MEDIA SAFETY IN SRI LANKA: REPORTING ON THE 2022 ARAGALAYA

STRENGTHENING OF ADVOCACY FOR MEDIA INDEPENDENCE AND PRESS FREEDOM

SRI LANKA WORKING JOURNALISTS ASSOCIATION

A Report commissioned by Sri Lanka Working Journalists Association (SLWJA)
Date of publication: 21 April 2023

Authored by: Rajni Gamage, Harindra B. Dassanayake, and Aparna Hettiarachchi

Table of Contents

Foreword

Sri Lanka Working Journalists Association (SLWJA), incorporated by Parliament Act No. 46 of 1987, is a full member of the International Federation of Journalists. It is registered as a trade union for working journalists with the Commissioner of Labor under Trade Union Registration No. 8528. The Association consists of the membership in the print, electronic and online media in the country.

Sri Lanka Working Journalists Association aims to protect the professional rights of journalists and to advocate for the use of public service media by engaging in journalistic ethical reporting. The Association strongly believes that media freedom is an essential element in building a democratic state and unconditionally advocates for the right of the journalist to pursue their career freely. Sri Lanka Working Journalists Association believes that the media should be governed by the principles of self-regulation and is committed to it. That is why the Association works as a member of the Sri Lanka Press Institute.

Sri Lanka has a long history of people's struggles as well as state attempts to repress freedom of expression. Aragalaya or the mass protests of 2022 was unique by nature and posed new challenges and threats to journalists reporting on them. While reporting on the Aragalaya, journalists had to suffer in many ways. Journalists were mostly attacked by the government's security forces and their human rights were violated.

In this report, several critical issues have been researched. Attacks on journalists while reporting the Aragalaya, the nature of conflicts between the security forces and journalists, the question of media organisations providing proper protection to the journalists, the adequacy of training received by journalists reporting during turbulent conditions, the media ID card, and dynamic conditions faced by the journalists during the Aragalaya are among these.

It is hoped that the recommendations made in this report will serve to increase journalists' safety while working in any conflict situation in Sri Lanka, while contributing to strengthen the professional relationship between the government's security forces and journalists. We hope that the insights derived from this report are found useful by journalists and unions and policymakers in Sri Lanka and elsewhere.

My sincere thanks to the affected journalists and other experts and stakeholders who provided valuable insights, the Executive Committee and the members of Sri Lanka Working Journalists

Association, and the research team, who all contributed towards the success of this report, and IREX which provided the financial support for this study.

<div align="right">
Duminda Sampath

President, SLWJA
</div>

Executive Summary

Sri Lanka's journalists have been reporting in an environment of high socio-political volatility for a long time. Sri Lanka's constitution guarantees the freedom of expression, and journalists play a key role in materialising it. However, in doing so, the safety of media sector employees has been compromised and their working conditions have remained precarious. Since the Aragalaya started in March 2022, the media faced several challenges in relaying accurate and relevant information on it to the citizens.

During the 2022 mass protests incidents of assault and harassment came from the police and security forces, but also other groups, such as pro-government supporters and from some within the protests itself. Other incidents of harassment and surveillance of media, outside the main protest site, by security forces and police were also recorded during this period. These developments are cause for concern, as a free and independent media is essential to a functioning and healthy democracy.

Among the key issues and observations made in this report include, lack of effective legal mechanisms and frameworks, political agendas and biases of media institutions, casualisation of the media profession, discouraging of unionisation within media organisations, safety measures available for journalists from the state are problematic, law enforcement agencies' sensitivity to deal with media and safety of journalists needing to improve, journalists lacking adequate training in media safety, lack of adherence to media ethics and best practices, fragmentation of institutions regulating media, and current institutional reforms potentially further shrinking the freedom of expression.

Key recommendations made in this report include:

- Establishing an independent commission for the protection and promotion of Freedom of Expression in Sri Lanka. This commission should function as the main platform for co-regulation of print, electronic, and social media and the members of such a co-regulatory body should include nominees by all key stakeholders. The functions of such a commission would be, among other things, issuing licences to media stations and registration of news publications, investigating alleged violence against journalists and providing legal protection to affected journalists, including initiating strategic litigation and prosecuting against crimes

against journalists, and providing a mediatory space, and establishing co-governance mechanisms for information regulation.

- Alternatively, an independent mechanism should be set up within the existing institutional framework to introduce checks and balances on the editorial conduct of media outlets.

- Employee contracts within media organisations should be brought in line with the national labour law. Furthermore, journalists' and media workers' trade unions should evolve to respond to the emerging labour trends better. This includes being more flexible and inclusive of freelancer and part-time journalists.

- A Media Safety Fund should be established, alongside a sustainable and transparent financing model. This could include state allocation of funds to a Media Safety Fund and/or passing necessary legislation to tax a portion of media advertising (including on social media platforms), or on turnover of media corporations above a certain threshold. The primary function of the Media Safety Fund is to provide journalists and media workers with insurance, for damages and injuries incurred as occupational hazards.

- Safety training for journalists and media workers, operating in volatile socio-political conditions and fast-evolving digital platforms, should be localised. This can include the Government Information Department or any other industry ID issuing body, mandating short, locally-tailored online courses on media safety and sensitivity training mandatory, in the official national languages, to obtain official media licences.

- Access to personal protective equipment (PPE) for journalists must be encouraged, victims of assault provided adequate and sustainable psychosocial support, and support mentoring systems within and across media organisations, in order to foster a community and shared values on media ethics, safety training, etc.

- Build a knowledge base which documents, analyses, and critiques the challenges and threats faced by journalists and media workers in their professional space, and strengthen existing initiatives of this nature. Such knowledge bases should be built through dialogue and collaboration among multiple stakeholders.

- All relevant stakeholders should take a gender-responsive approach when considering measures to address the safety of journalists and media workers.

- All stakeholders, from policymakers to senior media personnel and media unions, should pursue action plans which are more inclusive and considerate of youth aspirations and vulnerabilities. This includes building citizen resilience, especially of youth, in using social media platforms and other digital tools to counter misinformation, disinformation, and hate speech and to be informed of how to access reliable and trustworthy news and information sources.

- Law enforcement and media sectors should build a mutual understanding of their respective responsibilities and constraints, notably through training, regular dialogue, and the joint development of guidelines for their interaction. Law enforcement training should therefore

have dedicated resources on sensitivity training regarding how to operate with respect to ethno-religious minorities and other vulnerable communities in the operation of their duties.

Introduction

There has rarely been a true consensus, either among practitioners or academics, on the definition of journalism or a journalist. Indeed, the very question whether journalism is a profession or a craft has been heavily debated (Hanitzsch et al 26; Zelizer 16). These borders have only been made blurrier with the advent of social media since the early 2000s that has resulted in an exponential proliferation of "accidental journalists" (Cooper 4) or citizen journalists, misinformation, and disinformation. Nonetheless, public policy making, which this report aims to contribute to, requires substantially steady stakeholder parameters, and in such a context, perhaps the most practical conceptualisation of journalism would be to define a journalist as an individual who has developed a career in the news media industry (Waisbord 8), whether in the traditional media such as television, radio, and newspaper, or digital media. It must be noted, however, that while this may be the most fundamental understanding of who a journalist is, the role of journalism, its occupational ethics, and its relationship with the state and the people vary across the globe.

Journalism is traditionally considered the flagbearer of freedom of expression and information, and as such, the fourth estate of democracy. The ease with which a citizen can access reliable and factual information is vital to uphold transparency and accountability, and by extension public welfare, which are key tenets of a healthy democracy. Therefore, in countries that subscribe to democratic political models, it is often assumed that "the news media are independent of the state" (Hanitzsch et al 25) and that the journalist as an independent, public- spirited verifier of factual information" (Hanitzsch et al 24). However, the political, socio-cultural, legal, and economic landscapes as well as the experiences of journalists vary greatly across the globe, and indeed, as Hanitzsch et al point out, "while few would deny the news media's centrality to democratic processes, journalism has always existed beyond democratic lands" (25). Therefore, the effective understanding of different journalistic cultures and needs around the globe generally, and in Sri Lanka specifically, may require acknowledging that the relationship between the state, media, and the public is one that is fraught with conflicts.

Indeed, in recent years, there has been an increased amount of state regulation of media even in what is usually taken to be Western liberal democracies. For instance, the 2022 annual Press Freedom Report by Reporters Without Borders notes that "in the United States, once considered a

model for press freedom and free speech, press freedom violations are increasing at a troubling rate," a case in point being the political dismissal of several news agency executives in 2020 ("United States"). In 2021, the UK government proposed to revise the Official Secrets Act, which according to local reporters, would "have the effect of deterring sources, editors and reporters" (Campbell), and could make journalists "be treated like spies for reporting on matters of public interest" (Tobitt). Particularly with the increasing popularity and accessibility of social media, and the widespread distrust of AI assisted algorithms, countries around the world are starting to perceive certain social media platforms as a threat to national security, which has resulted in a trend of tighter state control of media. (Trautman; Clausius 275; Liu 47).

The exponentially growing power of transnational big tech companies challenging traditional notions of state sovereignty, and by extension 'national security', has led to a period of policy convergence regarding social media regulation across the board, from the more (Western) liberal constitutional democracies to other governance regimes that usually exercise greater political centralisation and stricter regulation of the freedom of expression. In March 2023, the European Commission enacted the Digital Services Act (DSA) which involves stricter regulation of tech giants (Reuters, 2023). In Asia, countries such as Singapore have already passed an Online Safety Act (ZDNet, 2023), India too has announced laws to regulate social media content (DW, 2022), and Bangladesh's application of its Digital Security Act was recently criticised by the UN Human Rights Chief for its use to arrest, harass and intimidate journalists and human rights defenders and repress critical voices online (OHCHR).

After all, there is an inherent tension between the right to freedom of expression and information, which journalism traditionally attempts to uphold, and other human rights such as the "right to equality, human dignity, privacy, security, national identity" (Shaw 33), especially given that the right to freedom of expression can be abused through hate speech, violation of privacy, and incitement to war and violence. At the same time, these inherent contradictions have been historically (ab)used by governments as a pretext to regulate media and suppress subversive or dissonant voices. Even as the concept of 'national security' has been broadened among critical quarters to move beyond the more traditional notions of defending territorial integrity to include human and environmental security, governments have used the pretext of this broader concept of national security to increase surveillance, silence alternative or opposing narratives from the ground, and prevent collective mobilisation of the people to assert their rights and freedoms. Often, such state interventions in media regulation can take violent forms, particularly in the global south, curtailing press freedom on the one hand, and threatening the safety of journalists on the other. According to a report by Reporters Without Borders, 1,668 media workers have been killed in the last two decades, which implies that an average of 80 journalists have been killed each year ("1,668 Journalists"). Similarly, The Committee to Protect Journalists reports at least 70 cases of missing journalists from 2007 to 2023.

The relationship between the state and media in Sri Lanka and the resulting conditions of media safety are no more promising than what these reports indicate. As a 'developing country' with a long history of violent ethnic, political, and economic turmoil, Sri Lanka encounters conflicting priorities pertaining to media freedom. While Sri Lanka is constitutionally bound to ensure and uphold democratic values such as freedom of expression and information, as a developing nation, the government is also heavily reliant on the support and cooperation of the media for the tasks of 'nation building' and managing public unrest. The outcome of this situation is a persistent clash between the state and news media sector that has resulted in multiple deaths, enforced disappearances, and assaults of journalists throughout history. The most recent episode of this long struggle was manifested in the tension between the government and news media during the Aragalaya, or the People's Struggle of 2022.

The present report focuses on understanding and documenting the challenges to the safety of journalists by analysing the experiences of violence, surveillance, and censorship encountered by journalists reporting on the 2022 People's Struggle, contextualised against the history of media freedom and safety in Sri Lanka. The study, which will be a valuable contribution to the local and international media literature on media safety and reporting during crises, also proposes a set of policy recommendations for relevant state and non-state stakeholders in Sri Lanka on upholding the safety of media in carrying out their professional duties and responsibilities. The issues and state of media safety globally is discussed next.

