



## Assessment Mission on IMS Engagement in Sri Lanka in Support of the Ceasefire Process

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## 1. Terms of Reference

The mission to Sri Lanka was undertaken between 4 April and 10 April 2002, less than two months after the signing of a ceasefire in the 19 year old conflict in Sri Lanka. Through consultations with media professionals and institutions, as well as the international community in Colombo, the objective of the mission was to assess the different possibilities for an IMS intervention in support of the media in the context of the ceasefire.

The expected outcome of the mission was an assessment of the overall media situation in Sri Lanka and identification of the different possible constructive avenues for IMS contributions. In doing this, an IMS draft proposal, entitled 'Promoting Conflict Conscious Coverage of the Ceasefire in Sri Lanka' was also to be assessed and, if applicable, a strategy including concrete proposals for rapid implementation was to be formulated. In addition, possible national partner organisations were to be contacted.

To achieve these goals, key institutions and individuals were consulted on the possibilities of an IMS intervention<sup>1</sup>. IMS would like to express its thanks to those institutions and individuals who participated in consultations in Colombo during the mission (as shown in 'List of Meetings'). Particular thanks are also extended for the assistance provided by the UNESCO Information & Communication Unit in New Delhi in facilitating the IMS mission.

## 2. Background to Conflict and Ceasefire

### The Historical Context and Recent Developments

For the past 19 years the Government of Sri Lanka has been engaged in a conflict with the Liberation Tigers of Tamil Eelam (LTTE), led by Vellupillai Prabhakaran<sup>2</sup>. The LTTE, which was formed in 1976, has advocated the creation of a separate state for the minority Tamil population in the north and east of the island. The rise in Tamil militancy is often described as being a reaction to heightened Sinhalese/ Buddhist nationalism, entailing discriminatory legislation and disenfranchisement, in the decades following Sri Lankan independence<sup>3</sup>.

The conflict turned violent in 1983 after the killing of 13 Sri Lankan soldiers by the LTTE, sparking anti-Tamil riots in Colombo resulting in the death of several hundred people. Since then the LTTE has been sporadically engaged in conflict with the Sri Lankan armed

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<sup>1</sup> This report is based upon consultations held with those persons/ institutions named in the 'List of Meetings' and should be viewed in the context of the information verbally conveyed during these meetings. Furthermore, the assumptions and conclusions drawn in this document do not necessarily reflect the official views or position of IMS and/or any associated institutions and organisations.

<sup>2</sup> Other militant Tamil groups of varying political persuasions include the PLOTE (Peoples Liberation Organisation of Tamil Eelam), EPRLF (Eelam Peoples Revolutionary Liberation Front), and EROS (Eelam Revolutionary Organisation of Students) – 'Ethnic Conflict in Sri Lanka and Regional Security' (Kumari Jayawardhana, October 1987).

<sup>3</sup> The ethnic composition in Sri Lanka is 74% Sinhalese, 12% Sri Lankan Tamil, 6% Indian Tamil, 6% Moors, and 1% Burghers, Malays and Veddahs. The religious composition is 69% Buddhists, 15% Hindus, 8% Christians, and 8% Muslims. Sinhala, Tamil and English are all official languages – 'The Handbook of the Media in Asia' (New Delhi, Sage Publications, 2000)

forces. During the past two decades the conflict has claimed approximately 64,000 soldiers and civilian lives<sup>4</sup>, with a further 700,000 having been displaced both within Sri Lanka and overseas<sup>5</sup>.

In 1999, following President Kumaratunga's injury in a bomb blast during an election campaign and her subsequent re-election to office, the armed forces went on the offensive and took control of the areas surrounding Vavuniya. Counterattacks by the LTTE in November 1999 pushed the armed forces back and in March 2000 the LTTE launched operation 'Unceasing Waves' capturing Elephant Pass (a heavily defended land-link between the main part of the island and the northern Jaffna Peninsula), thus delivering a serious blow to the Sri Lankan Government. This offensive placed the LTTE in their strongest position since 1998. In response, in April 2001 the Government launched counter offensives against the LTTE, but with limited success, whilst in July the LTTE responded by attacking Colombo international airport.

### 3. The UNF Government, Norwegian Facilitation and Public Opinion

#### Elections and the UNF Government

President Kumaratunga suspended Parliament between July 2001 and September 2001 after her Peoples Alliance (PA) coalition lost its majority, sparking a number of demonstrations organized by the opposition parties. This suspension was lifted after the PA temporarily regained its majority through accords with a leftist party, but when in mid-October the PA suffered further defections the President dissolved Parliament and called for new elections on 5 December 2001. Although the ensuing election campaign was marked by a high degree of violence, voter turnout exceeded 70 percent<sup>6</sup>.

The elections brought the new United National Front (UNF) coalition Government to office, led by the United National Party (UNP), which won 109 seats out of 225. The coalition also includes the Tamil National Alliance (TNA), which won 15 seats, and the Sri Lanka Muslim Congress (SLMC), which won 5 seats. The PA secured 77 seats and the second largest opposition party, the Peoples Liberation Front (JVP), gained 16 seats. The new UNF Government has a centre-right political agenda and is seen as more 'business friendly' than the previous centre-left Government. The UNF has pledged to undertake a number of economic reforms, including taxation legislation and a renewed drive towards privatisation and deregulation, and has promised to tackle corruption.

