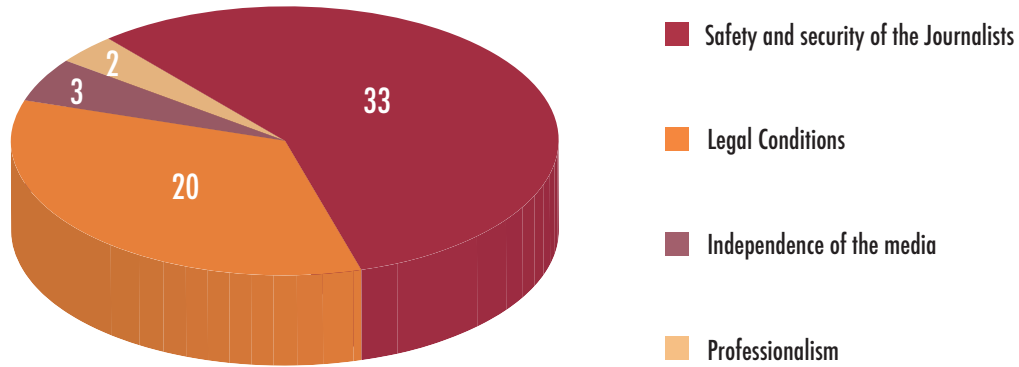
action were also considered under that dimension. (See Table 02 for complete data)



© @Nikshazz Sajith Bandara

The categorization of media freedom issues are further described as follows:

Chart 1- Main issues/ categories against media freedom in 2020



Existing articles and reports provide data to identify the four classifications or dimensions of issues against media freedom and media rights violations in Sri Lanka as mentioned above. However, it can be observed that even then, the dimensions of media independence and professionalism have not been widely monitored. In particular, areas such as editorial board independence were rarely identified.

The researcher observed that there were several such dimensions that had not been adequately examined by local observers, as well as other areas that had not been taken into account in any way but must be considered in a formal assessment of media freedom.

The personal observations and empirical data collected by in-depth interviews find **structural issues, participation, and diversity and quality of media products** have not been identified and monitored comprehensively in detail.

In the Sri Lankan context, there are no laws or policies regarding the media structure. Therefore, media owners are able to run all kinds of media including, print, radio, television and online. There is no systematic approach to distributing the broadcast frequencies. Therefore, media pluralism, media ownership, independence of productions and public service broadcasting has become issues against media freedom. Such issues, primarily in the broadcasting media, have not been sufficiently addressed by media freedom monitors and their indicators.

Stakeholders or shareholders of the media landscape should consist of all members of the society.

More precisely, participation in the media field should include all genders, religious, ethnic and other groups in an equitable manner and in-turn it would affirm freedom of thought, opinion, expression and ultimately guarantee a vast range in media freedom. Based on the findings by the researcher, there are inadequate policies, laws and practices to maintain better participation policy in the media industry and the areas are not assessed adequately by the monitors in this field and the indicators.

Enhancing media freedom requires diversity and quality of media products to be of a higher standard. For instance, the media should cover all human rights issues related to all communities. Further, the contents should include voices of all relevant stakeholders and the stories should not be tainted with any misinformation or hate speech. In the Sri Lankan context, it is observed that there are several issues in this area. Covid-19 pandemic-related disinformation and hate speeches was a significant issue within Sri Lankan media in 2020.

However, according to the researcher's observation, media monitors and their indicators have not used better approaches to identifying and measure such threats to media freedom.

Although, the monitors and their indicators examined and described several issues related to the **safety and security of journalists, legal conditions, issues on the independence of media and professionalism**, these should be further developed.

Based on the findings by the researcher, a wide surveillance process is being orchestrated by police,



Five international rights groups have called on the Sri Lankan authorities to end the harassment and persecution of former Sunday Observer Editor and Sri Lanka reporter for the New York Times Dharisha Bastians and ensure her safety. source: www.newswire.lk

security forces and other government authorities against journalists. The process violates the right to privacy of journalists and seriously violate their basic human rights such as the right to thought and opinion. Therefore, the monitors should consider the process of surveillance as an act of media rights violation and implement some indicators or sub-indicators to measure the same.

Legal conditions have emerged as one of the main media rights issues during the year and several issues have also been covered by the monitors and their indicators. However, as observed by the researcher, there should be more indicators to cover impunity cases. For instance, some cases related to media freedom including the murder of Lasantha Wickramathunga and the disappearance of Prageeth Eknaligodha have been taken up for hearing. However, the hearing process and further investigations have been subject to several intimidations and deliberate delays.

The impact of the 20th Amendment on the continued impunity for crimes against journalists, should be closely monitored since certain aspects of the independence of the judiciary established by the 19th Amendment to the Constitution was amended.

Therefore, the process of expediting and enforcing justice in this regard should be monitored and equipped with new tools and new approaches parallel to issuing press releases and the annual commemorations.

Attention should be drawn to false allegations, unnecessary summons and unreasonable questioning of journalists. Since it would reflect negatively on media freedom from diverse perspectives.

Such actions create unnecessary fear in journalists regarding the profession and can lead

them to quit the profession.

One of the essential components of the media independence dimension is the opportunity to work without internal or external pressure. The most crucial element of this dimension is the independence of the editorial board. It includes both the freedom to the editorial board from the owners and management, as well as the freedom and space from the editor to the journalist. A special situation that could be observed was that the pressure from government, political, religious and cultural groups was relatively high. For example, some electronic media journalists have revealed that they have to obtain the owner's permission before publishing any news. In addition, some sources revealed that government follows a process of security clearance to register news websites. Some journalists have revealed that political, ethnic and religious groups, are openly influencing media including newspapers, television and radio to operate according to their wishes and agenda. The researcher's observations show that Sri Lankan media monitors and their indicators have not adequately addressed such issues, which have a negative impact on media freedom.

Media professionalism includes the existence of a code of ethics, adherence to codes of conduct and ethics, the professional protection of journalists and other media workers, labour rights, working conditions, training and education of journalists. The broadcast media in Sri Lanka does not have a code of ethics and the print media has its own code of ethics but it has failed to operate it successfully.

