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This monthly report includes briefs on incidents related to press freedom, follow-up of previous incidents and relevant observations. We have also focused on policy changes relevant to press freedom, and other incidents related to the freedom of expression of journalists and the public. FMM observed 12 incidents related to the violation of the citizens' right to freedom of expression that occurred in June 2021. They are in line with the monitoring scope of FMM. The organisation issued statements on three incidents. Further, a collective of media organisations, including FMM, sent an open letter to the relevant official.

Incidents reported in June 2021

1. Journalist Chamuditha Samarawickrama said that a group was threatening him while a lawyer had lodged two complaints against him
2. The controversial statement of the Deputy Director-General of Health on the assassinated journalists
3. The Criminal Investigation Department (CID) arresting Rajeew Yasiru Kuruvitage of Sri Lanka Information Technology Association for a post published on social media
4. While working, Prasad Muthukudaarachchi, provincial journalist of Hiru TV, was attacked by a police sergeant
5. Police obstructing the mobility of the chairman of Sri Lanka Broadcasting Corporation and treating him in an offensive manner
6. Police headquarters issuing a statement saying that persons who publish false news on social media might be arrested without warrants

7. Federation of Trade Unions of Media Employees urged the government to provide Rs. 5,000 assistance to the provincial journalists who are economically vulnerable due to the pandemic
8. Government introducing free insurance cover for one year for journalists
9. European Union highlighting threats to freedom of expression, press freedom and civic rights by the proposal before EU parliament to reconsider GSP+ concessions provided to Sri Lanka
10. Police questioning the editor of Rata.lk on a news story posted on the website
11. Dialogue on sexual harassment against several female journalists in press organisations
12. Poet Ahnaf Jasim, under arrest for more than a year, was produced before the court and remanded

Table 1: Total number of incidents reported in June 2021

No.	Covered criteria	Number of incidents reported
01	Safety and security	05
02	Legal condition	04
03	Structural conditions	03
	Total	12

Safety & Security of journalists

An environment free from physical and mental hazards is essential for press freedom. Also, people must enjoy freedom of expression through media or any other means without repercussions. In June 2021, we observed incidents of these fundamental freedoms being threatened by external elements and internal conditions. Several female journalists tweeted that they had been sexually harassed in the work environment. A senior public official made a hateful statement against the professional dignity of journalists. He later withdrew it unconditionally and apologised.

Table No. 02 Safety and security of the journalists - 05 incidents in June 2021

No.	Incident	Number of incidents
01	Physical attacks	01
02	Mobility and access to information	01
03	Psychological harassments	03
	Total	05

1. Journalist Chamuditha Samarawickrama said that a group was threatening him while a lawyer had lodged two complaints against him.

Participating in an interview on a YouTube channel on June 5th, famous TV journalist Chamuditha Samarawickrama stated that he had been under threat by a particular group but had not complained

to police due to lack of trust in the police. He said that a letter with details has been kept in the safe custody of one person. (Source: https://www.youtube.com/watch?v=pDm_AuGpuck)

Chamuditha is a producer in Hiru TV and the chief of two YouTube channels. He was a former media director for President Maithripala Sirisena.

The Sri Lanka Young Journalists' Association and FMM sent two letters addressed to the Inspector General of Police (IGP) requesting an investigation of said threat and a guarantee for the security of the journalist.

(Source: 1. <https://www.facebook.com/1283493888/posts/10226148417438603/> 2. [Statement of FMM](#))

On June 08, Police recorded a statement from a representative of Sri Lanka Young Journalists' Association and started an investigation (Source: <https://bit.ly/3w89ygd>). Journalist Chamuditha Samarawickrama later complained to the IGP by email. CID recorded a statement from him on June 09th.

Attorney-at-law Manju Sri Chandrasena said that a lawsuit would be initiated against Chamuditha Samarawickrama for contempt of court in a media criticism made by the journalist regarding the court granting bail to beautician Chandimal Jayasinghe after he was arrested on a charge of organising a party that violated quarantine regulations (Source: <https://bit.ly/3v7QuNM>). The lawyer appeared for Chandimal Jayasinghe in the case. He further said that a complaint would be lodged against Chamuditha Samarawickrama regarding violation of quarantine regulations by not wearing a face mask during a media interview (Source: <https://bit.ly/3v7QuNM>).

