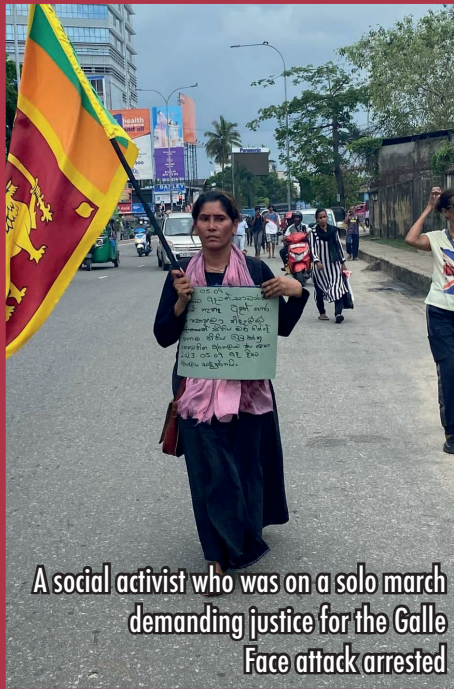


**2023** **May**

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A social activist who was on a solo march demanding justice for the Galle Face attack arrested



A group including a politician attacked social media activist Piyath Nikeshala



comedian Natasha Edrisuriya 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 May 2023, FMM observed 23 incidents relevant to the scope/ criteria selected by FMM to monitor press freedom. They included three incidents related to safety and security, 11 incidents related to the component of legal conditions, eight events related to the component of structural conditions, and one incident related to professionalism.

## Incidents monitored:

- 10 United Nations Special Rapporteurs send a letter to the President of Sri Lanka about the new Anti-Terrorism Act drafted by the government.
- A retired army officer filed a fundamental rights petition against blacklisting for bearing a political opinion
- Seminar held in Colombo on the impact of the Prevention of Terrorism Act and the proposed Anti-Terrorism Act (ATA) on freedom of speech and expression.
- An online seminar on democratic values and the role of the Fourth Estate was held to mark World Press Freedom Day
- Journalists in the North celebrate Press Freedom Day protesting the media crackdown and the proposed Anti-Terrorism Act.
- Case against Journalist Shanmugam Thawaseelan: Notice issued to complainant Military Intelligence Officer.
- The judiciary expresses dismay about making a

- person who gave information to the police a suspect under the ICCPR Act,
8. Police chase away a group of civic activists who attempted to commemorate the anniversary of the attack on the activists who protested at Galle Face.
  9. A social activist who was on a solo march demanding justice for the Galle Face attack arrested
  10. An injunction imposed by the court against social media activist Darshan Handungoda extended
  11. A group including a politician attacked social media activist Piyath Nikeshala.
  12. Hashtag generation facilitates a conversation about the impact of the Anti-Terrorism Act drafted by the government on press freedom and journalists.
  13. A petition by a British woman against the decline of visa was rejected.
  14. Nine people who participated in a protest against the acquisition of land for the construction of a Buddhist temple in the Northern Province were arrested.
  15. An information and cyber security policy statement was launched in Colombo.
  16. Sri Lanka Broadcasting Corporation decides to shut down the regional services.
  17. A voluntary retirement scheme was introduced for the employees of the Sri Lanka Broadcasting Corporation.
  18. Standup comedian Natasha Edirisuriya was arrested on charges of blasphemy during a performance.
  19. YouTube channel chief arrested for publishing Natasha Edirisuriya's video.
  20. The fundamental rights petition filed by Dr. Chamal Sanjeewa was rejected by Supreme Court.
  21. The date fixed for the ruling of the appeal filed by Senior Deputy Inspector General of Police Deshbandu Tennakoon to prevent him from being named as a suspect in two cases.
  22. A group of artists holds a press conference protesting the filing of charges under the ICCPR Act against comedian Natasha Edirisuriya.
  23. Minister Kanchana Wijesekera requests the Speaker to summon a journalist from the Aruna newspaper before the Parliamentary Privileges Committee.

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

<b>Covered component</b>	<b>Number of reported incidents</b>
Safety and Security	03
Legal conditions	11
Professionalism	01
Structural conditions	08
<b>Total</b>	<b>23</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. Many instances of violation of these basic freedoms were observed in May. Many of them are related to legal actions and they are categorized under that component.