It can be observed that the labour rights of journalists and media workers in the sector are being significantly violated and as a result the working



A Tamil journalist in Kilinochchi was attacked by a group of unknown persons at his office, even as Sri Lanka's security forces patrolled the streets and enforced a curfew in the midst of the coronavirus outbreak. source: www.dailymirror.lk

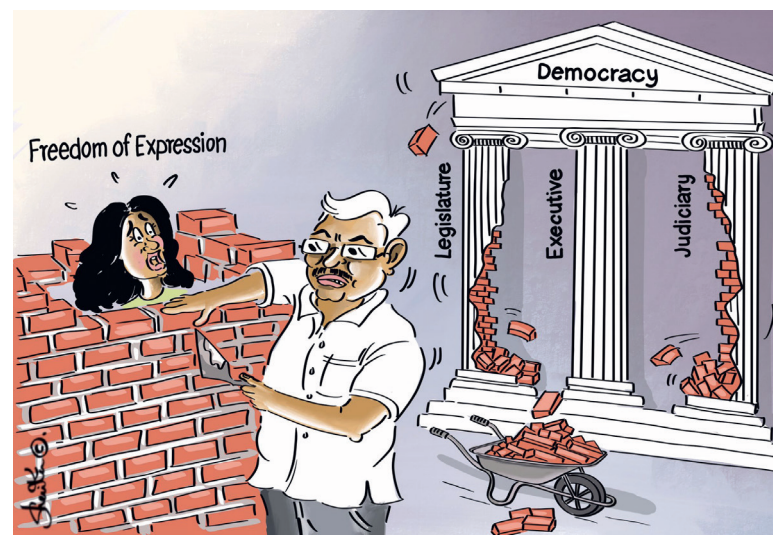
conditions of journalists and media workers are deteriorating. For example, although the right to form or join a trade union is recognized and protected by law, it cannot be observed that Sri Lankan journalists or media workers are encouraged to enjoy that right. As the researcher observed, some journalists are not interested in it. In some cases, the media institutions have blocked that right in various ways. Although some journalists want to fight for that right they are of the view that it will not only cause them to lose their current job but also have a detrimental effect on finding a new job. The end result is that the media community, which speaks out for the rights of the people of the country, including workers, has been deprived of their trade union rights.

Due to the Covid 19 pandemic, journalists and media workers had to deal with issues such as pay cuts, health issues, and the loss of access to proper health care. More specifically, there is no evidence that any media outlet in Sri Lanka has implemented a well-established Covid 19 response plan to protect its employees.

The researcher's observations show that such issues related to media professionalism and the labour rights of the media community are rarely and poorly measured by the media monitors and their indicators.

According to the above findings, monitors and their indicators have focused inadequately on some of the media freedom issues, mainly structural issues, participation and diversity and quality of media products. Comparatively, issues related to the safety and security of journalists, legal conditions and independence of media and professionalism have been considered and measured by the monitors and their indicators.

However, the search for dimensions related to media independence and professionalism needs to be further developed.



source: [FB@PoliticalCartoonsLKA](https://www.facebook.com/PoliticalCartoonsLKA)

5. Other findings



In analyzing the status of media freedom in Sri Lanka in the year 2020, additional data were found from geographical and demographic aspects. The data are summarized and analyzed below. The researcher has listed 58 incidents related to media

freedom in Sri Lanka by 2020⁵⁶ and due to the nature of the actions, the locations of 4 incidents could not be found. However, the 54 incidents or issues can be divided into 16 districts as follows.

Table 03 - No of Issues - Geographical Distribution

Distract	Number of issues
Colombo	22
Kaluthara	01
Jaffna	09
Vavniya	01
Mullaitivu	02
Trincomalee	03
Batticaloa	06

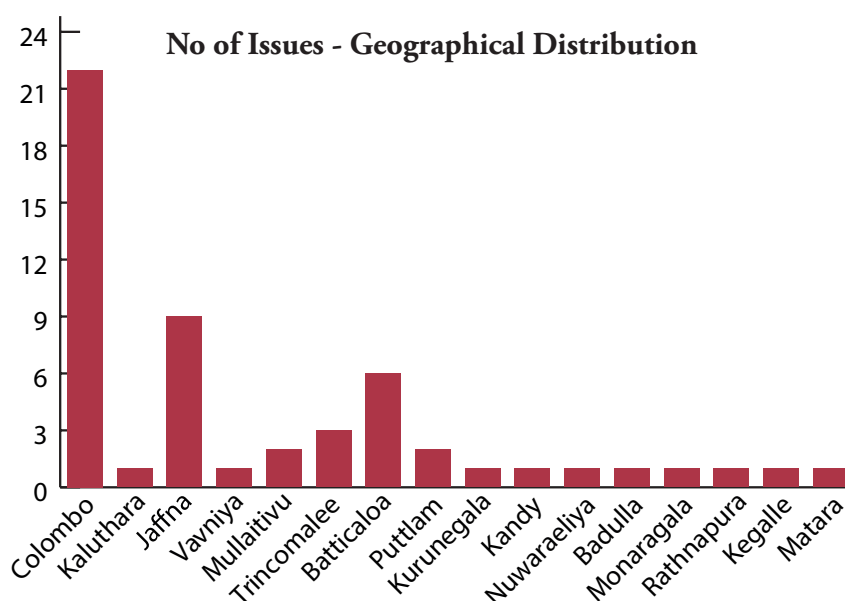
District	Number of issues
Puttalam	02
Kurunegala	01
Kandy	01
Nuwaraeliya	01
Badulla	01
Monaragala	01
Rathnapura	01
Kegalle	01
Matara	01
Total	54

According to the table above, 23 incidents have been reported from the Western Province (22 from Colombo and 01 from Kalutara) while 12 incidents have been reported from the Northern Province (09 from Jaffna, 02 from Mullaitivu and 01 from Vavuniya). In addition, 09 incidents have been reported from the Eastern Province (06 from Batticaloa and 03 from Trincomalee). Accordingly, it appears that the highest number of incidents outside the Western Province have been reported from the Northern and Eastern Provinces respectively.

The researcher also attempted to identify victims from an ethno-religious perspective. Accordingly, the victims were identified as Sinhalese on 27 occasions, Tamils on 20 occasions and Muslims on 03 occasions. The researcher also sought to identify gender perspectives on incidents. It turned out that in seven cases the victims were women and in three

cases, they were the main victims⁵⁷.

In addition, the researcher found that the government and its stakeholders play a crucial role in the issue of media freedom in the country. As described in Table 2, government officials, including police and law enforcement officers, have been responsible for a number of issues reported against media freedom. Moreover, mainly in the Northern and Eastern Provinces, a crucial part has also been played by military personnel. It was observed that some political and religious groups were also working against media freedom. It should be noted that in several cases, not only media owners but also some journalists have acted against media freedom, mainly violating the independence of the media, the structure and professionalism.



