

**2023** July

Vol. 03 - Issue No. 07



Bail to remanded stand-up comedian  
Natasha Edirisuriya



Tharindu Uduwaragedara was arrested and  
harassed while reporting a protest



Cancellation of a drama show in  
plantation due to influence of  
military and police

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 July 2023, FMM observed 18 incidents relevant to the scope/ criteria selected by FMM to monitor press freedom. They included four incidents related to safety and security, 13 incidents related to the component of legal conditions, one event related to the component of structural conditions, and one incident related to professionalism.

### Incidents monitored:

1. High Court granted bail to remanded stand-up comedian Natasha Edirisuriya.
2. Journalist Tharindu Jayawardena filed a petition in the Court of Appeal demanding to annul a judgment by the Colombo High Court
3. Rajangane Saddhathissa Thero, who had been in remand for making a statement that violates ethnic and religious harmony, was released on bail.
4. Police started an investigation regarding a news story written by journalist Pushpakumara Jayaratne of Kurunegala
5. A research report launched on gender in Sri Lanka media and a discussion held on it
6. Journalist Tharindu Uduwaragedara was arrested and harassed while reporting a protest.
7. The court issued injunctions against 11 activists banning conducting agitations in several places in Colombo.
8. Human Rights Commission of Sri Lanka started an investigation regarding arresting and harassing journalist Tharinud Uduwaragedara.

9. Police used tear gas and water cannons against a protest held to commemorate 40 years of the 1983 Black July.
10. Police and an organized group disturbed a memorialization programme on the 1983 Black July
11. Complaint lodged in Human Rights Commission of Sri Lanka regarding cancellation of a drama show in plantation due to influence of military and police.
12. Ministry of Defense further named Ahnaf Jasim a person connected to terrorism. Jasim is in custody for a long time due to publishing a poetry collection.
13. The employer media company agreed to pay compensation to journalist Kalaiwarshi Kanagaratnam who was removed from service unreasonably.
14. Supreme Court rejected the fundamental rights petitions filed against police inaction to prevent violence on 9 May 2022
15. Journalist Thamseer of Anuradhapura complains about an attempt to assassinate him.
16. Journalist Dinesh Upendra of Kurunegala was assaulted in his office.
17. An activist was injured when police attacked a protest held by the Workers' Struggle Center at Borella.
18. An investigation was started against vocalist Umara Sinhawansa regarding distorting the national anthem.

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

<b>Covered component</b>	<b>Number of reported incidents</b>
Safety and Security	09
Legal conditions	07
Professionalism	01
Structural conditions	01
<b>Total</b>	<b>18</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. Nine instances of violation of these basic freedoms were observed in July. Many of them are related to legal actions and they are categorized under that component.

**Table 2: July 2023: Safety and security of journalists - 09 incidents**

<b>Covered criterion</b>	<b>Number of reported incidents</b>
Assaults	02
Obstructions/ Restricting freedom	02
Psychological and other influences	05
<b>Total</b>	<b>09</b>

**01. Police started an investigation regarding a news story written by journalist Pushpakumara Jayaratne of Kurunegala**

The investigation has been initiated about a complaint by a vehicle owner, whose vehicle was arrested by Wariyapola Police for being illegally assembled, regarding a news story published by the journalist. The journalist states that his reporting is based on clear sources, and conducting such an investigation according to the suspect's complaint is an undue influence.

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

**02. Police used tear gas and water cannons against a protest held to commemorate 40 years of the 1983 Black July.**

On July 23, 1983, the police used tear gas and water cannons to disperse a march organized by the Socialist Youth Union near Colombo Town Hall to mark the 40th anniversary of Black July. The march was planned to proceed from Colombo Hyde Park to Viharamaha Devi Park. The police announced that a demonstration would be disbanded as the organizers had not given 6 hours' notice under Section 78(2) of the Police Ordinance.

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

**03. Police and an organized group disturbed a memorialization programme on the 1983 Black July**

A group of civil and political activists organized a commemoration program for the 1983 Black July under the name of 'North-South Brotherhood' in front of Borella Cemetery on July 23. An organized group interfered with the commemoration, and instead of removing the rowdy crowd, the police tried to disperse the persons who were participating in the commemoration.

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

**04. Complaint lodged in Human Rights Commission of Sri Lanka regarding cancellation of a drama show in plantation due to influence of military and police.**

Drama director Rasaiya Loganathan complained to the Human Rights Commission of Sri Lanka on

July 26 regarding the Army and the Police Special Task Force preventing the showing of the drama 'Layattu Koligal' scheduled to be performed in the evening of July 09 in Kotiyagala, Bogawantalawa. He told the media that the cultural activities related to the plantation are under strict surveillance by the security forces.

