

Media freedom in Sri Lanka

Freedom of expression violations in Sri Lanka; Major issues 2009 January – September

Meeting of Subcommittee on Human Rights, EUROPEAN PARLIAMENT

01st October 2009

January 2009

1. MTV/MBC network station attacked

On the night of 2nd January 2009, five petrol bombs were thrown at the MTV/MBC station at Depanama, Pannipitiya. MTV network broadcasts three channels – MTV for English audiences, Sirasa for Sinhala audiences, and Shakthi for Tamil audiences. Shakthi is the main television news source that broadcasts to North and East of Sri Lanka. The MTV.MBC network also operates popular FM radio channels in Sinhala and Tamil. During the early hours of 6th January 2009, an armed gang entered the MTV's main control room and set fire to it. Attackers numbering 20, held security personnel and staff at gunpoint while attempting to destroy the control room. The attackers got away, leaving an unexploded grenade inside the control room.. Pro Government groups have constantly criticised MTV for being anti-patriotic and against the interests of Sri Lanka.

2. Editor Lasantha Wikremathunge killed

Sunday Leader Editor Lasantha Wikramatunge was killed on his way to office, around 10.30 am at Atthidiya, Dehiwala. In his last editorial he said: *"It is well known that I was on two occasions brutally assaulted, while on another my house was sprayed with machine-gun fire. Despite the government's sanctimonious assurances, there was never a serious police inquiry into the perpetrators of these attacks, and the attackers were never apprehended. In all these cases, I have reason to believe the attacks were inspired by the government. When finally I am killed, it will be the government that kills me"*.

In an interview with weekly Lakbima newspaper Minister Keheliya Rambukwela, spokesperson for national security named both Sunday Leader and MBC network as media institutions that didn't heed to government advice on how to report defense related matters.

3. BBC Sinhala service censored

BBC reports on the killing of Sunday Leader editor were censored by the government of Sri Lanka. The BBC Sandeshaya and BBC Thamilosai reports that included comments from colleagues of the slain editor and the politicians of the government and the opposition were blanked out by the Sri

Lanka Broadcasting Corporation (SLBC). In the censored segment of the programme, there were quotes from international organisations and the leader of the opposition blaming the government for not being able to prevent attacks on media. (BBC World Service suspended its FM programming to the Sri Lankan national broadcaster SLBC from Tuesday, February 10 due to deliberate interference of its broadcasts by the Sri Lankan network.)

4. Editor Upali Thennakoon assaulted

Chief editor Upali Tennakoon was assaulted, after stopping his car and breaking windscreens by unknown gang who get away on two motor bikes. He was on his way to work and incident took place close to his office around 6.40 am. Mr. Upali Tennakoon immediately inform the police but according to him "Neither of the places I called had taken any effective measures to arrest my attackers. They had not even informed the Veleriya Police about the incident. Nor had they taken any steps to catch the two fleeing motorcyclists." Mr. Thennakoon left the country for safety reasons and now lives in United States.

February 2009

5. Defense secretary threaten international media

Defence Secretary Gotabaya Rajapaksa warned ambassadors, news agencies and INGOs acting irresponsibly of "**dire consequences** if they attempt to give the LTTE terrorists a second breath of life. They will be chased away (if they try) to give a second wind to the LTTE terrorists at a time the security forces, at heavy cost, are dealing them the final death blow," he said. He said that the German and Swiss ambassadors were behaving irresponsibly. He named, CNN, Al-Jazeera and specially the BBC as media trying to sensationalize civilian hardships by telecasting video clips from LTTE websites.

6. MOD warns media re Official Secrets Act

The Defence Ministry warned that Sri Lanka has an "Official Secrets Act" which requires all public servants to maintain strict reticence over sensitive information that may be used by adverse elements to damage national interests. The Ministry said that it has been observed since recent past that some figures and impotent leaders in political spheres and certain unscrupulous journalists have been making an absurd cry over not providing **military casualty figures** to them. "Unlike the bogus rights activists who cannot find alternative living than to survive on continued sufferings of the others, it is deemed that the politicians should not try to damage the morale and the discipline of troops of their own country," the Defence Ministry said.