#### *Norwegian Involvement*

Although the LTTE and Sri Lankan Government, led by President Chandrika Kumaratunga, had previously agreed to accept Norwegian mediation in February 2000,

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<sup>4</sup> 'Sri Lanka – Country Report on Human Rights 2001' (US State Department – Bureau of Democracy, Human Rights and Labor. March 2002)

<sup>5</sup> In particular, many Tamils have fled Sri Lanka to the Tamil Nadu state in southern India, where at present there are a reported 65,000 refugees (Human Rights Watch: World Report - Sri Lanka).

<sup>6</sup> The People's Alliance for Free and Fair Elections (PAFFREL) reported 775 incidents of violence and 49 deaths, the Centre for Monitoring Election Violence (CMEV) reported 4,208 incidents and 73 deaths, whilst the police reported 2,247 incidents and 45 deaths - 'Sri Lanka: Country Report on Human Rights 2001' (US State Department: Bureau of Democracy, Human Rights and Labor. March 2002)

only by the end of 2001 had both the Government and LTTE created a suitable environment for a peace process by announcing separate unilateral ceasefires<sup>7</sup>. This change was facilitated by the arrival of the new UNF Government and allowed the development, through Norwegian facilitation, of a formal agreement, which was signed by the Sri Lankan Prime Minister, Ranil Wickremesinghe, and LTTE leader, Vellipulai Prabhakaran<sup>8</sup>. The agreement came into effect on 23 February 2002 and is deposited with the Norwegian Government.

The agreement firstly outlines the modalities of the ceasefire, including the cessation of all offensive military operations, the separation of forces, and increased freedom of movement for unarmed troops on both sides. Secondly, it includes measures to restore normalcy for all the inhabitants of Sri Lanka, putting an end to hostile acts against civilians, allowing the unimpeded flow of non-military goods, opening roads and railway lines, and a gradual easing of fishing restrictions. Thirdly, the agreement allows for the establishment of the Sri Lankan Monitoring Mission (SLMM), led by Norway, to conduct international on-site monitoring of the fulfilment of the commitments in the ceasefire. The ceasefire foresees the gradual implementation of these commitments in accordance with a series of goals marked by 'plus days'.

#### *Sri Lanka Monitoring Mission*

The SLMM, led by General Trond Furuhojve, includes 23 monitors from the Nordic countries<sup>9</sup> divided into teams of two in 6 district offices<sup>10</sup>, as well as a core staff based in Colombo. Each head of a district team also acts as the chairperson of the local monitoring committee, which includes two persons appointed by the Government and two by the LTTE. Complaints of violations are referred in the first instance to these committees with the goal of resolving issues at the local level. During May a total of 33 complaints were registered, whilst an additional 12 complaints were received in early April. However, thus far the SLMM has indicated its satisfaction that the parameters outlined in the agreement have generally been adhered to.

The Norwegian facilitation efforts are now expected to expand and include the next phase of peace negotiations to be held in Thailand in May 2002.

#### *Public Opinion*

Preliminary public opinion polls on the ceasefire agreement indicate strong support for the peace process of approximately 75 percent<sup>11</sup>. This support apparently crosses both ethnic and regional boundaries. In addition, the local elections held on 22 March further reinforce the UNF mandate and is widely seen as a vote of confidence in the ceasefire process. However, although the UNP election campaign focused on the ceasefire as a key issue, it is worth noting that some national commentators do not see the election result as a mandate for the UNP to continue with the peace process, particularly without

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<sup>7</sup> The LTTE declared a unilateral ceasefire on 19 December 2001, to come into force on 24 December 2001, whilst the Government declared its own unilateral ceasefire on 21 December 2001.

<sup>8</sup> The strong US stance against terrorism following 11 September is widely seen as a key motivator for the LTTE to enter into a ceasefire process.

<sup>9</sup> Danish troops were included in June 2002

<sup>10</sup> These offices are located in Jaffna, Mannar, Vavuniya, Trincomalee, Batticaloa and Amparai.

<sup>11</sup> 'Peace Confidence Index (PCI): An Opinion Poll On Peace – January 2002' (Centre for Policy Alternatives, January 2002)

bringing the President and political opposition more directly into consultation. To try to ensure public support for the peace process Prime Minister Wickremesinghe has pledged to put any final deal to a referendum.

Scepticism of the ceasefire process is also notable in a number of key print media. Although the media currently generally favour the UNP led Government, a divergence has evolved on the issue of the ceasefire whereby the Government receives praise, whilst the ceasefire process itself receives negative comment, in particular relating to the roles of the Norwegians and LTTE<sup>12</sup>.

#### 4. Media in Sri Lanka

##### Media Overview

According to official statistics the literacy rate in Sri Lanka exceeds 90 percent, with three official languages: Sinhala, Tamil and English. To provide an indication of the use of these languages in the media, Sinhala dailies account for 62 percent of circulation, English dailies 27 percent and Tamil dailies 11 percent<sup>13</sup>.

##### *Print Media*

With the first regular English language publication in 1802, followed by the first Sinhala publication in 1860 and Tamil in 1930, the print media in Sri Lanka has a long professional history. The print media is divided between eight newspaper chains/publishing houses of varying size and stature, with the larger four groups having publications in English, Sinhala and/or Tamil. The dominant newspaper groups include the Government owned Associated Newspapers of Ceylon (commonly referred to as Lake House), the independent Upali Newspaper, Wijeya Publications and Leader Publications (for further information on the newspaper groups, individual daily/ weekly publications and circulation figures, please see the Annex 'Media Landscape').

