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An activist of 'Gotagogama' in Kandy was arrested



Journalist Shanta Wijesuriya was assaulted by a group of police officers



A person who protested and jeered was arrested

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 March 2023, FMM observed 21 incidents relevant to the scope/ criteria selected by FMM to monitor press freedom. They included 10 incidents related to safety and security, seven incidents related to the component of legal conditions and three events related to the component of structural conditions.

## Incidents monitored:

1. Submitting two complaints to the Human Rights Commission regarding the attack on the protest of the National People's Power
2. The Supreme Court issued a restraining order against the Secretary of the Ministry of Finance, preventing him from withholding the money allocated for the election.
3. An activist of 'Gotagogama' in Kandy was arrested by the officers of the Criminal Investigation Department (CID).
4. Manorama Weerasinghe, a social media communicator, was summoned to the Criminal Investigation Department for questioning.
5. Center for Society and Religion (CSR) unveils a research report on the use of tear gas, a key weapon against freedom of expression in Sri Lanka.
6. Dambulla provincial journalist Nimal Jayaratne received death threats over the phone.
7. Police used tear gas and anti-riot police entered the University of Colombo.
8. The police fired tear gas and water cannons at a

- protest held by the University of Colombo Students' Union.
9. A student demonstration in front of Kelaniya University was attacked by police with water cannons and tear gas and six students were arrested.
  10. The court ordered the police to provide a report on the quality of tear gas used during the protests and how they were used.
  11. A social media activist who went to cover a protest was interrupted by a group of journalists from a TV channel.
  12. A group of lawyers handed over two queries to the police headquarters seeking answers about the quality of tear gas and water used by the police to disperse the protests.
  13. Requesting information from the police headquarters under the Right to Information Act regarding the tear gas attacks during the recent public protests.
  14. A social media communicator complained to the Human Rights Commission that he had received death threats due to a video posted on social media.
  15. Parliament discusses the alleged violation of parliamentary privileges by the Televakiya program of Siyatha Television.
  16. A person who protested and jeered against Minister Bandula Gunawardena was arrested and brought to court.
  17. Announcing a voluntary retirement scheme for the employees of the Sri Lanka Rupavahini Corporation.
  18. Dismissal of a petition filed before the Court of Appeal to name Deputy Inspector General (DIG) Deshbandu Tennakoon as a suspect in connection with the attack on 'Gotagogama' and 'Mainagogama' protests
  19. Attorney General files an appeal before the High Court against the release of Wasantha Mudalige
  20. An editor of a website summoned to CID to question news published
  21. Journalist Shantha Wijesuriya was assaulted by a group of police officers while reporting on a protest in Mirihana and three protesters were arrested during the same protest.

**Table 1: Total number of incidents reported - March 2023**

<b>Covered component</b>	<b>Number of reported incidents</b>
Safety and Security	10
Legal conditions	07
Structural conditions	04
<b>Total</b>	<b>21</b>

## **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. Ten instances of violation of these basic freedoms were observed in March. Incidents of illegal use of force by the police against peaceful protests showed an increase, and a tear gas attack on a protest killed one person while many others had to be medically treated. It is a serious situation that a group of soldiers carrying sticks, for which the Army does not officially accept responsibility, is operating against a student protest.**

**Table 2: March 2023: Safety and security of journalists - 10 incidents**

<b>Criterion</b>	<b>Number of reported incidents</b>
Loss of life/ killings	01
Assaults	03
Psychological influence	06
<b>Total</b>	<b>10</b>

1. **Social media communicator Manorama Weerasinghe was summoned by Criminal Investigation Department (CID) for questioning**

Weerasinghe was summoned to the CID on March 7 and questioned regarding a comment made on social media. He was also questioned similarly on a previous occasion as well. The Media Law Forum stood up for the rights of the communicator.

Source: MFRM Desk

2. **Dambulla provincial journalist Nimal Jayaratne received death threats over the phone.**

On March 5th at around 8 p.m., a person posing as a military member threatened to kill the journalist and his family unless he stops reporting an incident of treasure hunting in Dimbulagala. The journalist who recorded the call has complained to the Manampitiya Police about it. Buddhist monks are also involved in the incident of treasure hunting

Source: MFRM Desk

3. **Police used tear gas and anti-riot police entered the University of Colombo.**

On March 7th, the police fired water and tear gas at the protest march which started from the Colombo Lipton Roundabout while moving near the Faculty of Law of the University of Colombo. The students who were engaged in studies in the law faculty were also affected by the tear gas attacks, and an internal security officer of the university lost his life. Controversy occurred over the repeated use of a military group dressed in uniform and carrying wooden sticks and iron rods to suppress the protest. The army spokesman said that the group were not members of the Army. The Federation of University Teachers' Associations strongly protested the police entry into the university and the attack.