7. Journalist killed in Vanni safe Zone

Journalist **Puniyamoorthy Sathiyamoorthy** died from injuries reportedly sustained in an artillery attack by the Sri Lankan Army on February 12. Sathiyamoorthy, a Tamil journalist of long-standing,

contributed news reports and analyses, as well as short stories and poems, to various Tamil newspapers and journals. He lived in Jaffna city in Sri Lanka's north. Sathiyamoorthy was a sympathiser of the cause of a Tamil Eelam – or an independent Tamil homeland in Sri Lanka's north and east. He also was a frequent contributor to media controlled by the Liberation Tigers of Tamil Eelam (LTTE), the principal armed group waging war against the Sri Lankan Government since 1983.

8. Inter-News staff member deported

Jesse Hardman, journalist and a staff member of Inter -news Sri Lanka was deported by SL government citing an **article he contributed to a website in mid 2008**. He has been a radio journalist for a long time and had worked in a number of media institutions before coming to Sri Lanka. The article in question which is said to be critical towards the SL government has been taken off the web. A Sinhala nationalist news paper reported that he was deported because of his anti Sri Lanka propaganda.

9. Editor N. Vithiyatharan questioned by CCD, later abducted

N. Vidhyatharan, chief editor of the Tamil language daily Sudaroli and Jaffna based Uthayan was questioned by Colombo Crime Division (CCD) officers regarding news stories published in the news paper on the **civilian casualties in Vanni** war zone. CID officers came to the newspaper office on 16th Feb 2009 and questioned him for nearly 8 hours from 8.30am to 4.00pm. On 26th February he was abducted by a group including uniformed police men and later found in CCD. CCD told media that they found him assaulted and abandoned near their office. Soon after the abduction in an interview with Australia's SBS TV Defence secretary Mr. Gotabhaya Rajapaksha named Mr. N. Vithiyatharan as a traitor. He was kept in CCD a month and was released only after a Fundamental Rights case against police was filed.

March 2009:

10. Journalism professor Dammika Ganganath abducted

Prof. Dammika Ganganath Dissanayake, former Sri Lanka Rupavahini Corporation (SLRC) chairman and a senior lecturer at the Sri Jayawardenapura University was abducted on 11th March and released the following morning. He told media that two persons had arrived at his house demanding to know whether he was writing a book against the government. The persons who had identified themselves as from the police had then searched the house. He was later asked to accompany them for questioning and was taken in a white van.

11. HR defender Shantha Fernando arrested – still in detention

Mr. Santha Fernando (63) Executive Secretary Commission for Justice and Peace –National Christian Conference (former Secretary APAY, member of IDC , APRRN and NCC Sri Lanka National Board member National YMCA) was taken in to Custody at Colombo International Air Port on 27th March 2009. He was handed over by Terrorist Investigation Division (TID) of Sri Lanka. He was arrested after airport security found some documents related to conflict in Sri Lanka in his hand luggage. According to unconfirmed reports documents he had in his possession were on humanitarian crisis in Vanni, downloaded form the internet. He is still in detention and AG dept says that he will be charged under PTA.

12. Minister labeled Panos as pro terrorist

The government will investigate a group of journalists who had been on a PANOS South Asia project as transpired at the recent sittings of the Parliamentary Select Committee investigating INGOs and NGOs, Government Defence Spokesman Minister Keheliya Rambuwella said. Addressing the weekly briefing at the Media Centre for National Security, he said that the government had enough information about their support to the LTTE. The project promoted separatism in the country, he said adding that the government was fully aware of the details and the persons involved. Panos denied the allegation as baseless.

13. Editor M.I. Rahmahetulla attacked with knives and swords

Editor of the weekend news paper Vaara Ureikal , Mr. M.I. Rahmahetulla was attacked by gang armed with guns, long knives and swords seriously injuring him around 10.45 pm on 1st April 2009. Vaara Uerikal is published in Katthankudi, Batticaloa.. The news paper office is situated at ALS road, New Katthankudi in Batticloa district. Mr. Rahmahetulla was working in his office on tomorrow's newspaper when the attack took place. 5 armed men came in a van and left in the same vehicle after the attacking Mr. Rahmahetulla and damaging the office.. He received serious cut injuries on his face, hands and chest according to his journalist's colleagues.