2. The controversial statement of the Deputy Director-General of Health on the assassinated journalists.

In a heated dialogue after a press briefing held in the Health Promotion Bureau on June 03rd, Deputy Director-General of Health Services, specialist doctor Samantha Herath, stated that the majority of the journalists assassinated in the past were third-class persons (Source: <https://bit.ly/3uWZVje>).

FMM and other media organisations collectively sent a letter to the relevant official stating that his statement had caused distress among the families of the slain journalists in a context where none of the families of those assassinated journalists had received justice. The collective of media organisations urged the official to apologise (Source: <https://bit.ly/3fXo2tH>).

Ahimsa Wickramatunga, the daughter of assassinated editor Lasantha Wickramatunga, also expressed her views in the media regarding this statement.

Dr. Samantha Herath issued a communique to the media the next day stating that he unconditionally

withdrew his statement while apologising to all parties. He also thanked the media organisations for pointing out the error and sent a reply to the letter of the media organisations.

3. While working, Prasad Muthukudaarachchi, provincial journalist of Hiru TV, was attacked by a police sergeant

A police sergeant attacked provincial journalist Prasad Muthukudaarachchi and his camera while he was covering an incident in a garment factory in Liyanagemulla, Seeduwa.

Prasad is the official correspondent of Hiru TV. He also works freelance for Derana TV, Aruna newspaper and other media.

The incident took place while the journalist was covering a visit of Forest Conservation Department officers to the garment factory to arrest a load of firewood transported illegally. The police sergeant ordered the journalist not to video record. When the journalist did not heed the police order, which was not legal, the said sergeant got down from his vehicle and attacked the journalist and his camera. The recorded footage was aired on the news by Hiru TV.

DIG Deshabandu Thennakoon telephoned Prasad on June 09th and apologised on behalf of the Police Department regarding the incident. Saman Sigera, Senior Superintendent of Police (SSP) Negambo range, requested Prasad to record a statement, and the relevant police sergeant apologised when the journalist visited the police station.

Journalist Prasad Muthukudaarachchi said that there was no other alternative to a settlement due to the present context.

4. Police obstructing the mobility of the chairman of Sri Lanka Broadcasting Corporation and treating him in an offensive manner

While the chairman of Sri Lanka Broadcasting Corporation, Jayampathi Heenkenda was travelling to Kandy, a Chief Inspector of Police stopped him at Kadugannawa and held him in a disrespectful manner. The chairman complained to the Minister of Media regarding this incident, pointing out that he was travelling for his work as a senior media manager of the government while travel restrictions were not relevant to the media. He said that the way he was held was an insult.

He complained that he was held in the rain for

two hours while being accused of violating travel restrictions.

When the Newscenter YouTube channel questioned Minister of Media Keheliya Rambukwella regarding the incident, he said that he could not comment because an independent investigation was underway (Source: <https://bit.ly/3uZWqII>).

Defence sections obstructing the duties of journalists covering quarantine regulations have been observed previously as well.

5. Dialogue on sexual harassment against several female journalists in press organisations

Several local and foreign journalists exposed via Twitter that they had been sexually harassed in press organisations in Sri Lanka. Media Minister Keheliya Rambukwella stated on 22nd June that the incidents could be investigated, but it was not done.

(Source: <https://twitter.com/srilankatweet/status/1407242392609071105?s=24>)

The dialogue started with a tweet by a Sri Lankan female journalist. She said that she was threatened to be raped by a senior journalist of an unnamed media organisation in which she worked between 2017 and 2020, and she felt the shock for a long time.

After this exposure, a US female journalist who was on an internship in an English language Sri

Lankan newspaper four years ago revealed that she had also undergone sexual harassment from a senior journalist of that media organisation. She quoted notes of the time as evidence. She further explained her experience to #MeToo campaign (Source: <https://twitter.com/jordanasophie/status/1406978176975245314?s=24>).

