

Press freedom : role of media monitoring mechanisms in Sri Lanka

Gamini Weerakoon.

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By Gamini Weerakoon
Editor 'The Island'
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Press Freedom: Role of Media Monitoring Mechanisms in Sri Lanka.

Media monitoring organisations are comparatively a recent development in Sri Lanka and so it is in most Third World countries. Three decades ago, the term 'media' itself was hardly used and journalism was not a subject of interest to academics. In Sri Lanka, till about 1970, monitoring the press and radio was confined to the government Information Department. International media monitoring, was confined to Soviet Watchers or China Watchers of the Western media, attempting to analyse developments behind the Iron and Bamboo curtains, these watchers having little access to these countries. Few were concerned about press freedom or human rights in Third World countries two to three decades ago.

Sri Lanka enjoyed press freedom for over 100 years and during the period under British rule, the liberal laws that applied to the British press was applicable to the Sri Lankan press too. The only other medium was the state owned radio used for dissemination of government news. In 1973, the government of Prime Minister, Mrs. Sirima Bandaranaike, took over the biggest newspaper company and also set up a press council to monitor and control the press. Since then government media monitoring organisations have increased and with the outbreak of the insurgency of 1971 of Sinhalese youth, 1989-1990 youth insurrection of Sinhalese youth once again, and most important, the on going insurrection of the Tamil youth, international bodies have begun monitoring violation of human rights which is intertwined with monitoring the media. There is a plethora of organisations both local and foreign monitoring the Sri Lankan media on the coverage of the conflict of the government forces and the Liberation Tigers of Tamil Eelam (LTTE).

One of the most effective and far reaching monitoring mechanisms in Sri Lanka are the information and political departments of foreign embassies in Colombo. They play a significant role in determining government policies, both political and economic. Foreign embassies, particularly that of the United States, keep watch over press freedom and the human rights and report back to their foreign ministries or state departments. Since Sri Lanka is much dependent on aid and trade with these western powers, their comments and observations have much impact on the government. Recently, when Sri Lanka's Minister of Finance, Prof. G.L Peiris, visited the United States, he was questioned by State Department officials about the on going censorship of military operations in the conflict with the LTTE.

Foreign embassies monitor the media, particularly newspapers that are published in all three languages-- English, Sinhalese and Tamil and more particularly, reports of foreign correspondents filed from Colombo.

When monitoring the Sri Lankan media, the foreign embassies have

to take into consideration the various media sectors--- state owned media, privately owned media and the foreign media. State owned media are given very little credibility for obvious reasons. Greater importance is attached to privately owned newspapers, radio and TV but these institutions are often crippled by censorship that is on right now. Thus, much reliability is attached to foreign media reports.

Other organisations that monitor the media are international human rights organisations such as Amnesty International. In watching violation of human rights, these organisations have to depend on the media even though they have a few representatives in the country working on a voluntary basis. It is in the interests of such human rights organisations that the media should not be restrained in anyway.

Article 19, an International Centre Against Censorship, commenting on the censorship of military news in as well as preventing journalists visiting the areas of conflict (in Sri Lanka) says: 'The government appeared intent on projecting an image of a 'clean war' with minimal impact on civilians. Many of those displaced may have fled their homes on the orders of the Liberation Tigers of Tamil Eelam, which then controlled Jaffna, rather than as a result of direct military action. But it was also alarming to see the government attempt to control reporting of the numbers involved and the hardships they endured; the government's verbal attacks on humanitarian organisations which reported on civilian casualties from possible violations of humanitarian law were also of serious concern'.

The international media monitoring organisations, human rights groups as well as the foreign media have been accused of being biased towards the LTTE by the Sri Lankan government as well as those of the hardline Sinhalese. The embassies, international human rights organisations although they monitor the Sri Lankan media give much more credibility to the foreign media and the international media have been accused of tilting towards the LTTE. It is alleged that while violations of human rights by the armed forces are given wide publicity, the atrocities of the LTTE are underplayed. Although, by and large, reportage of the international media has been accurate and correct, the peculiar nature of the conflict makes reporting it very difficult.

There are no journalists in the theatre of war with either the government forces or the LTTE. Violations by the state forces surface much easily because Church groups and NGOs as well as the clandestine LTTE radio make them known to the outside world. But what the LTTE does within the territory they hold is not known, particularly when they execute their cadres or even Tamil civilians. It took many months for the LTTE to reveal that their leader No2, 'Mahattaya', had been executed for ' treason'. The international media who are usually well up on faults committed by the armed services were unaware of this incident till the LTTE announced it. Such incidents lessen the credibility of the international media among Sri Lankans.

Nonetheless, these media organisations have helped in putting pressure on government forces to strictly comply with the law in conflicts, although they have so far, little or no impact on the LTTE. Some international news agencies reporting the conflict by describing the

LTTE cadres as 'militants' even though they describe the IRA as 'terrorists', is cited as an example of the bias of some western news agencies in the Sri Lankan conflict. The role played by international media as well as media monitoring organisations which depend to a great extent on the foreign media, is encouraging terrorism, the armed service officers and some hardline Sinhalese, allege.