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

**05. Ministry of Defense further named Ahnaf Jasim a person connected to terrorism. Jasim was in custody for a long time due to publishing a poetry collection.**

The Extraordinary Gazette No. 2335/16 issued by the Secretary of the Ministry of Defense Kamal Gunaratne on June 8, 2023, has named 301 individuals and 15 organizations as persons connected with terrorism, and the name of Ahnaf Jaseem is also included in it.

Ahnaf's lawyer, Sanjay Wilson Jayasekara, points out in a Twitter message that UNWGAD has declared that his arrest was a violation of human rights, and because of this move by the Secretary of the Ministry of Defense, Ahnaf Jaseem is unable to even find a job. He was arrested on May 16, 2020, and was released on bail by the court after being detained for 579 days.

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

**06. Journalist Thamseer Hamid of Anuradhapura complained to police about an attempt to assassinate him.**

Journalist Thamseer Hamid claims that a group of people threatened him not to report the news about the irregularities in the leasing of business premises during the Anuradhapura Poson Festival, and because he reported the news despite the threat, one of them tried to stab him near Anuradhapura Hospital on July 21. He escaped from the attacker, but later the person threatened to kill him. The suspect's name has also been mentioned in the complaint. An investigation into the incident has been initiated as per the instructions of the Inspector General of Police in charge of the North Central Province.

Source: [si.rata.lk](https://si.rata.lk)

07. **Journalist Dinesh Upendra of Kurunegala was assaulted in his office.**

The attack took place during the questioning of a person who had trespassed and videotaped the journalist's office while a police investigation was being carried out regarding an incident of breaking into the office located on the upper floor of a mall in Kuliypitiya. The journalist received inpatient treatment at Kuliypitiya Teaching Hospital after the assault. The concerned suspect has been arrested and a case has been filed in the Kuliypitiya Magistrate's Court.

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

08. **An activist was injured when police attacked a protest held by the Workers' Struggle Center at Borella.**

On July 28, the police dispersed a protest held by the Workers' Struggle Center at Borella, and an activist named Rashmi Divyanjali sustained an injury on her head and was hospitalized. The protesters alleged that she was injured by a stone thrown from the side of the police. The attack took

place near the Borella Sahaspura housing complex due to the deployment of police and security forces to prevent the protest, which was scheduled to be held near Lipton Roundabout in Colombo against the proposed labour laws and debt optimization of the EPF.

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

09. **An investigation was started against vocalist Umara Sinhawansa regarding distorting the national anthem.**

Vocalist Umara Sinhawansa was accused by various parties of distorting the national anthem during the opening ceremony of the Ceylon Premier League cricket tournament held on July 30 and an investigation was started based on several complaints submitted to the Criminal Investigation Department. Also, a committee was appointed to investigate the matter by the Secretary of the Ministry of Public Administration on the orders of the Prime Minister. Umara Sinhawansa rejected the allegation in a Facebook post.

Sources: [www.wsws.org](http://www.wsws.org), [www.lankadeepa.lk](http://www.lankadeepa.lk)

Legal Conditions

Seven incidents under the component of legal conditions related to press freedom were observed during July. They include judicial actions against freedom of speech and developments in previous cases. The High Court's order granting bail to comedian Natasha Edirisuriya, who was detained under the ICCPR Act, can be considered an important judgment that was widely discussed on the misuse of that Act. Also, the arrest and assault of journalist Tharindu Uduwaragedara and the failure of the police to present any evidence against him before the court, and the positive intervention of the judiciary and the Human Rights Commission of Sri Lanka regarding the safety of the journalist in the relevant incident were particularly observed.

Table 3: July 2023: Legal conditions - 07 incidents

Indicator	Number of reported incidents
Legal actions	07
Total	07

01. **High Court granted bail to remanded stand-up comedian Natasha Edirisuriya.**

On July 5, the High Court considered a bail application submitted on behalf of Natasha Edirisuriya, who was remanded under the ICCPR

Act for insulting Buddhism through a stand-up comedy presentation, and ordered her release on bail.

The judge pointed out that the statement in question cannot be taken as an incitement of



religious hatred and stated that the ICCPR Act is currently being implemented outside of the objectives for which it was introduced.

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

**02. Journalist Tharindu Jayawardena filed a petition in the Court of Appeal demanding to annul a judgment by the Colombo High Court**

The Colombo Fort Magistrate ordered the Criminal Investigation Department to initiate an investigation against journalist Tharindu Jayawardena and others for commenting during a press conference regarding the arrest of stand-up comedian Natasha Edirisuriya. Colombo High Court rejected on July 6th without notice the revision petition sent filed seeking to invalidate the investigation.

This appeal was filed requesting that the order given by the High Court be invalidated.