Another female journalist whom the same senior journalist harassed also revealed her experience. And a young social activist and freelance journalist added her experiences of sexual abuse at a television media organisation.

The Sri Lanka Foreign Journalists' Association issued a press statement expressing their support for the victim female journalists and demanding an investigation.

In their letter to the Director-General of Information, the Sri Lanka Young Journalists' Association requested an investigation and measures to push media managers to guarantee the security of female journalists in their media organisations. (Source: <https://bit.ly/3jxLARw>). Progressive Women's Collective also issued a statement regarding the issue (Source: <https://bit.ly/35QpU1K>).

Legal conditions

Four incidents relevant to the legal criterion of press freedom were reported in June. One of the incidents was taking legal actions against civic freedom of expression without proper consideration. Another incident warns of the tendency of applying laws in a way that violates freedom of expression and press freedom. One of the indices of the criteria of legal conditions is respecting the confidentiality of journalists' sources. The fourth is the follow-up of a previous incident.

Table No. 03: Legal conditions - 04 incidents in June 2021

No.	Incident	Number of incidents
01	Taking legal action	02
02	Respecting the confidentiality of sources	01
03	Legal constraints on press freedom	01
	Total	04

1. Criminal Investigation Department (CID) arresting Rajeew Yasiru Kuruvitage of Information Technology

Society of Sri Lanka (ITSSL) for a post published on social media

Rajeew Yasiru Kuruvitage Mathew of Information Technology Association Sri Lanka (ITSSL) was arrested by a team that introduced themselves as CID on 7th June 2021. His mobile phone and laptop were also taken into custody. He was informed that the arrest had been made based on a complaint by the Telecommunication Regulatory Commission (TRC) regarding a statement of the association on the use of WhatsApp.

But the following day(8), the police media spokesman stated that the arrest had been made for false news on a cyberattack at several prominent government websites. (Source: <https://bit.ly/3zdeouL>)

Yasiru was summoned to the CID on June 6th to record a statement on the same incident, and he published a correction on the ITSSL website.

Police reported facts before Colombo Fort Additional Magistrate Rajindra Jayasuriya on 8th June that the suspect had violated articles 6, 10 and 2 of Computer Crimes Act. He was remanded until 9th June and produced before the Chief Magistrate Buddhika Sri Ragala on June 9th (Source: <https://bit.ly/357It0F>)

Lawyers led by Attorney-at-law Thishya Weragoda appeared for the suspect's rights and argued that the Computer Crimes Act had not covered the charges against the suspect. Police requested the suspect be remanded until charges are framed under other laws. But the magistrate rejected the police request and granted the suspect bail.

The Prisons Department opposed the suspect being released until the PCR report is received. The lawyers argued that PCR or quarantine was the decision of the health sectors, and prisons could not remand a person released on bail by a court. They argued it would be a rights violation of a person.

ITSSL and the acts of its chairman are controversial, and it is argued that a single person is posing as an organisation. However, leading media treat the ITSSL [or ITASL] as an organisation in the news (Source- ITSSL on Wikipedia: <https://bit.ly/2TbKHJH>).

2. Police questioning the editor of Rata.lk on a news story posted on the website

Shelton Perera, Director of Karapitiya Teaching Hospital, lodged a complaint at Galle Headquarters Police Station demanding the editor of Rata.lk website, journalist Sajeewa Wijeweera, reveal the

sources of a news report published on the website with the title meaning 'Doctors who avoid Covid-19 duties while appearing as good samaritans'. On June 17th, police recorded a statement from Sajeewa Wijeweera (<https://bit.ly/367EKRY>). The director urged police to probe how the journalist had received an internal document.

Opposing the action, FMM issued a communiqué pointing out that forcing the journalists to expose their news sources was a threat to press freedom and the right to information. The statement further pointed out that the hospital director had deliberately violated section 36 of the Right to Information Act and also section 40, which guarantees the protection of whistleblowers.

The Young Journalists' Association also wrote a letter to IGP Chandana Wickramaratna expressing serious concerns about investigating the information sources of a journalist. The letter highlighted that the action was an obstruction of the journalists' duties as well as a violation of the right to information (Source: <https://bit.ly/3gIr0Bo>).