6. Conclusion



One of the highlights of the 'Vigil' Organized by the Media Collective on January 28, 2020, at Lipton Circle to commemorate journalists and media workers killed and intimidated. www.fmmsrilanka.lk

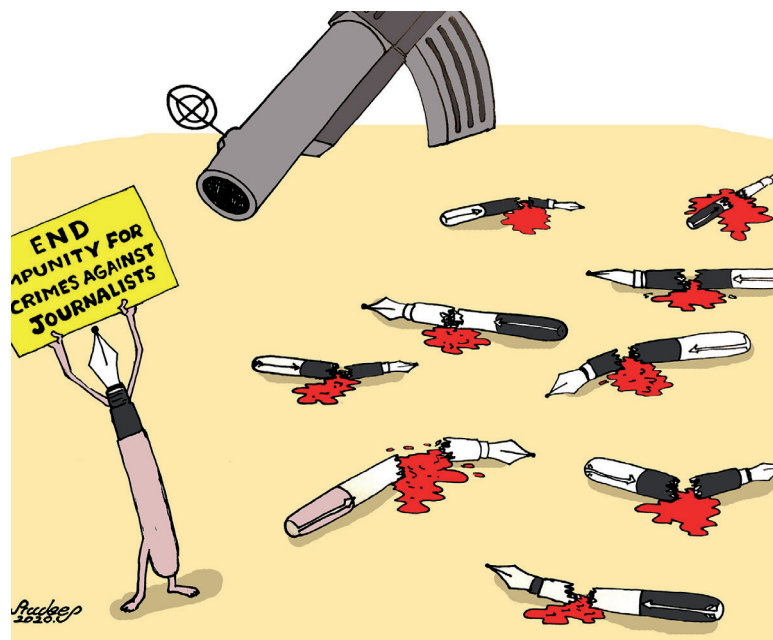
It is very clear from the above findings that the level of media freedom in Sri Lanka in 2020 was not in a healthy position. Primarily, a number of components of media freedom were adversely affected, including the freedom of recording, freedom of the press, freedom of the Internet, and freedom of expression. Certain components, such as freedom of publication and freedom of thought, are relatively less affected. Overall, however, it can be noted that all ten components considered in this research on media freedom have been negatively affected in varying degrees. This shows that media freedom in Sri Lanka, one of the most crucial factors in the country's democracy, was in a dangerous position in 2020.

Incidents against media freedom, which extend across the dimensions of the security and safety of journalists, including legal conditions,

were significantly higher in 2020. Issues related to dimensions such as media independence and professionalism were also reported. However, observers did not report incidents that spanned the dimensions of structural, participatory, and media product diversity and quality. It should be noted, however, that under-reporting or non-reporting is an issue for media observers and their indicators. In other words, there are a number of issues that extend across dimensions such as structural, participatory and media product diversity and quality, but monitors and their existing indicators have not been able to correctly identify them.

Against this background, the researcher suggests that media monitors should revise their monitoring process and indicators in order to better understand the state of media freedom and to take a more accurate approach to oppose media freedom

violations. Furthermore, the researcher observes that the media freedom monitoring approach has become incident-based rather than following a classification and structured approach. Therefore, the researcher suggests that it would be more appropriate to adopt a “classification and indicator-based approach” to understand the state of media freedom in the coming years. To this end, it would be more appropriate to set up a new indicator system for assessing media freedom relevant to Sri Lanka, integrating the indicators currently used by various international organizations including new indicators covering the least reached dimensions indicated by the researcher.



source: www.themorning.lk

Reference

- 1 Norris Pippa, *The Role of the Free Press in Promoting Democratization, Good Governance and Human Development*, 2008.
- 2 <https://en.unesco.org/themes/press-freedom-all-platforms> (Last access, 15/02/2021)
- 3 <https://www.britannica.com/topic/media-freedom> (Last access, 15/02/2021)
- 4 <http://www.unesco.org/new/en/unesco/events/prizes-and-celebrations/celebrations/international-days/world-press-freedom-day/previous-celebrations/worldpressfreedomday20090000/freedom-of-information-and-the-press/> (Last accessed, 15/02/2021)
- 5 Pearson Mark, *Press freedom, social media and the citizen*, *Pacific Journalism Review*, 2013, P 215-227
- 6 Schneider Laura, *Measuring Global Media Freedom, The Media Freedom Analyzer as a New Assessment Tool*, Springer VS, 2020, Page 06
- 7 Cinque Toija, *Media and Society, What Is the Media, and Is Digital Media 'New'?*, http://lib.oup.com.au/he/samples/chalkley_CDMEL2e_sample.pdf (Last accessed, 15/02/2021)
- 8 Uglan Erik, Henderson Jennifer, *Who Is a Journalist and Why Does it Matter? Disentangling the Legal and Ethical Arguments*, *Journal of Mass Media Ethics*, Vol. 22, No. 4, 2007, 241-261
- 9 Article 14 (1) (a) of 1978 Constitution says Every Citizen has entitled to the freedom of speech and expression including publication...
- 10 Act No 12 of 2016
- 11 Supreme Court of Sri Lanka recognized right to receive information under the umbrella of freedom of speech of expression even before 20 years to enact the Right to Information Act by *Fernando v The Sri Lanka Broadcasting Corporation* (1996) 1 Sri LR 157
- 12 Ranjane Seetha, *Martyrs of the Freedom of Expression in Sri Lanka*, *Free Media Movement*, 2011, P 11-17
- 13 <http://www.jdslanka.org/index.php/killed-media-workers> (Last accessed, 15/02/2021)
- 14 *Impunity on crimes against journalists*, Basic report prepared by FMM Sri Lanka in 2019
- 15 *Impunity Report from 2000-2015*, *Free Media Movement*, 2019
- 16 <https://freedomhouse.org/report/freedom-press/2017/sri-lanka>
- 17 <https://rsf.org/en/ranking> (Last accessed, 15/02/2021)
- 18 There is no core data base on number of journalists in Sri Lanka. Therefore, researcher estimated the figure with the some documents, and studies by Government Information Department and some media organizations of the country.
- 19 *MediaLK.com/IMS (2020), Performance of Sri Lanka's Mass Media Industry 2015-2019: A Data Driven Analysis*, Colombo, MediaLk.com/IMS, 2020
- 20 *Free Media Movement, Digital Media Survey*, 2019
- 21 *Bublitz Christoph, Freedom of thought in the age of neuroscience*, *Archives for Philosophy of Law and Social Philosophy*, January 2014

