

# Open Letter to His Excellency President Mahinda Rajapaksa

*16 July 2009*

The International Press Freedom Mission to Sri Lanka, which is comprised of representatives from the world's media community, is extremely concerned over the ongoing spate of violent attacks against the media. However, in spite of the military victory over the Liberation Tigers of Tamil Eelam (LTTE), the deterioration of the press freedom situation in the country has continued.

We welcome your recent statement ensuring the safety of Tamil-language media outlets following a series of harrowing attacks and death threats against their personnel.

However, we believe that much needs to be done immediately to ensure that Sri Lanka's journalists and independent news media in Sinhala, Tamil and English enjoy the freedom and safety to which they are entitled in a democracy.

The International Mission would therefore like to propose to you and your Government a 11-point plan to redress the perilous press freedom environment in Sri Lanka:

- 1. Combat impunity through the creation of a Special Prosecutor's Office for the investigation of crimes against the media with full autonomy to investigate attacks on and assassinations of journalists and to bring those responsible to justice. Several journalists have been killed since 2007, and yet none of these murders has yet been solved.**
- 2. In accordance with international standards on media freedom and freedom of expression, put in place effective measures to ensure that all journalists can work safely, in particular in areas where local council elections will soon take place such as Jaffna and Vavuniya.**
- 3. Release imprisoned journalist J.S. Tissainayagam and his colleagues B. Jasiharan and V. Vallarmathy, who have been detained since March 2008 under the Emergency Regulations, and were later charged under the 2006 Prevention of Terrorism Act. Withdraw all unjustified complaints and lawsuits brought by the police and government against journalists and freedom of expression activists and repeal legal provisions which may be used to punish journalists for engaging in legitimate media work, including those found in anti-terrorism legislation.**
- 4. Release the first results of the investigation into the murder of Lasantha Wickrematunge in 2009.**
- 5. Provide full and unconditional access to the IDP camps for all media in order to report freely and fairly on the reconstruction process since the end of the war. The media can play a vital role in making sure that the reconstruction and reconciliation efforts are genuine and have real impact to bringing lasting peace.**
- 6. Repeal the Press Council Act No. 5 of 1973, which includes powers to fine and/or impose criminal measures, including sentencing journalists, editors and publishers to lengthy prison terms. Instead, allow the media to strengthen the existing self-regulatory mechanism, in accordance with democratic practices.**
- 7. Introduce training for the police, army and the intelligence agencies on freedom of expression and the important role of the media in a democratic society. Since 2007,**

security forces have been allegedly responsible for kidnapping, beating and threatening at least 30 journalists and media workers.

**8. Award financial compensation to journalists who have been arbitrarily detained, beaten or otherwise harassed by security forces.**

**9. Invite the UN Special Rapporteur for Freedom and Expression to visit Sri Lanka, in line with your Government's commitments to the Human rights Council in 2006.**

**10. Work with the state-owned media to ensure the immediate end to direct verbal attacks and threats against independent journalists and press freedom activists, which has in particular promoted the unethical spread of accusations portraying the media as LTTE-supporters in a concerted hate campaign that has put several journalists lives in unnecessary danger.**

**11. Introduce structural legal reforms to create an enabling environment for a free and independent media including by transforming existing state media into independent public service media, with guaranteed editorial independence, by adopting a strong right to information law and by overhauling broadcast regulation to put it in the hands of an independent regulator with a mandate to regulate in the public interest.**

*We are aware that the task you face is enormous, but we hope that your conviction to ensure a prosperous and democratic future for Sri Lanka will lead you to make it a priority to strengthen press freedom as a vital pillar in the reconstruction of a unified Sri Lanka.*

*We, as leading press freedom organisations across the globe, hope that you will give your personal attention to these matters and that you will encourage your government to consolidate a climate in which journalists can work freely and without fear.*

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In October 2006, June 2007 and October 2008 delegations from the International Press Freedom Mission to Sri Lanka, which is comprised of twelve international press freedom and media development organisations, undertook fact-finding and advocacy missions to Sri Lanka.

Those organisations joining this statement from the International Mission group include:

ARTICLE 19

Committee to Protect Journalists (CPJ)

International Federation of Journalists (IFJ)

International Media Support (IMS)

International News Safety Institute (INSI)

International Press Institute (IPI)

Reporters Without Borders (RSF)

World Association of Newspapers and News Publishers (WAN-IFRA)

World Press Freedom Committee (WPFC)