State of Media Safety in the World

Journalism, particularly investigative and humanitarian journalism, can be a dangerous profession. Safety of journalists is the ability for journalists and media professionals to receive, produce, and share information without facing physical or moral threats.

As providers of information to the public, journalists are expected to investigate and report on volatile and disastrous situations such as wars, communal conflicts, violent protests, environmental disasters, and political scandals, which could put their physical, financial, legal, and cyber safety at risk. The sheer number of safety guidelines and manuals published by international organisations working on media safety for journalists reporting from different contexts such as conflict zones, protests, and natural disasters, serves as proof of safety risks undertaken by journalists.[1] As the key agents of the right to freedom of expression and information, the safety of journalists, particularly from politically motivated violence, is of utmost importance to democratic citizenship, and the gravity of journalistic safety is duly acknowledged by many international human rights organisations such as the Office of the United Nations High Commissioner for Human Rights (OHCHR), Amnesty International, and Human Rights Watch.

International Humanitarian Law and International human rights law are the two broader frameworks that protect the rights of journalists at an international level. International Humanitarian Law specifically protects the rights of journalists reporting during war and armed conflict by pronouncing that journalists on professional assignments in war zones must be treated as civilians and granted the same level of protection, "provided they play no part in the hostilities" ("Protection of Journalists" RSF ref). In comparison, International human rights law (Article 19 of the Universal Declaration of Human Rights and of the International Covenant on Civil and Political Rights), which is a collection of both customary and legally-binding international and regional treaties to promote human rights, protects the right to freedom of expression and opinion and the journalist's right to "seek, receive and impart information and ideas through any media and regardless of frontiers" (United Nations). These mechanisms recognise a free and fair press to

---

[1] Abraji's Security Manual for Covering Street Protests published by Brazilian Association of Investigative Journalism; Physical and Digital Safety: Civil disorder published by Committee to Protect Journalists; How to Safely Cover Riots and Civil Unrest by Dart Center; Tips for Staying Safe while Covering Violent Protests published by International Journalists' Network, How to Protect Yourself while Covering Protests published by Freedom of the Press Foundation, are some examples.

constitute one of the essential foundations of a democratic society and one of the basic conditions for its progress and development.

Domestic regulations and regional accords concerning media freedom and safety often align and comply with the broader framework outlined by these international laws. Global best practices concerning media safety often focus on two main aspects: ensuring protection for journalists by preventing physical, legal, economic, cyber, threats to the safety of journalists; and prosecution of crimes against journalists and thereby eradicating impunity of crimes against journalists (Horsley; United Nations, *A/76/285*). However, in spite of the collective efforts of Non-Government Organizations and Human Rights Organizations, the state of global media safety remains grave. The 2022 annual Press Freedom Report by Reporters Without Borders notes that even in the US, "once considered a model for press freedom and free speech, press freedom violations are increasing at a troubling rate," a case in point being the political dismissal of several news agency executives in 2020 ("United States"). While the safety of media workers is threatened through numerous means, these safety threats can be categorised into three main groups: physical or verbal violence, administrative and legislative harassment, and impunity of crimes against journalists.

Physical and verbal violence against journalists include extreme violations of human rights such as killing, assaulting, abduction, and torture, as well as other forms of violence such as intimidation, cyber bullying, and damaging of journalistic equipment. The killing of Jamal Khashoggi, a Saudi Arabian journalist and editor-in-chief of the newspaper Al-Watan in 2018, the case of Ghanaian investigative journalist Ahmed Hussein- Suale Divela who was shot dead in 2019 while investigating political corruption, the abduction and killing of the Russian journalist Natalia Estemirova in 2009, are some of the serious breaches of media safety that garnered public attention in the recent years. According to the UNESCO Observatory of Killed Journalists, 1, 591 journalists have been killed since 1993, and 11 cases have been reported in the first 4 months of 2023 alone (UNESCO, *Statistics*). What is more, there has been a 50% percent increase in the reported killings in 2022, indicating "the growing fissures in rule of law systems worldwide, and [highlighting] states' failure to fulfil their obligations to protect journalists and prevent and prosecute crimes against them" (UNESCO, "Killings"). In addition to these factors, an alarming global development noted in the 2021 UN Report of the Secretary-General on the Safety of Journalists and the Issue of Impunity (UN, *A/76/285* 13) is the increase in online sexual harassment of female journalists.

Judiciary and administrative harassment is another, and more insidious, threat faced by journalists. These may include political appointments and dismissals, arbitrary withholding or revoking of broadcasting/publishing licences, use of defamation and tax evasion law suits to intimidate and pressurise media institutions, and misappropriation of anti-terrorism and national security laws to silence, intimidate, arrest, and interrogate journalists who question authority. One shocking example in the recent years is the swift enforcement of the National Security Law in Hong Kong to suppress the Anti-Extradition Bill Movement in 2020, which lead to widespread censorship, the

closure of defiant local media institutions such as Apple Daily, and the arresting of several journalists (Lüqiu 11; Chan 464). The Representative on Freedom of the Media of the Organization for Security and Co-operation in Europe (OSCE) notes that "the overuse in many countries of the term 'emergency' through political rhetoric, […] even without formally or legally declaring it" (Horsley 43) is an alarming contemporary phenomenon. Furthermore, the OSCE Guidebook on Safety of Journalists recommends that national security and anti-terrorism laws should be "narrowly defined. They should set clear and predictable limits to authorities' interference and contain sufficient procedural guarantees to prevent abuse" (Horsley 56).

The other debilitating violation of media safety is the prevalence of impunity for crimes committed against journalists, which amounts to the often self-serving failure of governments to "bring redress for abuses against journalists" (Article19) by conducting timely and effective investigations of crimes committed against journalists and/or by amending or abolishing laws and policies that are detrimental towards media safety. According to United Nations' statistics, even though more than 1,200 cases of murdered journalists have been reported between 2006 and 2020, "close to 9 out of 10 cases of these killings [remain] judicially unresolved" (Dondyuk). The right to freedom of expression and the right of access to information are two of the most fundamental rights in any democratic society, and journalists, as information providers who investigate and report on events of public interest, play a central role in the exercising of these rights. Therefore, such rampant acts of impunity for crimes against journalists have devastating effects on civil societies. On the one hand, it absolves the accountability of governments in violating freedom of expression and information, which are basic human rights. On the other, it encourages future abuses of journalists, and subsequently freedom of expression and information. The severity of this crisis is evident in the fact that in 2012, the UN launched a plan of action dedicated entirely to eradicating impunity for crimes against journalists: the 'Plan of Action on the Safety of Journalists and the Issue of Impunity.'

Journalism and Media Safety in Sri Lanka

The Articles 14(1)(a) and 14A(1) of the constitution of Sri Lanka respectively guarantees–subject to certain restrictions–the citizens' right to freedom of expression and information (*The Constitution*). This in turn implies that any act or threat of violence against journalists is in direct violation of constitutional rights of the people. Nonetheless, similar to elsewhere in the world, these laws tend to remain nominal in the context of media safety and journalistic rights. As such, Sri Lanka is challenged with a long history of violence against media as well as judiciary harassment of media workers and impunity for crimes against journalists.

Various organisations monitoring media safety in Sri Lanka, such as Sri Lanka Press Institute (SLPI), Reporters Without Borders, Journalists for Democracy in Sri Lanka, and Committee to Protect Journalists, report between 25 to 44 killings of journalists and media workers between 1990 and 2022 (SLPI 13; Balasundaram 266; "Sri Lanka"; "Introduction: Media Workers Killed in Sri Lanka"; "Sri Lanka Archives"). Other forms of violence include surveillance, cyber bullying, intimidation, abduction, and torture of journalists (Arul and Krishnaswami 17; "Mounting Harassment"; Tissainayagam), as well as attacks on media outlets, for instance, the repeated attacks on the Tamil newspaper Uthayan (Buncombe), and the arson attacks on Siyatha, Sirasa TV, and Leader Publications between 2005 and 2010 (Wickremasekara; Wolfe). Even though the prime suspects of these crimes are often the political elite and the LTTE, since such acts of politically motivated violence are invariably accompanied with impunity, these deaths and attacks are never fully investigated, weakening the media safety even further.

The decade between 2005 and 2015, the 'dark decade' as Reporters Without Borders calls it, is usually considered the worst period of media freedom and safety in the recent history of Sri Lanka. The vast majority of the killings of journalists and attacks on media outlets are reported during this period, which is understandable, given that it coincides with the final phase and the immediate aftermath of the civil war that attracted unprecedented international media attention on matters relating to war crimes and human rights violations in Sri Lanka. Curbing of media freedom, even if through violent means, was part of the government's strategy of "conducting a 'war without witness'" (Balasundaram 266) which would forestall accusations of human rights violations while containing the dissonant voices in the south, the Sinhala-Buddhist electoral base of the government.

However, such patterns of violent physical attacks against journalists have diminished somewhat over the recent years. Indeed, no killings of journalists have been reported since 2015 (SLPI 14). It is evident that while the perpetrators may have got away with murder, assault, and abduction during a time of civil war when the general public was desensitised to violence, such strategies would have an adverse effect on the state's popular mandate now, 14 years after the 'end' of the war.

Nonetheless, a study conducted by SLPI in 2022 indicates that apart from killing of journalists, "the rate of physical attacks and intimidation has not changed significantly over the span of 30 years and accounts for close to 70 percent of the incidents recorded" (15). Other than physical violence, which ranges from assaults and intimidation to damaging of equipment, the most severe and prevalent threats to media safety reported in the recent years are misappropriation of legal provisions against the rights of journalists; interrogation of journalists where they are forced to reveal their sources and ongoing investigations; digital violence, which includes cyber attacks, blocking of news websites, online sexual harassment, social media bans; and impunity of crimes against journalists (SLPI). These factors clearly threaten the physical, emotional, legal, financial, and digital wellbeing of journalists.

One factor that is often overlooked in studies of media safety in Sri Lanka is that violence against journalists generally has racial and gender-based undertones. Female and non-Sinhala-Buddhist journalists make up the group that is most vulnerable to safety threats. The vast majority of the journalists and media workers killed in the past few decades were Tamil and Muslim journalists of the Northern and Eastern parts of the country. Simultaneously, as a 2015 UNESCO report notes, Sri Lanka records one of the highest rates of workplace sexual harassment of female journalists in the Asia and the Pacific region (UNESCO, *Inside the News* 15), which implies that female journalists often combat harassment both inside and outside their workplace. A recent report co-authored by International Women's Media Foundation indicates that 70% of female journalists and media workers around the globe have faced more than one type of harassment–whether online or in person threat, or physical attack–which are often gendered and misogynistic (Ferrier 24). With the advent of social media and the ever increasing demand for online presence of journalists, virtual attacks that "amplify misogyny, sexism, racism, homophobia, religious and other hate speech" (Ferrier 11) have escalated across the globe, and these detrimental effects remain a persistent issue in the Sri Lankan media sector as well.

