

MEDIA LAWS

LAW HANDBOOK FOR JOURNALISTS



MEDIA
LAW
FORUM



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No. 170, First Floor,
Hulftsdorp Street, Colombo 12.

Message from the Media Law Forum...

At present, the field of mass media is spread over a wide area, from traditional media to new media and social media. Due to this reason, those who are engaged in the media field are spread from professional journalists to media activists who are connected with it in numerous other ways. In this background, press freedom has become a challenging issue, and the reporting of related incidents has also increased remarkably.

Focusing on this, increasing media law literacy among journalists and media activists has been identified as one of the most imperative steps to protect media freedom. Accordingly, the Media Law Forum has launched many programs to increase media law literacy, and the Journalists' Law Manual is another step in that direction.

Media law, a vast subject area, is difficult to condense into a small handbook. As a result, an attempt has been made to provide a simple but decisive understanding and introduction to the laws important in everyday journalism. Information is also included about the parties who can get relief in case of a problem and how to contact them.

The special thanks of the Media Law Forum go to Mr Jagath Liyana Arachchi, Attorney-at-Law, who has successfully overcome the challenge of condensing a wide scope into a small booklet. Also, to Mr. Roshan Senarath who designed the cover and pages and Design System Institute for printing the booklet.

We are grateful to the Attorneys-at-Law of the Media Law Forum, who volunteered their services in case of any obstruction to the freedom of Expression in the country, to Internews, who bore the cost of this handbook, and to all the directors and staff of the Media Law Forum, who contributed in various ways to the preparation of this handbook.

Your comments about this booklet are important to us. We request you submit your comments about it via email to info@medialawforum.org. Those comments will contribute to the enrichment of future editions.

Also, we remind you that we are ready to provide you with the legal assistance you need in case of any problem arising concerning the media and expressing opinions, and for that, please contact our 24-hour hotline 0743070888 and let us know.

Viranjana Herath

Attorney-at-Law

Chairperson-Media Law Forum

Prabodha Rathnayake

Attorney-at-Law

Director Operations-Media Law Forum

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1.

Legal concepts related to mass media

Laws on Fundamental Rights

Regulatory laws

Criminal laws

Public Security laws

Intellectual property law

Defamation Laws

Election Laws

The field of consumer protection laws

Code of Professional Conduct (Rules)

NOTE

2.

Fundamental rights related to media freedom

All journalists are entitled to the fundamental rights mentioned in Chapter III of the Constitution, and according to the professional nature of the journalists, several fundamental rights are more related.

Those include:

The Right to Freedom of Expression

The fundamental Right to "every citizen is entitled to the freedom of speech and expression including speech" mentioned in Article 14(1) (a) of the Constitution is fundamental as journalists are expressing opinions and disseminating information.

The Right to Freedom to engage in lawful occupation

Journalism is a legal profession. Article 14(1)(g) of the Constitution protects the professional Right of a journalist by guaranteeing that "Every citizen is entitled to the freedom to engage by himself or in association with others in any lawful occupation, profession, trade, business or enterprise."

Right of Access to Information

Access to information is vital for the work of a journalist. It is directly related to the work of a journalist. Article 14A of the Constitution declares that every citizen has the Right to access information under the control or authority of a public authority.

Parliament has passed the Right to Information Act, No. 12 of 2016, to operationalize this Right. Accordingly, using the provisions of the said Act, journalists also have the right to obtain information, subject to the provisions of Section 5 of the said Act, the information in the control or custody of any public authority.

According to that Act, the required information should be requested in writing from the information officer of the relevant public authority, and the information officer shall inform the applicant whether the requested information could be disclosed within 14 working days. If the applicant is not satisfied with the information officer's response or if no response is received, an appeal should be forwarded to the designated officer of the same public authority within the next 14 days. The designated officer shall notify the appellant of his/her decision on the appeal within 21 days. If not satisfied with the decision or if the designated officer does not respond, an appeal can be made to the Right to Information Commission within the next two months. If dissatisfied, an appeal can be made to the Court of Appeal against the RTI Commission's decision.

