

2022 December

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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 new incidents related to freedom of speech and expression of people, new laws and the responses from the international community regarding legal reforms and relevant propositions. In December 2022, FMM observed 14 incidents relevant to the scope/ criteria selected by FMM to monitor press freedom. They included seven incidents related to the safety and security of the journalists, five incidents related to the component of legal conditions, one event related to the component of structural conditions and one event under professionalism.

Incidents monitored:

1. Supreme Court called the fundamental rights petition filed on behalf of Ven Galweva Siridhamma Thero
2. Wasantha Mudalige and Ven. Galweva Siridhamma Thero was granted bail by Kaduwela Magistrate Court
3. BMICH cancels a booking for an International Human Rights Day commemoration
4. Supreme Court grants leave to proceed with five fundamental rights petitions regarding attacking the Galle Face protestors
5. A parliamentary petition committee was appointed to investigate the interdiction of Dr. Chamal Sanjeewa
6. Wasantha Mudalige produced before Colombo Magistrate Court

7. Supreme Court grants leave for the fundamental rights petition filed against the interdiction of Dr. Chamal Sanjeeva
8. Social media activist Dilan Senanayaka injured due to an attack by unknown assailants
9. Galle Face protestor Manoj Mudalige was summoned by Criminal Investigation Department for questioning
10. Police recorded a statement from journalist Kanapathipillai Kumanan
11. Social media activist Sashika Disanayaka was summoned by Criminal Investigation Department
12. Journalist Sambasivam Satheeskumar was threatened and disturbed
13. 149 journalists of Lake House resigned
14. Right to Life Human Rights Center launches three report on human rights violations during 2022

Table 1: Total number of incidents reported - 2022 December

Covered criterion	Number of reported incidents
Safety and security	07
Legal conditions	05
Structural Conditions	01
Professionalism	01
Total	14

Safety and security

An environment in which journalists can perform their duties with physical and mental integrity is a basic condition of press freedom. Also, to safeguard press freedom and freedom of expression, people must enjoy freedom of expression through media and any other means without repercussions. Freedom for peaceful meetings, protesting and agitating are also included in the freedom of expression. Six instances of serious violations of these freedoms and one development of a previous incident were reported in December 2022.

Table 2: December 2022: Safety and security of journalists - 07 incidents

Criterion	Number of reported incidents
Assaults	01
Psychological influence	06
Total	07

1. BMICH cancels a booking for an International Human Rights Day commemoration

The program to commemorate International Human Rights Day was jointly organized by civil society organizations and trade unions on December 10. President of the Bar Association of Sri Lanka, President's Counsel Saliya Peiris and Professor Arjuna Parakrama had been invited as guest speakers. The organizers paid the hall rental but on December 8th they were informed of the

decision not to provide the hall. A complaint was lodged before the Human Rights Commission of Sri Lanka. Later this meeting was successfully held at the Sri Lanka Foundation emphasizing the 'right of the people to fight against state repression'.

Sources:

1. <https://www.facebook.com/uduwaragedara>
2. <https://twitter.com/JDSLanka>

2. **A parliamentary petition committee was appointed to investigate the interdiction of Dr. Chamal Sanjeewa**

Dr. Chamal Sanjeewa was interdicted on the allegation that the image of the Ministry of Health had been damaged by the statements he had made regarding malnutrition in the Hambantota district and the shortcomings of the Ministry of Health and the health policies. The Speaker of the Parliament of Sri Lanka decided to appoint a special petition committee to investigate this interdiction.

Source: <https://wedabima.lk/union-news>
3. **Social media influencer Dilan Senanayaka injured due to an attack by unknown assailants**

Dilan Senanayake, who was a leading activist in the Galle Face protest was seriously injured due to an attack with a sharp weapon on December 14th. He had to undergo surgery at the Kalubowila Teaching Hospital. Two masked men came to his private studio on Pagoda Road in Nugegoda and attacked him. The police have failed to identify the criminals. Dilan Senanayake is a voice artist too.

