



BRIEF NOTE

FREEDOM OF EXPRESSION

**IN TIMES OF CRISIS
AND REFORM**

BACKGROUND

Freedom of expression is the right to share one's views, ideas, feelings, and thoughts without state interference.¹ In the context of an effective democracy and respect for human rights, freedom of expression is not only important as a separate right, but also plays a central role in protecting other human rights. Without a broad guarantee of the right to freedom of expression, protected by independent and impartial courts, there can be no free country or true democracy. This general principle is undeniable.²

Freedom of expression is both a right in itself and a component of other protected rights, such as the freedom of assembly. However, freedom of expression should not infringe on other universally accepted rights and freedoms, which are equally important. It can sometimes conflict with other protected rights, such as the right to a fair trial, respect for private life, and freedom of conscience and religion. Conflicts may arise when authorities need to protect interests or values such as national security or public health. When such conflicts occur, the Court strikes a balance to establish the pre-eminence of one right over the other. This balancing of conflicting interests takes into account the importance of freedom of expression.

The protection of freedom of expression is essential for the democratic political process and the development of every human being. A democratic society is founded on the principle that the views and ideas of its citizens on public matters are influential and respected. This is achievable only through free debate and the unrestricted exchange of ideas among the populace. For collective decisions to be made after deliberating on issues of public interest, there must be an opportunity for open discussion among the people, which, in a representative democracy, includes both the electorate and their parliamentary representatives. Free discussion and criticism ensure that the Government remains accountable and responsive to the will of the people. It is through such dialogue that governmental errors can be peacefully addressed and necessary changes can be made without resorting to violence. Without this freedom, the populace may ultimately resort to violent means to overthrow an oppressive regime.³

Article 19 of the Universal Declaration of Human Rights asserts that "Everyone has the right to freedom of opinion and expression,"⁴ and elaborates that "this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers" (United Nations, 1948).

Similarly, Article 19(2) of the International Covenant on Civil and Political Rights (ICCPR) declares that "Everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice"⁵ (UN General Assembly, 1966).

Sri Lanka, which identifies itself as a democratic socialist republic, has committed to upholding democratic practices through various local and international laws. The Constitution, recognized as the supreme law, underscores this commitment in several key articles. Article 3 states: "In the Republic of Sri Lanka, sovereignty is in the People and is inalienable. Sovereignty includes the powers of government, fundamental rights, and the franchise."⁶ And Article 14 guarantees every citizen is entitled to- (a) the freedom of speech and expression including publication; (b) the freedom of peaceful assembly; (c) the freedom of association;..."⁷

1. 'Freedom of Expression and Right to Information' (LawNet) <https://www.lawnet.gov.lk/freedom-of-expression-and-right-to-information/> accessed 9 May 2024.

2. Jochen Abr. Frowein, "Freedom of expression under the European Convention on Human Rights", in *Monitor/Inf* (97) 3, Council of Europe.

3. 'Freedom of Expression and Right to Information' (LawNet) <https://www.lawnet.gov.lk/freedom-of-expression-and-right-to-information/> accessed 9 May 2024.

4. Article 19 of the Universal Declaration of Human Rights

5. Article 19(2) of the International Covenant on Civil and Political Rights (ICCPR)

6. Article 03 of Constitution of Sri Lanka, 1978.

7. Article 14(1) of Constitution of Sri Lanka, 1978.

CURRENT STATUS

In March 2022, Sri Lanka witnessed a significant democratic movement known as Aragalaya. Citizens took to the streets in the face of a severe economic crisis and demanded the resignation of then President Gotabaya Rajapaksa. This happened in the wake of the worst economic downturn since the country's independence from Britain, marked by fuel shortages, essential goods scarcity, and power blackouts. The movement emerged in response to widespread dissatisfaction with the regime's illegal and corrupt practices. It began peacefully in early 2022, with social media platforms like Facebook, YouTube, and Instagram played a crucial role in mobilizing and empowering citizens to voice their discontent.