One of the main enabling factors contributing to the unsafe media environment in Sri Lanka is the prevalence of legal provisions that can be easily misappropriated to curtail, and even criminalise, media freedom. Some of the legal provisions that threaten media freedom and safety in Sri Lanka include, Emergency Regulations, Prevention of Terrorism Act (Nos 48 of 1979, 10 of 1982, and 22 of 1988), International Covenant on Civil and Political Rights Act (No. 56 of 2007), Criminal defamation laws, and Computer Crime Act (No. 24 of 2007). Emergency Regulations refer to a set of regulations that can be imposed upon declaring a state of emergency, a constitutional power that

is invested in the President of Sri Lanka (SLPI 25). Since it was first imposed in 1958 (Subramanian) Sri Lanka has been periodically under Emergency Regulations, most notably during communal riots, civil war, Covid-19 pandemic, and most recently, during the 2022 Aragalaya[2]. These regulations make legal provisions to "give sweeping powers to the police and the armed forces to search and make arrests of 'suspects' without due process safeguards" (Ruwanpathirana), often restricting the freedom and safety of journalists reporting on crisis situations. In addition to Emergency Regulations, the Prevention of Terrorism Act (PTA) and International Covenant on Civil and Political Rights Act, both of which criminalise individuals who "advocate national, racial, or religious hatred that constitute incitement to discrimination, hostility or violence" (Sri Lanka Press Institution), are two notorious legal frameworks that have historically been abused to restrict media freedom and safety. The veteran journalist J. S. Tissainayagam, for instance, was convicted and sentenced to 20 years of rigorous imprisonment under the PTA in 2008 (SLPI 16) while Keerthi Ratnayake, a freelance journalist attached to Lanka-e-News was held in custody for 90 days under the same Act in 2021. In comparison, a study conducted by Democracy Reporting International shows how the Computer Crimes Act and a host of other legal frameworks were misused to suppress freedom of expression and information during the Covid-19 pandemic (6). As SLPI observes, interrogations under various such legal provisions "have become a tool to harass and intimidate journalists, and over the course of years, journalists have learned to practise self-censorship in order to avoid being subjected to such interrogations" (15).

Another factor affecting the media freedom and safety in Sri Lanka is the political influences over media ownership, i.e., the rampant conflicts of interest between the state/political parties and media institutions, which engenders a biased and partisan journalistic culture on the one hand, and threatens the financial security of journalists on the other. The state plays a central role in both the ownership and regulation of media in Sri Lanka. The 2022 country report by Reporters Without Borders states that the media landscape in Sri Lanka is "dominated by State Owned media outlets managed by the Ministry of Mass Media" ("Sri Lanka"). However, while it is true that the "the state remains a numerically large player" ("State-Owned Media") in Sri Lankan media, a survey conducted by Kantar LMRB in 2017 on Sri Lankan media industry across print, television, and radio sectors indicates that the audience reach of the government owned media remains at 16.9%, 4.8%, and 9.8% in television, radio, and print media respectively ("Indicators"). However, this is not to say that the political landscape of media ownership in Sri Lanka is not problematic. On the one hand, the licensing and regulating of television, radio, and print media are directly managed by the state through various institutions under the purview of Ministry of Mass Media, Ministry of

---

[2] The former president Gotabaya Rajapakse declared State Emergency and imposed Emergency Regulations on 06 May 2022 (Amnesty International) while the then Acting President Ranil Wickremesinghe did the same on 18th July 2022 (Subramanian). Two of the organised attacks on the protesters, incidentally, occurred mere days following these impositions: 09 May and 22 July 2022.

Defense, and the Telecommunications Regulatory Commission, which creates a serious conflict of interest where the government is both the regulator and a major owner of media ("State-Owned Media"). On the other hand, a vast majority of the owners of media institutions are known to have clear political affiliations.

Sri Lankan legislature makes no legal provisions to eliminate conflicts of interest between media ownership and political affiliation, which makes strong political affiliations of media owners a common phenomenon. For instance, Varuni Amunugama Fernando, the joint owner of Power House Limited (Derana Group of companies) that claims 19.5% of market share in television and 14.3% in radio, is the daughter of Sarath Amunugama who was a member of the parliament for the UPFA ("Indicators"). Ranjith Wijewardena, the chairman of Wijeya Newspapers, which claims 47% of readership in print media, is the uncle of Ranil Wickremesinghe, the incumbent president, and the father of Ruwan Wijewardena, the Deputy Leader of the UNP ("Indicators"). According to the Media Ownership Monitor Sri Lanka 2018, the highest risk in political biases is in print media "where the owners with political affiliations have 79.4% of readership share. In television media owners with known political affiliations have an audience of 54.8%" ("Indicators"). This situation has made the media culture in Sri Lanka highly partisan and politically biased, leading to public distrust in media, which heightens the safety risks faced by frontline journalists reporting on politically volatile events.

Casualisation of labour in the media industry is another major threat to media safety, particularly in the contexts of journalists' financial stability, job security, safety training, and insurance. The reorganisation of labour in media workplaces is a phenomenon observed in many parts of the world. In Australia, the employment in the printing sector has shrunk by 30% compared to 2007 (Stanford 23). At the same time, one third of media workers in Australia were part-time employees while 15% were self employed by 2021 (Stanford 24). In the European Union, self-employed and part-time workers made up 21.4% of the audio-visual sector in 2010 (International Labour Organisation 17).

Such reconfigurations of labour are often attributed to the increasing digitalisation of media production and the increasing accessibility of technology and information, which, on the one hand creates a redundancy of jobs related to printing, broadcasting, and video/audio production, and on the other, cuts into the profit margins of traditional media industries. The safety threat that this poses to media workers is multifold. The part-time and freelance workers are typically denied the basic safety network granted to a full-time media employee, including insurance coverage, safety equipment, technological support, labour rights, as well as training in media safety and ethics. At the same time, their income tends to be highly volatile which threatens their job security. It is apparent that the issue of casualisation of labour is prevalent in the Sri Lankan media industry as well, since the same concerns were raised by many Sri Lankan journalists and media experts interviewed in the course of the study.

Yet another important factor affecting the safety of journalists is the latent ethnic biases within the journalistic community itself. The majority of victims of crimes against journalists are Tamil and Muslim media workers in the Northern and Eastern parts of the country. For instance, among the 44 journalists that Journalists for Democracy in Sri Lanka reports as being killed between 2004 and 2010, 38 are Tamil and Muslim media workers. Yet, the most publicised cases are the ones relating to Colombo based Sinhala victims such as Lasantha Wickrematunge, the founder of the Sunday Leader newspaper who was shot dead in 2009, or Prageeth Eknaligoda, the LankaeNews correspondent who is reported missing for the last 13 years.

Senthan Selvarajah, commenting on the partisan nature of Sri Lankan journalism, observes that while "ethnicity, language, ownership and political party affiliation" (142) are the four main biases observed among Sri Lankan journalists, "belonging to a particular 'ethnicity' has been a dominant and driving force superseding and underpinning all the other three factors" (142). He ventures further to argue that this ethnic bias was one of the key reasons why journalistic practices worked to intensify rather than resolve the ethnic conflict during the SL civil war. The same observation, perhaps, is applicable to the question of media safety as well, where the inherent ethnic biases within the journalistic community may prevent them from working as a united front in combating violence against media.

Observing the patterns of violence and crimes against media as well as the underlying factors enabling this hostile media landscape, it is apparent that multiple stakeholders are responsible for the threats to media safety and Sri Lanka. The executive, legislative, and judiciary branches of the government, media ownership, and the journalistic community are accountable, albeit at varying degrees, to the state of media safety in the country.

Reporting in Times of Mass Unrest

The dynamics of state violence against journalists analysed in this report needs to be contextualised against a broader trajectory of state violence in Sri Lanka. British rule in Ceylon had been largely consolidated through colonial forces repressing native dissent and imposing martial law. Many of these emergency powers were used to break union strikes in the early 20th century (Minattur). This is important, as colonial legacies of deploying state security forces and emergency laws to consolidate rule have continued into the post-independence context. The first attempts to regulate the press are also recorded as during colonial rule, under "The Penal Code Ordinance of 1883" (Weerackody).

Post-independence, the state's response to the attempted coup in 1962 by senior army officers and the 1971 youth-led JVP uprising are significant, because the military thereafter took on more responsibilities befitting a professional outfit, rather than largely performing a ceremonial role (De Silva, 200). In the 1980s, the armed forces grew exponentially, mainly in response to Tamil separatist groups, i.e., the ethnic conflict, but also to manage the second JVP uprising during 1987-89. During this period, state-backed paramilitary units lacking legal or institutional backing also proliferated (Uyangoda & Bastian). This extra-parliamentary, extra-judicial aspect to state violence is important in order to understand the complex nature of challenges the media faces at present. It was also during this period that draconian laws such as the Prevention of Terrorism Act of 1978 (PTA) were passed. The impact on media safety in Sri Lanka as a result of the PTA was already delineated in the previous section.

It is important to contextualise threats to media safety alongside the state's increasing reliance, since the 1980s, on force to repress democratic agitations for people' rights, including trade unions, activists, and civil society. The disproportionate impact of this state violence on Tamil communities in the North and the East, where the war was primarily fought, also informs this report's analysis. This history is needed in order to understand some of the distinctions in how state violence is being practised in former conflict areas in the North and East, and in the South in response to the mass protests last year. This is important for us to note when we are trying to make sense of the different experiences of journalists, based on where they are located geographically.

Sri Lanka also has a history of two youth-led insurgencies in 1971 and 1987-89 (Peiris, 2008), and the emergence of a youth bulge, since 2020, thereby increasing demand on resources. Youth (aged

15-29) form a key demographic group in Sri Lanka, forming nearly 14.9% of the total population. Among the key issues which affect this group are unemployment and underemployment. In July 2018, youth unemployment rates stood at 19.6%. By July 2021, these numbers had increased to 30%, a sudden spike reaching twice as high as the international average (Amarasuriya et al, 2009). In other regions of the world too, the correlation between youth unemployment and social unrest are evident – as an example, the Arab spring occurred in a context where youth unemployment was as high as 30%. These figures are important, when considered alongside the history of state violence against student protests, including during the mass protests in Sri Lanka last year.

In Sri Lanka, policymaking does not adequately reflect the evolving and growing youth aspirations. This, alongside higher usage of social media, means that digital media will be the primary space which reflects resulting youth dissatisfaction. In turn, youth are increasingly vulnerable to the risks within these digital platforms. A dismissal of youth grievances will therefore likely lead to continuous cycles of violence, eroding the democratic conditions necessary for a free and fair media to operate safely. All stakeholders, from policymakers to senior media personnel and media unions, should therefore pursue action plans which are more inclusive and considerate of youth aspirations and vulnerabilities.

Youth led and social media driven mass protests appear to be a significant element of global citizenship in the current social media age. The Arab Spring of early 2010s and the USA' Occupy Wall Street Movement of 2011 are perhaps the two most influential events that set this global trend in motion. The years following these movements witnessed a multitude of youth led, multimedia driven mass protests in different parts of the world that were inspired by these early 'Twitter revolutions.' The 2016 South Korean candlelight protest against President Park Geun-hye, the 2018 Extinction Rebellion in the UK that rallied for climate action, the 2019 Anti-Extradition Law Amendment Bill Movement in Hong Kong, the 2021 Anti-Coup Protests in Myanmar, the 2020 Black Lives Matter Movement and the 2021 Capitol Riot in the USA, and of course, the 2022 People's Struggle in Sri Lanka are some of the examples. Reporting during times of such social media driven mass unrest can be particularly challenging since it demands a delicate collaboration between traditional and digital media as well as between professional and citizen journalists. However, most pertinent to the present study is the fact that the task of reporting on such politically and socially volatile phenomena poses a pressing threat to media safety. This is due to the fact that reporting on social media driven mass protests makes journalists vulnerable to both political pressure and physical and cyber violence. The intensity of the safety threats faced by journalists often depend on the political climate of the country and the degree of aggression among the protestors, as evidenced in the patterns of violence against media in times of social media driven mass unrest in different parts of the globe.

Arab Spring, for instance, which was a call for abolishing authoritarian rule which began in Tunisia in 2010 and spread to the rest of the Arab world in the Middle East and North Africa, was a highly

volatile mass rebellion that transcended national borders and resulted in violent political and social repercussions that lasted for many years. Diana Bossio observes some of the softer approaches used by governments in the initial stages of the Arab Spring to suppress media, such as internet shutdowns, restricting access of foreign media personnel (17), cancelling broadcasting licenses of foreign media outlets (17), and arresting journalists (19). However, as the civil unrest spread across the region, the softer approaches such as "prolonged, politicised trials on issues such as defamation diminished in Egypt and Tunisia, while assaults and fatalities rose sharply in 2011" (Omari). In addition to "hundreds of instances of abduction, assault, confiscation, and destruction of equipment and footage," at least 14 journalists in the affected region lost their lives in 2011 alone (Omari).