Source: <https://www.youtube.com>
4. **Galle Face protestor Manoj Mudalige was summoned by Criminal Investigation Department for questioning**

On December 15, the officers of the Terrorism Investigation Division questioned Manoj Mudalige for about five hours. He stated that he had been questioned regarding Wasantha Mudalige's and Galwewa Siridhamma Thero's roles related to leading the actions of the struggle, including the invasion of Temple Trees.

Source: <https://www.youtube.com>
5. **Police recorded a statement from journalist Kanapathipillai Kumanan**

Kanapathipillai Kuman, a journalist from the Northern Province, was summoned to the Mullaitivu Assistant Superintendent of Police office on December 29 to record a statement in connection with an investigation into an incident of obstruction of the journalist's duty.

Source: FMM-MFRM Desk
6. **Social media influencer Sashika Disanayaka was summoned to the Criminal Investigation Department for questioning**

On December 20, he was called to the Criminal Investigation Department and went on questioning whether Sirasa Media had any connection with the Galle Face struggle. He further stated that "Apparently, the purpose behind this questioning is to block that media organization".

Source: <https://www.youtube.com>
7. **Journalist Sambasivam Satheeskumar was threatened and disturbed**

Bogawanthalawa Kirkswold Estate Management and the Ceylon Workers' Congress Estate Leader of the Madolsima Plantation Company threatened the journalist while he was reporting an incident of unrest caused by a water problem faced by the residents of the estates. The journalist complained to Bogwantalawa Police Station about the incident on December 30.

Source: FMM-MFRM Desk

Legal conditions

Five incidents under the component of legal conditions related to press freedom were observed during the month of December. They included actions of the security forces against freedom of expression as well as legal interventions that safeguard media freedom.

Table 3: 2022 December: Legal conditions - 05 incidents

Indicator	Number of reported incidents
Legal actions	05
Total	05

1. Supreme Court called the fundamental rights petition filed on behalf of Ven. Galweva Siridhamma Thero

A fundamental rights petition was filed seeking a declaration that the fundamental rights of Ven. Galweva Siridhamma Thero had been violated by the arrest and detention under the Prevention of Terrorism Act. This petition was considered before a Supreme Court bench that comprised justices Buwaneka Aluvihare and Janak de Silva. The case is to be called again on January 22.

Source: <https://www.youtube.com>

2. Wasantha Mudalige and Ven. Galweva Siridhamma Thero were granted bail by Kaduwela Magistrate Court

Wasantha Mudalige and Galweva Siridhamma Thero, the convenors of the Inter-University Student Federation and the Inter-University Buddhist Monks' Federation, were arrested on the allegations of damaging public property during a demonstration. They were produced before Kaduwela Magistrate's Court on 06th of December and granted bail. Galweva Siridhamma Thero was released on bail, but Wasantha Mudalige, who had already been arrested under the Prevention of Terrorism Act, was further detained in connection with another case.

Source: www.ada.lk

3. Supreme Court grants leave to proceed with five fundamental rights petitions regarding attacking the Galle Face protestors

A group of activists, including Lahiru Chanaka, who was seriously injured by the attack against the Galle Face protest on 09 May 2022, filed these petitions. Former Prime Minister Mahinda Rajapaksa, Ministers Namal Rajapaksa, Johnston Fernando, Sanath Nishantha, Inspector General of Police Chandana Wickramaratne, Senior Deputy Inspector General of Police Deshbandu Tennakoon and others were named as respondents. The hearing

of the petition is scheduled for June 22 of 2023.