During the Aragalaya movement, people exercised their freedom of speech in various creative ways. The movement also provided opportunities for dramatists and artists to bring social issues to the forefront. Protestors created murals and paintings depicting women in diverse ethnic attire, symbolizing the unity of communities divided by nationalist propaganda. Street theatre and open-ended discussions on reform became prominent features of the protests. Dr. Sanjana Hattotuwa, a Research Fellow at the Disinfo Project in New Zealand, observed that the protest enabled artists from across the country to "articulate a critique of the Rajapaksa family through artistic production."⁸

As public opposition to the regime grew, the Government's response became increasingly harsh. Security forces employed heavy-handed tactics, imposed curfews, and declared a state of emergency to suppress and silence the protesters amid the ongoing economic crisis. On March 31, 2022, during a peaceful demonstration in front of then President Rajapaksa's residence, police attacked both the protesters and the journalists covering the event. The clash in Mirihana resulted in 37 people being injured and hospitalized at Colombo National Hospital, including 24 members of the Special Task Force (STF), three policemen, and three journalists. Reports suggested that journalists were deliberately targeted by the armed forces, with seven journalists being assaulted.⁹ On April 3, 2022, under pressure from the Ministry of Defense, the Telecommunications Regulatory Commission directed internet service providers to block all social media platforms in an effort to prevent people from organizing protests against the Government. Social media platforms such as Facebook, YouTube, Twitter, and messaging services like WhatsApp and Telegram were blocked for 16 hours.¹⁰ In March 2022, TV presenter Parami Nileptha Ranasinghe, who worked for the national TV channel Rupavahini, was banned from reporting and barred from the Channel's premises due to a Facebook post criticizing the Government.¹¹ Additionally, on April 1, 2022, plainclothes police arrested social media activist Anuruddha Bandara, the creator of the "#GoHomeGota" hashtag on Facebook, and charged him under Section 120 of the Penal Code for "exciting or attempting to excite disaffection towards the State."¹²

Sri Lanka was experiencing a severe economic and political crisis, and the Government's failure to address these issues led to the use of existing laws in an anti-democratic manner to silence dissent. This arbitrary actions by the Government were a deliberate infringement on the public's right to access information and the professional rights of the media community. It appears that the Government attempted to suppress the people's right to speech and expression during the struggle by arbitrarily using various laws and regulations.

8. 'Sri Lanka's sorry record on protecting free expression' EconomyNext <https://economynext.com/sri-lankas-sorry-record-on-protecting-free-expression-107840/> accessed 10 May 2024.

9. 'March 31 Protests and Aftermath: Updates' <https://groundviews.org/2022/04/02/march-31st-protests-updates/> accessed 10 May 2024.

10. 'Sri Lanka restricts access to social media platforms' Ada Derana <https://www.adaderana.lk/news.php?nid=81582> accessed 10 May 2024.

11. Sri Lanka: Journalist Parami Nilephti banned from Rupavahini TV for criticizing the government' IFEX <https://ifex.org/sri-lanka-journalist-parami-nilephti-banned-from-rupavahini-tv-for-criticizing-the-government/> accessed 11 May 2024.

12. 'Youth activist Anuruddha Bandara released from court case' Ada Derana <https://www.adaderana.lk/news.php?nid=83181> accessed 11 May 2024.

Laws and regulations arbitrarily used to suppress the Freedom of Speech and Expression

These are some of the laws and regulations that were arbitrarily used to suppress the right of expression during the crisis period. They include:

1. International Covenant on Civil and Political Rights Act, No. 56 of 2007
2. Penal Code, No. 2 of 1883
3. Prevention of Terrorism (Temporary Provisions) Act (PTA), No. 48 of 1979
4. Sri Lanka Telecommunications Act (SLTA), No. 25 of 1991
5. Online Safety Act, No. 9 of 2024

Penal Code, No. 2 of 1883

The Penal Code of Sri Lanka dates back to 1883 and is heavily influenced by the Indian law of that era, which was a codification of English criminal law.