While state sanctioned physical violence was a major safety threat faced by journalists reporting on Arab Spring, the most noticeable trend observed in relation to media safety during the 2016 Candlelight Protests of South Korea, in comparison, was the political pressure on media outlets which forced journalists to compromise professional ethics (Kim, H. S.). The 2016 Candlelight Protests in South Korea refers to the five-month long mass protest characterised by candlelight vigils against the then President Park Geun-hye which led to her eventual impeachment. While the millions of citizens who participated in the protests were mobilised through social media platforms (Kim, Y. -C.), Hun Shik Kim observes that investigative journalism of newspapers and non-mainstream broadcasting corporations such as cable television channels played a crucial role in sparking public outrage regarding the political scandals surrounding President Park (20). However, he notes that the three major media institutions of the country, KBS, MBC, and SBS, which were historically subjected to "delicate and invisible forms of political interference" (14), were forced to downplay the severity of the mass unrest as well as Park Geun-hye's corruption scandals. In this context, media workers faced challenges from two fronts. On the one hand they battled coercive state interferences such as political appointments, defamation lawsuits, tax evasion investigations, and other legal machinations that were used to pressurise journalists and media outlets and to suppress journalistic investigations of political corruption. At the same time, the "rank-and-file journalist" (Kim, H. S. 18) of pro-government media institutions had to face the criticism, attacks, and ridicule by the protestors who left "news vans and satellite trucks with KBS or MBC badges [...] littered with trash and graffiti" (Kim, H. S. 18). Nonetheless, Hun Shik Kim argues that the positive political changes brought about by the South Korean candlelight protest was a "triumph for Korean investigative journalism" (20) practised by non-mainstream news media institutions that worked tirelessly to inform the public about political corruption.

If the Candlelight Protests in South Korea was a success story of liberal democratic journalism against authoritarian control (Kim, H. S. 20), then the 2019 Anti-Extradition Bill Movement in Hong Kong may prove to be its opposite. Hong Kong, as a liberal enclave of China, presents an interesting case study for scholars of journalism due to the competing forces of liberal democracy

and authoritarianism operating on its political, cultural, and media landscapes. While the Anti-Extradition Bill Movement in Hong Kong served as a mass rally to defend the autonomy of Hong Kong as a liberal enclave, critics note that the Mainland Chinese government's response to the protest, particularly the swift enforcement of National Security Law which made provisions to curtail media freedom in the interest of national security, set in motion a paradigm shift in the Hong Kong media industry from its original libertarian journalistic model to an authoritarian one (Lüqiu 11; Chan 464). An example of this paradigm shift is the forced closure of the Apple Daily newspaper, "an iconic, critical voice of protest against mainland China" (Chan 464), on allegations of violating the National Security Law. Due to this volatile media climate and the erosion of public trust in mainstream media, journalists reporting the protest were faced with violence and intimidation from not only the law enforcement officers, but also the protesters and counter protesters (Lüqiu 10). While there are reports of law enforcement officers using water cannons, tear gas, rubber bullets, and pepper spray against journalists (Hui; Chan), the protesters themselves are reported to have been equally hostile towards journalists, attacking them or preventing them from filming "out of concern that the footage may be used against them in future court proceedings" (Lüqiu 6).

Hostility towards journalists from both law enforcement and protesters emerges as a trend in the US as well. The US witnessed several social media led mass protests since the Occupy Wall Street Movement, most prominent among them being the 2020 George Floyd protests, popularly dubbed as the Black Lives Matter movement, and the Capitol Riot of 2021 where Donald Trump supporters dissatisfied with the 2020 presidential election results, swarmed the Capitol building of Washington D C. Reilly et al observe that "US Press Freedom Tracker received more than 279 claims of assaults on journalists" during the first week of the Black Lives Matter movement alone, which is twice the average *annual* count of assaults on journalists. Furthermore, commenting on the decline of media safety in the US since 2016, Lili Levi observes an alarming growth in identity based online attacks against journalists using rhetorical references to "lynching, the Holocaust, rape and dismemberment [...] to intimidate and silence non-white, non-male and non-Christian journalists" (147). This trend of cyber bullying of journalists was symbolically enacted in real life when the protestors at the Capitol building "fashioned a noose out of a journalist's camera cord and hung it on a tree" (Levi 151).

A few patterns emerge when observing the states of media safety when reporting in times of mass unrest in different political climates. Frontline journalists reporting protests face an immediate threat to physical safety, particularly considering that they are often required to "positioned themselves between police and protesters in order to capture 'newsworthy' images" (Reilly et al.), attracting aggression from both parties "who believe they are colluding with the other side" (Reilly et al.). The level of aggression may depend on the degree of state control over media, and as a result, the degree of public (mis)trust in media. Furthermore, given that governments often seem to

tighten their grip on media during times of public unrest, journalists also face legal and institutional restrictions that may risk their professional integrity, job security, and in worst cases, even life. In addition, the reporting conditions and attitudes of journalists in state media are different to private media. This is due to several reasons, including the ownership pattern of media stations. For instance, at state-owned media agencies, there is not as high editorial pressure on their journalists to get the best shot of anti-government protests. Finally, since reporting on social media driven mass movements often requires a collaboration between traditional media and social media, journalists are exposed to an increased risk of targeted cyber bullying. The same risk factors and trends of reporting during times of mass unrest, albeit in varying degrees, were observed during the 2022 Aragalaya or the People's Struggle in Sri Lanka.

Violence against Media during Sri Lanka's 2022 Protests

Janatha Aragalaya, or People's Struggle was a series of mass street protests which began in late-March 2022 and lasted till August 2022. This youth-led and social media-driven mass movement emerged against the backdrop of Sri Lanka's crippling foreign exchange and debt crisis brought about by decades of poor governance and structural economic mismanagement. Sri Lanka's twin deficits were a result of unsustainable foreign debt practices financing infrastructure-centric development projects with low ROI, economic slowdown caused by the COVID-19 pandemic, tax cuts in 2019 pandering to local business interests and drastically reducing government revenues, and a series of other weak policy decisions which severely threatened the country's food security and development indicators.

With restricted access to foreign debt or ability to attract foreign investments to finance imports, and with rapidly declining foreign exchange reserves, 2022 saw severe shortages in fuel, gas, electricity, and other basic necessities, with petrol and gas queues stretching on for miles and days and over 10 hour long daily power outages. Sri Lanka's foreign exchange reserves plummeted to 1,700 million US Dollars by August 2022 (CEIC Data) while inflation rates which had started rising since December 2021 reached an all-time high of 73% by September 2022 (SLCB). Against such oppressive living conditions and threats to livelihoods, university students, teachers, lawyers, actors, singers, clergy, disabled soldiers, and people from all walks of life, a majority of them declaring to be non-partisan to any political party, gathered under the slogan "Gota Go Home," expressing discontentment with the political system, demanding political reform and 'system change'.

The Aragalaya achieved several political milestones such as the resignation of President Gotabaya Rajapaksa, the overhauling of the cabinet led by PM Mahinda Rajapaksa, the passage of the 21st amendment to the Constitution of Sri Lanka, and the resignation of the Governor of the Central Bank, Ajith Nivard Cabral. As such, the Aragalaya marks a unique moment in contemporary Sri Lankan citizenship in setting out higher standards of political accountability, widespread popular participation in determining the trajectory of national politics beyond simply participating in elections, and exercising political agency to demand for their rights and freedoms.

During the protests, a certain preference was observed among the general public, including the overseas Sri Lankan community and international observers, for social media activists who assumed the new role of citizen journalists.[3] This is not uncharacteristic for a mass movement of this kind, given the desire for fresh and uncensored news, as well as the anti-establishment sentiments that drove the street protests. In Sri Lanka, with the rise in social media platforms reporting news, there is a degree of distaste for censorship within mainstream media. This includes both state-owned media institutions and corporations as well as private media platforms which are publicly known for their links with key politicians and political parties.

In this context, journalists suffered challenges in reporting accurate and relevant information, as evidenced by the data gathered and the timeline of the Aragalaya provided in Table 1 below, that provides a sketch of key incidents that this study used to identify the different kinds of violence, harassment, surveillance, etc:[4]

Table 1: Timeline of people's protests and attacks against journalists and media persons in 2022 (Events related to media have been highlighted in red).

	Developments within the Protest	Major Political Events
March	Small scale silent vigils/peaceful demonstrations in different parts of the country.	
31 March	First major protest near former President Gotabaya Rajapaksa's private residence in Mirihana. Protestors are attacked with teargas and water cannons; 50 injured, 45 arrested. The President's Media Division threatens journalists covering the protest. At least 9 journalists are violently assaulted. Several journalists are arrested and	

---

[3] For a detailed analysis of the nature of the content that was spread on Facebook and Youtube related to the Aragalaya protests and how it compared with conventional news organisations, see https://longform.watchdog.team/observations/the-aragalaya-on-social-media-part-one-facebook and https://longform.watchdog.team/observations/internews-social-media-report-youtube.

[4] For a more comprehensive timeline of attacks against journalists and media persons during the 2022 mass protests period, refer to: http://www.fmmsrilanka.lk/mfrmd/.

	denied access to medical attention.	
01 April		State of Emergency declared.
03 April		Several cabinet ministers resigned (among whom were 3 Ministers from the Rajapaksa family).
		TRCSL announces a Social Media ban, which is lifted after 15 hours.
04 April	.	Governor of the Central Bank resigns. The ministers who resigned on 03 April are sworn in again.
05 April		State of Emergency is lifted.
09 April	Protests begin in Galle Face; 'Gota Go Gama' is established - protestors come to protest sites officially decreed; and set up semi-permanent protest sites near the President's Office.	
26/7 April	'Mainagogama', the protest site in front of the PM's official residence, was established.	
28 April	Islandwide token strike with the participation 1000s of trade unions.	
06 May	Many foreign missions express their condemnation over emergency regulations since the protests were peaceful.	State of Emergency declared for the 2nd time.

09 May	Attacks against Maynagogama and subsequently "Gota Go Gama" by a mob of non-state party actors, which starts from people gathered in Temple Trees. At least 8 are killed (including an MP), and over 200 injured. Senior DIG and SLPP MP are observed on GGG site. Gota Go Gama in Kandy attacked. Allegations of inmates from Watareka prison being used for the attack. Retaliatory violence on ministers; several houses and other properties of ruling party MPs burned. At least 7 journalists who were covering the protest outside the Prime Minister's Residence, were violently attacked.	Police curfew announced. Mahinda Rajapaksa resigns.
12 May		Travel ban declared on 17 people, in connection with the May 9 attacks. Ranil Wickremesinghe is appointed as Prime Minister
20 May		State of Emergency is lifted
23 May		Government tables the 21st amendment to the constitution.
09 July	Protestors swarm the President's House, Presidential Secretariat and Temple Trees. PM's private residence is set on fire; 55 are injured.	

	Eleven journalists attached to TV Derana, News First and Sky News, were attacked by the Police while covering the protests. At least 8 Sirasa journalists covering the protest near the PM's house are attacked.	
13 July	Protesters entered SL Rupavahini Corporation studios and demanded that they run only news related to anti-government protests and entertainment programmes. Rupavahini and ITN go off air for around an hour.	PM Ranil Wickremesinghe becomes Acting President after President Gotabhaya leaves the country.
14 July	Protestors withdraw from the President's House, Temple Trees, and the Prime Minister's Office, but stay on in the Presidential Secretariat Building and Galle Face.	President Gotabaya resigns his office. Ranil Wickremesinghe is sworn in as Acting President.
18 July		State of Emergency is declared.
20 July	Court order is issued banning people from gathering within a 50m radius from the statue of S.W.R.D. Bandaranaike.	
21 July		Ranil Wickremesinghe is sworn in as the President of Sri Lanka.
22 July	Law enforcement and state security personnel cleared the protest site at 2 am and forced protestors out from Galle Face green and the Presidential Secretariat. At least 50 individuals, including some local and foreign journalists, are wounded.	
10 August	Protestors leave Galle Face on the 124th	

	day of its occupation.	