**Table 2: May 2023: Safety and security of journalists - 03 incidents**

<b>Covered criterion</b>	<b>Number of reported incidents</b>
Assaults	01
Obstructing	01
Psychological influence	01
<b>Total</b>	<b>03</b>

**01. Police chase away a group of civic activists who attempted to commemorate the anniversary of the attack on the activists who protested at Galle Face.**

When the group was about to hold a protest near the Galle Face, the police removed stated that there was a gazette announcement and a court order that they could not hold the protest there and removed them. When they gathered again in front of Colombo Fort railway station, they were chased away from there too. Later, they held a press conference near the Colombo Public Library.

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

a complaint from the attacker. Maligakanda Acting Magistrate who came to the hospital and examined him, ordered bail of two personal sureties of Rs 2.5 million each. The accused former mayor was also arrested by the police and he was released on bail after being produced in court.

Sources: [youtube.com](https://www.youtube.com), [ravanalankanews.lk](https://ravanalankanews.lk)

**02. A group including a politician attacked social media activist Piyath Nikeshala.**

While social media activist Piyath Nikeshala was traveling in his car on May 10, a group led by former Kaduwela Urban Council Deputy Mayor Chandika Abeyratne stopped the car in the Koswatta area of Battaramulla and launched this attack breaking glasses. The injured social media activist was being treated at the Colombo National Hospital when the police arrested him on

**03. Minister Kanchana Wijesekera requests the Speaker to summon a journalist from the Aruna newspaper before the Parliamentary Privileges Committee.**

The Minister made the relevant request on the grounds that his parliamentary privileges had been violated by a statement made by a Member of Parliament in the Parliament and the publication of that statement in the Aruna newspaper and its website. The statement made by Member of Parliament Chaminda Wijesiri on May 24 was reported by journalist Nilantha Madurawala to Aruna newspaper and its website.

Sources: [truenews.lk](https://truenews.lk), [youtube.com](https://www.youtube.com)

## Legal Conditions

Seven incidents under the component of legal conditions related to press freedom were observed during the month of May. Notably, the police have gone beyond interference and blocking of freedom of speech and expression and moving towards judicial action.

**Table 3: May 2023: Legal conditions - 11 incidents**

<b>Indicator</b>	<b>Number of reported incidents</b>
Legal actions	11
<b>Total</b>	<b>11</b>

**01. A retired Army officer filed a fundamental rights petition against blacklisting for bearing a political opinion**

Retired Air Vice Marshal Sampath Sanjeeva Tuiyacontha filed a Fundamental Rights Petition before the Supreme Court on May 2 requesting to order the Air Force Commander to change the decision to blacklist him for expressing his views in support of the National People's Power.

The Air Force Chief, its Senior Administrative Officer, the Minister of State for Defence, and the Attorney General are named as respondents in the petition.

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

**02. Case against Journalist Shanmugam Thawaseelan: Notice issued to complainant Military Intelligence Officer.**

The case is based on the questioning of a suspect who threatened and filmed journalists covering a protest march held by the relatives of the disappeared in April 2019. It was later revealed that this person was a Navy Intelligence officer, and this case was filed based on a complaint made by him against journalist Thawaseelan. When the case was called on May 4th, the plaintiff Navy officer was not present and the Mullaitivu Magistrate ordered to summon him to the court on September 21st, the next hearing.

Source: [theleader.lk/news](https://theleader.lk/news)

**03. The judiciary expresses dismay about making a person who gave information to the police a suspect under the ICCPR Act,**

A 21-year-old youth named Isadeen Mohammad Sajith was arrested by the police on April 24 after informing the police of a possible attack on Muslim religious places in Akurana. He was remanded after he was presented to the court and when the case was recalled on May 4, the Colombo Chief Magistrate acquitted him of the charges brought under the ICCPR Act and set bail for the rest of the charges. He was remanded for 16 days.

Sources: [thetime.lk](https://thetime.lk), [mawbima.lk](https://mawbima.lk)

**04. A social activist who was on a solo march demanding justice for the Galle Face attack arrested**

Maureen Noor, an activist of the Galle Face struggle in 2022, was arrested by the Maligawatta police on May 9 while walking from Dematagoda to Pettah. She was produced before the Colombo Fort Magistrate on the 10th and released on a bail of one million rupees.

Sources: [youtube.com](https://www.youtube.com), [youtube.com](https://www.youtube.com)

**05. An injunction imposed by the court against social media activist Darshan Handungoda extended**

The Colombo District Court imposed this injunction to prevent the posting of false facts regarding the 'X-press Pearl' compensation case and insulting an Additional Solicitor General of the Attorney General's Department and a senior government lawyer on his YouTube channel. Colombo District Judge Poornima Paranagama ordered the injunction would remain in force until the 10th of May and later extended it until June 24.