Restriction of Fundamental Rights

In the exercise of the fundamental rights above-mentioned, those shall be subject to "restrictions as may be prescribed by law in the interests of national security, public order and the protection of public health or morality, or to secure due recognition and respect for the rights and freedoms of others, or of meeting the just requirements of the general welfare of a democratic society."

The reference to the term "law" includes regulations made under the law for the time being relating to public security. These rights cannot be restricted by other written laws.

Remedies in case of violation of fundamental rights

In respect of the infringement or imminent infringement by executive or administrative action, of a fundamental right to which such person is entitled, there are 3 institutions that can be referred to in order to prevent the damage caused to them due to the violation of the said fundamental rights and to obtain compensation from the party responsible for the damage.

- Supreme Court
- Human Rights Commission of Sri Lanka
- Ombudsman

(Refer to Chapter 12 for details on availing remedies through these institutions)

NOTE

3.

What should not be published in the media?

The fundamental right to freedom of Expression is not an absolute right that can be exercised without any restrictions. According to the existing laws and regulations of Sri Lanka, publishing the following facts through mass media is prohibited.

Obscene expressions

According to Section 285 of the Penal Code and Section 2(a) of the Obscene Publications Ordinance, publishing obscene expressions in the media is an offence.

Religiously defamatory expressions

According to the XV Chapter of the Penal Code and Section 02 of the Religious Blasphemy Ordinance, publishing a statement in the media that insults a religion or a religious symbol or a religious teacher is an offence.

Hate speech

Spreading religious or national hatred is an offence under section 3(1) of the International Covenant on Civil and Political Rights Act and section 2 of the Prevention of Terrorism (Temporary Provisions) Act.

Statements revealing the identity of a victim of sexual assault

According to Section 365C of the Penal Code, it is an offence to publish media reports in a manner that reveals the identity of a victim of a sexual crime. However, such publication can be done by or under the order of an officer in charge of a police station making an investigation into such an offence.

Disclosure of parties in cases under the Prevention of Domestic Violence Act

Section 20 of the Prevention of Domestic Violence Act states that publishing statements that reveal the identity of the applicant or respondent in a lawsuit is an offence.

Publications Harmful to Children and Youth

The Children and Young Persons (Harmful Publications) Act No. 48 of 1956 prohibits the publication of statements harmful to children and youth. Accordingly, any publication which consists as portray

- (a) the commission of any crime, or
- (b) any act of violence or cruelty, or
- (c) any incident of a repulsive or horrible nature,

In such a way that it would tend to corrupt a child or young person into whose hands it might fall should not be published.

Statements in contempt of court

Contempt of court is an offence under Article 105(3) of the Constitution. Therefore, publishing statements in the media insulting the court is an offence.

Publication in contempt of Parliament

According to the Parliamentary Powers and Privileges Act, it is stated that it is an offence to make statements that are insulting to Parliament, statements that are insulting to the actions of a Member of Parliament, matters ordered to be removed from the Hansard Report by the Speaker, false reports about matters that happened in Parliament or Committees.

Publications that violate the Intellectual Property Act

Publishing a protected work as a whole or a substantial part of it, which is deemed to be protected work under Section 6 of the Intellectual Property Act, without proper permission obtained from the author or creator of that work constitutes a violation of copyright.

Publications regarding official secrets

According to Section 6(1) of the Official Secrets Act, obtaining, collecting, reporting, publishing or using or communicating any official secret or secret document or information intended or likely to be or calculated to be of benefit directly or indirectly to an enemy is an offence.

Publications that violate emergency regulations

It is an offence to publish publications and news in the media that violate the provisions of the emergency regulations enacted under the Public Safety Ordinance.

Publications in violation of the provisions of the Prevention of Terrorism Act

It is an offence to make publications in the media that violate the orders imposed under Section 27 of the Prevention of Terrorism (Temporary Provisions) Act. Such orders so far passed-

- The Prevention of Terrorism (Proscription of the Liberation Tigers of Tamil Eelam) Regulations No. 1 of 2011
- The Prevention of Terrorism (Proscription of the Liberation Tigers of Tamil Eelam) Regulations No. 2 of 2011, dated August 29, 2011.