- 22 Article 10, Every person is entitled to freedom of thought, conscience and religion
- 23 See number 07 of the Annexure 01
- 24 Article 19 (1) of International Covenant on Civil and Political Rights
- 25 Article 10, Freedom of thought, conscience and religion, Article 14, Freedom of speech, assembly, association, occupation, movement
- 26 See No 09 and 13 of
- 27 Interviews of some journalists of Sri Lanka Rupawahini Corporation and Sri Lanka Broadcasting Corporation
- 28 Article 14 describes the right to Freedom of speech, and Article 14 (2) and Article 15 (2) mentions about reasonable restrictions.
- 29 See Number 15 of the Annexure 01
- 30 See Number 17 of the Annexure 01
- 31 Mendal Toby, Restricting Freedom of Expression: Standards and Principles, Center for law and Democracy, <http://www.law-democracy.org/wp-content/uploads/2010/07/10.03.Paper-on-Restrictions-on-FOE.pdf> (Last accessed, 15/02/2021)
- 32 Researcher interviews some Radio and TV journalists in January 2021
- 33 <https://www.law.cornell.edu/constitution-conan/amendment-1/freedom-of-expression-is-there-a-difference-between-speech-and-press> (Last accessed, 15/02/2021)
- 34 See Number 21 of the Annexure 01
- 35 Article 19 (2) of the International Covenant on Civil and Political Rights
- 36 Right to Information Act No 12 of 2016
- 37 See Number 42 of the Annexure 01
- 38 See Number 46 of the Annexure 01
- 39 Interview with some of j
- 40 <https://www.slpil.lk/20th-amendment-and-the-right-to-information/> (Last accessed, 16/02/2021)
- 41 Supra Note 06
- 42 See Number 02, 50 of the Annexure 01
- 43 See Number 48, 45 of the Annexure 01
- 44 See Number 04, 47 of the Annexure 01
- 45 See Number 16 ,22 of the Annexure 01
- 46 See Number 25of the Annexure 01
- 47 The researcher observes several incidents and as a result of such recording issues government issued specific guidelines over Covid reporting.
- 48 Group of people including Buddhist monks made a complaint against the book in August.
- 49 <http://www.ft.lk/news/Arrest-of-Mannar-poet-under-PTA-Academics-writers-and-activists-cry-foul/56-711244> (Last accessed, 16/02/2021)
- 50 <https://constitution.congress.gov/constitution/amendment-1/> (Last accessed, 16/02/2021)
- 51 Supra Note 06
- 52 See Number 03 of Annexure 01
- 53 See Annexure 01
- 54 The researcher interviewed group of print journalists in the month of January 2021
- 55 Access to the Air Waves, Principles on Freedom of Expression and Broadcast Regulation, Article 19, London, 2002
- 56 Secretariat for Media Reforms (2016), Rebuilding Public Trust: An Assessment of the Media Industry and Profession in Sri Lanka. Colombo: SMR/IMS
- 57 See Number 20 of the Annexure 01
- 58 <https://internews.org/news/internet-freedom-basic-human-right> (Last accessed, 15/02/2021)
- 59 https://lirneasia.net/wp-content/uploads/2010/08/FOE_and_Internet_in_Sri_Lanka.pdf (Last accessed 15/02/2021)
- 60 See Number 15 of the Annexure 01
- 61 See Number 28 of the Annexure 01
- 62 See Number 29 of the Annexure 01
- 63 See Number 57 of the Annexure 01
- 64 See Number 15 of the Annexure 01
- 65 See Annexure 01
- 66 Figures of FMM, SLWJA and FMETU
- 67 See the Annexure 01
- 68 See Annexure 01

Incident related to media freedom in 2020

Incident/Act/District	Date/Month	Description and Remarks	Category and Nature
1. Police entered the house of journalist - Batticaloa	02nd of January	Police officers in plain clothing entered the house of the Batticaloa based journalist S. Nilanthan and threatened his family. ¹	Freedom of expression / Safety of journalists, Threatened by the police.
2. Foreign journalist was denied access to Iranaitheevu island - Jaffna	05th of January	A foreign journalist, who had a valid journalist visa and media accreditation card issued by the Department of Government Information, was denied access to Iranaitheevu island by the Navy. ²	Freedom of recording / Access denied
3. Police refused to file a complaint made by a female journalist - Colombo	10th of January	Degrading treatment given by the Officer in Charge (OIC) of the Mulleriyawa Police against professional journalist Nimanthi Ranasinghe, a court correspondent for Lankadeepa who received a death threat. ³	Freedom of the press / Safety of journalists, Omission of the Police, Death threat
4. A journalist was assaulted- Puttlam	17th of January	Prasad Purnimal Jayamanne, a journalist based in Chilaw was assaulted by a group linked to a few politicians after he exposed unauthorized filling of a paddy field in Wennappuwa. ⁴	Freedom of recording / Safety of journalists, Assaulting
5. Requested personal details of a journalist - Batticaloa	18th of January	The Grama Niladari (GN) had visited a house of a journalist based in Batticaloa and told him that the Criminal Investigation Department (CID) in Colombo had requested his personal details. ⁵	Freedom of thought, Opinion / Requesting personal details by officials
6. House of a journalist attacked - Jaffna	19th of January	The house of a Tamil local news journalist had been attacked by a group of unidentified men in Mannipay, Jaffna. ⁶	Freedom of opinion, press / Safety of journalist, Attack
7. Journalist faced hate speech based on his ethnicity - Colombo	20th of January	Journalist Azzam Ameen faced hate speech based on his ethnicity after a call recording was released online between him and former minister Ranjan Ramanayake. It was observed that he had been subjected to hate speech in an organized manner due to his religious beliefs (Muslim / Islamic) ⁷	Freedom of thought, Opinion / Organized hate speech