##### *Electronic Media*

Television has traditionally been controlled by the Government, although there was a growth in independent broadcasting after 1994 when the Government opened the market to commercial investors. At present there is the Sri Lanka Rupravahini Corporation and Independent Television Network (ITN), which are both owned by the Government. In addition there are a number of independent commercial TV channels, including Sirasa TV/ MTV, TNL TV, Swarnavahini, Dynavision and ETV. As a general assumption, the majority of privately owned channels are commercially orientated and do not focus on current affairs or news. Moreover, Sri Lanka presently has systematic electricity power-cuts (2½ hours in the morning and 2½ in the evening), which hinders regular broadcasting and reduces advertising revenues (for further information on TV stations, please see the Annex 'Media Landscape').

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<sup>12</sup> The Norwegian role within the ceasefire process has not received broad public support, with key political figures and certain media institutions portraying the Norwegian involvement as a violation of Sri Lankan national sovereignty. Distrust of the LTTE seems to be mainly based on the failure of previous peace processes and suspicion of the 'true' LTTE agenda.

<sup>13</sup> *The Handbook of the Media in Asia* (New Delhi, Sage Publications, 2000)

In terms of radio, the Sri Lanka Broadcasting Corporation (SLBC) is Government owned and broadcasts in Sinhala, Tamil and English. Owners of the other main commercial stations include MBC, Asia Broadcasting Corporation and Colombo Communications (for further information on radio stations, please see the Annex 'Media Landscape').

Sri Lanka gained its first commercial internet access in April 1995 and currently has more than eight Internet Service Providers (ISPs), although most of their business is in the Colombo area.

### National Media NGO's and Institutions

The Editors Guild was formed in 1999 and brings together the main print media editors in the country. The Newspaper (Publishers) Society brings together the main publishing house owners, whilst the Working Journalists Association is the largest journalists association in the country. The Tamil Media Alliance is an active association bringing together the Tamil language media.

The Free Media Movement (FMM) is a prominent lobby group dealing with media issues. The Centre for Counter Conflict Journalism (CCCJ) is a newly established media NGO, which has already undertaken media and peace related seminars.

The Centre for Policy Alternatives (CPA) and International Centre for Ethnic Studies (ICES) are both academic orientated institutions that work on a variety of issues, including the media. In particular, the CPA has an active Media Unit and Conflict and Peace Unit. The National Peace Council (NPC) is an NGO dedicated to the achievement of peace in Sri Lanka, which also engages in media related activities.

The Consortium of Humanitarian Agencies (CHA) engages in a range of projects, including media and communication. The Sarvodaya Shramadana Movement is a broad-reaching national humanitarian NGO, which also engages in grass-roots communication programmes.

### International Involvement

A number of internationally funded media related projects aimed at enhancing prospects for peace have been undertaken in Sri Lanka over the past years.

Worldview, a Colombo based media-civil society development NGO, has since 1979 been engaged in extensive broad-based communications programmes aimed at enhancing peace prospects in Sri Lanka. Worldview currently runs two programmes per week in Sinhala ('Sathi') and Tamil ('Vilippu') on peace related issues to raise awareness of the importance of maintaining ethnic harmony to find a peaceful solution to the conflict. In addition, Worldview has a number of regional youth orientated awareness raising weekly TV programmes that are broadcast on stations in Sri Lanka<sup>14</sup>. The organisation also has an extensive network of around 300 local NGOs throughout the country engaged in its activities and runs an internet based communications programme. Moreover, Worldview

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<sup>14</sup> Aside from peace related issues, topics addressed in these programmes also include reproductive health and prevention of HIV/AIDS, child rights including elimination of child labour, promotion of women's rights, environmental conservation and others.

aims to open a Media University for approximately 50 students from the SAARC countries by September 2002<sup>15</sup>.

UNESCO has been actively engaged in communication programmes in Sri Lanka, in particular relating to internet and local radio development aimed at bridging ethnic divisions entrenched by the conflict.

The South Asian Editors' Forum, with the support of the Canadian Institute for Media, Policy and Civil Society (IMPACS), has since 1998 strengthened communication between senior media managers of indigenous language press in Sri Lanka, India and other countries in the region with a view to furthering more compatible regional relations.

Article 19 has been involved in a series of workshops in Sri Lanka looking at particular threats to freedom of expression, such as criminal defamation penalties and the use of national security to enhance official censorship.

In February 2002, the Norwegian Embassy and Delegation of the European Commission supported the Centre for Counter Conflict Journalism (CCCJ) in Colombo to conduct a conflict resolution seminar for journalists to promote inter-ethnic understanding. Furthermore, the Colombo based Centre for Policy Alternatives (CPA) intends to hold a series of seminars on peace journalism for Sri Lankan reporters from both the print and electronic media during 2002.

In February, SIDA undertook a mission to Sri Lanka in order to assess the feasibility of establishing a permanent journalism training facility. A report on the findings of this mission is expected in April/May 2002.

Other international institutions previously and currently engaged in media and communication related activities in Sri Lanka include the Commonwealth Press Union, which will hold its 5<sup>th</sup> Commonwealth Editors' Forum and the Biennial Conference in Sri Lanka from 7 to 11 October 2002, the Thomson Foundation, and the BBC World Service Trust. In addition, a number of diplomatic missions, international organisations and UN agencies (including UNESCO, UNDP, UNICEF, and UNHCR) have funded national communication programmes.