April 2009

14. Visa restrictions for Journalists

The Immigration and Emigration Department has restricted the issue of visas for 837 persons including foreign media personnel a senior source of the department said. "We were forced to deport certain media personnel and prevent some others from entering the country to protect national interests after finding their reportage was detrimental to Sri Lanka's sovereignty and national integrity and compromised its security. **Any foreign journalist with good intentions and practices balanced reporting however, is welcome in our country,**" Controller of Immigration and Emigration, P.B.Abeykoon said.

May 2009

15. Channel 4 TV crew deported

Reporter Nick Paton Walsh, producer Bessie Du and cameraman Matt Jasper, all of Channel 4 News, were arrested in the eastern city of Trincomalee on May 9 and deported next day. The news team had been reporting independently on the war between government forces and the Liberation Tigers of Tamil Eelam (LTTE).

16. Unnamed journalists named as traitors

Speaking to state controlled ITN TV on 25th May Army Commander General Sarath Fonseka said the media personnel who had been paid by the LTTE to promote its cause would be appropriately dealt with according to the law. He said so in an interview with ITN on 25th May. In answer to a question what he proposed to do in respect of journalists in the pay of the LTTE, as revealed by the two LTTE spokesmen now in custody, General Fonseka said, such people should be considered traitors and brought to book. Inspector General of Police (IGP) Jayantha Wickramaratne claimed on 27th May that several journalists, mostly Sinhalese, were on the payroll of the LTTE and were thickly involved in the insurgency, according to latest investigations. "Although the Police know more details of this treason I do not like to reveal all of them since it might obstruct further investigations. They betrayed the noble profession and not only distorted and misreported against Sri Lanka but also worked for cash and other fringe benefits like fully funded foreign trips. (So far no name list has been published by the government)

17. Media worker abducted & released

On 29th May the family of Tissa Senadeera, a youth who works at a magazine complained to the Polgasovita police their son had disappeared while coming back home from work. Later it came to know that he had been abducted by a white van and kept in a locked room for few hours. He had been released after a man looked like the leader of the group visited and shouted that "this is the one". Tissa Senadeera looked like the journalists Poddala Jayantha it is believed that he was abducted in mistaken identity. Abductors had threatened him not to complain but his parents had already lodged the complaint.

June 2009

18. Senior journalists abducted and assaulted

On 1st of June 2009 around 5.15pm Poddala Jayantha, senior journalist and General Secretary of Sri Lanka Working Journalists Association was abducted by an unknown group in a white van. He was on his way back home from work. Later he was found left on the road side, severely assaulted. He was admitted to ICU of the Colombo general hospital and underwent two operations. He was discharged on 26th June and now lives with his family in their home close to Horana, two hours away from Colombo.

19. Journalist threatened by an editor

On early June journalists Tilak Kodagoda of Ravaya was threatened by Sunday Divaina editor Mr. Gamini Summanasekara. Journalist Kodagoda had published some criticism Mr. Sumansaekra. Angered by the article Mr. Sumanasekera had called Kodagoda at Ravaya news paper phone number and threatened him with death: "I will tell about you to the army commander and get you killed. You better be careful." (Tilak Kodagoda fled the country and now lives in Europe)

20. President's coordinating secretary threaten journalist

On 04th June it was reported that Kumarasiri Hettige, coordination secretary for the president Rajapaksha had threatened a journalists of Neth FM with death. At the weekly press conference of the government Neth FM journalists played the recorded death threat by Mr. Hettige. Mr. Hettige a former journalist himself had said that he will do the same thing to NETH FM journalist that they did to Poddala (Jayantha) and they should know what happened to Lasantha (Wikrematunge).