Sources: [sinhala.adaderana.lk](http://sinhala.adaderana.lk), [www.youtube.com](http://www.youtube.com)

4. **The police fired tear gas and water cannons at a protest held by the University of Colombo Students' Union.**

A protest was held on March 8 against the attack by the police on the protest held by the Inter-University Students' Federation in Colombo on March 7 and the entry of anti-riot officers into the Faculty of Arts of the University of Colombo. The police fired tear gas and water cannons on it on three occasions and school students and the general public were also affected.

Source: [sinhala.newsfirst.lk](http://sinhala.newsfirst.lk)

5. **A student demonstration in front of Kelaniya University was attacked by police with water cannons and tear gas and six students were arrested.**

A protest was held on the evening of March 8 to protest against the detention of Kalum Mudannayake and Dilshan Harshana, president of the University of Kelaniya University Students' Union. The police used tear gas and water cannons on several occasions and after presenting the six arrested students to the Mahara Magistrate, they were released on a cash bail of Rs. 50,000 each. The case will be called again on July 13.

Sources: [www.youtube.com](http://www.youtube.com)

6. **A social media activist who went to cover a protest was interrupted by a group of journalists from a TV channel.**

Lal Perera, a social media activist who runs the YouTube channel 'Talk with Lal', faced this incident while reporting on a protest held in Colombo Pettah on March 22. A person who introduced himself as a 'journalist with a government media ID', questioned Lal Perera inquiring if he had a media ID. The journalist grabbed Lal's mobile phone, preventing reporting. Later, other

journalists intervened and settled the clash. There is a controversial situation regarding journalist ID cards in Sri Lanka, and there is no requirement to have an ID card to work as a journalist.

Sources: [sinhala.asianmirror.lk](http://sinhala.asianmirror.lk)

7. **A social media communicator complained to the Human Rights Commission that he had received death threats regarding a video posted on social media.**

Shashika Dissanayake, an activist and social media communicator of the 'Galle Face' struggle, submitted this complaint on March 14. He had posted on his Facebook page the footage of the Army carrying sticks that came to disperse the protest held by the Inter-University Student's Federation in Colombo on March 7. After that post, he claimed that there was a plan to abduct him and he had a threat to his life.

Sources: [www.youtube.com](http://www.youtube.com)

8. **CID summoned an editor of a website for questioning regarding a post published on the website**

The editor of ravalanknews.lk website, Nissanka Mayadunne, was summoned to the CID on March 28 and questioned about news published regarding the Defense Secretary, Inspector General of Police and a Prison Commissioner. He stated that he was interrogated for more than 3 ½ hours, where he was asked about how he got the relevant information, but he refused to disclose it.

Source: [www.facebook.com/Newsmedia.lk](http://www.facebook.com/Newsmedia.lk)

9. **Parliament discusses the alleged violation of parliamentary privileges by the Televakiya program of Siyatha Television.**

A heated debate was held in Parliament on March 21 regarding a report on the selection committee appointed by the speaker to look into this matter. The MPs pointed out that the report did not state how the privilege was breached, and the journalist was not allowed to express his views on the allegations. The Attorney General has mentioned in this report that the media has the right to criticize and express opinions, citing the case of Crown Counsel Nadesan, MP Lakshman Kiriella declared. The recommendation to refer the report to the Telecommunications Regulatory Commission and the Attorney General was also heavily criticized.

Source: [www.youtube.com](http://www.youtube.com)

10. **Journalist Shantha Wijesuriya was assaulted by a group of police officers while reporting on a protest in Mirihana and three protesters were arrested during the same protest.**

A complicated situation arose when a large number of police officers used force and tried to disperse the protesters while the activists of the 'Galle Face' struggle were gathering in the Mirihana area for a demonstration. While filming this event, Shantha Wijesuriya was attacked. Activists Anuruddha Bandara, Dhanish Ali and Sudhara were arrested by the police and later released without any charges.