Source: <https://www.youtube.com>

4. Wasantha Mudalige produced before Colombo Magistrate Court

Wasantha Mudalige, the convener of the Inter-University Students' Federation, who was remanded under the Prevention of Terrorism Act, was produced before Colombo Additional Magistrate Tharanga Mahawatta on December 12. Senior Additional Solicitor General Dileepa Peiris told the court that about sixty per cent of the investigations conducted by the Terrorist Investigation Division had been completed whereas further investigations would be carried out without delay. He further stated that about 8-9 statements of the suspect had been recorded and statements of 1150 people had also been obtained. President's Counsel Saliya Peiris, who appeared for the suspect, pointed out that according to the investigation reports submitted by the prosecution to the court so far, no offence under the Prevention of Terrorism Act had been detected. Therefore, he pointed out that the court had the power to make a decision under the general law.

The suspect was produced before the court again the next day and was remanded until January 17.

Source: <https://www.youtube.com>

5. Supreme Court grants leave for fundamental rights petition filed against the interdiction of Dr. Chamal Sanjeewa

On December 14, the Supreme Court granted leave to proceed with a fundamental rights petition filed by Dr. Chamal Sanjeewa, who had been interdicted due to a statement he made regarding child malnutrition in the Hambanthota district. The petitioner urged the Supreme Court to issue an interim order suspending the interdiction but it was rejected.

Source: <https://island.lk>

Structural conditions

This dimension includes 6 potential indicators that are relevant to the overall structure of the media system. One incident that belongs to the index of 'active support for media freedom by monitoring groups' is included here.

Table 4: 2022 December: Structural conditions - 01 incident

Indicator	Number of reported incidents
Active support for media freedom by monitoring groups	01
Total	01

1. Right to Life Human Rights Center launches three reports on human rights violations during 2022

These reports cover human rights violations related to the Rambukkana police shooting, the attack against the Galle Face protest and the series of retaliatory attacks since the afternoon of May 9. The study presents recommendations also to prevent recurring such incidents. The recommendations include revising the Police Ordinance, conducting investigations by independent commissions

and establishing a mechanism such as a truth commission to document the information and grievances revealed by all investigations. This report was launched at a function held at the Lakshman Kadiragamer Institute in Colombo on December 30.

The relevant report linked here:
<https://www.right2lifelanka.org/publications>

Professionalism

Journalists having a good education, their working conditions, use of international guidelines by journalists and editorials, self-censorship, the autonomy of journalists promoted by trade unions and associations, journalists' understanding of their role, and recognition of the media profession are included under the indicator of professionalism. Among them, one important event was observed under the index of service conditions of the journalists and recognition of the profession. This also applies to the components of structural conditions, diversity and quality of media products.

Table 5: 2022 December: Professionalism - 01 incident

Indicator	Number of reported incidents
Service conditions of the journalists and recognition of the profession	01
Total	01

1. 149 journalists of Lake House resigned

149 employees of the government-owned Lake House (ANCL) resigned under the Voluntary Retirement System (VRS) introduced by the management due to the economic crisis. The management stated that another 100 employees

would voluntarily retire under this system in the coming year. As a whole, media organizations in Sri Lanka are in a difficult situation to run and the worse affected is the print media.

Source: FMM-MFRM Desk

Table 6: Press freedom incidents reported to FMM from January 2022 to December 2022

Covered criterion	January - November 2022		December 2022
	New Incidents	Developments of the previous incidents	
Safety and Security	64	-	07
Legal conditions	100	25	05
Independence of media	06	-	-
Professionalism	07	-	01
Structural conditions	17	01	01
Total	194	26	14

[FMM Press Freedom Reports - from January 2022 from here](#)

Postscript: FMM recognizes press freedom as a human right based on national and international conventions and judgments. Freedoms of thought, conscience, religion and knowing others' opinions are human rights. On that basis, FMM identifies press freedom as a collection of the following ten components. 1) Freedom of thought 2) Freedom of having opinions 3) Freedom of expression 4) Freedom to meet peacefully 5) Freedom for 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 the enjoyment of all other freedoms. Therefore, FMM also emphasizes that misuse of these freedoms in an irresponsible and hateful manner is a wrongful practice.

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

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