3. Police headquarters issued a statement saying that the persons who publish false news on social media might be arrested without warrants

On June 08, police headquarters issued a statement emphasising that persons who published false news on social media might be arrested without warrants.

According to the statement, the arrests would be made under the following laws.

- Articles 120, 286, 286 a, 291 a, 291 c, 345, 365 c, 402, 403 and 486 of Penal Code of Sri Lanka
- International Covenant on Civil and Political Rights (ICCPR) Act, No. 56 of 2007
- Section 6 of Sri Lanka Computer Crime Act No 24 of 2007
- Section 3 of Prevention of Terrorism (Temporary Provisions) Act No. 48 of 1979
- Section 2 of Obscene Publications Ordinance No.04 of 1927

Although the police statement says at the outset that the Sri Lanka police respect the freedom of expression of the public and these moves will not suppress the free media, it can be considered an extension of actions the government has taken in recent times to suppress criticism on social media.

The Bar Association of Sri Lanka issuing a statement

on this said, “BASL is deeply concerned that the provisions of the laws mentioned in the circular, could be misused by police officers in order to stifle the freedom of speech and expression which is a fundamental right enshrined in the Constitution. At the time when the country remains under travel restrictions as a result of the Covid-19 pandemic it is essential that the freedom of speech and expression of the people and their right to dissent and disagree are protected.” (Source: <https://bit.ly/2TqShRo>)

Issuing a joint statement, 54 trade unions and 72 social activists urged the government to protect the groups who can be vulnerable due to freedom of expression issues and working during the pandemic. The statement further expressed grave concern over the impact on freedom of expression of the police actions. (Source: <https://bit.ly/3zmtKgs>)

4. Poet Ahnaf Jasim, who was under arrest for more than a year, was produced before a court and remanded

A Tamil language teacher and poet, Ahnaf Jasim, has been detained for over a year on charges including publishing a poetry book allegedly comprising extremist ideas. The Terrorist Investigation Department (TID) detained him under the

detention orders of the Minister of Defense without framing charges and produced him before Colombo No. 08 Magistrate Court on June 12th. His family and his lawyers were not aware of the police action. The magistrate ordered Jasim remanded until June 22.

When he was produced before Colombo Additional Magistrate Chandima Liyanage on June 22, his lawyers complained regarding producing him before the court without informing them. The magistrate ordered the Prisons Department to facilitate Jasim to meet his lawyers.

Case No. B 44230/08/20 against Jasim was summoned before the magistrate court on June 29th, and the magistrate ordered police to submit a report on the evidence against Jasim on July 06th.

Attorney-at-law Sanjaya Wilson Jayasekara, who appeared for Jasim on the 22nd, said that TID had claimed further on June 12th that Jasim had encouraged students towards extremism and his poetry collection ‘Navarasam’ promoted violence. A psychiatric report had also been submitted, the lawyer said.

Structural conditions

Structural conditions are another criterion considered in relation to press freedom. Structural conditions include six potential indices related to the entire media system as well as the environment that guarantees press freedom. Three incidents related to two indices, i.e. ‘active support for press freedom by monitoring groups’ and ‘active support for press freedom by the government’, occurred during June.

Table No. 04: Structural conditions - 03 incidents in June 2021

No.	Incident	Number of Incidents reported
01	Active support for press freedom by monitoring groups	01
02	Active support for press freedom by the government	02
	Total	03

1. European Union highlighting threats to freedom of expression, press freedom and civic rights by the proposal before EU parliament to reconsider GSP+

concessions provided to Sri Lanka

A resolution was passed in the European Union parliament on 10th June 2021, comprehensively

considering the general human rights situation in Sri Lanka, including the freedom of expression and press freedom. The resolution requested the EU to reconsider granting GSP+ concessions to Sri Lanka since the country's human rights record was not satisfactory. 628 of the 683 constituents voted in favour of the resolution at the vote while a mere 15 voted against the resolution (Source: <https://bit.ly/2Tq8SV1>).