Section 120 states that "Whoever by words, either spoken or intended to be read, or by signs, or by visible representations, or otherwise, excites or attempts to excite feelings of disaffection to the queen or to her government in Ceylon, or excites or attempts to excite hatred to or contempt of the administration of justice, or attempts to excite the Queens subject to procure, otherwise than by lawful means, the alteration of any matter by law established, or attempts to raise discontent or disaffection among the Queen's subjects to promote feelings of ill-will and hostility between different classes of such people, shall be punished with a simple imprisonment for a term which may extend to two years."¹³

Section 120 of the Sri Lankan Penal Code bears resemblance to the common law offense of "Sedition." Its language is broad and ambiguous, raising concerns regarding its compatibility with Sri Lanka's international obligations, notably under the International Covenant on Civil and Political Rights (ICCPR), which prohibits restrictions on freedom of expression unless strictly necessary and proportionate. Critics argue that this provision's expansive definition of sedition is often loosely applied to quash dissenting opinions against the Government and authorities.

Section 120 has been susceptible to abuse, resulting in the suppression of dissent and hindrance of peaceful criticism directed at the Government. During the Aragalaya period, Anuruddha Bandara, the initiator of the hashtag #GoHomeGota, was charged under Section 120.

Sri Lankan and international court rulings on sedition underscore the importance of interpreting it to require an 'intent to incite people to violence' or 'cause public disorder' as fundamental elements. In the case of *Sisira Kumara Wahalathanthri & Danister Gunathilaka Vs. Jayantha Wikramaratna & Others*, Gooneratne¹⁴ J emphasized that "comments and strongly worded criticisms against the government, unless they incite emotions and lead to public disorder through violent actions, cannot serve as grounds for prosecuting an individual under Section 120 of the Penal Code." He further clarified that the essence of Section 120 lies in determining whether the words in question prompt individuals to engage in violent or disorderly conduct, rather than assessing their defamatory nature.

Lord Denning remarked that "The offence of seditious libel is now obsolescent," but its definition "was found to be too wide. It would restrict too much the full and free discussion of public affairs."

¹³. Section 120, Penal Code, No. 2 of 1883

¹⁴. SC FR /768/2009

However, the most compelling argument against this charge lies within the Section 120 itself. It explicitly states that criticism directed towards the leader of a country or government is not punishable under Section 120.

Prevention of Terrorism (Temporary Provisions) Act (PTA)

Another law used to suppress freedom of speech and expression during the crisis is the Prevention of Terrorism (Temporary Provisions) Act. The Prevention of Terrorism (Temporary Provisions) Act (PTA), No. 48 of 1979, was enacted during former President J. R. Jayewardene's administration. This legislation was swiftly passed through Parliament as an 'urgent bill', limiting opportunities for public input or opposition. Originally intended as a temporary measure to combat terrorism for three years, the PTA was eventually made permanent.¹⁵

One major criticism of the PTA is its broad and vague definition of offenses, which has raised concerns about its potential use as a political tool to suppress dissent. The lack of legal clarity in the PTA highlights the need for precise legislation to prevent abuse.

Section 2(1)(h) of the PTA states: "Any person who—(h) by words either spoken or intended to be read or by signs or by visible representations or otherwise causes or intends to cause commission of acts of violence or religious, racial or communal disharmony or feelings of ill-will or hostility between different communities or racial or religious groups shall be guilty of an offence under this Act."

Furthermore, Section 14 prohibits the printing or publication in newspapers of any material related to incitement to violence or likely to cause religious, racial, or communal disharmony without approval from a competent authority. Violating this provision constitutes an offense.

The Act grants extensive powers to law enforcement officials for entry, search, seizure, and arrest. This draconian law has negatively affected freedom of expression in Sri Lanka, often being used by governments to suppress opposition.

