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2014 Scores

Press Status: Not Free

Press Freedom Score (0 = best, 100 = worst): 76

Legal Environment (0 = best, 30 = worst): 23

Political Environment (0 = best, 40 = worst): 33

Economic Environment (0 = best, 30 = worst): 20

Media freedom remained restricted in Sri Lanka in 2013, with journalists subject to myriad forms of legal harassment and physical intimidation. The constitution provides for freedom of expression, but it and other laws and regulations place significant limits on the exercise of this right. The 1979 Prevention of Terrorism Act contains extremely broad restrictions, such as a prohibition on bringing the government into contempt. The decades-old Official Secrets Act bans reporting on classified information, and those convicted of gathering secret information can be sentenced to up to 14 years in prison. Although no journalists have ever been charged under the law, it is used as a threat. Criminal defamation laws were repealed in 2003, but civil cases, sometimes involving excessively large fines, continued to be brought against press outlets by government officials or political figures. Journalists are also occasionally threatened with contempt-of-court charges or questioned regarding their sources.

There is no enforceable right to information in the constitution or in separate legislation. In fact, the Establishments Code, the formal administrative code governing civil servants, actively discourages access to information even on public-interest grounds. An attempt by the opposition to introduce a right to information bill in Parliament in 2011 was defeated by the governing majority, in violation of its previous campaign promises, and an additional attempt in May 2012 was also stymied by the speaker of Parliament. No further progress on the issue was made in 2013.

The 1973 Press Council Act, which prohibits disclosure of certain fiscal, defense, and security information, was revived in 2009, having not been enforced in more than a decade. The government nominates all seven council members under the act, and violations of its provisions can draw prison terms and other punitive measures. After a slow start, the council, whose purview covers all types of media outlets, began operating and handing down judgments in 2012. In July 2013, a government proposal to introduce a "Code of Media Ethics" containing a number of broad and vaguely worded provisions was criticized by local and international watchdog groups and withdrawn. In 2006, unofficial prepublication censorship on issues of "national security and defense" was imposed by a new Media Center for National Security, which assumed the authority to disseminate all information related to these issues to the media and the public. However, the center was dissolved in December 2013 following a personal scandal involving its director general.

The broadcasting authority is not independent, and licensing decisions sometimes appear to be arbitrary and politically influenced. Under rules imposed in November 2011 regarding licensing for any websites that host news content related to Sri Lanka, only about a third of websites that attempted to register were successful, according to international advocacy watchdog Article 19. In December 2013, authorities announced that due to a lack of frequencies, no new radio or television stations would be licensed. Meanwhile, the Press Complaints Commission of Sri Lanka promotes self-regulation in the independent print and online news media based on a code of professional practice.

Local press freedom advocacy groups, such as the Free Media Movement and the Sri Lanka Journalists' Association, face smear campaigns in state-controlled media, and their staff operate under considerable threat. In October 2013, staff of the International Federation of Journalists, which works to provide support to their local affiliate and other journalists, were detained for several days and questioned extensively regarding their activities in the country.

In response to the greater role of web-based media, the government has stepped up efforts to censor the internet, imposing blocks on access to a number of independent news websites, including some based overseas. A petition challenging this practice was rejected by the Supreme Court in May 2012. Levels of self-censorship in the broader news media are high, with the vast majority of journalists avoiding coverage that is critical of President Mahinda Rajapaksa's family or administration. Journalists also tend to abstain from coverage of the alleged war crimes surrounding the defeat of the Tamil Tiger rebel movement in 2009. Many journalists assume that their phone calls and online communications are monitored.

Journalists throughout Sri Lanka, particularly those who cover human rights or military issues, face regular intimidation and pressure from government officials at all levels. Official rhetoric is markedly hostile toward critical or "unpatriotic" journalists and media outlets, with prominent leaders, including Defense Secretary Gotabhaya Rajapaksa, often making statements that equate any form of criticism with treason. State-controlled media and the Defense Ministry website have been used to smear and threaten individual journalists, activists, and media freedom organizations. Those who appear at international fora such as the UN Human Rights Council or give testimony to visiting UN experts or donor bodies such as the European Union are subject to particular vilification. This pattern occurred in 2013 following the August visit of then UN High Commissioner for Human Rights Navi Pillay, when journalists and human rights defenders who met with her were subjected to harassment. Even foreign journalists such as Callum Macrae, a producer for Britain's Channel 4, have faced similar treatment at the hands of high-level officials.