21. Five journalists under death threat

On 12th June www.aisatribune.com reported that according to an alleged confession of a personal security officer, himself a Naval officer, of a very 'high ranking' Naval officer, five journalists, including the Asian Tribune Colombo Correspondent and Bottom Line newspaper defence columnist, Ruwan Weerakone are reported to be under threat for reportage during war times, well informed intelligence sources revealed. On 12th June 2009 Weerakone made a complaint to the Piliyandala Police, 20 kilo meters South of Colombo (CIB 1354-223 complaint reference) in which had mentioned the name of the very 'high ranking' Naval officer who had issued threats on him and the other four journalists. According to the website Ruwan Weerakone, correspondent for *Asian Tribune* and the *Bottom Line* newspaper, Prasanna Fonseka – formerly of Lake House and currently with *Siyatha* newspaper, Tissa Ravindra from *Rivira* newspaper, Mihiri Fonseka of *Lakbima* and Amal Samantha of the *Rupavahini* Corporation as the five journalists in death list of a very high ranking naval officer.

22. Lawyers withdraw form case filed by defence secretary

On 23rd June 2009 Lawyers for 'The Sunday Leader' withdrew from appearing for a case filed against the newspaper by defence secretary Gotabhaya Rajapaksa. Mount Lavinia district court judge Mohamed Mackie took up the case that alleges articles that appeared in the newspaper, claiming irregularities in the purchase of MiG-27 fighter aircraft, were defamatory of the defence secretary. The petitioner is seeking Rs. 1000 million in damages. After the respondent's lawyers announced their withdrawal from the case, the judge granted a 30 day period for the appointment of new lawyers.

23. Tamil female journalist abducted

On 24th June 2009 Tamil female journalist, Ms Krishni Kandasamy, was abducted by unidentified persons in a white van from Wattala in Colombo division, and was released later in the evening the

same day in Kandy in the central province after being interrogated. She had been working for a leading Tamil daily published from Colombo, Virakesari, for 10 years, according to complaints lodged with the Wattala Police. Ms Krishna said she was also threatened earlier by unidentified persons. Krishna Ifham was working for several years at Express Newspapers Veerakesari as a crime reporter later she joined in 2006 the NGO called PANOS, which also provides a News Service.

24. Jaffna newspapers burned

All the local newspapers of Jaffna that defied publishing an anonymous and defiling notice against the LTTE came under attack by an armed group in the early hours of Thursday. The notice was brought out in the name of 'Tamil Front Protecting the Country' allegedly linked to a paramilitary group operating with Colombo. Thousands of copies of the local newspapers, Valampuri, Uthayan and Thinakkural (Jaffna edition), were burnt down wholesale in huge flames by the armed group allegedly operated by the Sri Lankan military intelligence at Anaippanthi and Kannathiddi junctions at 5:00 a.m. Thursday, while the newspapers were being taken for distribution. The distribution workers were also brutally attacked.

25. Press complains council re-established

The main media organisations in Sri Lanka have urged the government not to re-establish Press Council with powers to fine and imprison print journalists and argued that self-regulation, introduced six years ago, is working. Seven media bodies, headed by the Editors' Guild, have written to President Mahinda Rajapaksa saying media culture should not be based on charging, fining and jailing journalists. The Council was reactivated earlier this month by the government. Staffed with government appointees, it adjudicates complaints against newspapers and has the power to imprison and fine journalists. "Even a cursory glance at Sections 12, 15, 16 and 31 would make one realise the dangers that the democracy of this country would face in the event of full implementation of these sections which remained rather dormant ever since the introduction of the Press Council Act in 1973," it said.

July 2009

26. www.defense.lk attacks lawyers for defending Sunday Leader

Official website of the defense ministry named lawyers who appeared on behalf of the Sunday Leader news paper as traitors by a post published on 10th July 2009 under the heading **Traitors of black courts flock together:** " *The original Defence team had voluntarily resigned from handling the case citing it was against their ethical and moral standing to oppose a national hero like the Secretary of Defence, with whose unwavering commitment and focus Sri Lanka is a free country today. A new team comprising of some who have a history of appearing for and defending LTTE suspects in the*

past, namely Srinath Perera, PC, Upul Jayasuriya, S. Sumanthiran, Attorney-at-Law Viran Corea, Attorney-at-Law instructed by Athula Ranagala, Attorney-at-Law appeared for Leader Publications."