The resolution further requested the European Commission and European External Action Service (EEAS) to consider current developments in Sri Lanka when suitability for GSP+ is evaluated. The EU parliament was urged to use GSP+ to pressure Sri Lanka to either abolish or restructure the Prevention of Terrorism Act. According to the resolution, the European Commission and EEAS will evaluate whether a procedure must be commenced to temporarily withdraw the GSP+ and report to the EU parliament.

This resolution is a stern warning signal and pressure on the government, indicating that the country will have to face severe economic consequences unless the government changes its path towards respecting citizens' rights, including freedom of expression.

The results were immediately seen as detainees who had been held many years in prisons under the Prevention of Terrorism Act were released, and poet Ahnaf Jasim, detained for more than a year, was produced before a court.

2. Government introducing free insurance cover for one year for journalists

The government has initiated an accident and health insurance free of charge for one year only. The Ministry of Media called for applications for this insurance scheme from 10th June to 30th June. The deadline was later extended until 20th July.

Journalists who possess an identity card issued by the Ministry of Media are eligible for this insurance scheme.

Security of journalists is a factor that strengthens press freedom. Therefore, initiating this insurance scheme at least for a single year is a good action. However, within the past one and half years amidst the pandemic, many employees of the media industry lost their jobs. The contracts of some employees were not extended. Against this backdrop, the unemployed and freelance journalists may not receive the benefits of this insurance scheme. Government focus is needed on their issues.

3. Federation of Trade Unions of Media Employees urged the government to provide Rs. 5,000 assistance to the provincial journalists who are economically vulnerable due to the pandemic

The Federation of Trade Unions of Media Employees, in a letter to the Prime Minister, demanded that the grant of Rs. 5,000 allowance (provided by the government to people affected by the pandemic) be extended to provincial journalists facing economic difficulties due to the pandemic and other natural disasters like floods and landslides.

The Federation of Trade Unions of Media Employees points out in its letter that the provincial journalists are a group of professionals who do not have a decent salary, allowance, or professional rights. They are always vulnerable, and the situation has worsened with the suspension of publication and sale of newspapers, while reporting on electronic media has become more difficult in the present context. The letter further highlighted that the families of the journalists are facing extreme difficulties.

However, this temporary concession requested amidst a difficult situation is yet to be granted.

Table No. 05: Incidents reported to FMM from January to June 2021

Covered component	January – May 2021	June 2021
Security and safety	19	05
Legal conditions	25	04
Media independence	01	-
Trends of press freedom	01	-
Structural conditions	-	03
Total	46	12

[Media Freedom Rights Monitoring Reports - 2021 January -May](#)

Postscript: FMM recognises press freedom as a human right based on national and international conventions and judgments. Freedoms of thought, conscience, religion and knowing others' opinion are human rights. On that basis, FMM identifies press freedom as a collection of the following ten components: 1) Freedom of thought, 2) Freedom to have opinions, 3) Freedom of expression, 4) Freedom to meet peacefully, 5) Freedom of information, 6) Freedom of audiovisual recording and storing records, 7) Freedom of publication, 8) press freedom, 9) freedom of the electronic media, 10) Freedom of the internet.

These freedoms are inter-connected, and blocking one freedom disturbs enjoying all the other freedoms. FMM also emphasises that misuse of these freedoms in an irresponsible and hateful manner is a wrong practice.

These monthly reports are prepared by FMM based on the study and analysis of information available for the organisation. For this analysis, FMM uses criteria selected through seven internationally recognised elements that cover the ten components mentioned above.

Media Freedom Rights Monitoring Desk Supported by Program on Independent Journalism



Free Media Movement

Convener | Seetha Ranjane +94 77 731 2460 | Secretary | Lasantha De Silva +94 71 166 7938
 Treasurer | Thaha Muzammil +94 77 374 1026
 No 96, Bernard Soysa Mw, Colombo 05. Tel: +94 112368895 Fax: +94 112368895;
 Web: www.fmmsrilanka.lk, www.mediareform.lk
 Email: fmmsrilanka@gmail.com | Facebook: <https://www.facebook.com/fmm.srilanka>
 Twitter: <https://twitter.com/FMMsrilanka> | #FMM25