In addition to verbal and physical attacks from official sources, journalists and press advocacy groups that are perceived as supportive of ethnic Tamil interests have drawn the ire of Sinhalese nationalist vigilante groups. While Tamil journalists no longer face the tight restrictions imposed by the Tamil Tigers, they generally refrain from strident criticism of the government, the military, or progovernment Tamil political factions. Tamil-language outlets such as the *Uthayan* newspaper, based in Jaffna, face regular harassment and operate under considerable duress and threat to their staff. In April 2013, the paper's Jaffna office and printing press were subject to an arson attack by unknown assailants, less than two weeks after the newspaper's Kilinochchi office had also been attacked.

A number of journalists received death threats during 2013, and others were subject to attempted or actual kidnapping and assaults. In February, journalist Faraz Shauketaly of the *Sunday Leader* survived an assassination attempt by unknown assailants, while Mandana Ismail Abeywickrema, an editor at the same paper, fled the country in September after receiving threats. Several dozen journalists and media freedom activists have gone into or remained in exile – one of the highest numbers in the world, according to the Committee to Protect Journalists – leaving the sector without many of its most experienced professionals.

On a number of occasions during the year, reporters attempting to cover sensitive news stories were

physically harassed by police in the course of their work. In August 2013, more than a dozen media workers attempting to cover a violent crackdown by security forces against protesters demonstrating against contaminated water in the town of Weliveriya were harassed and singled out for attack. Reporters continued to encounter difficulties accessing former war zones and internment camps and in covering the resettlement process in the north and east. On several occasions during the year, foreign news teams were prevented from covering stories in the north and east; harassment of outlets that had previously produced negative stories about the conflict was more overt. When Sri Lanka hosted the Commonwealth Heads of Government Meeting in November 2013, both foreign and local journalists faced a number of restrictions on their ability to report freely, including staff from Britain's Channel 4, which had earlier produced a critical documentary entitled "No Fire Zone" regarding alleged war crimes committed by both sides in the civil war.

Past attacks on journalists and media outlets, such as the 2009 murder of Lasantha Wickrematunge, then editor of the *Sunday Leader*, and the January 2010 disappearance of cartoonist Prageeth Eknaligoda, have not been adequately investigated, leading to a climate of complete impunity.

A shrinking number of privately owned newspapers and broadcasters attempt to scrutinize government policies and provide diverse views, but most do not engage in overt criticism or investigative reporting for fear of potential repercussions. Media outlets have also become extremely polarized, shrinking the space for balanced coverage. The Free Media Movement has noted that state-run media – including Sri Lanka's largest newspaper chain, two major television stations, and a radio station – are heavily influenced by the government, citing cases of pressure on editors, several unwarranted dismissals of high-level staff, and biased coverage. In recent years, ownership has grown more concentrated, with many private outlets now held by government officials or their close associates as part of an overall strategy to further tame the press. Business and political interests exercise some control over media content through selective advertising and bribery, and the government's share of the advertising market is expanding. Critical news outlets also face difficulties in attracting private advertising or loans from the major state-owned banks. Those publishing opposition print media occasionally face difficulties in printing and distribution. The *Uthayan* newspaper in particular faced a number of attacks on its production and distribution in 2013. While the government has built a new transmission tower in the north of the country, it has blocked some private stations from using the tower and has also restricted the construction of towers by private companies. Access to the internet and to foreign media has occasionally been restricted.

Approximately 22 percent of the population accessed the internet in 2013, with many residents deterred by the high costs involved, although mobile-phone usage continued to increase rapidly. Web-based media and blogs have taken on a growing role in the overall media environment, with outlets such as *Groundviews* and *Vikalpa* providing news and a range of commentary, even on sensitive stories and events that are barely covered by the mainstream media.

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