Dr. Gehan Gunatilleke, a globally recognized expert on free expression, asserts that the Prevention of Terrorism Act (PTA) has not effectively suppressed terrorism but instead serves as a tool for repression. He highlights that individuals detained under the Act are often not significant terrorist leaders or involved in active plots, but rather individuals tangentially associated with militant groups or belonging to certain identity groups.¹⁶ This was evident during the Aragalaya movement in 2022. During Aragalaya period that identity group was the youth activists.

During the Aragalaya protests in 2022, several activists were detained under the PTA. Notably, Wasantha Mudalige, the then Convener of the Inter University Students' Federation, Ven. Galwewa Siridhamma Thero, Convener of the Inter University Bhikku Federation, and Hashantha Jawantha Gunathilake, a member of the Kelaniya University Students' Union, were arrested on August 18 and 19, 2022. In response, Yamini Mishra, Amnesty International's South Asia Director, issued a statement condemning the detentions. "The Sri Lankan Government's utilization of a draconian anti-terror law to suppress protesters marks a disturbing new low. This manipulation of an already heavily criticized legislation, which should be immediately repealed, underscores the authorities' refusal to tolerate any form of dissent and their systematic suppression of opposing voices. Such actions run counter to Sri Lanka's international human rights obligations, particularly regarding freedom of expression and peaceful assembly.

15. REGULATING SOCIAL MEDIA IN SRI LANKA An Analysis of the Legal and Non-Legal Regulatory Frameworks in the Context of Hate Speech and Disinformation

16. 'Sri Lanka's sorry record on protecting free expression' EconomyNext <https://economynext.com/sri-lankas-sorry-record-on-protecting-free-expression-107840/> accessed 12 May 2024.

The terrorism charges brought against the protesters do not align with any alleged offenses they are accused of committing. The authorities' response is excessive, disproportionate, and contravenes international law. The PTA allows for suspects to be detained for up to a year without charge, a clear violation of international norms. The defense minister should refrain from extending their detention under the PTA.¹⁷

Among the numerous deeply flawed provisions of the PTA, the following stand out for their contribution to the violation of human rights for individuals detained under this law:

- Detainees can be held for up to 18 months without being charged.
- The Minister of Defence can issue arbitrary orders that restrict freedom of expression and association, without the possibility of appeal in courts.
- Special rules of evidence are included, allowing confessions to be admissible in court.
- Suspects are burdened with proving to a court that a statement was made under duress.
- Provisions regarding the procedure for granting bail are unclear, leading to some detainees being denied bail due to this lack of clarity.

It is evident that the Prevention of Terrorism Act (PTA) has stifled the right to express opinions during the crisis period, leading to violations of fundamental rights.

However, the Sri Lankan Government unveiled the revised 'Anti-Terrorism Bill' in the Gazette on September 15, 2023. This legislation aims to eliminate the Prevention of Terrorism Act (PTA), which has served as one of the most severe instruments of suppression and persecution by the State for nearly four and a half decades.

However, the proposed law also appears to be repressive. It is substantially identical to previous drafts that were withdrawn after widespread criticism. The new Bill defines acts of "terrorism" overly broadly, restricts judicial guarantees, particularly in challenging the lawfulness of detention orders, and limits the Human Rights Commission's ability to visit places of detention, among other problematic provisions. The new Bill proposes to expand the definition of terrorism to include crimes such as property damage, theft or robbery, while restricting the rights to freedom of assembly and speech and granting authorities powers to arrest anyone or seize anything without needing a warrant.¹⁸

If passed in its current form, the Bill would grant excessive powers to the Executive to restrict rights, with limited or no safeguards against abuse. It would weaken the legal requirements for security forces to arrest individuals without warrants and still permit lengthy pre-trial detention.

Sri Lanka's newly proposed counter-terrorism legislation appears insufficient in addressing the flaws of the country's draconian Prevention of Terrorism Act (PTA).