The challenges faced by journalists during the period ranged from intimidation, assaults, obstruction of duty, damaging and confiscating of equipment, arrests, surveillance, and incursion into media institutions, to social media bans. At least 24 journalists and media workers covering the protest were assaulted by the law enforcement authorities between March and August 2022 while several others were arrested. These assaults and arrests took place during the 4 major episodes of state crackdown on the protests, namely, on 31 March, 09 May, 09 July, and 22 July.

From the above timeline, two main inferences can be drawn:

First, these attacks are not mere responses by law enforcement to an overbearing and rapidly escalating situation going out of control, but instead are premeditated attacks. The four episodes should therefore not be read in isolation but within the evolving political context. For instance, the Sri Lankan government declared a State of Emergency 3 times during the months of protest, and the two most organised attacks against the protestors–on 09 May and 22 July–took place mere days following the announcement of Emergency Regulations. Many journalists were caught in the crossfire between the protestors and law enforcement and/or pro-government anti-protestors.

Second, especially with regard to the attacks on May 09, given the nature of the attack on protesters, inaction on the police can be inferred. The mob that left the Temple Trees first attacked MainaGoGama, and moved towards the GotaGoGama. Arguably, the police and law enforcement authorities had sufficient time to prevent the evidently violent mob from entering the heavily guarded GGG site. The presence of government ministers and senior police officers on the protest grounds while a mob went on assaulting unarmed protesters indicate a degree of complicity in these attacks.

Third, the incident of Rupavahini studios being stormed by some protestors revealed how both the state media as well as those who stormed the channel had a partial attitude towards their side of the story. The storming of Rupavahini happened in the context of the channel not adequately reporting and seriously downplaying the current affairs. However, the protesters too reportedly demanded that only news related to the protests should be telecast.

Typology of violence against journalists and safety risks faced by media persons

Table 2 below, provides a typology of the different kinds of violence, harassment, surveillance etc faced by journalists while covering the protests. These details were obtained through interviews and focus group discussions with multiple stakeholders, such as media establishment figures, media

experts, affected journalists, police spokespersons and government officials. Excerpts from the interviews are included below; the identity of the journalists are withheld for confidentiality.

Table 2: Typology of violence against journalists and safety risks faced by media persons.

Global/historical Patterns	Sri Lanka during Aragalaya
Abduction, torture and killing	–
Physical assaults	Attacks by the law enforcement authorities and security forces, including exposure to tear gas,[5] rubber bullets, water cannon attacks, and baton charges: Eg (Journalist): *The army and police were treating us like protestors. On July 21 night, the police, STF, and the Airforce, and many others attacked me, despite the fact that I showed them my media ID. They dragged me along the ground for about 10m. Then they asked me to stand up and hit my leg with those long sticks which were about 3-4 feet long.*
	Police inaction during the attacks by pro-government anti-protestors on 09 May: Eg (Journalist): *On May 09th, goons of the government attacked me and broke my DJI Osmo camera. The police were watching but they did not do anything.*
	Hostility of protestors towards journalists:

---

[5] A report titled 'Tear Gas – Tears of Twenty Million' was published by the Centre for Society and Religion (CSR) in 2023. The report records that during 31 March and 20 July 2022, the Police had used over Rs. 26 million worth of tear gas hand grenades and cartridges on 84 occasions, including tear gas canisters which were supposed to have passed expiry dates about 10 to 20 years ago (Sri Lanka Brief).

	Eg 1 (Media expert): *On July 9, a Swarnavahini journo was hit by a water bottle by the crowd.* Eg 2 (Media expert): *A journalist from Sirasa was attacked by Aragalaya people.*
Intimidation	Death threats: Eg (Journalist): *I was bleeding and the soldiers would say, "We have not gone home and seen our children for 3 months now, because of you. Now you can't play! We have patrol in our vehicles, and we can end this here today". From what they said and the aggressive way they behaved, I thought I wouldn't be able to go home again.*
	Intimidation and pressurising of media outlets: Eg (Journalist): *The owner of our buildings, a businessman, is getting indirect pressure to stop us from doing our media work. He has close links to the police DIG and wants us to leave repeatedly. 1 week back CID came and collected details, and once security stopped them from accessing. And the owner wants us to evict by the 20th. We feel these attempts are to scare us. There is a threat to our career as journalists.*
Arbitrary arrests	Journalists arrested without a clear reason and in a manner which makes legal representation difficult to secure: Eg 1 (Journalist): *Several times, the police use the journos entering the Presidential Secretariat as a reason to arrest them. The police already have the photo and profiles of who they want to arrest. Sometimes this arrest is for unrelated reasons.* Eg 2 (Journalist): *The day he was arrested, on September 26, near Town Hall, he told the police that they cannot arrest him without a warrant. But the police still did it.* Eg 3 (BASL): *Often, journos are given short notice, or intentionally arrested at odd hours so that it is hard to get legal representation on time.*
Surveillance	Instances of government surveillance of media institutions: Eg (Journalist): *CID, TID and police came to the office and showed photos of me and my colleague. CID waited for 1 hour and security*

	asked them to come another day after that. Next day, from the 1st floor I saw a tuk parked from 5.30 am to 4 pm, and a person sitting inside it. Following day, a police jeep was parked for 5 days. Next day, a bike and a person were there for hours. These are suspicious. Big brother calls; interception of telephone conversations: Eg (Journalist): *When I leave a protest site after reporting, someone with an unidentified number would call and say that I was sighted at the protest site. When I asked who is calling, they would never reveal their identity, and say 'we know you'. I feel watched. This happened after they arrested me and took my phone.*
Cyber crimes against media	Hacking of media channel and identity theft: Eg (Journalist): *I had started a youtube channel. After I was arrested and my phone was taken to custody by police, the channel was hacked, and now goes under another name. A new video was uploaded to the channel while the phone was with the police.*
Damaging of equipment	Targeting and damaging cameras Eg (Journalist): *On May 09th, goons of the government attacked me and broke my DJI Osmo camera. The police were watching but they did not do anything.*
	Deleting content recorded on phones and cameras Eg: *Often, officers grabbed our phones, deleted content. They also forced international journalists to delete video content from their phones.*
Gendered harassment/ Sexual violence	Gender discrimination and stereotypes: Eg 1 (Media senior executive): *When our people were saying they were from the media, wearing T-Shirts, and then showing IDs, they attacked a young female reporter's face.* Eg 2 (Journalist): *They asked me why I was doing this video channel while being a female.*
Digital challenges to journalism	Use of digital technology against freedom of expression. Social media ban on 03 April Removing posts and channels from social media channels

	Eg (Journalist): *When we streamed on Facebook Live, it was removed.*
	Use of mobile jammers: Eg (Journalist): *That day they also had mobile jammer devices set up in an equipped van. Generally, it is the Army that operates these vehicles.*
Arbitrary withholding or revoking of broadcasting/publishing licences	Arbitrary withholding of government issued media IDs Eg (Journalist): *When some websites critique the government, they don't get an ID.*
Use of defamation and tax evasion lawsuits to intimidate and pressurise media institutions	Existence of ongoing lawsuits that pressurise small scale media institutions Eg (Journalist): *We do carry out some degree of self-censorship – there is pressure from the chairman, we are a business, and we think of our own security. Also, we are cautious of an ongoing court case re one of our journalists.*
Misappropriation of anti-terrorism and national security laws to silence, intimidate, arrest, and interrogate journalists	Instances of citizen journalists being arrested and interrogated Eg (BASL): *Police have largely exceeded their boundaries. They are not operating within the framework of law. There are instances of social media activists being summoned to CID and questioned for hours, despite all posts being 100% peaceful and no evidence of inciting violence. [...] The history of Sri Lankan governance shows that laws are applied selectively, in the interest of those who are in power.*
Official inaction	Police inaction Eg 1 (Journalist): *Attacking me was recorded on my colleague's camera. When we reported the event to the police and showed the video, and identified the man, the police took no action. They only took down the complaint.* Eg 2 (Journalist): *Kollupitiya Police did not act on the incident when reported, they denied giving me a report. We complained to the Human Rights Commission, but the case is progressing slowly.*

Key issues and observations

1. Lack of effective legal mechanisms and frameworks

When journalists are attacked, the related court cases are often dropped before justice is served. This is due to political pressure and/or personal (financial, time-consuming) difficulty in pursuing the legal course. This results in impunity for crimes against journalists. The situation is so normalised that many journalists who have been assaulted do not even initiate legal proceedings.

2. Political agendas and biases of media institutions

Editorial policies of certain established media outlets are strongly linked to the political affiliations of the media ownership. This is problematic for several reasons: it affects the impartiality of information, increases safety risks of journalists, and compromises the space for maintaining professional standards by journalists.

3. Casualisation of the media profession

Casualisation of labour is a global trend not only in journalism, but in many other industries. Informants observe that out of the 3 types of journalists within the organisation of labour in Sri Lankan media institutions–Staff reporters, contract-based freelancers, and non-contract freelancers–only full-time staff reporters are entitled to insurance, equipment, and transportation benefits. This places the lives and livelihoods of freelance journalists, who are paid on a per-news basis, in a risky position during dangerous assignments. Despite the weak protections that institutional affiliations provide, the lack of institutional affiliations through casualisation make the safety situation of the journalists even more precarious. This is not just in terms of physical safety, but the right to safe working conditions as well.

4. Discouraging of unionisation within media organisations

The precarious position of the majority freelance journalists highlights the immediacy of the need for union protection for non-affiliated journalists in particular. However, union action is explicitly prohibited or indirectly discouraged in most private media institutions. This erodes the safety net of journalists even further. Furthermore, even established media unions have not mainstreamed or prioritised the need to adapt to the emerging situation so that their membership is more open and accessible to freelance journalists.

5. Safety measures available for journalists from the state are problematic.

The Department of Government Information issues Media Identity Cards to journalists. A state-issued ID is an undertaking of the safety of journalists. It has been a practice of the Department of Government Information to inform law enforcement agencies and policy makers of the issuance of licences, and the need to ensure the safety of journalists.

However, the need to ensure the independence of the process of issuing Press IDs has been observed. The process has been politicised, since IDs have been seen to be withheld if the institution is critical of the government. The processing time of a government Press ID is also usually between 6 months to 2 or 3 years. As a result, many journalists resort to using IDs issued by their respective media institutions. However, government-issues Press IDs are often seen to be ineffectual during police attacks. As seen elsewhere in the world, although the rationale for licensing schemes is to monitor the quality and integrity of journalism, in practice, the licensing issuing authority often misuses its power, often political, to obstruct critical and independent journalists from reporting (Article 19, 2012).

6. Law enforcement agencies' sensitivity to deal with media and safety of journalists needs to improve

Importantly, the police spokesperson's perspective on challenges to media safety was that when there are individual instances of police or media not meeting their professional standards 100% with regard to protecting the freedom of expression, they should be dealt with within the established legal regime. During the protests, the police claimed to use minimal force where necessary to maintain public order. In highly volatile situations, such as the protests last year, the duty of the police in maintaining order while protecting the rights of journalists was said to not always be easy: "*Police cannot consider anyone expressing their freedom of expression as a journalist, especially, given their ability to boost their reach over social media. That is where a line needs to be drawn between a journalist and a citizen with a camera in hand. While the latter is not a violation, if their content is threatening peace and security, then we have to act, as if we do not, it amounts to negligence.*"

While this perspective is considered, it is also recognised that political bias is a serious and deep-rooted issue in law enforcement. It has been observed that laws are sometimes applied selectively, often in the interest of those who are in power. In the context of media safety, this places the lives and livelihoods of journalists at the mercy of those in power. Arbitrary arrests of journalists and sudden summons to law enforcement agencies have been mobilised selectively to harass journalists. Many participants also observed that the police and military officers lack training in interacting with journalists during public rallies.

