

Joint Statement

International Media Assessment Mission to Sri Lanka

14 May 2015

The International Media Assessment Mission to Sri Lanka visited Sri Lanka from 8 to 14 May 2015 to assess the media freedom situation in the country, including Jaffna. The International Mission was represented by ARTICLE 19, Centre for Law and Democracy (CLD), International Federation of Journalists (IFJ), International Media Support (IMS), Open Society Foundations (OSF) Program on Independent Journalism, South Asia Media Solidarity Network (SAMSN) and UNESCO, with support from Sri Lanka Press Institute (SLPI).

The International Mission welcomes the important positive changes in the environment for media freedom since the new government came into power on 8 January 2015. These include steps to end the climate of threats against and pressure on media outlets and journalists, the unblocking of websites, moves to provide legal protection for the right to information, an invitation to exiled journalists to return to Sri Lanka, and the allocation of relatively greater editorial freedom to the State media. The improvements were recognised and welcomed by a wide range of the stakeholders we met during the mission.

At the same time, as was acknowledged by the government leaders that we met during the mission – the Prime Minister, Ranil Wickremesinghe, the Minister of Buddha Sasana, Public Administration, Provincial Councils, Local Government and Democratic Governance, Karu Jayasuriya, and the Minister of Mass Media and Information, Gayantha Karunathilaka – much needs to be done to ensure that the overall environment for the media respects international standards regarding the right to freedom of expression and provides a strong basis for the growth of a robust, diverse and professional media in Sri Lanka.

The Mission heard about excessive politicisation of much of the media – both private and State – and about the lack of editorial freedom experienced by both editors and working journalists. There is also a serious challenge in terms of professional standards in the media, with issues in terms of qualifications of journalists, the quality of academic training programmes and the availability of quality ongoing training opportunities for journalists. This is exacerbated by low wages and poor working conditions and benefits for many journalists, obstruction of the right to join trade unions, weak systems for promoting and supporting ethical standards, and ethnic divisions in the media, including instances of negative reporting and a culture of ‘communalism’. The Mission also heard that while physical threats to journalists have diminished in the last four months it is important to address the high levels of impunity regarding the killing and disappearance of media workers, and physical threats remain a problem in the North and East of Sri Lanka where many journalists continue to feel at risk and insecure.

These factors threaten to undermine seriously the ability of the media to perform its role as watchdog of government and powerful societal actors, and to inform the public. The International Mission is making the recommendations below with a view to assisting the government and other stakeholders in Sri Lanka to address these and other concerns. Implementation of these measures should only be undertaken after a broad consultative process which involves all interested stakeholders. We note that all of these proposals received support from the government leaders we met.

1. Comprehensive legislation on broadcasting should be adopted in line with international guarantees of freedom of expression. This should provide for, among other things, proper planning in relation to the frequencies allocated to broadcasting, including during the digital transition, an independent body to regulate broadcasting, a three-tier system of broadcasting which recognises public, commercial and community broadcasters, and obligations on broadcasters to be balanced and impartial in their coverage of politics and other matters of public concern.
2. The three State broadcasters – the Sri Lanka Rupavahini Corporation (SLRC), the Sri Lanka Broadcasting Corporation (SLBC) and the Independent Television Network (ITN) – should be transformed into independent public service broadcasters which enjoy editorial independence, have a clear mandate to serve the public and benefit from public funding which does not compromise their independence.
3. Measures should be taken to ensure that the State print media group – Associated Newspapers of Ceylon Limited (ANCL) – is also able to operate independently of government and to enjoy editorial freedom. A broad public consultation should be held to determine the most appropriate way to do this.
4. A right to information law, giving individuals a right to access information held by public authorities and other bodies which are funded or controlled by public authorities, which is in line with international standards, should be adopted and then implemented properly.
5. An independent Commission of Inquiry should be created with a mandate and adequate powers to investigate past killings of, threats to, disappearances of and other attacks on journalists, media workers and media outlets, with a view to ensuring that those responsible are prosecuted and that appropriate compensation is paid to the victims and their families.
6. The Press Council Act should be repealed and the government-controlled Press Council should be abolished. Steps should be taken to ensure that there is an independent and effective system to address complaints regarding the professional conduct of both the print and broadcast sectors.
7. Media owners should recognise and support journalists' and media workers' right to form unions to negotiate and advocate on behalf of their members.
8. A broad, multi-stakeholder consultation should be held to identify needs in the area of professionalization of journalists and media workers, and this should be followed up by a series of concrete actions to deliver on those needs.
9. Civil and criminal law restrictions on media content should be reviewed so as to bring them into line with international standards regarding freedom of expression. Among other things, the Prevention of Terrorism Act should be repealed and replaced with carefully tailored legislation which strikes an appropriate balance between respecting freedom of expression and the need to address terrorism, and the rules on contempt of court should be codified through the adoption of legislation on this matter.