"UN experts and multilateral organizations have long asserted that Sri Lanka's current Prevention of Terrorism legislation violates international law due to its vague terminology, lack of fundamental human rights protections, and absence of independent oversight," said the UN human rights experts. "It is deeply regrettable that the proposed legislation fails to correct any of these issues," they added.

17. 'Sri Lanka: Protesters must not be detained under the draconian anti-terror law' Amnesty International <https://www.amnesty.org/en/latest/news/2022/08/sri-lanka-protesters-must-not-be-detained-under-the-draconian-anti-terror-law/> accessed 12 May 2024.

18. 'UN experts say Sri Lanka's counter-terrorism bill fails to heed their recommendations, status quo fundamentally unchanged' OHCHR (10 October 2023) <https://www.ohchr.org/en/press-releases/2023/10/un-experts-say-sri-lankas-counter-terrorism-bill-fails-heed-their> accessed 12 May 2024.

International Covenant on Civil and Political Rights (ICCPR) Act, No. 56 of 2007

The ICCPR Act can be considered another law that restricts freedom of expression in Sri Lanka. The ICCPR Act stands as a pivotal legislation in Sri Lanka aimed at countering hate speech. Since 2015, there has been a troubling trend of the ICCPR Act being misused.

Section 3 (1) clearly prohibits the propagation of war or the advocacy of national, racial, or religious hatred that could lead to discrimination, hostility, or violence. Section 3(2) outlines the legal consequences for individuals involved in the offenses described in subsection (1). This includes attempts to commit such offenses, aiding or abetting in their commission, or even making threats to do so. Those found guilty under either subsection (1) or (2) may be prosecuted in the High Court, which has the authority to convict and impose penalties, including rigorous imprisonment for up to ten years.

Following the period of Aragalaya, the Government undertook various repressive actions targeting social media activists. Natasha Edirisooriya, a Sri Lankan stand-up comedian, was apprehended by the Computer Crime Investigation Division of the Criminal Investigation Department (CID) on May 27, 2023, at Bandaranaike International Airport in Katunayake. This action was taken following allegations that she made offensive remarks about Buddhism during her performance in the show "Modabhimanya" (Fool's Pride) in April 2023, which was subsequently posted on YouTube on May 24.

She appeared before the Magistrate's Court in Colombo on May 28, 2023, and was formally charged under the provisions of Section 3(1) of the ICCPR Act No. 56 of 2007, as well as Sections 291A and 291B of the Penal Code. These sections pertain to intentionally hurting the religious sentiments of individuals and intentionally offending the religious sentiments of a group, respectively.

During her initial court appearance, the Magistrate opted to keep her in custody without bail. However, she was later granted conditional bail by Colombo High Court Judge Aditya Patabendi on July 5, 2023. This grant of conditional bail represented a significant decision within the broader context of arrests made under the ICCPR Act.¹⁹

In this case, the High Court Judge issued an exemplary bail order, taking into account the purpose of the Act, relevant international law, and the recommendations of the Human Rights Commission. This decision helped reduce the misuse of the Act and contributed to the development of the law. However, it is important to recognize that this is merely a bail order from the High Court. The Act still retains the potential to be misused to suppress freedom of speech and expression.

However, this law has seen further development through the Supreme Court's judgment on fundamental rights in the case of Ramzi Razik in November 2023.

Ramzi Razik was detained by the police on April 9, 2022, under the ICCPR Act, allegedly for his activism and expression of anti-extremism and anti-racism views on social media. In this case, Razik filed a Fundamental Rights petition, claiming a violation of his fundamental rights. State prosecutors argued that a Facebook post by Razik had incited racial and religious animosity, posing a risk of discord and violence, thus justifying his arrest and detention. In response, the defense contended that the post was an exercise of Razik's fundamental right to freedom of speech and expression, including publication, as guaranteed by Article 14(1)(a) of the Constitution of Sri Lanka.