Although, as noted above, there is a range of internationally supported media development and communication activities in Sri Lanka, to the best of the authors' knowledge no internationally funded media support projects relating to the ceasefire are currently being undertaken.

## 5. Current Issues of Media Concern

### Legislative Reforms

The issue of media related legislation has been prominent in Sri Lanka for a number of years. Although the Sri Lanka Constitution of 1978 provides for freedom of speech and expression (Chapter III, Article 14 - 1a), the conflict in the country has been used by successive Governments to impose restrictions on these freedoms.

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<sup>15</sup> SAARC (South Asian Association for Regional Co-operation) countries include Bangladesh, Bhutan, India, the Maldives, Nepal, Pakistan and Sri Lanka.



Included in the PA's election manifesto of 1994 was a pledge to implement far-reaching media reforms. Following their election success of that year, the Government established four Committees to propose recommendations on media issues<sup>16</sup>. However, despite the recommendations made by these Committees in 1996, the Government did not take action. Additionally, in 1997 a Parliamentary Select Committee on Legislative and Regulatory Framework Relating to the Media was set up to review the establishment of a new broadcasting authority, repealing of the Sri Lanka Press Council Law, and creation of a new Media Council. However, this process also failed to produce substantive results and was criticised by the media community as farcical.

#### *Criminal Defamation*

Section 479 of the Penal Code and Sections 14 and 15 of the Press Council Law No.5 of 1973 foresee stringent regulations that can be imposed on the media in contradiction to modern principles of freedom of information and criminal liability. In addition, the use of criminal law also brings the threat of imprisonment (see 'Censorship').

A number of editors have pending criminal defamation cases against them, most notably filed by key political figures. For instance, in 1997 the editor of the Sunday Times was given a seven year suspended sentence for defamation, although his appeal, heard by the Court of Appeal in 2000, was upheld.

Furthermore, the power of the Attorney-General, who is appointed by the Government, to determine if and when legal proceedings for criminal defamation cases should be initiated is also a hindrance to a fair and transparent process.

#### *Parliamentary Privilege*

In 1997 the PA Government repealed aspects of the 1978 Amendment to the Parliamentary Powers and Privileges Act (1953), which had given Parliament the power to deal with breaches of the peace, returning these powers to the Supreme Court. However, other amendments to the original Act, such as those of 1980 that make it an offence to purposely publish words or statements after the Speaker has ordered them expunged from Parliament, also imposes restrictions on reporting.

#### *Contempt of Court*

In its present form the law relating to Contempt of Court is reportedly vague and lacking in clear guidelines for the media to follow. The restrictive formulation of this laws prohibits any action that questions the authority and ability of the judiciary, namely by criticism of the court through implying dishonesty, incompetence or infirmity of a judge, by contravening the sub judice rule, or by disregarding the court, such as refusing to reveal an information source. This formulation of the law means that the media has to engage in self-censorship, thus hindering the free dissemination of information in the public domain (see 'Censorship').

#### *Freedom of Information*

There is no Freedom of Information Act granting the general public and media access to official information and acquiring such information or getting confirmation from responsible officials is reportedly difficult. In addition, in 2000 the Government enforced

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<sup>16</sup> The four Committees were set up to deal with: broad-basing the state-owned Lake House newspaper group, reform the media and media freedom, the establishment of the media training institute, and improving conditions for media personnel.

long-standing but dormant rules making it an offence for a state official to communicate any information to the media<sup>17</sup>.

## Outlook

With the change in Government in December 2001, the aforementioned legislative reform agenda has been given renewed emphasis and the media community in Sri Lanka has actively engaged the new Government in promoting these reforms. There has also been international involvement, including Article 19 and the UN Special Rapporteur on Freedom of Statement, Abid Hussein.

Prime Minister Wickramasinghe has pledged to ensure that the reforms are implemented and on 24 April the Sri Lankan Government approved legislation to remove sections of the penal code that were used for criminal defamation against editors. The Justice Minister, W.J.M. Lokubandara, stated that this was a result of agitation both at the local and international level for the repeal of the criminal defamation laws on the grounds that they were draconian and unnecessarily impinged freedom of expression.

## Broad-Basing State Controlled Media

The Lake House, Sri Lanka Broadcasting Corporation, Raupavahini TV Corporation, and Independent Television Network all fall under the Government, providing an incumbent political party with malleable media outlets. Under previous Governments these institutions have been used to facilitate and communicate political policies and actions, thus undermining the freedom and credibility of the institutions. Moreover, a change in Government often brought new editorial staff to these institutions.

### *Outlook*

In light of pledges made by the UNP it seems that the new Government will undertake moves towards broad-basing and deregulating state owned media institutions. Thus far the Government has indicated its commitment to this process by placing a new Director, Bandula Padmakumara, at Lake House to head up structural changes in the newspaper group. Furthermore, the often seen 'culling' of staff after a change in Government has not occurred. There are reportedly also plans afoot to streamline the Government controlled media by merging SLBC and ITN.

## Media Training Institution/ Press Centre

### *Media Training Institution*

The creation of a Media Training Institute and/or Press Centre is a central discussion within the Sri Lankan media community. It appears that entry-level professional standards are often poor, which is widely seen as a result of inadequate journalism

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<sup>17</sup> The Free Media Movement intends to have completed a position paper on legal reform by May 2002. In addition, for further information on legislative reforms please refer to 'Global Trends on the Right to Information: A Survey of South Asia' (Article 19/ Centre for Policy Alternatives/ Commonwealth Human Rights Initiative/ Human Rights Commission of Pakistan, July 2001), 'Media Law Reforms: Briefing Paper for Members of Parliament' (The Editors Guild of Sri Lanka, 2001) and 'Sri Lanka: Failing to Protect the Rule of Law and the Independence of the Judiciary' (International Bar Association, November 2001).

training facilities at the higher education level. At present, a reportedly high number of entry-level journalists only have secondary education and many are using journalism as a source of income until acquiring the qualifications to move onto other professions or businesses.