Source: [www.youtube.com](http://www.youtube.com)

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## Legal Conditions

Seven incidents under the component of legal conditions related to press freedom were observed during the month of March. Instances where the police acted against freedom of speech and expression in various ways, as well as the actions taken by the victimized parties in response included. The Supreme Court of Sri Lanka has already recognized that the freedom of expression has been guaranteed by the Constitution. It also includes the right to vote. (Deshapriya - Karunathilaka vs. Election Commissioner and 13 others -1999-1-SLR-157) The order given by the Supreme Court against the government's attempt not to hold local government elections has also been included in this report as it falls within the scope of the freedom of expression.



**Table 3: March 2023: Legal conditions - 07 incidents**

<b>Indicator</b>	<b>Number of reported incidents</b>
Legal actions	07
<b>Total</b>	<b>07</b>

**1. Submitting two complaints to the Human Rights Commission regarding the attack on the protest of the National People’s Power**

On March 02, the National People's Force lodged two complaints to the Human Rights Commission of Sri Lanka regarding the water, tear gas and baton attacks on the protest march held on the afternoon of February 26, injuring 28 people and killing one person.

The complaints have been filed on behalf of Nimal Amarasiri who died in the attack and on behalf of lawyer Sandun Yapa Karunaratne who was attacked there.

Defense Secretary Kamal Gunaratne, Inspector General of Police C.D. Wickramaratne, Senior Deputy Inspector General of Police in charge of Western Province Deshbandu Tennakoon and 20 others have been named as respondents in this attack.

Source: [lankatruth.com](http://lankatruth.com)

**2. The Supreme Court issued a restraining order against the Secretary of the Ministry of Finance, preventing him from withholding the money allocated for the election.**

This order was issued by the panel of a three-judge bench of the Supreme Court comprised of Preethi Padman Surasena, Janak De Silva and Priyantha Fernando, allowing the hearing of a fundamental rights petition submitted by Samagi Jana Balawega General Secretary Ranjith Madduma Bandara.

The Secretary of the Ministry of Finance and the Attorney General on behalf of the President have been named as respondents in the relevant petition. The hearing was scheduled for May 26.

The Supreme Court has recognized that the right to vote is included in the fundamental right of freedom of expression enshrined in the Constitution. (1999-1-SLR-157)

Source: [www.bbc.com](http://www.bbc.com)

**3. An activist of ‘Gotagagama’ in Kandy was arrested by the officers of the Criminal Investigation Department (CID).**

Dhananjaya Rathnayake, a resident of Kandy, was arrested on the afternoon of March 04 by a team of officers from the CID who came from Colombo. He was arrested under charges of curfew violation and disorderly conduct on May 09, 2022 and was released on bail after being produced before the Kandy Magistrate's Court on March 05.

Source: [satahan.blog](http://satahan.blog)

**4. The court ordered the police to provide a report on the quality of tear gas used during the protests and how they were used.**

Colombo Fort Magistrate Thilina Gamage issued the order after taking into account the allegations made by the parties representing a person deceased after the tear gas attacks. The allegation was that the police tear gas caused the death of Nimal Amarasiri, Nivithigala Pradeshiya Sabha candidate of National People's Power who participated in the protest held in Colombo on February 26.

Accordingly, the Director of Public Order and Management Division was ordered to give a report within two weeks regarding those matters, and the report was submitted to the court on March 26. According to the report, the tear gas used in the protest was not expired, and police informed that 26 air bombs and 85 tear gas canisters had been fired that day.

Sources: [vivanews.com](http://vivanews.com), [sinhala.adaderana.lk](http://sinhala.adaderana.lk)

**5. A person who protested and jeered against Minister Bandula Gunawardena was arrested and brought to court.**

A person named R.M.U. Chaminda Darshana was arrested by the police for protesting and jeering Minister Bandula Gunawardena who was attending a religious ceremony in Homagama

Pitipana area on March 25th. He was produced before the Homagama Magistrate's Court on the charges of mocking the minister, disturbing a religious ceremony, and violating the right to worship. The accused has stated before the court that he did not object to a religious event, and that he protested the Ministers for holding ceremonies when the country was in crisis. The case will be called again on the 24th.