27. Death threats against Uthayan journalists continue

Reporters, employees and agents of Uthayan Tamil daily published in Jaffna continue to be issued with death threats by post despite President Rajapakse's recent assurance that he will not permit anyone to violate the freedom of the press, sources in Jaffna said. Complaints have been lodged by the reporters and agents to their local police stations and Sri Lanka Army (SLA) high officials.

28. Visa denied to AP bureau chief

The Associated Press bureau chief in Sri Lanka, who broke news of private U.N. reports outlining civilian death tolls, was denied permission to remain in the country. The AP's Ravi Nessman left Sri Lanka on Monday the 19th July after the government declined to renew his journalist's visa. The government denied that the decision was related to his reporting on the final throes of Sri Lanka's quarter-century civil war with the Tamil Tiger rebels. The AP reported extensively on the heavy toll the war took on civilians as government forces surged across the rebels' strongholds in the jungles of the north this year.

29. Minister's supporters threatened journalists with death

Revelations about the National Integration Minister Vinayagamoorthy Muralitharan nom de guerre Col Karuna following the publication of the brief of his wife's interview and the background story surrounding his visit to Geneva in the Sri Lanka Guardian received the expected violent response from the Minister. Guardian correspondent in Zurich who undertook the interview with Karuna's wife Mrs Neela Vidayavady Muralitharan from London recently has been threatened by one of Karuna's senior goons. The senior member of the Karuna group by the name of Julian phoned Guardian correspondent Veeman and threatened him that he and his family will be finished off within next few days.

30. Adults only films banned

The government has decided to ban all movies that are labeled 'Adults only' says Minister of Cultural Affairs Mahinda Yapa Abeywardene. The minister further said regulations on programmes and publications that include obscene scenes would be toughened. He said present regulations would be amended to bring in tough laws that would enable severe penalties for offenders.

August 2009

31. Media banned on covering local elections

Sri Lanka government's decided 3rd August not to allow journalists into the northern cities of Vavuniya and Jaffna to cover the first local elections to be held since the defeat of the Tamil Tiger rebels earlier this year. Vavuniya and Jaffna, the cities where local elections were held on 8 August. No one is now

allowed into the cities without permission from the defence ministry. Lakshman Hulugalle, the head of the government's security information centre, said journalists would not be able to visit the two cities and would have to rely on the information provided by the government.

32. HR activist /academic P. Saravanamuttu threatened

The Executive Director of the Centre for Policy Alternatives (CPA), Dr. Paikiasothy Saravanamuttu this morning received an anonymous death threat written in English, posted to his residence. According to the contents of the letter, Dr. Saravanamuttu WILL (emphasis in original) be killed because Sri Lanka stands to be deprived of the European Union's GSP Plus benefits in October, with resultant job losses, due to information supplied by Dr. Saravanamuttu to Ms. Benita Ferrero-Waldner, the EU's Commissioner for External relations. He was detained by the Terrorist Investigation Unit (TID) on 02nd Sep morning at the BIA when he was returning from overseas and held for more than an hour.

33. Journalist abducted (later released)

Cartoonist and writer Prageeth Eknaligoda was abducted by unidentified group on mid night 27th Aug 2009. He was handcuffed, blindfolded and taken to a unknown destination. He was kept their over night and released around 10.30 next mornings. Journalist Prageeth has been a strong critic of Sinhala chauvinism and dictatorial tendencies of present regime.

34. Journalist Tissainayagam sentenced to 20 years of hard labour

Sri Lanka High court no. 01 sentenced journalists J. Tissainayagam for 20 years of hard labour under draconian anti terrorist law, Prevention of Terrorism Act. (PTA). Tissainayagam's sentence is based on a 'confession' that he has refuted and two articles written and published by him in 2006. The judgment also states that the two articles written by Tissainayagam that are the subject of this investigation contain material that causes 'communal disharmony', and this too is considered a basis for his sentence.