7. Journalists lacking adequate training in media safety

The main distinction between local and foreign journalists observed by many informants is that the foreign journalists are rigorously trained by their institutions in how to act and protect themselves when reporting volatile socio-political events. One informant noted that foreign journalists "have good training in how to act in a conflict situation. They also clearly have training on anticipating what will happen next [...] They have this fundamental knowledge of how to identify risk and safeguard while reporting. Their organisations teach how to protect oneself first before reporting." This lack of vital safety training makes Sri Lankan journalists vulnerable and ill-equipped when responding to and protecting themselves in conflict situations.

This includes the lack of safety equipment. Frontline journalists require safety equipment such as clearly identifiable media jackets, gas masks, boots, and long-distance cameras in order to ensure their safety while reporting violent conflicts. Media institutions should be accountable in ensuring the safety of their journalists by providing them with necessary safety gear. However, many local journalists reporting on Aragalaya had to rely on trade unions such as SLWJA to obtain even a media jacket.

8. Lack of adherence to media ethics and best practices

Media coverage on Aragalaya was marked with reports that did not adhere to journalistic ethics. This was observed not only on social media platforms, but also in mainstream newspapers and electronic media. For example, there were narratives driven on an anti-Sinhala Buddhist motive behind the protests and fake news downplaying the protest sites as being a site for debauchery, among others. Compromising media ethics often happens in a certain context and is driven by interests, which may be political, defamatory of targeted individuals, or simply to attract more viewers. Other contributing factors include consumption patterns by viewers, the lack of media economic viability under prevailing market conditions, and the lack of a proper media content regulatory mechanism.

9. Fragmentation of institutions regulating media

There are many branches of the state that form part of an effective media policy and regulation ecosystem. These include the Ministry of Mass Media, Sri Lanka Press Council, social media platforms, Telecommunications Regulatory Commission of Sri Lanka, and other licensing authorities. However, there is a lack of coordination among institutions that make media policies, are responsible for regulation (issue licences, IDs, moderate content etc), and ensure the safety of journalists.

10. Current institutional reforms may lead to further shrinking of freedom of expression

During informant interviews, the primary attitude of policymakers towards the media and information space appeared to be one of subjecting information flows under the purview of the government as much as possible. This corroborates with the post-Aragalaya institutional reforms by the government that seem to push an agenda that threaten to weaken the fundamental right of freedom of expression enshrined in Article 14 of the constitution. At the time of writing this report, these trends are observed within the Anti-Terrorism Act bill, the draft Anti-Corruption Act bill, and proposed social media laws.

International Instruments on Safety of Journalists

Safety of journalists has been a topic of importance in international forums for a long time, and as a result, a solid body of literature has been produced on the topic. They include UN Resolution, declarations, guidelines, and action plans. These provide an overall framework when identifying recommendations in the Sri Lankan context. Some of these instruments and policy frameworks are outlined below:

In December 2021, the UN General Assembly adopted Resolution A/RES/76/173 on "The safety of journalists and the issue of impunity". Others, such as the July 2021 UN Human Rights Council Resolution A/HRC/47/L.22 covers the promotion and protection of human rights on the Internet, which includes online attacks against women journalists. A subsequent Resolution adopted in October 2021 by the HRC on "The right to privacy in the digital age" focuses on how technological tools by the private surveillance industry (used by the state or private actors) and their misuse result in increasing vulnerability of journalists to surveillance, harassment, and tampering with data collection.

The 2012 UN Plan of Action on the Safety of Journalists and the Issue of Impunity is among the most relevant to this report. It is a multi-stakeholder framework to address attacks and the impunity of crimes against journalists. UNESCO-led consultations on the implementation of this Plan regionally included a South Asian consultation in 2022. Challenges within regional countries, including Sri Lanka, were deliberated, including "intolerance of openness, the inability to build effective coalitions of civil society, a gradual deterioration in quality journalism education, and the emerging issue of online threats of violence impacting the safety of women journalists" (UNESCO, 2022).

Several other important Resolutions have been reached regarding press freedom and safety, including but not limited to the UNESCO's "Director-General's Report on the Safety of Journalists and the Danger of Impunity,", the "Windhoek+30 Declaration made on World Press Freedom Day 2021", the 2020 European Parliamentary Assembly Resolution 2317 on "Threats to media freedom and journalists' security in Europe", and the Council of Europe's "Resolution on the safety of journalists" (Conference of Ministers responsible for Media and Information Society, 2021; Council of Europe, 2020; UNESCO, 2021; UNESCO, 2022).

Policy Recommendations

In making recommendations relevant to the scope of this study, the above international instruments have been looked at and they have been useful in ensuring that the actual policy recommendations that we make to the Sri Lankan context are in par with international standards.[6] The following policy recommendations are made with the interests of protecting and promoting safety of journalists and media persons in Sri Lanka:

1. Establish an Independent Commission for the protection and promotion of Freedom of Expression in Sri Lanka

There are three main stakeholders in the information space: these are the government, the information industry, and citizens who need unbiased information. These stakeholders have different kinds of powers, access, and controls. Historically, Sri Lanka has found it difficult to promote consensus among these stakeholders.

An Independent Commission should be established, which functions as the main platform for co-regulation of print, electronic, and social media. The members of such a co-regulatory body should include nominees by all key stakeholders. The functions of such a Commission would be:

i) issuing licences to media stations and registration of news publications, recognition of journalists,

ii) ensuring that Media IDs provide more guarantees to safeguard journalists on duty,

---

[6] See the "Colombo Declaration on Media Freedom and Social Responsibility" as an example of existing national instruments towards ensuring media safety: Colombo Declaration on Media Freedom and Social Responsibility – Press Complaints Commission of Sri Lanka (pccsl.lk).

iii) investigating alleged violence against journalists and providing legal protection to affected journalists, including initiating strategic litigation and prosecuting against crimes against journalists, and

iv) providing a mediatory space, and establishing co-governance mechanisms for information regulation.

2. Establish checks and balances to ensure editorial independence

Alternatively, set up an independent mechanism within the existing institutional framework to introduce checks and balances on the editorial conduct of media outlets. Such an evaluation may consider a news outlet's editorial conduct over a relatively long period of time like 5 - 10 years. The aim of such a review process is to impose penalties and revoke licences if adequate standards are unmet.

3. Support labour rights of journalists and media workers

Given the global trend of increasingly atomising workforces, the media industry is no exception. Collectivisation of labour has been a proven way of upholding the rights of journalists and media workers. Accordingly,

i) employee contracts within media organisations should be brought in line with the national labour law.

ii) journalists' and media workers' trade unions should evolve to respond to the emerging labour trends better. This includes being more flexible and inclusive of freelancer and part-time journalists.

4. Establish a Media Safety Fund

A Media Safety Fund should be established, alongside a sustainable and transparent financing model. This could include state allocation of funds to a Media Safety Fund and/or passing necessary legislation to tax a portion of media advertising (including on social media platforms), or on turnover of media corporations above a certain threshold. The primary function of the Media Safety Fund is to provide journalists and media workers with insurance, for damages and injuries incurred as occupational hazards.

Furthermore, state budget allocations for media should be allocated and distributed in an equal and transparent manner. This should take into account the higher youth demographics using social media, such that investments in media are not skewed. Moreover, strengthen support mechanisms for investigative journalists and journalism.

5. Develop a safety training of journalists that is locally-adapted

Safety training for journalists and media workers, operating in volatile socio-political conditions and fast-evolving digital platforms, should be localised. Some measures to ensure uniform standards of safety in the media industry include:

i) The Government Information Department mandating short, locally-tailored online courses on media safety and sensitivity training mandatory, in the official national languages, to obtain official media licences. Licensed journalists can be required to undertake safety and risk awareness and management training modules periodically to ensure they are up-to-date with evolving risks in the media landscape.

ii) The online course should be combined with stronger guarantees by the media identity issuing authority (currently the Department of Government Information), through inter-agency coordination with law enforcement authorities and the Media Ministry, so that the Media IDs issued protect the rights of journalists in conducting their profession.

iii) Establish a mentoring system within and across media organisations, in order to foster a community and shared values on media ethics, safety training, etc. A one-to-one mentoring system would produce the best results, and such initiatives should be supported by public, private and community media owners.

iv) Access to personal protective equipment (PPE) for journalists must be encouraged for journalists commensurate with the level of risk they are exposed to, such as gas masks, protective vests, head gear, load bearing gear, holders, a backpack, first aid kit, etc.

v) Provide victims of assault, such as those with signs of PTSD and other mental health issues, adequate and sustainable psychosocial support.[7]

6. Develop a knowledge base on harassment of journalists

Build a knowledge base which documents, analyses, and critiques the challenges and threats faced by journalists and media workers in their professional space, and strengthen existing initiatives of this nature. Such knowledge bases should be built through dialogue and collaboration among multiple stakeholders, including academic, media experts, policymakers, legal actors, media

---

[7] One assaulted journalist shared their condition in the following manner: "The experience was so traumatic, and that I still feel fear in me when I am alone or have to walk past tall grey walls, where I was kept when I was assaulted. I still get a headache regularly after that incident. Sometimes, when I am in a dark place, I get angry for no reason, feel aggressive and even want to commit some violent act."

industry actors, civil society and the general public. This database should be made accessible to all relevant entities.

7. Instil gender sensitivity and inclusivity in media practices and ethics

All relevant stakeholders should take a gender-sensitive approach when considering measures to address the safety of journalists and media workers. This includes:

i) ensuring that the experiences and concerns of women journalists are effectively listened to and addressed. This involves, among others, taking effective action in response to reports of violence and harassment of women journalists, including sexual harassment, threats and intimidation, and misogynist language.

ii) allocating adequate resources to address underrepresentation of women and sexual minorities in the workplace and to reduce vulnerability of women to online and offline threats to safety.

iii) tackling gender stereotypes, misogynist language, and gender-based discrimination in media content through gender sensitivity training of all relevant stakeholders, including media organisations, law enforcement authorities, policymakers, etc.

8. Counter harmful media content and fake news

Recognise the importance of public trust in and the credibility of journalism, in the face of new and evolving challenges, including disinformation and smear campaigns to discredit the work of journalists:

i) having institutional and legal mechanisms in place to tackle harmful digital content, such as hate speech, cyber bullying, and gender- and ethno-religious-based harassment,

ii) building civil society-led resilience, especially by youth, in using social media platforms and other digital tools to counter misinformation, disinformation, and hate speech and to be informed of how to access reliable and trustworthy news and information sources.

iii) encourage current and new initiatives to name and shame negative and harmful media practices by civil society groups, media activists etc.

iv) protect whistle-blowers to ensure that freedom of expression is upheld.

9. Support law enforcement sensitivity and inclusivity trainings

Law enforcement and media sectors should build a mutual understanding of their respective responsibilities and constraints, notably through training, regular dialogue and the joint development of guidelines for their interaction.

There needs to be police sensitivity training, concerning law enforcement attitudes and operation with regard to journalists and media workers, especially those working in volatile environments. The informant interviews with journalists in the North revealed that many of the threats and challenges to media safety in covering the mass protests last year, which were mainly in the South, were long-standing issues in how law enforcements and security forces are operating in the North. Law enforcement training should therefore have dedicated resources on sensitivity training regarding how to operate with respect to ethno-religious minorities and other vulnerable communities in the conduct of their duties.