Source: [theleader.lk](https://theleader.lk)

**06. A petition by a British woman against the decline of visa was rejected.**

This fundamental rights petition was submitted against the decision of the immigration controller to cancel the visa of Kiley Feeser, who supported the Galle Face struggle while residing in Sri Lanka. The three-judge bench decided to reject the petition without granting leave to proceed. She was also ordered to pay a fee of Rs. 500,000 to the court.

Source: [theleader.lk](https://theleader.lk)

**07. Nine people who participated in a protest against the acquisition of land for the construction of a Buddhist temple in the Northern Province were arrested.**

Palali Police arrested nine ethnic Tamil persons who were protesting under the leadership of MP Selvaraja Kajendran on the 23rd of May, alleging that their land had been acquired by the Army for the construction of a Buddhist temple in Valikamam North of Kankesanthurai.

Source: [tamilguardian.com](https://tamilguardian.com)



**08. Standup comedian Natasha Edirisuriya was arrested on charges of blasphemy during a performance.**

Natasha Edirisuriya was arrested at the Katunayake Airport on May 28th based on complaints made by Buddhist monks and others regarding her performance at a comedy show called Modabhimanya held in Colombo. She was charged under Article 3 of the International Covenant on Civil and Political Rights (ICCPR) and Article 91(a) of the Penal Code.

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

of Health's decision to suspend him due to a statement he made to the media about the malnutrition of children in Suriyawewa. Supreme Court ruled that public officials do not have the legal capacity to disclose information to the media without the approval of the heads of institutions. The verdict was announced by Supreme Court Justice Priyantha Fernando with the concurrence of Justices Bhuvaneka Aluvihare and Preethi Padman Surasena.

Sources: [ft.lk](http://ft.lk), [supremecourt.lk](http://supremecourt.lk)

**09. YouTube channel chief arrested for publishing Natasha Edirisuriya's video.**

Criminal Investigation Department arrested Bruno Diwakara, a social media activist, on May 31 for posting the comedy performance of Natasha Edirisuriya on a YouTube channel. Edirisuriya's content is alleged to contain religious insults. Diwakara was presented to the Colombo Fort Magistrate on June 1st and remanded until June 7th.

Sources: [lankadeepa.lk](http://lankadeepa.lk), [liveat8.lk](http://liveat8.lk)

**11. The date fixed for the ruling of the appeal filed by Senior Deputy Inspector General of Police Deshbandu Tennakoon to prevent him from being named as a suspect in two cases.**

Deputy Inspector General of Police Deshbandu Tennakoon requested cancellation of a letter issued by the Attorney General naming him as a suspect in connection with the attack on the Galle Face activists and a summons issued by Colombo Fort Magistrate to appear before the court as a suspect in the case related to the recovered from the President's House. These petitions were filed before the Court of Appeal and on May 30 Justices Nishshanka Bandula Karunaratne and A. Marikkar fixed the date on June 23 to announce the decision.

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

**10. The fundamental rights petition filed by Dr. Chamal Sanjeewa was rejected by Supreme Court.**

Medical doctor Chamal Sanjeewa filed this fundamental rights petition against the Ministry

## 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 these indices in May.

Table 4: May 2023: Professionalism - 01 incident

Indicator	Number of reported incidents
Use of international guidelines by journalists and editorials	01
<b>Total</b>	<b>01</b>

**01. An information and cyber security policy statement was launched in Colombo.**

This policy statement, compiled by the Sri Lanka Computer Emergency Response Team was launched at a conference held at the Battaramulla Waters Edge Hotel on May 23. Many experts and professionals in the field of information technology

were present on this occasion. State Minister for Technology Kanaka Herath who participated as the chief guest said that a cyber security bill would be passed this year.

