

Sri Lankan government promises amendments to its repressive online media laws

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The Sri Lankan government declared last week that its cabinet had approved proposals to amend its recently passed Online Safety Act (OSA). Cabinet spokesman Bandula Gunawardena told the media on February 13 that the government had received proposals from “relevant industry professionals” and that there would be amendments to the legislation. He did not elaborate further.

The OSA, which was bulldozed through parliament last month, is a far-reaching attack on basic democratic rights that criminalises anyone using social media to voice their opposition to the government and the capitalist system. The measures were signed into law by the Sri Lankan parliamentary speaker Mahinda Yapa Abeywardena on February 1.

The decision to amend the legislation was in response to long-running public opposition from the Asia Internet Coalition (AIC), an alliance of major global internet and technology corporations. The AIC said it would not cooperate with any investigation by the government-appointed Online Safety Commission. AIC members include Amazon, Apple, Booking.com, Expedia Group, Google, GoTo, Grab, LINE, LinkedIn, Meta, Rakuten, X, and Yahoo. The AIC’s demands have nothing to do with defending the democratic rights of Sri Lankan citizens but ensuring that nothing interferes with their company’s profits.

One of the proposed changes, according to the Colombo-based *Sunday Times*, “absolves the ISP [Internet Service Provider], intermediary or their officer employee or agent of civil or criminal liability ‘for anything done or omitted to be done with reasonable care and in good faith in complying with’ any Commission direction or for doing anything it might have to do in relation to a declared online location under the OSA.”

The Online Safety Commission includes five people and a chairman who can be removed by the Sri Lankan president with the consent of the Constitutional Council, which reviews and approve senior government posts. In other words, the OSA Commission will be a political tool of President Ranil Wickremesinghe.

The government’s announcement last September of the original bill saw broad-ranging opposition from workers, students, social media, and free speech activists with 45 fundamental rights petitions lodged with Sri Lanka’s Supreme Court.

After reviewing the petitions, the court proposed 35 limited amendments and ruled that if they were adopted the bill could be passed with a simple parliamentary majority. If they were not accepted, the bill would need a two-thirds majority to become law.

The government responded by claiming that the suggested amendments had been incorporated by the attorney general and pushed it through parliament using its simple majority.

In fact, the government ignored several of the court’s amendments. This was pointed out in a letter by L. T. B. Dehideniya, chairman of the Sri Lanka Human Rights Commission and a former senior justice, who cited five clauses. Wickremesinghe’s cabinet responded by declaring that the OSA was now law and its measures would be implemented until the suggested new amendments were made.

Irrespective of the final form of these additional amendments, the anti-democratic and repressive character of the new laws will remain.

As Clause 12 states: “Any person, whether in or outside Sri Lanka, who poses a threat to national security, public health or public order or promotes feelings of ill-will and hostility between different classes of people, by

communicating a false statement, commits an offence and shall on conviction be liable to imprisonment for a term not exceeding five years or to a fine not exceeding five hundred thousand rupees [US\$1600] or to both such imprisonment and fine.”

Clauses such as, “promoting ill-will and hostility between different classes” can be used to penalise any political party that advocates for the working class to mobilise its political and industrial strength to oust the government or the capitalist system.

Other broad-ranging clauses define the following as criminal offenses, which could be used to persecute and jail political opponents. These include, “communication of false statement amounting to contempt,” “wantonly giving provocation by false statement to cause riot,” “disturbing a religious assembly by a false statement,” and “circulating false report with intent to cause mutiny or an offence against the State.”

The OSA will be managed by the Public Security Ministry, currently headed by Tiran Alles, who is notorious for mobilising the police to break up demonstrations of workers, students and government opponents.

Addressing a community police committee meeting on February 12, Alles said, “A certain group in the country is using social media to attack us,” a reference to activists opposing his ministry’s repressive *Yukthiya* (Justice) campaign.

Under the pretext of suppressing “drugs and crime,” this brutal police operation, which has been condemned by numerous human rights organisations, has arbitrarily arrested over 50,000 people since mid-December, many of them poor.

“As long as I hold this ministerial position,” Alles declared, “I will not yield to the demands of these groups or the international community.”

Wickremesinghe’s desperate efforts to impose its so-called Online Safety Act flows from its fear of the growing mass opposition of workers, students and the poor to his government’s International Monetary Fund-dictated austerity measures.

From January 3 to 5, tens of thousands Ceylon Electricity Board (CEB) workers held a nationwide sick-leave protest. The government responded by imposing its Essential Public Services Act, leading to 66 employees being suspended from their jobs. CEB management has also banned employees from using social media.

Last week hundreds of thousands of health workers

walked out on strike, the third time this year, to demand higher allowances. Wickremesinghe reacted by imposing its essential services laws against the health employees and mobilising soldiers as strikebreakers.

Neither the health sector trade union leadership nor the CEB trade union bureaucracy has mobilised their members in united national industrial action to challenge these reactionary laws or fight the government’s attacks.

Wickremesinghe’s Online Safety measures run parallel with other anti-democratic measures and are aimed at crushing working-class resistance to its social attacks. Its next draconian law—the Anti-Terrorism Bill—will soon be presented to parliament for ratification.

Wickremesinghe moves towards dictatorial methods of rule, which are fully endorsed by all factions of Sri Lanka’s ruling elite, are an expression global processes and the rapid shift towards extreme-right, anti-democratic regimes in the US, Europe and India.

While the opposition Samagi Jana Balawegaya (SJB) and the Janatha Vimukthi Peramuna (JVP) have made limited criticisms of the government’s repressive laws, their comments are aimed at containing the growing anti-government opposition and covering up their own political records.

SJB leaders were in the Wickremesinghe’s United National Party and until recently, assisted in the implementation of various repressive measures against workers and the poor. Likewise, the JVP, which has been in and out of previous governments, has supported previous emergency measures and so-called anti-terror laws.

The working class can defend democratic rights only by mobilising its industrial and political strength, independent of all capitalist parties and the trade unions, and rallying behind them the oppressed masses. The defence of democratic rights is bound up with the struggle for socialist policies against the capitalist profit system.



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