Concluding Remarks

The question of media ethics and responsible journalism was a common theme that emerged during the conduct of this study. The idea of impartiality or professional objectivity appeared to present journalists with conflicting choices at times, given that they too were experiencing many of the hardships that led to the mass protests. There was also a notion among many protestors that the media was in part responsible for the crisis in Sri Lanka. There is a popular perception that media tycoons used their platforms to create bias and a particular image of political leaders with whom they had personal affiliations, demonstrating the collusion of big businesses and politics. Even during the Aaragalaya, some journalists attempted to report with prejudice and/or politically-related motives.

Furthermore, journalism plays a crucial role in the context of elections, providing the public with information about candidates, their parties and manifestos, and ongoing debates. In Sri Lanka, some media have in particular been blamed for manipulating the voters with extremist and/or divisive content, including Sinhala Buddhist nationalist propaganda. Among the highest profile examples of the latter was the 2019 case of Dr Shafi Shihabdeen who was alleged by a leading local newspaper to have conducted a mass sterilisation of 4000 Buddhist women after caesarean deliveries. He was later arrested on charges of illegally acquired wealth, which were subsequently dismissed as politically motivated. These trends were also seen within the Aragalaya, in various narratives advanced by factions of media.

Societal attitudes towards and expectations of the media are important to understand as they indicate, to some extent, the degree of violence against media that becomes normalised over time.

The degree to which governments and other stakeholders work on behalf of or violate media safety is in part driven by these social expectations, even as the state attempts to craft a particular narrative about media. For example, recent political comments on the importance of regulating social media are not driven necessarily by the idea of preventing hate speech or misinformation, but in order to monitor and penalise anti-government remarks (NewsFirst). Journalism influences public opinion and people's lives are impacted by the way in which information is presented to them.

Finally, at the time this report is published, the Sri Lankan government has started an institutional reforms process which will likely have a serious impact on the safety of media workers and independence of media institutions. It appears that the government is pursuing a reform process aimed, among other things, at exerting more control over the information and media space. Below, three such proposed reforms and their potential impact on the media space is discussed.

The first is the Anti Terrorism Act (ATA) bill draft which was gazetted by the government in March 2023. If adopted, the ATA would replace the Prevention of Terrorism Act (PTA) of 1979. There has been strong opposition to the ATA from several sections of civil society, for the level of impunity it provides the government and security forces on clamping down on the freedom of expression and dissent, in the name of "national security". Whatever the intentions of this proposed act may be, it has the potential to be weaponized, given its broad definition of terrorism against freedom of expression. If enacted, it has the power to cease operation of media channels or stations, and remove content that the state decrees as falling within a broadened definition of terrorism.

The second proposed reform is the Anti-Corruption bill Draft which was gazetted in April 2023. Under the proposed Anti-Corruption bill, asset declaration of staff journalists of newspapers and electronic media stations are required to be submitted in digital form. This opens up room for the law to be manipulated by the government to intimidate staff journalists. For example, the Act, combined with shortcomings of internal governance within the proposed Bribery Commission, could be used against journalists whose actions are inimical to political interests.

Third, the President has also said that the government is working on an Act similar to Singapore's telecommunications and social media laws. As discussed earlier in this report, different models of governance have been adopted in different jurisdictions around the world with regard to regulating digital media. A co-regulation model where the platform and government co-review social media content is preferred, as opposed to the state dictating which content a platform should remove. Furthermore, which arm of the state exercises this power is also important. However, the former model is difficult in practice due to several reasons, among which are geopolitics and power asymmetry of companies operating in jurisdictions of developing countries.

While the rationale behind the above proposed reforms by the government may fall in line with the IMF-related reforms, it is crucial that these reforms do not weaken the freedom of expression and shrink the democratic space in Sri Lanka.

This report points to the importance of a more collaborative approach among the main stakeholders such as policy makers, law enforcement agencies, regulatory agencies, media owners, and managements, and media trade unions concerning safety of journalists and media workers. In the present information and digital age, with rapid advances in AI-technology, the potential for misinformation and 'deepfakes' have increased exponentially. These developments can pose challenges for governance; however, a legal-dominated approach to resolve the problem would be limited and even backfire. Laws, even the best intentioned one, can be easily subverted by political interests. Therefore, any effective approach needs to be one where governments truly understand the value of a free press and minimises the occupational hazards that come from the authorities, and one where the media recognises its roles and responsibilities.

The nature of the threats to media safety observed in this report confirm that while persistent challenges remain, new challenges are emerging. These challenges are aggravated by the evolving nature of employment, penetration of technology, changing demographics, and the increasingly volatile political and economic situation. This highlights the need to develop appropriate and creative solutions to increase the safety of journalists.

References

"1,668 Journalists Killed in Past 20 Years (2003-2022), Average of 80 per Year | RSF." *Reporters Without Borders*, 30 Dec. 2022, https://rsf.org/en/1668-journalists-killed-past-20-years-2003-2022-average-80-year.

Article 19. "International Standards: Regulation of Media Workers," 04 April 2012, https://www.article19.org/resources/international-standards-regulation-media-workers/.

Arul, Archana, and Sridhar Krishnaswami. "Revisiting Ethnic Conflict in Sri Lanka through Media and Literature." *Khazar Journal of Humanities and Social Sciences*, vol. 19, Apr. 2016, pp. 5–21. *ResearchGate*, https://doi.org/10.5782/2223-2621.2016.19.1.5.

Balasundaram, Nirmanusan. "Exiled Journalists as Active Agents of Change: Understanding Their Journalistic Practices." *Reporting Human Rights, Conflicts, and Peacebuilding: Critical and Global Perspectives*, edited by Ibrahim Seaga Shaw and Senthan Selvarajah, Springer International Publishing, 2019, pp. 265–80. *Springer Link*, https://doi.org/10.1007/978-3-030-10719-2_16.

Bossio, Diana. "Journalism during the Arab Spring: Interactions and Challenges." *Social Media and the Politics of Reportage: The 'Arab Spring,'* edited by Saba Bebawi and Diana Bossio, Palgrave Macmillan UK, 2014, pp. 11–32. *Springer Link*, https://doi.org/10.1057/9781137361400_2.

Buncombe, Andrew. "Office of Outspoken Tamil Newspaper Uthayan Attacked in Sri Lanka." *The Independent*, 13 Apr. 2013, https://www.independent.co.uk/news/world/asia/office-of-outspoken-tamil-newspaper-uthayan-attacked-in-sri-lanka-8570776.html.

Campbell, Duncan. "How a Proposed Secrecy Law Would Recast Journalism as Spying." *The Guardian*, 20 July 2021. *The Guardian*, https://www.theguardian.com/commentisfree/2021/jul/20/proposed-secrecy-law-journalism-spying-home-office-public-interest-whistleblowing.

CBSL. "Measures of Consumer Price Inflation." *Central Bank of Sri Lanka*, 2023, https://www.cbsl.gov.lk/en/measures-of-consumer-price-inflation.

CEIC Data. "Sri Lanka Foreign Exchange Reserves, 1956 – 2023." *CEIC Data*, 2023, https://www.ceicdata.com/en/indicator/sri-lanka/foreign-exchange-reserves.

Chan, Chi Kit. "Shifting Journalistic Paradigm in Post-2019 Hong Kong: The State–Society Relationship and the Press." *Chinese Journal of Communication*, vol. 15, no. 3, July 2022, pp. 463–80. *Taylor and Francis+NEJM*, https://doi.org/10.1080/17544750.2022.2039256.

Conference of Ministers responsible for Media and Information Society. "Artificial Intelligence - Intelligent Politics: Challenges and opportunities for media and democracy," 10-11 June 2021, https://rm.coe.int/coeminaimedia-resolution-on-safety-of-journalists-en/1680a2dc9a.

Cooper, Glenda. *Reporting Humanitarian Disasters in a Social Media Age*. Routledge, 2019.

Council of Europe. Resolution 2317: "Threats to media freedom and journalists' security in Europe," Parliamentary Assembly, 2020, https://assembly.coe.int/nw/xml/XRef/Xref-XML2HTML-en.asp?fileid=28508&lang=en.

Democracy Reporting International. *Social Media and Sri Lanka's Fundamental Freedom in the COVID-19 Context*. Democracy Reporting International, Dec. 2021, p. 18, https://democracyreporting.s3.eu-central-1.amazonaws.com/images/4339Social%20Media%20Analysis%20on%20COVID.pdf.

Dondyuk, Maxim. "International Day to End Impunity for Crimes against Journalists." *UNESCO*, 2 Nov. 2022, https://www.unesco.org/en/days/end-impunity.

Ferrier, Michelle. *Attacks and Harassment the Impact on Female Journalists and Their Reporting*. International Women's Media Foundation and TrollBusters, 2018.

Fitch Ratings. "Fitch Downgrades Sri Lanka's Long-Term Local-Currency IDR to 'CC'; Affirms 'RD' Foreign-Currency IDR." *Fitch Ratings*, 1 Dec. 2022, https://www.fitchratings.com/research/sovereigns/fitch-downgrades-sri-lanka-long-term-local-currency-idr-to-cc-affirms-rd-foreign-currency-idr-01-12-2022.

FMM. "Media Freedom Rights Monitoring Reports," Free Media Movement, http://www.fmmsrilanka.lk/mfrmd/.

Hanitzsch, Thomas, et al., editors. *Worlds of Journalism*. Columbia University Press, 2019. *JSTOR*, http://www.jstor.org/stable/10.7312/hani18642.9.

Horsley, William. *Safety of Journalists - Guidebook*. 3rd ed., The Representative on Freedom of the Media, 2020.

Hui, Victoria Tin-bor. "Beijing's Hard and Soft Repression in Hong Kong." *Orbis*, vol. 64, no. 2, Jan. 2020, pp. 289–311. *ScienceDirect*, https://doi.org/10.1016/j.orbis.2020.02.010.

"Indicators to Risks of Media Pluralism." *Media Ownership Monitor*, 2018, https://sri-lanka.mom-gmr.org/en/findings/findings/.

International Labour Organisation. *Employment Relationships in the Media and Culture Industries*. ILO, 2014.

"Introduction: Media Workers Killed in Sri Lanka (2004 - 2010)." *Journalists for Democracy in Sri Lanka*, http://www.jdslanka.org/index.php/killed-media-workers. Accessed 27 Feb. 2023.

"JDS Condemns Attacks on Journalists Following Sri Lanka Easter Massacre." *Journalists for Democracy in Sri Lanka*, 30 Apr. 2019, http://www.jdslanka.org/index.php/press-releases1/879-jds-condemns-attacks-on-journalists-following-sri-lanka-easter-massacre.

Kim, Hun Shik. "A Crisis of Press Freedom: Investigative Journalism and the Downfall of the President." *The Candlelight Movement, Democracy, and Communication in Korea*, edited by JongHwa Lee et al., Routledge, 2021.

Kim, Yong-Chan. "Social Media Use on Protest Sites during the 2016–2017 Candlelight Vigils in Seoul." *The Candlelight Movement, Democracy, and Communication in Korea*, edited by JongHwa Lee et al., Routledge, 2021.

Levi, Lili. "Racialized, Judaized, Feminized: Identity-Based Attacks on the Press." *First Amendment Law Review*, vol. 20, no. 2, 2022, pp. 147–229.

Liu, Lizhi. "The Rise of Data Politics: Digital China and the World." *Studies in Comparative International Development*, vol. 56, no. 1, Mar. 2021, pp. 45–68. *go-gale-com.libproxy1.nus.edu.sg*, https://doi.org/10.1007/s12116-021-09319-8.

Loganathan, Sathyajit. "The Aragalaya on Social Media: Part Two, YouTube," Watchdog, 6 April 2023, https://longform.watchdog.team/observations/internews-social-media-report-youtube.

Lüqiu, Luwei. *Covering the 2019 Hong Kong Protests*. Palgrave Macmillan, 2021. *K10plus ISBN*, https://doi.org/10.1007/978-3-030-82226-2.