Source: [mawratanews.lk](http://mawratanews.lk)

**6. Dismissal of a petition filed before the Court of Appeal to name Deputy Inspector General (DIG) Deshbandu Tennakoon as a suspect in connection with the attack on 'Gotagogama' and 'Mainagogama' protests**

On May 9, 2022, activists of the then-ruling Sri Lanka Podujana Peramuna gathered at the Prime Minister's official residence and attacked the protestors near the Temple Trees and Galle Face. This petition presented by Mr. Ramalingam

Ranjan requests an order to arrest DIG Deshbandu Tennakoon for not taking proper measures to prevent violence. President of the Court of Appeal, Justice Nissanka Bandula Karunaratne and Justice M.A.R. Marikkar considered the petition.

Source: [www.youtube.com](http://www.youtube.com)

**7. Attorney General files an appeal before the High Court against the release of Wasantha Mudalige**

The decision of the Colombo Magistrate to release Wasantha Mudalige, the convener of the Inter-University Students' Federation, who had been remanded for a long time under the Prevention of Terrorism Act, was challenged and requested to be revised by this appeal. This appeal was called on March 27 and the Colombo High Court fixed the hearing again on April 3.

Source: [www.youtube.com](http://www.youtube.com)

## Structural conditions

This dimension includes six potential indicators that are relevant to the overall structure of the media system. Three incidents that belong to the index of 'active support for media freedom by monitoring groups' is included here. The crisis that has arisen regarding the existence of Sri Lanka Rupavahini Corporation, which is a state media, is an important issue under this component. It is covered by the indicators of the existence of different types of media and the presence of public service broadcasting models. It also includes three incidents under the index 'Active Support of Media Freedom by Monitoring Groups'. Tear gas is commonly used against the freedom of expression of Sri Lankan citizens in recent times, and in the last month, many important interventions were made by civil society and the legal fraternity.

**Table 4: March 2023: Structural Conditions - 04 incidents**

<b>Indicator</b>	<b>Number of reported incidents</b>
Existence of different types of media formats/ Presence of public service broadcasting formats	01
Active Support of Media Freedom by Monitoring Groups	03
<b>Total</b>	<b>04</b>

1. Center for Society and Religion (CSR) unveils a research report on the use of tear gas, a key weapon against freedom of expression in Sri Lanka.
3. Requesting information from the police headquarters under the Right to Information Act regarding the tear gas attacks during the recent public protests.

This report, based on research by a group at the Center for Society and Religion, is titled 'Tear Gas, Tears of Twenty Million'. The information obtained through the use of the right to information, the international research information related to this subject and the guidelines of the United Nations have been applied for the research. The report was launched on March 7 at the Center for Society and Religion in Maradana.

Source: [www.bbc.com](http://www.bbc.com)

Representing the Socialist Youth Union, its national committee member, lawyer Shanika De Silva and others submitted these requests for information on March 10. She states that tear gas is considered a prohibited weapon under Article 19 G1 of the Chemical Weapons Convention Act No. 58 of 2007 and legal action is expected to be taken in this regard.

Source: [www.youtube.com](http://www.youtube.com)

2. A group of lawyers handed over two queries to the police headquarters seeking answers about the quality of tear gas and water used by the police to disperse the protests.

“There are serious allegations that the police are using expired tear gas to disperse the protests, and within three days of March, two people have died, one has become critical, and 28 people have received treatment from hospitals,” said Sunil Watagala, a member of this legal team. The group of lawyers expects to take legal action based on the answers to the submitted queries.

Source: MFRM Desk

4. Announcing a voluntary retirement scheme for the employees of the Sri Lanka Rupavahini Corporation.

The announcement issued by the Director General stated that this program is being implemented as the Sri Lanka Rupavahini Corporation, which was run as a state enterprise for 42 years, is facing the challenge of running it as a profitable institution.

Accordingly, two voluntary retirement plans have been set forth and depending on the length of the service, compensation from Rs. 250,000 to 2.5 million is planned to be given.

Source: [ceylonnewsfactory.lk](http://ceylonnewsfactory.lk)

**Table 5: Press freedom: incidents reported to Free Media Movement (FMM) January - March 2023**

Covered component	2023 January - February		2023 March
	New incidents	Developments of the previous incidents	
Safety and Security	04	-	10
Legal conditions	19	02	07
Independence of media	-	-	-
Professionalism	01	-	-
Structural conditions	03	-	04
<b>Total</b>	<b>27</b>	<b>02</b>	<b>21</b>

**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.

Media Freedom Rights Monitoring Desk Supported by Program on Independent Journalism



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