Media related courses do exist in Sri Lanka at the Open University, Colombo University, Kalenya University and Aquians College. However, journalism is often only a part of broader mass communication courses and the curricula used are reportedly out-dated with little practical training components. Furthermore, it seems that there is only limited capacity and many graduates apparently choose not to enter journalism on completion of their studies.

### *Outlook*

This problem is widely recognised within the media community and approaches have been made to the Government to begin preparations for a media training institution/ press centre, including requests for funding. Whilst in Colombo the author met with a number media NGOs/ institutions pursuing initiatives relating to the creation of a media training institution. These included a joint Editors Guild/ Free Media Movement/ Publishers Society/ Working Journalists Association proposal to form a training institution/ press club, a Centre for Counter Conflict Journalism proposal to undertake co-ordination and planning activities for a training institution, and a Worldview plan to establish a Media University for the SAARC region.

Although a media training institution and/or press club is required in the Sri Lankan context and will most probably be established in the future, the initiative will yet entail decisions amongst the main national media actors. Furthermore, in terms of interest from international donors, it seems that a number of institutions have expressed interest in supporting such an institution, although to the best of the author's knowledge none have yet made firm commitments.

### Professional Standards and Reporting the Ceasefire

As noted earlier in the report, the ceasefire consists of a number of mutually agreed complex rules of conduct, and disagreement over the implementation and interpretation of the agreement seems possible. In light of this, it is important that media coverage of the ceasefire remains professional and objective, as it will be instrumental in shaping public opinion. This will be of particular importance when peace negotiations get underway in Thailand and the public eventually votes in the promised referendum.

The conflict in Sri Lanka has been ongoing for two decades and long-standing reporting trends combined with the sudden shift in circumstances may hinder balanced coverage of the ceasefire process and efforts towards lasting peace. Many national observers have suggested that the media is to some extent 'part of the problem, not the solution', because it often takes a confrontational approach and journalists are sometimes accused of violating principles of objectivity and accuracy. The rapid transformation of events following the ceasefire has now created a new delicate political dynamic and the media will require a broad range of tools and knowledge to interpret and communicate this process in a balanced fashion. Such objectivity will be crucial in allowing the public to make an informed and balanced decision about the peace process.

### *Outlook*

As noted in the 'Media Overview' section, the media in Sri Lanka has a long and distinguished professional history dating back more than one and a half centuries and this professionalism must be taken into consideration. Therefore, in order to assist the national media in the protection of these professional standards and to provide the tools and knowledge with which the new circumstances can be assessed, interpreted and communicated, an opportunity for sub-editors and journalists to gain exposure to the latest international research on conflict conscious news management could be of significant benefit. The media's ability to evaluate and convey the ceasefire process in a professional and objective manner would thus be furthered through the provision of increased awareness of conflict sensitive news management techniques and an operational understanding of the role of the media in a ceasefire context. Such activities could have a positive effect and would provide assistance to the media in the ceasefire process.

## Censorship

### *Government Censorship*

During previous years Government censorship relating to the conflict has been restrictive. Such censorship was put in place through emergency regulations under the Public Security Ordinance with the aim of preventing sensitive information reaching the LTTE through the media. However, these mechanisms have also apparently been used by the authorities to impose broader restrictions on the media and prevent criticism of the Government.

In June 1998, censorship regulations were re-imposed and later in November 1999 increased after a series of military setbacks. Although these censorship regulations were repealed in June 2001, the practice continued through different mechanisms, including limiting access to the conflict area, restrictive legislation (see 'Legislative Reforms'), threats of violence and intimidation, restrictions on re-broadcasting international media, and enforced self-imposed censorship.

### *Outlook*

The election of a new Government in late 2001 and signing of a ceasefire has changed the censorship situation, with the UNP no longer enforcing restrictions on the media vis-à-vis their coverage of the ceasefire. In addition, restrictions on movement into the conflict affected areas for journalists and the general population have been lifted.

The media community and UNP led Government currently have positive relations. However, the future assurance of media rights cannot be based alone on good relations with an incumbent Government. Encouragingly, the UNP has pledged to undertake the necessary legislative reforms to ensure adequate freedoms (see 'Legislative Reforms'). In addition, the Government has reacted positively towards the idea of establishing a self-regulatory Press Compliant Commission<sup>18</sup>.

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<sup>18</sup> Such a Commission would theoretically supersede the current Government controlled Sri Lanka Press Council.

### *LTTE Censorship*

The media in the North and East of Sri Lanka in LTTE controlled areas has also been censored. In addition, such censorship is also applied to academics and political figures<sup>19</sup>. However, a limited number of independent media outlets, such as Uthayan newspaper, have been active in these areas during the past two decades.