September 2009

35. Three Irida Lanka journalists detained under PTA

Three journalists, namely Shalika Wimalasena, Daya Neththasinghe and Ravindra Pushpakumara, attached to the Sinhala weekly '*Lanka*' were arrested on 2nd Sep. by the Deniyaya Police for allegedly entering illegally a land belonging to a sister of President Mahinda Rajapaksa where a bungalow is being built. Irida Lanka editor told press that the journalists we investigating misuse of government resources in building a road to the bungalow. Later Police claimed that they were being questioned on a lot to assassinate the president. All three journalists were released on bail after 4days of questioning.

36. Journalist asked to provide personal details

In a questionnaire sent to all media institutions presidential security division has asked to provide personal details regarding journalists who are covering presidents press briefings. These details include membership and offices held by the media person of any social, religious or political organization, the employment of the media person's parents, the names, employment of his or her siblings and addresses, the name of the spouse, employment and details of children if any have been asked. Also the names of the parents of the spouse, their employment, names of his/her siblings, their employment and addresses have been asked.

37. Media activist named as a traitor

Political and media activist Ruwan Fernandez was named as a traitor by State controlled Sinhala Weekly Silumina on 6th September 2009. In August state advertisers asked www.colombotoday.com to drop Ruwan Fernandez from its board of directors as a precondition for proving a advertisement. Ruwan Ferdinandez is the private secretary of former foreign minister MP Mangala Samaraweera.

38. Top UN official expelled

James Elder, a senior official with the United Nations Childrens Fund (UNICEF), held a visa until July next year to serve in Sri Lanka. He is the first UN official carrying a UN passport with diplomatic status was asked to leave Sri Lanka. Two week's time has been given after he appealed from an order to leave immediately. A UN official said no formal reason had been given for the move by the Sri Lankan government. However, Foreign Office sources, who did not wish to be identified, said the Government was concerned over repeated remarks he had made to the media about Internally Displaced People (IDPs) in particular the conditions of children in camps.

39. Hate speech attack by state media

On 17th September state controlled TV station ITN telecasted a hate attack on HR activist Dr. Saravanamuttu. Last paragraph of the Sinhala language telecast narrative are fellows. " ..while the Paikiasothys have been traveling around the world, frolicking with Tamil ladies in the US and with 'royal' ladies in the country. Our leader carried out the struggle against Prabhakaran while the Pakiasothys were doing their very best to give Prabhakaran some oxygen. If the people of this country knew what Paikiasothy and those like him are doing to block the development of this country as they swim in dollar seas, the paid advertisements that would appear in the newspapers would be very different ones."

40. HR defenders questioned over a statement

Number of HR defenders was questioned by Criminal Investigation department of police over a paid advertisement published in Sri Lankan Newspapers condemning threats received by Dr. P. Saravanamuttu. HR lawyer J.C. Weliamuna, President SAFMA Lakshman Gunasekara, women rights

activist Dr. Sepali Kottegoda were among the persons questioned. DR. Saravanamuttu himself too was questioned 2 and half hours by 12 pages statement was recorded.

41. Family abducted to censor former IDP

Family relatives of British national Gannakumar Tamilvani who were living in Vavunia was abducted by unknown group after she gave an interview to Guardian Newspaper in London. She was detained by Sri Lanka security forces after the end of war in Vavunia internment camp. She was released to British authorities in early September. After returning to London following her release has arrested members of the family that provided lodging to her while she was in Vavuniya. Damilvani has stopped talking to media following this incident.

42. violence increase in run up to Southern PC election

As the Southern Provincial Council election draws closer, election monitors accuse the police of not doing enough to prevent the increasing incidence of pre-poll violence and violations of election laws. The elections monitoring body- Campaign for Free & Fair Elections (CaFFE) has received reports of 24 pre-poll violations and assaults. The majority of the incidents have been reported from Galle, Hambantota and Matara.

End.