Incident/Act/District	Date/ Month	Description and Remarks	Category and Nature
8. Tamil journalists received death threats - Batticaloa	23rd of January	Leaflets threatening to kill seven Tamil journalists were left at the Batticaloa Press Club and at a nearby bus stop in Batticaloa, a city in the Eastern Province of Sri Lanka. ⁸	Freedom of the press and opinion / Safety of journalists, Death threats
9. Lodging baseless complaints against journalists - Colombo	03rd of February	Progressive Workers Union Commercial and Industrial Services, a pro-government trade union at Lake House (a state-owned media institution) complained to the CID against some journalists of the same media outlet. The union demanded to launch an investigation regarding their alleged connection with Swiss embassy employees and a legal case was filed by two activists questioning the present President's presidential candidacy based on his citizenship. ⁹	Freedom of the press, expression / Safety of journalists, Source protection, Indirect threatening
10. Obstruction against carrying out the work responsibilities of a journalist - Trincomalee	04th of February	Journalist W.G. Roshan Kumara was prevented from carrying out his work responsibilities when he arrived to report a bus accident that took place at the 87th bend in Kanthale by a son of a Trincomalee politician who owns the bus. ¹⁰	Freedom of recording / Obstructing and Intimidating
11. Police questioned a female journalist - Colombo	10th of February	The CID has recorded a statement from Sunday Observer Journalist Anurangi Singh. According to sources of the Courts, she was questioned over former Sunday Observer Editor Dharisha Bastians and possible links to the incident involving the Swiss Embassy staff. ¹¹	Freedom of the press / Questioning a journalist by police over her contacts and sources
12. A group of journalists receiving threats - Colombo	18th of February	Janayugaya.lk claimed that some journalists attached to their website had been threatened by phone calls over publishing an article that criticized a Buddhist monk who made discriminatory statements against women. ¹²	Freedom of opinion, express / Threatening
13. Discriminating some journalists over their political opinion - Colombo	Around 20th February	Some journalists, who are members of UNP, backed trade union "Jathika Sevaka Sangamaya" at Lake House. They have been selectively discriminated on salary increments. ¹³	Freedom of opinion / Discriminating
14. A group of media personal were summoned by the police - Vavuniya	02nd of March	The director of Vavuniya-based Thinapuyal Tamil language newspaper, Sakthivelpillai Prakash and his wife and another editor were summoned by Sri Lanka's Terrorism Investigation Department. ¹⁴	Freedom of the press, opinion, expression / Indirect threatening

Incident/Act/District	Date/ Month	Description and Remarks	Category and Nature
15. Police launched investigations to arrest some social media users for spreading fake news.	17th of March	Police stated that they have launched investigations to arrest around 40 suspects for spreading fake news via social media about coronavirus, the pandemic and the quarantine process. ¹⁵	Freedom of expression / Arresting by the police
16. A journalist was threatened and his equipment was stolen - Badulla	28th of March	Provincial journalist, P Maheshwaran of Haputhale Sooriyan FM was threatened with death and his equipment was stolen because he reported about keeping shops open which violated Covid19 curfew laws. The suspect was arrested by the police. ¹⁶	Freedom of recording / Safety of journalist, Threatening
17. Web journalist and a doctor were arrested over allegedly publishing unverified news - Kurunegala & Colombo	29th of March	Web journalist, Nuwan Nirodha Alwis was arrested for allegedly publishing unverified news about a suspected Covid19 patient in a private hospital. Moreover, a medical doctor in a private hospital was arrested due to the disclosure of information. Both of them were remanded for two weeks. ¹⁷	Freedom of expression / Arresting and jailing
18. A journalist was attacked - Jaffna	31st of March	A Tamil journalist, Nadarasalingam Thusanth was attacked with swords by an unknown group of persons at his office in Kilinochchi. ¹⁸	Freedom of expression, Press / Safety of the journalists, Attacking
19. A social media writer was arrested over his write up - Kandy	09th of April	Ramzy Razeek, a famous social media writer was arrested at his residence in Kandy for publishing a social media post criticizing racism targeted at Muslims in Sri Lanka. In the post he had stated the need of "an ideological jihad using pen and keyboard". However, the post had been removed the next day due to death threats and a complaint was made to the police about those threats. ¹⁹	Freedom of expression / Arresting by the police
20. Two journalists and two media workers were terminated - Colombo	April	Two journalists including a female, two media workers and makeup artists were terminated by a leading private media station. According to the victims, the termination occurred due to a doubt about exposing details of a New Year celebration event that was organized by an institution against Covid 19 rules. However, the termination letters stated that the institution was not satisfied with their performance. ²⁰	Freedom of opinion, Rights of the media workers / Terminating

Incident/Act/District	Date/ Month	Description and Remarks	Category and Nature
21. Hate campaign over some of the journalists - Batticaloa	April	Some journalists from Batticaloa were personally targeted on social media with hate posts and comments over their reporting on the injustice that occurred during the distribution of rations in the Covid curfew period. According to the victims, this organized hate campaign was handled by some politicians, officials and their supporters. ²¹	Freedom of expression / Safety of the journalists, Hate campaigning
22. A journalist received death threats - Nuwaraeliya	06th of May	Journalist of Tamil Mirror, S. Sathish Kumar was threatened to death via a telephone call by the chairman of Norwood Pradeshiya Sabha over his reporting of injustice on the distribution of Covid relief assistance.	Freedom of the Press, Expression / Threatening to death
23. Two persons were arrested over publishing a Facebook Post - Colombo	06th of May	Two persons were arrested for publishing a Facebook post that claimed a group of persons temporarily staying at Modara Sri Venkateshwara Hindu Temple does not have food and drinking water. Police said they were arrested for publishing fake news. ²²	Freedom of Expression / Arresting by the Police
24. Website of a media organization faced a cyber-attack - Colombo	17th of May	Hiru media company website faced a cyber-attack carried out by a group identified as Tamil Ealam Cyber Force. ²³	Freedom of expression / Cyber attacking
25. Obstructing and Intimidating the work of regional journalist - Kalutara	24th of May	A regional journalist for several TV channels, Bimal Shyaman was intimidated and harassed whilst reporting the Ramadan celebrations in Atulugama. ²⁴	Freedom of recording / Obstructing and intimidating
26. Attempt to seize a computer of a journalist	29th of May	Police officers of the CID visited journalist, Darisha Bastians' home in Colombo and made efforts to seize her personal laptop. ²⁵	Freedom of the press / Attempting to seize a computer by the police.
27. Police intimidated a commemoration event of late Tamil journalist, Aiyathurai Nadesan - Jaffna	31st of May	Commemoration event of the late Tamil journalist, Aiyathurai Nadesan (who was murdered in 2004) organized by the Jaffna Press Club was subjected to surveillance and intimidation by the police. ²⁶	Freedom of opinion, expression / Intimidating by the police
28. Blocking a website	June	Access to Tamil media website, sankathi24.com has been allegedly blocked by the authorities. ²⁷	Freedom of the internet / Blocking a website
29. The laptop used by a journalist was seized - Colombo	09th of June	CID seized the laptop used by the exiled journalist Darisha Bastians with a court warrant. According to the statement made by the victim, police searched her whole residence and took photographs. ²⁸	Freedom of the press, expression / seizing a computer by police