### *Outlook*

The ceasefire, and freedom of movement entailed therein, has in recent days facilitated the entry of the Colombo based Tamil language media into LTTE controlled areas, which should help to create a more plural media environment. However, as the ceasefire process continues, the LTTE must theoretically take steps to allow increased media freedoms and it will therefore be necessary to observe this process in the months ahead. Media in the North and East

At the present time there are three regional Tamil language publications in the north: Uthayan, Thinakural - Jaffna Edition, and Valapuri<sup>20</sup>, and one in the east: Thinkathir. In addition, the LTTE has its own political media infrastructure, including a radio station, newspaper and website (see Annex 'Media Landscape'). During the past years the few independent media institutions that have remained active in the North and East of the country have faced a number of challenges.

Of particular note is Uthayan, which is an independent Tamil language newspaper based in Jaffna, which has continued to publish during the past two decades. To name but a few of the most severe obstacles faced by this newspaper, it has had its printing presses destroyed<sup>21</sup>, it had to pursue a complex legal process to reverse a Government ban<sup>22</sup>, and its staff have been repeatedly threatened and attacked, including the murder of the General Manager.

### *Outlook*

In overcoming these obstacles Uthayan has secured itself a broad readership based in the north of the country. However, recent developments are cause for concern for the newspaper as the larger Colombo based Tamil papers begin circulation in the North and East<sup>23</sup>. This process is in itself welcome, however, these Colombo based newspapers have broader financial bases, improved logistical facilities and better printing capabilities. Uthayan is therefore concerned that, although they have a strong core readership based on their reputation and regional Jaffna based perspectives, commercial market forces could now force them to close.

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<sup>19</sup> Most notably the moderate Tamil academic and politician, Dr. Neelan Tiruchelvam, was killed by a suicide bomber in July 1999. Violence has also been directed against Human Rights organisations such as the University Teachers for Human Rights (UTHR).

<sup>20</sup> Valapuri is associated with the Tamil political party, EPDP.

<sup>21</sup> Uthayan was out of print for 4 months, but managed to restart on the basis of its own financial resources.

<sup>22</sup> The reversal of the ban was firstly denied by the appeals court. However, when a prominent Sinhala newspaper, the Sunday Leader, was also banned on the same grounds but subsequently successfully appealed, Uthayan used this legal precedent to rehear its case and was thus allowed to restart publication.

<sup>23</sup> It is estimated that the Tamil Colombo based newspapers have started in April with a circulation of approximately 4,500 copies in the Jaffna area.

## 6. Assessment of Draft IMS Intervention and Conclusions

### Areas of Possible IMS Intervention

#### *Review of Issues*

As is apparent from the previous section, there are a number of current media related issues of concern in Sri Lanka. The aim of the mission was to find out about and evaluate these issues with a view to assessing how and where IMS might become engaged in support of the media in the ceasefire process.

Of the issues raised above, a number require delicate long-term engagement, such as the creation of a media training institute/ press club. Others, such as legislative reforms and broad-basing the state controlled media, appear to already be in hand as a result of active engagement of the new Government by the media community. This improved atmosphere brought by the change in Government has also helped ease censorship and will hopefully formalise media rights through legislative reforms.

The ceasefire has also had the positive benefit of opening up the North and East of the country to the national media, although this will pose some competition difficulties for the existing regionally based independent media in these areas. In addition, in the coming months as the ceasefire process develops and the national media becomes more present in the LTTE controlled areas, it will be necessary to monitor the ability of the LTTE to allow an active free media to operate.

Although each one of the abovementioned issues is an area of pressing concern, all of which will be affected in some manner by the new political situation and ongoing peace process, the majority are either already being adequately addressed by the national and international community or are not of direct significance to the ceasefire process.

In terms of areas where IMS could make an immediate and direct contribution to the media community in support of the peace process, the issue of professional standards and reporting the ceasefire seem highly applicable.

### Assessment and Conclusions on IMS Intervention

Many of the consultations made during the mission reinforced the perception that the rapid transformations of events resulting from the ceasefire have presented a new delicate political dynamic in the country. However, during the past two decades of conflict certain media outlets have sometimes pursued confrontational lines, often reflecting Sinhala/ Buddhist nationalist sentiment. With the situation in the country currently delicately poised, objective and informed public opinion will be crucial to the overall peace process, in particular when the final negotiated settlement is put to a referendum. The role of the media in shaping public perceptions will be key and it is therefore essential that professional reporting of the ceasefire be maintained so that the public can make an informed and balanced decision.

In these circumstances, those persons who on a daily basis are responsible for commissioning stories from the individual journalists and coaching and prioritising in the actual newsgathering and editing process will play a crucial role. Exposure for this sub-editorial group to the latest international research and tools in conflict conscious news

management could therefore assist in communicating the peace process in an objective and professional manner.

In view of the current situation in Sri Lanka and the readiness of IMS to become engaged in support of the media vis-à-vis the ceasefire, the facilitation of activities to assist sub-editors in their task of managing the news in an objective fashion would be of considerable benefit. In particular, the opportunity to gain access to structured research based knowledge of similar conflict situations around the world and how the resolution processes were dealt with in these circumstances could be well received by the media community in Sri Lanka.

Therefore, in view of the above conclusions, the existing IMS draft proposal entitled 'Promoting Conflict Conscious Coverage of the Ceasefire in Sri Lanka' provides a sound theoretical basis and structure on which to implement IMS activities in support of the ceasefire process. However, although the draft proposal covers the main requirements for such an intervention, certain key alterations should be included.

#### *Structure of Intervention*

The existing proposed structure for the intervention as outlined in the 'Promoting Conflict Conscious Coverage of the Ceasefire in Sri Lanka' proposal remains valid. Two 2-day workshops for the print and electronic media would allow for approximately 15 to 25 participants in each session and provide the necessary time to relay and discuss conflict conscious news management tools and techniques.