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

## Structural conditions

**This component includes six potential indicators that are relevant to the overall structure of the media system. Eight incidents that belong to the index of 'active support for media freedom by monitoring groups' are included here. This includes the response from several parties to the proposed Anti-Terrorism Act, which seriously challenges fundamental rights, including freedom of speech and expression.**

**Table 5: May 2023: Structural Conditions - 08 incidents**

<b>Indicator</b>	<b>Number of reported incidents</b>
Active support for media freedom by monitoring groups	06
Presence of public service broadcasting formats	02
<b>Total</b>	<b>08</b>

**01. 10 United Nations Special Rapporteurs send a letter to the President of Sri Lanka about the new Anti-Terrorism Act drafted by the government.**

This letter points out the possible effects of the proposed Anti-Terrorism Act on the human rights and fundamental freedoms of citizens. It also emphasizes that the anti-terrorism legislation must comply with international human rights laws and obligations. The article has pointed out 5 main points to be taken into consideration.

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

**02. Seminar held in Colombo on the impact of the Prevention of Terrorism Act and the proposed Anti-Terrorism Act (ATA) on freedom of speech and expression.**

Senior Professor Arjuna Parakrama delivered the keynote speech at this conference organized by the Free Media Movement and the Sri Lanka Press Institute on the occasion of 'World Press Freedom Day' on 3rd May. The program included a panel

discussion attended by lawyer Nuwan Bopage, journalist Saroj Pathirana, and Myanmar human rights activist Su Mong Aung. The program included views on press freedom in Myanmar and Sri Lanka.

Source: MFRM Desk, [sinhala.ejournalist.lk](http://sinhala.ejournalist.lk)

**03. An online seminar on democratic values and the role of the Fourth Estate was held to mark World Press Freedom Day.**

The conference was organized jointly by the Sri Lanka Press Institute, the Free Media Movement, and the Sri Lanka Professional Journalists Association and it was held on May 6. Senior Professor Arjuna Parakrama, Editor of Anidda Newspaper K.W. Janaranjana and researcher Vray Calley Balthazar participated as resource persons whereas the program was moderated by Lasanta de Silva, Convener of Free Media Movement.

Source: MFRM Desk

**04. Journalists in the North celebrate Press Freedom Day protesting the media crackdown and the proposed Anti-Terrorism Act.**

The protest was organized in front of the Jaffna Media Club on May 3, and the journalists expressed their views against the ongoing suppression of the media, the lack of justice in crimes against journalists, and the proposed Anti-Terrorism Act.

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

**05. Hashtag generation facilitates a conversation about the impact of the Anti-Terrorism Act drafted by the government on press freedom and journalists.**

Lawyer Hijaz Hezbollah, lawyer Swastika Arulingam, human rights activist Sreen Sarur and social media activist Benislas Tushan participated as guest speakers in this dialogue held on Wednesday, May 10, and Farah Firdaus of Hashtag Generation moderated the conversation held in Tamil.

Source: [facebook.com](https://facebook.com)

**06. Sri Lanka Broadcasting Corporation decides to shut down the regional services.**

The board of directors of the Sri Lanka Broadcasting Corporation has decided to close the regional broadcasting services after May 31. Accordingly, it has been notified through a circular dated 19-05-2023 that the regional radio services of Ruhuna, Rajarata, and Kandurata will be combined with the

Sinhala Swadeshiya Service and the Jaffna regional radio service with the Tamil Swadeshi service.

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

**07. Voluntary retirement scheme was introduced for the employees of the Sri Lanka Broadcasting Corporation.**

It has been proposed to reduce the number of employees of the Sri Lanka Broadcasting Corporation by 50 percent under the program of restructuring loss-making public institutions. Accordingly, a voluntary retiring scheme introduced for this purpose was approved by the Cabinet of Ministers on April 4. It is revealed that 300 employees have expressed their desire to quit under this voluntary retiring scheme.

Sources: [colombotimes.lk](http://colombotimes.lk), [www.deshaya.lk](http://www.deshaya.lk)  
[facebook.com](https://facebook.com)

**08. A group of artists holds a press conference protesting the filing of charges under the ICCPR Act against comedian Natasha Edirisuriya.**

The participants of the press conference criticized the filing of charges under the ICCPR Act against Natasha in spite of the guidelines given by the Human Rights Commission of Sri Lanka. It was emphasized that the freedom of expression will be challenged due to this action.

Sources: [facebook.com](https://facebook.com)

**Table 6: Press freedom: incidents reported to Free Media Movement (FMM) January - May 2023**

Covered component	2023 January - April		2023 May
	New incidents	Developments of the previous incidents	
Safety and Security	18	-	03
Legal conditions	31	03	11
Independence of media	-	-	-
Professionalism	01	-	01
Structural conditions	03	-	08
<b>Total</b>	<b>53</b>	<b>03</b>	<b>23</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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