Incident/Act/District	Date/ Month	Description and Remarks	Category and Nature
30. Death threat against two journalists - Colombo	2nd of July	Two journalists of Aruna Newspaper, Tissa Ravindra Perera, and Hemantha Liyanapathirana were threatened with death via a telephone call over reporting information about the underworld.	Freedom of the press / Safety of journalists, Threatening to death by underworld
31. Accesses denied and threat against journalist - Colombo	3rd of July	A journalist was not allowed to report an event that was organized by the Police. The journalist had been invited to the event by the official coordinator of the Attorney General. However, the Police have denied access and threatened the journalist while leaving the premises. ²⁹	Freedom of recording, press / Access denying, Threatened by the Police
32. A Journalist was summoned by the police - Mullaitivu	8th of July	Tamil Guardian's Mullativu correspondent, Shanmugam Thavaseelan was summoned by the police over his reporting on an incident of alleged assault on civilians by forest officials. ³⁰	Freedom of the press / Summoning by the police
33. A Journalist was obstructed and threatened - Colombo	10th of July	Mawbima and "Ceylon Today" photojournalist were obstructed and threatened by a police officer, Neomal Rangajeewa at the High Court's premises of Colombo. Rangajeewa is one of the key suspects of the massacre of Welikada prison inmates in 2012. ³¹	Freedom of recording / Obstructing, threatening
34. A Journalist was questioned - Colombo	14th of July	The editor of Eethalaya magazine, Srilal Priyantha was questioned by the Criminal Investigation Department of the police over his article which was published in 2017 regarding the murder of Sunday Leader Editor Lasantha Wickrematunge in 2009. ³²	Freedom of expression, Press / Questioning by the police
35. A journalist was obstructed and harassed by the police - Matara	15th of July	Chamal Fernando, a journalist of the Sri Lanka Rūpavāhinī Corporation was obstructed and harassed outside the Court premises of Matara by the police whilst he was reporting. ³³	Freedom of recording / Threatened and harassed by the police
36. A Journalist was threatened	22nd of July	Subramaiam Baskaran- an independent journalist from Kilinochchi has been threatened with death and photographed against his will by two members of a political party while he was on duty at the Kilinochchi Magistrate Court premises. ³⁴	Freedom of expression, press / Safety of journalists, Threatening
37. A Journalist was attacked - Jaffna	21st of August	Vijayanathan Janarthan, a Tamil journalist of Valampuri newspaper and website was attacked at Brown Road, Jaffna by two unidentified persons who wore masks and came on a motorbike. ³⁵	Freedom of expression / press, Attacking

Incident/Act/District	Date/ Month	Description and Remarks	Category and Nature
38. A journalist was threatened and his mother was assaulted - Trincomalee	31st of August	A journalist has been threatened with death and his mother has been assaulted, over a complaint based on an illegal construction that blocks a common road providing access to several houses. ³⁶	Freedom of expression, Press / Safety of journalists, threatened with death, Assaulting
39. Web journalist was arrested and detained unreasonably - Colombo	31st of August	Desmond Chathuranga de Silva, the editor of the lankanewsweb.org website was arrested and detained unreasonably. Although the arrests were made legally, media organizations have noted that the process of a large group going to arrest the web editor was an act that intimidates the journalists. ³⁷	Freedom of expression / Intimidating, overreacting by the police
40. Attempted assault against two journalists - Colombo	7th of September	Two journalists from Mawbima newspaper, Nuwan Hettiarachchi and Ruwantha Kithulgaspitiya made a complaint to the Borella Police regarding an attempted assault on them at a Media briefing which was organized by the National Movement for Safeguarding Consumer Rights. ³⁸	Freedom of recording, expression / Safety of journalists, Attempting to assault
41. Journalists were not allowed even though they had been invited - Kurunegala	14th of September	Journalists were not allowed to attend Kurunegala district coordinating committee meeting despite prior invitations been sent by the District Secretary. ³⁹	Freedom of information / Access denied
42. COPE meetings will be prohibited for media - Colombo	23rd of September	The Chief Government Whip, Minister Johnston Fernando announced that the proceedings of the Committee on Public Enterprises (COPE) will not be open to the media in the future. ⁴⁰	Right to information / Prohibiting the access or reporting
43. Police intimidated journalists - Northern Province	September	Civil clothed police intelligent officers intimidated journalists while they were recording statements of the people during remembrance event held in Northern Sri Lanka. ⁴¹	Freedom of recording, expression / Intimidated by the police
44. Four journalists were interdicted - Colombo	September	Government owned print media institution; Lakehouse has interdicted four journalists over a typographical error in spelling President Gotabaya's name 'ගෝඨාභය රාජපක්ෂ' as 'ගෝ'ධාභය රාජපක්ෂ'. ⁴²	Freedom of the press / Taking disciplinary actions
45. TV journalist was attacked - Monaragala	03rd of October	Derana TV journalist, Indunil Wijenayake was attacked by sand-miners in the Kumbukkan Oya area of Monaragala district whilst reporting on illegal sand mining in the area. ⁴³	Freedom of recording / Safety of journalist, Attacking
46. The journalist was forcefully removed - Puttalam	08th of October	Journalist Prasad Poornimal was forcefully removed from Wennappuwa Pradeshiya Sabha meeting premises by the chairman of the Pradeshiya Sabha. ⁴⁴	Freedom of information / Access denying, Forcefully removing