#### *Target Group*

As noted above, the workshops should ideally be aimed at those who are on a daily basis commissioning and editing the news. Therefore, the target group should remain the sub-editor level.

Before initiating these activities it is recommended that formal presentations be made to both the Minister for Mass Communications and the Editors Guild. This will ensure that the necessary courtesy is paid to the national media community and will provide the opportunity for IMS to receive additional input concerning the orientation of its activities.

#### *International Expertise*

In accordance with the above-stated aim of the intervention, the international expert, Ross Howard, appears ideally suited. In addition, the inclusion of an editor with experience from another conflict environment (the Northern Ireland context could be applicable) might also be of benefit.

If guest speakers are to be involved, it is proposed that they include representatives of the Norwegian facilitators/ SLMM, Government, political opposition, mainstream Tamil society, and Editors Guild.

#### *Facilitating Communications*

The originally foreseen concept of facilitating linkage and communication between the Norwegians/ SLMM and the national media community does not seem necessary as both expressed satisfaction at the existing level of interaction and information flow.



*Sustainability*

The project must include sustainability elements. In this fashion, a Training-of-Trainers (ToT) component could aim at supporting the activities of a reputable national institution engaged in conflict and peace journalism fields. Such national institutions could include the CPA and CCCJ, both of which foresee long-term activities of this nature. In addition, a ToT component would assist in the development of national journalism training capacities and in this regard IMS must ensure that such activities compliment those already foreseen, in particular by the Editors Guilds and others.

Linkage with international donors engaged in similar fields should also be sought and in this manner the current interaction with UNESCO is welcomed. Furthermore, the development of a working relationship with IMPACS to explore the possibilities of fielding a mission to Sri Lanka to review longer-term engagement possibilities is also a positive development.

*Location*

The workshops should ideally be held at a location outside of Colombo (approximately 1 hour by car) over an extended weekend period, thus helping to ensure focus.



## 7. Appendix

### Media Landscape

#### *Print Media*

The print media is divided between eight newspaper chains/ publishing houses of varying size and stature. Circulation figures vary and it seems that only a few of the publications are commercially profitable<sup>24</sup>.

Associated Newspapers of Ceylon Ltd (ANCL), better known as Lake House, was formerly a private company founded by R. Wijewardena<sup>25</sup>. In 1973 this group was acquired by the Government and remains under its control (see 'Broad-Basing of State Controlled Media'). Although the image of being a Government mouthpiece has lessened circulation in previous years, Lake House remains the largest of the groups. Lake House has four daily newspapers: Daily News (English/ morning/ approx circulation 85,000), Observer (English/ evening/ approx cir. 3,000), Dinamina (Sinhala/ morning/ approx cir. 50,000) and Thinakaran (Tamil/ morning/ approx cir. 14,000). In addition, the group has three weekly papers: Sunday Observer (English/ approx cir. 120,000), Silumina (Sinhala/ approx cir. 200,000) and Thinakaran Vara Manjari (Tamil/ approx cir. 14,000).

Upali Newspaper Ltd was established in 1983. The group has two daily newspapers: The Island (English/ morning/ approx cir. 35,000) and Divayina (Sinhala/ morning/ approx cir. 55,000). Upali also publishes two weekly papers: The Island (English/ approx cir. 55,000) and Sunday Divayina (Sinhala/ approx cir. 25,000).

Wijeya Publications Ltd was bought by the former owner of the Lake House group, R. Wijewardena, when it was the Times of Ceylon. The group has two daily newspapers: Daily Mirror (English/ approx cir. 85,000) and Lankadeepa (Sinhala/ approx cir. 100,000). Wijeya also has two weekly newspapers: Sunday Times (English/ approx cir. 80,000) and Lankadeepa (Sinhala/ approx cir. 276,000).

Leader Publications Ltd was established in 1994 and has followed an editorial line favouring the UNP. This group has two weekly publications: Sunday Leader (English/ approx cir. 40,000) and Irida Peramuna (Sinhala/ approx cir. 80,000).

Express Newspapers Ltd is owned by a consortium of Tamil businessmen of Indian origin and pursues an independent line supportive of Tamil issues. The group has one daily newspaper: Virakesari (Tamil/ approx cir. 14,000), and two weekly publications: Virakesari Illustrated (Tamil/ approx cir. 90,000) and Mithran Varamalar (Tamil/ approx cir. 40,000).

Sumathi Publishers Ltd is an independent newspaper group established in 1996. This group has one daily publication: Lakkbima (Sinhala/ approx cir. 35,000) and one weekly publication: Sunday Lakkbima (Sinhala/ approx cir. 125,000).

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<sup>24</sup> The circulation figures listed in this section are all based on figures provided by the publishing houses/ newspaper groups in November 2000.

<sup>25</sup> R. Wijewardena is a family relation of the current Prime Minister, Ranil Wickremesinghe.

United Newspapers Ltd has one daily: Thinakural (Tamil/ approx cir. 32,000), and one weekly: Sunday Thinakural (Tamil/ approx cir. 50,000). Ravaya Publications has one weekly political publication: Ravaya (Sinhala/ approx cir. 25,000). Finally, of note is the independent regional Tamil language newspaper, Uthayan, which is published in Jaffna.

