

Sri Lankan government unveils media “ethics” code

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Sri Lankan Media Minister Keheliya Rambukwella has presented a “Code of Media Ethics” to a parliamentary select committee. The bill, which amounts to blanket censorship of journalists and media institutions, was announced in early June. It will be put to parliament in September.

Rambukwella said the actions of certain media institutions in the recent past had led to “many problems” and “therefore it had become an urgent need of the hour to introduce a code of ethics for a good media culture.” The government, which is notorious for its attacks on journalists and the media, is taking another step toward police-state rule.

Most of the code’s clauses are vaguely phrased to allow for the broadest interpretation in gagging media freedom. It states that “no publications should be published which offends against the expectations of the public.” But it will be the government that decides what constitutes “public expectations,” allowing it to exploit the clause to suppress criticism. Already, the government and pro-government individuals have used “public interest litigations” to seek such restrictions.

The sweeping character of the code is evident from its bans on any publication that “contains information which could mislead the public” or “is likely to encourage or incite violence or contains anything against maintenance of law and order or which may promote anti-national attitudes.” Prohibitions also include “anything amounting to contempt of court,” as well as “materials against the integrity of the Executive, Judiciary and Legislature” and “criticism that affects foreign relations.”

President Mahinda Rajapakse and his government have a long history of denouncing criticism of their actions and policies as unpatriotic or “anti-national.” Rajapakse has dismissed evidence that the government

and military were responsible for war crimes during the island’s long-running civil war, branding the material an “international conspiracy.” Media reports containing allegations of government corruption have been attacked as “misinformation.” Now the government is cynically codifying these smears as “ethics,” backed by legislation, to be used to suppress the print and electronic media.

A clause banning “derogatory remarks about religious groups” is particularly sinister. The government is backing Sinhala Buddhist extremist groups, such as Bodu Bala Sena (Buddhist Power Force) and Sihala Ravaya (Echo of Sinhalese), currently engaged in publicly vilifying the country’s Muslim minority. One can predict in advance that this clause will not be used against the government’s chauvinist allies, but rather to try to silence their critics in the media.

The bill states that those who break the “ethics” code should apologise and publish corrections. But the threat is that the offending media institutions and journalists could be hauled before courts, charged with breaching the code, and punished.

Media ministry secretary Charitha Herath told the *Sunday Leader* that the government was also forming a committee to formulate additional legislation to govern web sites. While 67 web sites had registered with the ministry and more web sites were online, he said, no laws existed to take action over articles or reports with “false and damaging content.” He added: “More than a policy, a law is required for web sites because there is an increase in the harm being created by some web sites on society.”

Four years after the end of the war, the government has not only maintained the anti-democratic measures used during the conflict, but is now preparing for a

further media crackdown. Rajapakse is particularly concerned about the rising social tensions being generated by his imposition of the austerity agenda demanded by the International Monetary Fund (IMF), which has led to sharp cost of living increases and cutbacks to essential services. The IMF is insisting on a further reduction in the budget deficit to 5.2 percent of gross domestic product by 2014.

The government confronts growing resistance among workers and youth to the government's policies. Discontent among Tamil people who faced the devastation of the war, particularly in the north and east, is running high.

The International Federation of Journalists (IFJ) criticised the code as an "intrusive set of norms that could considerably worsen the environment for free journalistic practice." It called for the legislation to be withdrawn. The IFJ said there were "serious concerns among Sri Lanka's journalists about its many harsh provisions, including the power to prosecute under criminal law for any perceived violation of the laws in force."

From the beginning of the civil war in 1983, successive governments had blanket powers to impose media censorship under "emergency" laws. The state of emergency was lifted in 2011, but many of its provisions were incorporated into the draconian Prevention of Terrorism Act and other legislation.

During the final years of the war, Rajapakse did not formally gag the media using emergency laws. Instead pro-government goons, operating in collusion with the security forces, created a climate of fear via violent attacks on any journalists and media outlets that were in any way critical of the government or the military.

In January 2009, the studios of MTV, a major television company, were attacked and burned. A day later, armed thugs waylaid the car of *Sunday Leader* editor Lasantha Wickrematunge and killed him in broad daylight near a high security zone. No one has been charged for these crimes or the many other assassinations carried out by pro-government death squads.

Since 1999, 25 media workers, including journalists, have been killed in Sri Lanka, many since Rajapakse came to power in 2005. Over the same period, 20 journalists have fled the country, fearing for their lives. In February, journalist Faraz Shauketaly, who works

for the *Sunday Leader*, was shot and badly wounded by unidentified gunmen in Mount Lavinia, on the outskirts of Colombo.

In April, the press office of the *Uthayan*, a Tamil-language newspaper based in the northern town of Jaffna, was torched by unidentified thugs armed with AK-47 rifles and pistols. It was the second attack on the newspaper within a fortnight. The paper accused the army, which still occupies the Northern Province, of being involved.

The government's media "ethics" legislation is aimed at reinforcing its intimidation of the media and suppressing any, even limited, criticism as it prepares to step up its assault on the social position of the working class and the rural poor.



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