The Supreme Court rejected the arguments of the state prosecutors, concluding that the petitioner's fundamental rights had indeed been violated. As a result, the Court ordered compensation of LKR one million and sixty thousand to be paid to Ramzi Razik, along with covering his legal expenses. The Supreme Court's ruling in Ramzi Razik's case marks a significant milestone, underscoring the importance of freedom of expression.

19. HCEBA/1335/2023

Sri Lanka Telecommunications Act (SLTA), No. 25 of 1991

The Sri Lanka Telecommunications Act, No. 25 of 1991, establishes the Telecommunications Regulatory Commission of Sri Lanka (TRCSL), defines the Minister's authority over telecommunications, specifies certain infractions and their penalties, and broadly asserts the Government's power to oversee telecommunication usage. This legislation empowers the TRCSL to implement regulatory measures as directed by the Government of Sri Lanka, especially concerning national security, public order, and defense. The TRCSL has occasionally intervened to regulate or block content for various reasons, demonstrating its role in enforcing the Act's provisions.²⁰

During the Aragalaya period, on April 3 2022, the TRCSL announced that service providers had blocked social media platforms such as Facebook, WhatsApp, Instagram, Twitter, and YouTube at the request of the Ministry of Defence.²¹ While the TRCSL is responsible for regulating social media, its politicization and broad mandate result in disproportionate regulation of social media platforms.

A significant concern regarding the TRCSL in Sri Lanka is its politicization. For example, in May 2022, former President Gotabaya Rajapaksa further centralized control over the telecommunications regulator and the state-owned telecommunications provider by placing them under the Ministry of Defence. This move has raised concerns about their independence.²²

Online Safety Act, No. 9 of 2024

After the Aragalaya movement, the Government aimed to suppress voices on social media platforms. On January 24, Sri Lanka Parliament passed the Online Safety Act, which grants broad powers to an 'Online Safety Commission'. This Commission has the authority to determine what constitutes "prohibited statements" and to recommend that internet service providers remove such content and disable access for those deemed offenders. The Act also prohibits 'communicating a false statement' that threatens national security, public health, or public order, promotes ill-will and hostility between different classes of people, or disrupts lawful religious activities.

The Bill faced criticism from activists, civil society members, and the UN Office of the High Commissioner on Human Rights (OHCHR), which warned it would have a chilling effect on freedom of expression.

Thyagi Ruwanpathirana, Regional Researcher for South Asia at Amnesty International, responded to the Online Safety Act: "The passing of the Online Safety Act is a significant blow to human rights in Sri Lanka. This Act adds to the government's tools for undermining freedom of expression and suppressing dissent. Authorities must withdraw it immediately and ensure respect for human rights in the country."²³

Many parts of the Act do not meet international human rights standards, including its overly broad provisions that restrict the rights to freedom of expression and privacy online, and its vaguely worded offences such as 'prohibited statements' determined by a powerful 'Online Safety Commission'. The rights to freedom of expression and privacy are guaranteed by the International Covenant on Civil and Political Rights (ICCPR), to which Sri Lanka is a State party.

As people voice their concerns amid hardships during Sri Lanka's economic crisis and the Government's austerity measures, this legislation is prone to be misused by authorities to further restrict civic space and crack down on critics and the Opposition.

20. Section 5(f), Sri Lanka Telecommunications Act (SLTA), No. 25 of 1991 (SLTA).

21. 'Defence Ministry requests to block social media: TRC' Daily Mirror https://www.dailymirror.lk/breaking_news/Defence-Ministry-request-to-block-social-media-TRC/108-234369 accessed 12 May 2024

22. Freedom House <https://freedomhouse.org/country/sri-lanka/freedom-net/2022> accessed 12 May 2024

23. 'Sri Lanka: Online Safety Act major blow to freedom of expression' Amnesty International. <https://www.amnesty.org/en/latest/news/2024/01/sri-lanka-online-safety-act-major-blow-to-freedom-of-expression/> accessed 12 May 2024