#### *Electronic Media*

Television has traditionally been controlled by the Government, although there has been a growth in independent broadcasting after 1994 when the Government opened the market to commercial investors. At present there is the Sri Lanka Rupravahini Corporation, which is owned by the Government and runs two channels with island-wide coverage. The Government also owns the Independent Television Network (ITN), which was originally started as a private company in 1979, but acquired by the Government under the Acquisitions Act. ITN broadcasts a single channel.

Sirasa TV/ MTV is a privately owned English language channel, orientated towards family entertainment. MTV has a relatively developed news broadcast that presently favours the UNP. TNL TV is owned by the Prime Minister Wickremesinghe's brother and also takes a pro-UNP line.

Swarnavahini is a privately owned channel that broadcasts Hindi movies and music and reaches only the Colombo audience. Dynavision is also a Colombo focused private channel, which has an emphasis on western soap operas. Finally, Extra Terrestrial Vision (ETV) was established in 1993 and is the local terrestrial broadcaster of Sky TV. It is also limited to broadcasting in the Colombo area.

As a general assumption the majority of privately owned smaller channels are commercially orientated and do not focus on current affairs or news coverage. Many only have news broadcasts of a few minutes, normally favouring the current Government. In addition, Sri Lanka is presently under a regime of systematic electricity blackouts (2½ hours in the morning and 2½ in the evening), which hinders regular broadcasting and reduces advertising revenue.

In terms of radio, the Sri Lanka Broadcasting Corporation (SLBC) was established in 1925 and is Government owned, with broadcasts in Sinhala, Tamil and English. MBC, which is probably the most popular radio station, has three channels: Sirasa, Shakthi and Yes FM, which broadcast in all three official languages. The Asia Broadcasting Corporation is privately owned and has five separate FM channels broadcasting in all three languages. Colombo Communications Ltd is also privately owned and has four separate FM channels in all three languages running since 1995. Finally, Lakhanda Radio was established as a subsidiary of the Government owned ITN TV and broadcasts in Sinhala only.

Sri Lanka got its first commercial internet access in April 1995 and currently has over eight Internet Service Providers (ISP), although most of their business is in the Colombo area. At present the Government has no controls over the ISPs and they are free to decide their tariff structures and service channels.

It is also worth noting that the LTTE has its own political media infrastructure, including the Voice of Tigers radio, Sound of Freedom newspaper, and Tamil Net website, which is run directly by the central LTTE structures and propagates their agenda.

## Supporting Documentation

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- 3) Country Report Sri Lanka (Economist Intelligence Unit, March 2002)
- 4) Defending Human Rights - Sri Lanka (Human Rights Watch. World Report 2001)
- 5) Ethnic Conflict in Sri Lanka and Regional Security (Kumari Jayawardhana, October 1987)
- 6) Global Trends on the Right to Information: A Survey of South Asia (Article 19, Centre for Policy)
- 7) Alternatives, Commonwealth Human Rights Initiative, Human Rights Commission of Pakistan, July 2001)
- 8) Media Law Reforms: Briefing Paper for Members of Parliament (The Editors Guild of Sri Lanka, 2001)
- 9) Peace Confidence Index (PCI): An Opinion Poll On Peace – January 2002 (Centre for Policy Alternatives – Sri Lanka, January 2002)
- 10) Peace Monitor: Volume 4 (Centre for Policy Alternatives – Sri Lanka, Issue 1, January 2002)
- 11) Peace Monitor: Volume 3 (Centre for Policy Alternatives – Sri Lanka, Issue 1, April 2001)
- 12) Peace Monitor: Volume 2 (Centre for Policy Alternatives – Sri Lanka, Issue 2, June 2000)
- 13) Sarvodaya Annual Report 2000 – 2001 (Sarvodaya Shramadana Movement – Sri Lanka, March 2001)
- 14) Sri Lanka – Country Report on Human Rights 2001 (US State Department – Bureau of Democracy, Human Rights and Labor. March 2002)
- 15) Sri Lanka: Failing to Protect the Rule of Law and the Independence of the Judiciary (International Bar Association, November 2001).
- 16) Statement by Mr. Jan Petersen, Foreign Minister of Norway: Announcement of Sri Lanka ceasefire (22 February 2002, Foreign Ministry of Norway)
- 17) The Handbook of the Media in Asia (New Delhi, Sage Publications, 2000)
- 18) The Sri Lankan Stalemate: Going Off the Screen in the Post Cold War (Graduate School of International Studies, Monterey Institute of International Studies, San Diego, June 1999)

## Acronyms

ANCL	Associated Newspapers of Ceylon Limited (Lake House)
CCCJ	Centre for Counter Conflict Journalism
CPA	Centre for Policy Alternatives
CHA	Consortium of Humanitarian Agencies
EG	Editors Guild of Sri Lanka
FMM	Free Media Movement
FP	Freedom Party
HoM	Head of Mission
ICES	International Centre for Ethnic Studies
IMPACS	Canadian Institute for Media, Policy and Civil Society
IMS	International Media Support
ITN	Independent Television Network
JVP	Janata Vimukthi Peramuna (Peoples Liberation Front)
LTTE	Liberation Tamil Tigers of Eelam
NPC	National Peace Council of Sri Lanka
PA	Peoples Alliance
EC	European Commission
SLBC	Sri Lanka Broadcasting Corporation
SLMC	Sri Lanka Muslim Congress
SLMM	Sri Lanka Monitoring Mission
TNA	Tamil National Alliance
UNF	United National Front
UNP	United National Party
UTHR	University Teachers