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

**03. Supreme Court rejected the fundamental rights petitions filed against police inaction to prevent violence on 9 May 2022**

On behalf of the Right to Life Human Rights Center, its Executive Director Philip Dissanayake, filed a fundamental rights petition (SC/FRA/15/23) in connection with the attack on protesters near the Presidential Secretariat and the Prime Minister's official residence on May 9, 2022, claiming police chiefs including DIG Deshbandu Tennakoon had failed to act to prevent violence. The Minister of Defence and the Attorney General were also respondents. The Supreme Court accepted the preliminary objection made by the Attorney General that this case had been filed after the statutory time frame, and dismissed it without hearing it.

Source: [www.aithiya.lk](http://www.aithiya.lk)

**04. Rajangane Saddhathissa Thero, who had been in remand for making a statement that violates ethnic and religious harmony, was released on bail.**

Saddhathissa Thera was arrested on the above charges, on May 28th. After being presented to the court, he was remanded until July 5th and

again until July 12th. When the case was recalled on July 12, the Colombo Fort Magistrate ordered the release of two personal sureties of Rs 500,000 each. Charges were filed against the monk under the ICCPR Act, Computer Crimes Act, and Penal Code and while granting bail, the Magistrate stated that the charges do not fall under the ICCPR Act.

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

**05. Journalist Tharindu Uduwaragedara was arrested and harassed while reporting a protest.**

Journalist Tharindu Uduwaragedara was arrested by the police while reporting on a protest held in Colombo on July 28. Footage of the journalist being harassed and humiliated was circulated in the media. The journalist stated before the court that he was severely beaten while being taken to the Borella police in the police vehicle. On July 29, he was admitted to the National Hospital where the Colombo Chief Magistrate, who examined him, granted him bail. This arrest was strongly condemned by many parties including media organizations. The case was scheduled to be called again on August 31.

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

**06. The court issued injunctions against 11 activists banning conducting agitations in several places in Colombo.**

The Maligakanda Magistrate's Court issued this restraining order against a group of activists including Duminda Nagamuwa, secretary of the Workers' Struggle Center, at the request of the Officer-in-Charge of the Maradana Police station in relation to a protest organized to be held near the Lipton Roundabout on July 28.

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

**07. Human Rights Commission of Sri Lanka started an investigation regarding arresting and harassing journalist Tharinud Uduwaragedara.**

The Human Rights Commission of Sri Lanka announced that information has been called from all parties related to the journalist's arrest and that relevant personnel will be called for investigation. On July 28, while he was in police custody, the officers of the commission's immediate response

team went there and instructed the journalist who was assaulted to be examined by the Judicial Medical Officer, but the police did not implement

the instructions until the next morning.

Source: [www.hrcsl.lk](http://www.hrcsl.lk)

## 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 event was observed under these indices in July.

Table 4: July 2023: Professionalism - 01 incident

Indicator	Number of reported incidents
Service conditions of the journalists	01
<b>Total</b>	<b>01</b>

01. The employer media company agreed to pay compensation to journalist Kalaiwarshi Kanagaratnam who was removed from service unreasonably.

In 2019, journalist Kalaivarshini Kanagaratnam, who worked as the news manager of Athavan Media, filed a complaint against Lyca Mobile

before the Colombo Labor Tribunal against her unfair dismissal. The concerned company agreed to settle the complaint by giving a compensation of Rs. one million to her. Accordingly, the relevant compensation was awarded on July 18.

Source: [si.rata.lk](http://si.rata.lk)

## Structural conditions

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

Table 5: July 2023: Structural Conditions - 01 incidents

Indicator	Number of reported incidents
Active support for media freedom by monitoring groups	01
<b>Total</b>	<b>01</b>

01. A research report launched on gender in Sri Lanka media and a discussion held on it

The research, 'Behind the scenes: A look into the gendered dimensions of Sri Lankan media', carried out by the International Research and Exchange Council (IREX) in collaboration with Hashtag Generation, was launched on July 26 with an online

discussion. Dharini Priscilla, Harini Fernando, consultants on gender and other social issues of IREX and Ramesh Kumar, digital media head of Express Newspapers, participated in the launch of this report. Twelve media institutes participated in the research.

Source: MFRM Desk

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

Covered component	2023 January - June		2023 July
	New incidents	Developments of the previous incidents	
Safety and Security	18	-	09
Legal conditions	45	13	07
Independence of media	-	-	-
Professionalism	04	-	01
Structural conditions	21	-	01
<b>Total</b>	<b>88</b>	<b>13</b>	<b>18</b>

[FMM Press Freedom Reports - 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.

Media Freedom Rights Monitoring Desk Supported by Program on Independent Journalism



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