Incident/Act/District	Date/ Month	Description and Remarks	Category and Nature
47. A journalist was assaulted while reporting- Trincomalee	11th of October	M. H. Yusuf, a provincial correspondent for Independent Television Network (ITN) was assaulted while reporting an accident in Trincomalee District and he lost his camera during the assault. ⁴⁵	Freedom of recording / Safety of journalist, Assaulting and stealing media equipment
48. Two journalists were attacked - Mullaitivu	12th of October	Two Tamil provincial journalists, Kanapathipallai Kumanan and Shanmugam Thavaseelan who work for a few print, TV and online media outlets were threatened and attacked while investigating an alleged timber trafficking in Murippu forest reserve in Mullaitivu. ⁴⁶	Freedom of recording / Safety of journalist, Attacking
49. A journalist subjected to attempted assault and death threats - Rathnapura	16th of October	A journalist was subjected to attempted assault and death threats by the staff of a hydroelectric power station in Hapugoda area in Kalawana while he was conducting an investigative report on the environmental damage by the power station. ⁴⁷	Freedom of recording / Safety of the journalist, Threatening
50. Accesses denied to journalists who went to cover proceedings of the Presidential Commission of Inquiry into the Easter bombings - Colombo	23rd of October	Journalists who went to cover proceedings of the Presidential Commission of Inquiry into the Easter bombings were chased away from the premises by the Chief Executive Officer of the Bandaranaike Memorial International Conference Hall (BMICH) where the Commission is located. ⁴⁸	Freedom of information, recording / Access denied
51. A journalist, S. Mukunthan was attacked - Jaffna	11th of November	A Jaffna-based journalist, S. Mukunthan was attacked by an unidentified group at his home and attackers stolen his phone. ⁴⁹	Freedom of expression / Safety of journalist, Attacking
52. A journalist was questioned by the police - Batticaloa	16th of November	Batticaloa based journalist and Batticaloa Press Club (BPC) Secretary, Selvakumar Nilanthan was questioned by four policemen at his home over his report on a famer's issue. ⁵⁰	Freedom of expression, press/ Questioning by police
53. A journalist was summoned by the police - Colombo	17th of November	A politician and a media person, Danushka Ramanayake was summoned by the CID and a statement was recorded over a picture that he published in his Facebook profile. ⁵¹	Freedom of expression / Questioning by the police
54. A journalist was arrested - Batticaloa	29th of November	A journalist and member of the Batticaloa Press Club, Gokuladasan has been arrested by the Terrorism Investigation Division (TID) of the police over allegations that he had published pictures of the Liberation Tigers of Tamil Eelam (LTTE) on Facebook. ⁵²	Freedom of expression / Arresting and detained by the police.
55. A journalist was attacked and threatened - Kegalle	30th of November	A journalist was attacked and threatened by a civil person in Devenagala, Mawanella. ⁵³	Freedom of recording / Safety of journalist, Attacks and threats

Incident/Act/District	Date/ Month	Description and Remarks	Category and Nature
56. Sandeshaya was stopped	1st of December	Sandeshaya, a BBC five-minute radio program that had been airing five days a week at 10.00 pm on Sirasa FM radio channel was stopped since December 1, 2020. ⁵⁴	Freedom of broadcasting / Stopping a radio broadcasting
57. Regulating online / Social Media	December	On several occasions, Media Minister Keheliya Rambukwella announced that the government is planning to regulate online / social media. ⁵⁵	Freedom of expression / Regulating online / social media without transparency.
58. Police filed a case against a newspaper - Jaffna	December	Police filed a case under the Prevention of Terrorism Act (PTA) against the Jaffna-based Uthayan newspaper for publishing images and quotes of Velupillai Prabhakaran, leader of LTTE on his birthday, November 26.	Freedom of expression, press / Filing a case by the police.

Reference

- <https://www.tamilguardian.com/content/sri-lankan-police-threaten-family-tamil-guardian-correspondent-arrest-warrant> (Last accessed, 04/02/2021)
- <https://www.inform.lk/wp-content/uploads/2020/02/ROD-january-2020.pdf>, page 07 (Last accessed, 04/02/2021)
- <https://samsn.ifj.org/the-free-media-movement-condemns-the-degrading-treatment-meted-out-for-professional-journalists/>, <https://samsn.ifj.org/sri-lanka-police-refuse-to-file-death-threat-complaint-by-journalist/> (Last accessed, 04/02/2021)
- <http://www.fmmsrilanka.lk/the-law-should-be-enforced-immediately-against-the-assault-of-journalist-free-media-movement/> (Last accessed ,04/02/2021)
- <https://www.inform.lk/wp-content/uploads/2020/02/ROD-january-2020.pdf>, page 07 (Last accessed, 04/02/2021)
- <https://www.tamilguardian.com/content/tamil-journalists-home-wrecked-vandals-intimidation-attempt> (Last accessed, 04/02/2021)
- <https://www.facebook.com/AzzamAmeenSL/photos/a.1549879965318657/2203342193305761/?type=3&theater> (Last accessed, 04/02/2021)
- <https://samsn.ifj.org/sri-lanka-tamil-journalists-receive-death-threats/> (Last accessed, 04/02/2021)
- <https://www.colombotelegraph.com/index.php/gotas-goons-ramp-up-crackdown-on-disloyal-journalists-and-their-sources/> (Last accessed, 04/02/2021)
- <https://samsn.ifj.org/free-media-movement-condemns-the-obstruction-of-the-work-of-journalist/> (Last accessed, 04/02/2021)
- <http://www.themorning.lk/cid-records-statement-from-sunday-observer-journalist/> (Last accessed, 04/02/2021)
- <https://janayugaya.lk/2020/02/18/threats-from-buddhists/> (Last accessed, 04/02/2021)
- Anidda, A weekly Sinhala language newspaper, 23rd of February 2020, Page 01
- <https://www.tamilguardian.com/content/vavuniya-newspaper-director-summoned-sri-lankas-tid-after-covering-un-human-rights-council> (Last accessed, 04/02/2021)
- <https://www.newsfirst.lk/2020/03/17/investigations-underway-to-arrest-40-suspects-for-spreading-fake-news-on-social-media/> (Last accessed, 06/02/2021)
- https://www.lankadeepa.lk/latest_news/මාධ්‍යවේදියෙකුට-මරණ-තර්ජන-එල්ල-කළ-පුද්ගලයෙකුගේ-අඩංගුවට/1-569044 (Last accessed, 05/02/2021)
- http://www.lankadeepa.lk/latest_news/බොරු-තොරතුරු-දැක්වෙද්දී-වරයකුට-මානව/1-569292 (Last accessed, 05/02/2021)
- <https://www.tamilguardian.com/content/tamil-journalist-attacked-kilinochchi-despite-military-enforced-curfew%C2%A0>, (Last accessed 05/02/2021)
- <https://srilankabrief.org/2020/04/sri-lanka-the-truth-about-the-arrest-and-detention-of-ramzy-razeek/> (Last accessed, 06/02/2021)
- [The researcher done a personal interviews with two of victims on 16th of January 2021](#)
- <https://www.inform.lk/wp-content/uploads/2020/02/ROD-january-2020.pdf>, page 21, (Last accessed, 05/02/2021), [The researcher also done a personal interview with one of victims on 20th of January 2021](#)
- Anidda Newspaper, 10th of May 2020
- <http://www.dailynews.lk/2020/05/18/local/218851/probe-hacking-websites> (Last accessed, 06/02/2021)