The media monitoring mechanism with the most far reaching tentacles is the Sri Lanka Press Council. The establishment of the Press Council in 1973, was strongly opposed by all political parties then in the opposition but even when they were elected to power, no attempt was made to remove it from the statute book. The press council which is appointed by the president, comprises seven members. There is provision for the appointment of one journalist but since its enactment in 1973, all journalists appointed have been favourites of political parties in power. It has very laudable objectives such as ensuring the freedom of the press, prevention of the abuse of press freedom and maintaining the highest professional standards but in its 23-year-old history there is no evidence of the press council making any significant moves to achieve such objectives.

Contrary to the stated objectives, other provisions in the law go against the operation of a free press. Vested with powers of a judicial tribunal, it can after an inquiry order the printer, publisher and editor to publish 'corrections' as approved by the council; require a proprietor, publisher or editor to furnish to the council information that it requires. Greater draconian provisions of the Press Council Act forbids any matter pertaining to the Cabinet of Ministers being reported, unless approved by the Cabinet, prevents the publication of any matter that comes under the Official Secrets Act. Publication of any report relating to monetary, fiscal, exchange control or import control measures under consideration by the government that 'is likely to create shortages and windfall profits or otherwise adversely affect the economy is forbidden. Violation of provisions of the act could lead to fines or two years imprisonment. Speculation of any proposed government moves, if considered false in the opinion of the government-- even though they may have been proposed and retracted-- are deemed offences.

The act if implemented in its entirety, could eliminate a free press. Successive governments have tended not to resort to it, except on a few occasions. However, it is made use of when necessary and presspersons have been pressurised by officials, even of the Criminal Investigations Department for contraventions of the Press Council Act such as on reportage of cabinet meetings. It is a bludgeon that could be used when a government so desires on the press.

I have already referred to the existing censorship on military operations. This censorship is enforced under Emergency Law and in theory applies to the Sri Lankan as well as foreign media.

For the first time, in the current censorship imposed this year, the foreign media have been exempted from submitting their copy to the Censor, although in law they are required to do it.

This is probably done with a dual purpose. It has been the experience of Sri Lankan administrations that censorship of the foreign media has been a futile exercise because foreign news agencies and

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journals do get their reports out despite censorship. Then other objective has been to cultivate the foreign media. Wisdom has dawned that instead of having confrontations with the foreign media, much could be achieved through compromise and cooperation

Censors also apply two standards to the local media. State owned media are not even asked to submit their copy to the censor. You don't have to muzzle sheep. The censorship regulations are applied in all its rigour to the privately owned media with which the government has locked horns with. The stated objective of the censorship is said to prevent military secrets from leaking to the enemy. But this claim rings hollow because when the foreign media reports are not censored and published and telecast abroad, the LTTE will receive such news. The objective, it appears, is to prevent Sri Lankans from knowing what is going on in the theater of war because even foreign telecasts and news reports sent out from Sri Lanka are blacked out when they come over satellite TV or in journals that are imported.

The government claims that censorship is imposed to prevent certain communal oriented newspapers whipping up communal sentiments that could lead to riots. This argument does not hold water because since 1983 when communal riots broke out, the LTTE and other terrorist groups have engaged in the most provocative acts such as the massacre of entire Sinhalese villages and bombing of key sites in Colombo such as the Central Bank where hundreds were killed. The real objective could be to hide the misdemeanors of the military such as crooked arms deals made by service officials for commissions running into millions of rupees. Already, following exposures in the press, a former retired army commander has been charged for bribery by the Bribery Commissioner.

There appears to be powerful personalities operating under the name of the official censor because of the hilarious incident that occurred when the latest censor was appointed when the latest military operations commenced on April 19 this year. The person named as the chief censor could not be found because he was in China with the entourage of president Kumaratunga and had to be flown back. Three weeks ago the censor took upon himself to censor two interviews, one given by the Army Commander and the other by the outgoing Army commander. Sri Lanka's latest media monitor is perhaps unique in that it was the first occasion when an Army Commander has been censored.

Journalist unions too have at times played key roles in monitoring the media and safeguarding the freedom of the press. An organisation, the Free Media Movement, comprising mostly of leftist oriented journalists kept a close tab on government propaganda organs during past UNP governments and campaigned strongly for Chandrika Kumaratunga at the parliamentary and presidential elections. But now with their government in power, some of these free media persons have joined the state media and are commissars of the institutions which they once so strongly criticised and the journals are suffering from drastic drops in circulation.

In this paper I have attempted to describe and analyse the functioning of media monitors operating in Sri Lanka. What the role of a media monitor should be is hard to define because of the variety of media

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monitors in Sri Lanka each with a different set of objectives although the stated motive is to promote press freedom.