RECOMMENDATIONS

Based on the issues outlined with the Prevention of Terrorism Act (PTA), the Online Safety Act, and other regulatory concerns during crisis, the following recommendations and next steps are proposed to safeguard freedom of expression in Sri Lanka:

1. Legislative Reforms:

- **Repeal the PTA:** The Prevention of Terrorism Act should be repealed immediately, and a moratorium on its use should be implemented. This action would address long-standing human rights violations associated with the Act.
- **Amend the Online Safety Act:** The Online Safety Act needs significant amendments to narrow its definitions, particularly around “prohibited statements” and other vague terms. These changes should ensure that the Act aligns with international human rights standards.
- **Review the ICCPR Act:** Conduct a comprehensive review of the ICCPR Act to ensure it does not restrict freedom of expression unduly and is used in compliance with international norms.

2. Judicial and Institutional Safeguards:

Enhance Judicial Oversight: Establish robust mechanisms for judicial oversight of detentions and restrictions imposed under the PTA, Online Safety Act, and similar laws. Courts should have clear authority to review and overturn decisions made by regulatory bodies.

Depoliticize Regulatory Bodies: Ensure the independence of the Telecommunications Regulatory Commission of Sri Lanka (TRCSL) and the proposed ‘Online Safety Commission’ by instituting transparent appointment processes and safeguarding against political interference.

3. Strengthening Human Rights Protections:

- **Ensure Due Process:** Guarantee that all detainees under these laws receive due process rights, including fair trials, legal representation, and the right to appeal.
- **Empower the Human Rights Commission:** Strengthen the mandate and independence of the Human Rights Commission of Sri Lanka (HRCSL) to effectively monitor and report on human rights violations, including those related to freedom of expression.

4. Promoting Transparency and Accountability:

- **Public Participation:** Implement processes for public consultation on any legislative changes related to freedom of expression. This includes engaging civil society, activists, and other stakeholders in the legislative process.
- **Transparency in Actions:** Ensure that all actions taken under the PTA and the Online Safety Act, such as content removal and detentions, are documented and subject to independent review and public disclosure.

5. Education and Awareness:

Human Rights Education: Promote education on human rights, emphasizing the importance of freedom of expression. This can include public awareness campaigns, training for law enforcement officials, and incorporating human rights education into school curricula.

Support for Civil Society: Provide support to civil society organizations advocating for freedom of expression. This support could include funding, capacity-building initiatives, and protective measures for activists facing threats.

6. International Engagement:

International Advocacy: Engage with international human rights organizations, such as the United Nations Human Rights Council (UNHRC) and the Office of the High Commissioner for Human Rights (OHCHR), to seek support and pressure the Government to adhere to international human rights standards.

Regular Reporting: Commit to regular reporting on the state of freedom of expression in Sri Lanka to international bodies, seeking their guidance and assistance in addressing ongoing issues.

Next Steps:

1. **Immediate Legal Challenges:** Urge the Government to guarantee access to judicial review, allowing citizens to challenge the constitutionality of laws enacted by the Government.
2. **Parliamentary Lobbying:** Advocate with parliamentarians and government officials to support the repeal and amendment of repressive laws. Building coalitions with sympathetic legislators will be crucial.
3. **Building Alliances:** Form alliances with other civil society organizations, human rights defenders, and international partners to strengthen advocacy efforts and present a united front.
4. **Monitoring and Documentation:** Establish a systematic approach to monitor, document, and report violations of freedom of expression. This data will help overcome legal challenges and advocacy campaigns.

Transparency International Sri Lanka
366, Nawala Road, Nawala,
Rajagiriya,
Sri Lanka.

Phone: +94 11 4 369 781

Fax: +94 11 2 865 777

Email: tisl@tisrilanka.org

Web: www.tisrilanka.org

twitter.com/tisrilanka

lk.linkedin.com/company/tisrilanka

facebook.com/tisrilanka

instagram.com/transparency_sri_lanka

youtube.com/user/tisrilankatube