- 24 <https://samsn.ifj.org/sri-lanka-obstructing-and-intimidating-the-work-of-regional-journalist-bimal-shyaman-is-a-violation-of-media-freedom-free-media-movement/>, <https://samsn.ifj.org/sri-lanka-regional-tv-correspondent-assaulted/> (Last accessed, 04/02/2021)
- 25 <http://www.newswire.lk/2020/06/15/cid-seizes-journalists-laptop/> (Last accessed, 06/02/2021)
- 26 <https://theleader.lk/news/3178-commemoration-of-tamil-journalist-killed-most-of-them-are-intelligence-officers> (Last accessed, 06/02/2021)
- 27 <https://www.tamilguardian.com/content/sri-lanka-blocks-sankathi24-tamil-news-website-press-crackdown-continues> (Last accessed, 06/02/2021)
- 28 <http://www.newswire.lk/2020/06/15/cid-seizes-journalists-laptop/> (Last accessed, 06/02/2021)
- 29 <https://divaina.com/daily/index.php/main-news/44911-2-13-24> (Last accessed, 06/02/2021)
- 30 <https://www.tamilguardian.com/content/sri-lankan-police-summon-tamil-guardians-mullaitivu-correspondent> (Last accessed, 06/02/2021)
- 31 <https://samsn.ifj.org/sri-lanka-police-and-key-murder-suspect-obstruct-photojournalist-outside-court/> (Last accessed, 06/02/2021)
<https://samsn.ifj.org/sri-lanka-we-strongly-condemn-inspector-neomal-rangajeewas-conduct-in-the-court-premises-free-media-movement/> (Last accessed, 06/02/2021)
- 32 <https://www.colombotelegraph.com/index.php/journalist-interrogated-by-cid-about-2017-article-on-lasantha-wickrematunge-murder/> (Last accessed, 06/02/2021)
- 33 <https://samsn.ifj.org/free-media-movement-the-harassment-of-the-journalist-in-matara-is-yet-another-classic-example-of-the-police-misconduct/> (Last accessed, 06/02/2020)
- 34 <https://mawbima.lk/print-more/29939> (Last accessed, 06/02/2021)
- 35 <https://www.tamilguardian.com/content/young-tamil-journalist-attacked-unidentified-men-jaffna> (Last accessed, 06/02/2021)
- 36 https://mawbima.lk/backend/uploads/e_paper/MB-1-16-03-09-2020.pdf, Page 05 (Last accessed, 07/02/2021)
- 37 <https://samsn.ifj.org/sri-lanka-media-associations-are-paying-attention-with-regard-to-the-arrest-of-web-editor-chathuranga-de-silva/>, <https://samsn.ifj.org/sri-lanka-the-arrest-of-lankanewsweb-org-editor-chathuranga-silva-lets-be-vigilant/> (Last accessed, 06/02/2021)
- 38 <https://ceylontoday.lk/news/ngo-gang-berates-mawbima-journalists> (Last accessed, 07/02/2021)
- 39 [Lankadeepa newspaper, 15/09/2020](#)
- 40 <http://www.themorning.lk/cope-meetings-not-open-to-media-in-future/> (Last accessed, 07/02/2021)
- 41 <http://www.jdslanka.org/index.php/news-features/media/966-police-obstruct-tamil-journalists-carrying-out-their-duty-in-northern-sri-lanka> (Last accessed, 07/02/2021)
- 42 [Personal interview by the researcher on 20/12/2020](#)
- 43 <https://samsn.ifj.org/sri-lanka-sand-mafia-attack-journalist/>, <https://samsn.ifj.org/sri-lanka-the-law-should-be-enforced-against-those-who-attacked-the-journalist-in-monaragala-regardless-of-their-status-free-media-movement/> (Last accessed, 07/02/2021)
- 44 <https://mawbima.lk/news-more/71917> (Last accessed, 07/02/2021)
- 45 <http://www.slmmf.org/2020/10/blog-post.html> (Last accessed, 07/02/2020)
- 46 <https://samsn.ifj.org/sri-lanka-the-attacks-on-mullaitivu-journalists-are-disgusting-free-media-movement/>, <https://samsn.ifj.org/sri-lanka-journalists-exposing-timber-smuggling-attacked/> (Last accessed, 07/02/2021)
- 47 <https://mawbima.lk/print-more/34269> (Last accessed, 07/02/2021)
- 48 <https://medialk.com/archives/981> (Last accessed, 07/02/2021)
- 49 <https://www.tamilguardian.com/content/another-tamil-journalist-attacked-jaffna> (Last accessed, 07/02/2021)
- 50 <https://www.tamilguardian.com/content/sri-lankan-police-interrogate-tamil-journalist-reporting-sinhala-settlements-tamil-cattle> (Last accessed, 07/02/2021)
- 51 <http://www.newswire.lk/2020/11/17/jhu-local-councillor-danushka-ramanayake-summoned-by-cid/> (Last accessed, 07/02/2021)
- 52 <https://www.tamilguardian.com/content/tamil-journalist-arrested-sri-lanka-s-terrorism-investigation-division> (Last accessed, 07/02/2021)
- 53 <https://ceylonnews24.com/news/6468/> (Last accessed, 07/02/2021)
- 54 <https://www.fmmsrilanka.lk/shutting-down-the-sandeshaya-radio-broadcast-is-a-matter-of-great-concern/> (Last accessed, 07/02/2021)
- 55 https://economynext.com/new-spore-style-regulatory-framework-for-sri-lanka-websites-activists-concerned-76270/?utm_campaign=EconomyNext%20News&utm_medium=email&utm_source=Revue%20newsletter, <https://www.newsfirst.lk/2020/12/20/sri-lanka-to-register-social-media-users-keheleya/> (Last accessed, 07/02/2021)

Media Freedom in Sri Lanka Annual Report 2020

Free Media Movement



Supported



ISBN 978-624-5909-00-1



9 786245 909001