"Mounting Harassment of Journalists Poses Threat to Media Freedom in Eastern Sri Lanka." *Journalists for Democracy in Sri Lanka*, 19 Nov. 2020, http://www.jdslanka.org/index.php/news-features/politics-a-current-affairs/971-mounting-harassment-of-journalists-poses-threat-to-media-freedom-in-eastern-sri-lanka.

NewsFirst. "Sri Lanka needs Online Safety Act - State Minister Kanaka Herath," 7 March 2023, https://www.newsfirst.lk/2023/03/07/sri-lanka-needs-online-safety-act-state-minister-kanaka-herath/.

OHCHR. "Bangladesh: Türk Urges Immediate Suspension of Digital Security Act as Media Crackdown Continues," Office of the United Nations High Commissioner for Human Rights, 31 March 2023, https://www.ohchr.org/en/press-releases/2023/03/bangladesh-turk-urges-immediate-suspension-digital-security-act-media.

Omari, Shazdeh. "Attacks on the Press: From Uprisings, Trends to Watch." *Committee to Protect Journalists*, 22 Feb. 2012, https://cpj.org/2012/02/attacks-on-the-press-in-2011-five-early-lessons-from-the-arab-spring/.

Press Complaints Commission of Sri Lanka. "Colombo Declaration on Media Freedom and Social Responsibility," 30 September 2018, http://www.pccsl.lk/colombo-declaration-on-media-freedom-and-social-responsibility-2/.

Reilly, Paul, et al. "Violence against Journalists Is Not New, but Attacks on Those Covering #BlackLivesMatter Protests Is a Bad Sign for US Press Freedom | USAPP." *American Politics and Policy - London School of Economics*, 12 June 2020,

https://blogs.lse.ac.uk/usappblog/2020/06/12/violence-against-journalists-is-not-new-but-attacks-on-those-covering-blacklivesmatter-protests-is-a-bad-sign-for-us-press-freedom/.

Reuters. "Tech Giants from Google to TikTok face Tougher EU Rules," 17 February 2023, https://www.reuters.com/technology/google-twitter-meta-face-tougher-eu-online-content-rules-2023-02-17/.

Ruwanpathirana, Thyagi. "Sri Lanka: Emergency Regulations Must Not Lead to Further Crackdown on Human Rights." *Amnesty International*, 20 July 2022, https://www.amnesty.org/en/latest/news/2022/07/sri-lanka-emergency-regulations-must-not-lead-to-further-crackdown-on-human-rights/.

Selvarajah, Senthan. "Identifying Obstacles to Peace Journalism in Sri Lanka and Nepal." *Journalism Practice*, vol. 15, no. 1, Jan. 2021, pp. 136–52. *Taylor and Francis+NEJM*, https://doi.org/10.1080/17512786.2019.1695536.

Shaw, Ibrahim Seaga. *Human Rights Journalism: Advances in Reporting Distant Humanitarian Interventions*. Palgrave Macmillan, 2012.

SLPI. *Overview of Threats Against Journalists in Sri Lanka (1990-2021)*. Sri Lanka Press Council, 2022.

"Sri Lanka | RSF." *Reporters Without Borders*, 9 Sept. 2022, https://rsf.org/en/country/sri-lanka.

"Sri Lanka Archives." *Committee to Protect Journalists*, 27 July 2022, https://cpj.org/asia/sri-lanka/.

Sri Lanka Brief. "Sri Lanka police spent Rs. 26 mn on tear gas in over 3 months; used tear gas expired 17 years ago!," 08 March 2023, https://srilankabrief.org/sri-lanka-police-spent-rs-26-mn-on-tear-gas-in-over-3-months-even-used-expired-tear-gas-report/.

"Sri Lankan Presidential Candidates Asked to Guarantee Editorial Independence | RSF." *Reporters Without Borders*, 6 Nov. 2019, https://rsf.org/en/sri-lankan-presidential-candidates-asked-guarantee-editorial-independence.

Stanford, Jim. *The Future of Work in Journalism*. The Australia Institute - Centre for Future Work, 2021.

"State-Owned Media." *Media Ownership Monitor*, 2018, https://sri-lanka.mom-gmr.org/en/findings/state-run-media/.

Subramanian, Nirupama. "Explained: Emergency in Sri Lanka, Its History and Contours | Explained News,The Indian Express." *Indian Express*, 6 Apr. 2022, https://indianexpress.com/article/explained/explained-emergency-in-sri-lanka-its-history-and-contours-7852934/.

The Constitution of the Democratic Socialist Republic of Sri Lanka. Revised Edition 2023, The Parliament Secretariat, 2023, https://www.parliament.lk/files/pdf/constitution.pdf.

Tissainayagam, J. S. "Media Censorship Is Part of a Bigger Strategy." *Journalists for Democracy in Sri Lanka*, 21 Sept. 2013, http://www.jdslanka.org/index.php/analysis-reviews/media-a-culture/391-media-censorship-is-part-of-a-bigger-strategy.

Tobitt, Charlotte. "UK Journalists Could Be Jailed like Spies under Proposed Official Secrets Act Changes." *Press Gazette*, 20 July 2021, https://pressgazette.co.uk/news/official-secrets-act-reform-harsher-penalties-for-journalists/.

Trautman, Lawrence J. *Tik Tok! TikTok: Escalating Tension Between U.S. Privacy Rights and National Security Vulnerabilities*. 14 Aug. 2022. *Social Science Research Network*, https://doi.org/10.2139/ssrn.4163203.

UNESCO. *Inside the News: Challenges and Aspirations of Women Journalists in Asia and the Pacific*. UNESCO, 2015.

UNESCO. "Windhoek + 30 Declaration: information as a public good," UNESCO World Press Freedom Day International Conference, Windhoek, Namibia, 2021, https://unesdoc.unesco.org/ark:/48223/pf0000378158.

UNESCO. "Director-General's Report on the Safety of Journalists and the Danger of Impunity," Thirty-third session of the Intergovernmental Council of the International Programme for the Development of Communication, 24-25 November 2022, https://unesdoc.unesco.org/ark:/48223/pf0000378158https://unesdoc.unesco.org/ark:/48223/pf0000383595.

—. "India Tightens Grip on Social Media," DW, 29 October 2022, https://www.dw.com/en/india-tightens-grip-on-social-media-with-new-tech-rules/a-63592973#:~:text=The%20IT%20Rules%2C%20which%20came,fear%20can%20lead%20to%20surveillance.

---. "Killings of Journalists up 50% in 2022, Half Targeted off Duty | UNESCO." *UNESCO*, 16 Jan. 2023, https://www.unesco.org/en/articles/unesco-killings-journalists-50-2022-half-targeted-duty.

---, "Singapore Can Now Order Social Media Sites to Block Access, as 'Online Safety' Law Kicks in," ZDNET, 31 January 2023, https://www.unesco.org/en/articles/unesco-killings-journalists-50-2022-half-targeted-duty https://www.zdnet.com/article/singapore-can-now-order-social-media-sites-to-block-access-as-online-safety-law-kicks-in/.

---. *Statistics of Journalists Killed Worldwide | UNESCO.* https://www.unesco.org/en/safety-journalists/observatory/statistics. Accessed 10 Apr. 2023.

United Nations. *A/76/285: Report of the Secretary-General on the Safety of Journalists and the Issue of Impunity.* A/76/285, 12 Aug. 2021, https://www.ohchr.org/en/documents/reports/a76285-report-secretary-general-safety-journalists-and-issue-impunity.

"United States | RSF." *Reporters Without Borders*, 14 Mar. 2023, https://rsf.org/en/country/united-states.

Waisbord, Silvio R. *Reinventing Professionalism: Journalism and News in Global Perspective*. Polity, 2013.

Wickremasekara, Damith. "Siyatha Slams Police, Fire Brigade." *Sunday Times*, 1 Aug. 2010, https://www.sundaytimes.lk/100801/News/nws_24.html.

Wijeratne, Yudhanjaya. "The Aragalaya on Social Media: Part One, Facebook," Watchdog, 6 April 2023, https://longform.watchdog.team/observations/the-aragalaya-on-social-media-part-one-facebook.

Wolfe, Lauren. "Voice of Asia Network Torched in Sri Lanka." *Committee to Protect Journalists*, 30 July 2010, https://cpj.org/2010/07/privately-owned-voice-of-asia-network-torched-in-s/.

Zelizer, Barbie. *Taking Journalism Seriously: News and the Academy*. SAGE Publications, Inc., 2023, https://doi.org/10.4135/9781452204499.

About this Study

Sri Lanka Working Journalists Association (SLWJA) commissioned the present study to document the challenges to the safety of journalists in reporting during the people's protests in Sri Lanka, comparing these to international standards and practices on the safety of journalists, and to make policy recommendations pertaining to all stakeholders, including the policymakers, law enforcement and security forces, media institutions, journalists, and unions. The report will be officially launched on the 25th of April 2023 in Colombo and available thereafter on the SLWJA website.

This research was conducted by a group of researchers, Dr Rajni Gamage (Institute of South Asian Studies, National University of Singapore) and independent researchers, Mr Harindra B. Dassanayake and Ms Aparna Hettiarachchi. The research team had consultations with assaulted and affected journalists and media persons (from Colombo, and other regions of the country), relevant government officials, media establishments, media experts, and a police spokesperson. The

report looks at the media landscape, identifies persistent issues and emerging trends, and makes recommendations to improve the safety of journalists.

The interview questions included:

1. What is the nature of the harassment by security forces experienced by the media in covering the people's protests?
2. What is the security sector strategy towards media during crises, and how are state institutions and laws mobilised by them in relation to the free press?
3. How do state institutions, such as the Media Ministry and Information Department define who/what qualifies as a media person/organisation?
4. Were those who had media IDs protected during coverage of the protests?
5. What were the dynamics of media reporting on the 2022 crisis and popular protests among media from former conflict areas in the North and East?
6. How was the safety of journalists threatened by non-state parties, such as on May 9 by pro-government group attacks on GGG, and by some among the protestors?
7. What were the responses of media editors and media owners, the human rights commission, and foreign diplomats to how the media were treated during the popular protests?
8. How can media organisations contribute towards improving the safety of journalists when reporting during crises?
9. Were there protection measures (insurance, safety equipment, knowledge of rights and safety guidelines) to ensure the safety of journalists in carrying out their professional duties?
10. What is the state of the country's labour law in relation to this?
11. How did the safety measures of local journalists compare with those employed by foreign journalists covering the crisis?
12. What are the roles and responsibilities of the media in reporting during crises (media ethics)? What is the role of the news department in times of crisis? What good practices can be learnt, adopted, replicated and scaled up?
13. Historically, are there cases where journalists have been threatened and/or assaulted and the perpetrators held accountable? What progress has been made on cases of media harassment and assault during the current crisis?

List of interviewees for "Media Safety in Sri Lanka: Reporting on the 2022 Aragalaya" study:

- Affected or assaulted journalists:
  - NewsWeb, senior photojournalist
  - SkyNews, senior journalist
  - Anidda, senior journalist
  - CSR, video journalist
  - Youtube journalist
  - Exposure News, journalist
  - Contract-based freelance journalist at Sirasa TV
  - Exposure, video journalist
  - Thinakaran, journalist
  - Exposure, news reporter
  - Social media personality on Facebook who has engaged in citizen journalism
  - Anidda, journalist/reporter
  - Veerakesari, video journalist
  - Newscutter/Capital News, video reporter
  - ABC Network, senior journalist
  - ABC Network, journalist
  - Freelance video journalist
  - Wedabima website, senior journalist

- Media experts, media administration, academics and activists on freedom of expression:
  - Senior consultant, Sirasa
  - Senior media expert, Sirasa
  - Senior media expert, former BBC journalist
  - Senior media expert, Free Media Movement
  - Bar Association of Sri Lanka, member
  - Rights activist, RTI Commission

- Policymakers and government officials in
  - Department of Government Information
  - Ministry of Mass Media in Sri Lanka

- Police spokesperson