- Prevention of Terrorism (Prohibition of Extremist Organisations) Orders No. 1 of 2019 (Extraordinary Gazette No. 2132/3 of May 13 2019)
- Prevention of Terrorism (Prohibition of Extremist Organisations) Orders No. 2 of 2021 (Extraordinary Gazette No. 2223/3 of April 13 2021)

Thus, publishing publications in the media that promote the organizations prohibited by these orders is an offence.

NOTE

4.

Use of mass media during elections

The role of the media during an election is enormous. That is why it is indispensable for a free and fair election to be impartial and truthful. The special rules and regulations required for that are implemented in relation to the media during the election season.

Provisions mentioned in the Constitution

104B(5)(b) of the Constitution states that from the date an election is announced to the day the results of an election are released, the Election Commission must issue the necessary media standards to maintain the media impartially, and it is the responsibility of all media outlets to comply with such media standards.

However, it is clear from the provisions of Article 104(G)(G) of the Constitution that it can be sued only against the state media for not complying with these directions or guidelines.

Provisions in the Election Acts

Publication of false reports in newspapers

The Elections Acts, including the Presidential Elections Act, the Parliamentary Elections Act, the Provincial Council Elections Act and the Local Authorities Elections Act, recognize that speeches or activities of a recognized political party or independent group of a candidate in an election or that it is an offence to publish any false statement in a newspaper about or in connection with the conduct of election activities of a recognized political party or independent group of such a candidate.

A person who is guilty of this offence must be fined not more than 300 rupees as a punishment. Also, such an offender cannot register as a voter in an election or stand for a vote for up to 3 years.

Therefore, journalists should be careful to maintain the media more impartially during the election period.

5.

Media Regulatory Laws

Laws relating to the regulation of print media

Sri Lanka Press Council Law,	No. 05 of 1973
Newspaper Ordinance	No. 5 of 1839
Printers and Publishers Ordinance	No. 1 of 1885
Printing Presses Ordinance	No. 16 of 1902

Orders and Rules made under the Press Council Law

Press Council (Code of Conduct for Journalists) Rules,	1981
Ceylon Press Council (General) Orders,	1973
Sri Lanka Press Council (General) Order (Amendment 1994)	1973
Sri Lanka Press Council (General) Order (Amendment 2013)	1973

Laws and rules related to the regulation of electronic media

Sri Lanka Telecommunications Act No. 25 of 1991, as amended by Amendment No. 27 of 1996

Sri Lanka Television Corporation Act No. 6 of 1982

Ceylon Broadcasting Corporation Act No. 37 of 1966

Orders related to the regulation of electronic media

Advisory Committee Orders on Radio Broadcasting 2005 (Extraordinary Gazette No. 1426/16 dated 04.01.2006)

Advisory Committee Orders on Television Broadcasting 2005 (Extraordinary Gazette No. 1426/16 dated 04.01.2006)

Private Television Broadcasting Stations Orders 2010 (Extraordinary Gazette No. 1669/25 dated 03.09.2010)

Telecommunications (Radio Frequencies Licenses) Order No. 2 of 1996 (Extraordinary Gazette dated 25.06.1996)

Intellectual Property Order No. 01 of 2011 (Extraordinary No. 1687/28 dated 05.01.2011)

Intellectual Property Order No. 01 of 2019 (Songs and Musical Works) (Extraordinary Gazette No. 2128/6 dated 17.06.2019)

Intellectual Property (Songs and Musical Works)
Order No. 01 of 2019 (Amendment 2020) (Extraordinary
Gazette No. 2164/70 dated 28.02.2020)

NOTE

6.

Media Ethics

Several code of conduct must be followed in the use of mass media. These ethical systems can be classified as follows.

1. Code of conduct introduced by the government
2. Code of conduct introduced by media organizations
3. Code of conduct introduced by media outlets

Code of conduct introduced by the government

The code of conduct introduced under the Sri Lanka Press Councils Law, 1981, has been published under the name of Press Councils (Code of Ethics for Journalists) Rules through Extraordinary Gazette No. 162/5 dated 14.10.1981. It is the legal responsibility of every newspaper editor, publisher and journalist to adhere to this code of conduct.

The essential elements of this code of media ethics are

- Accuracy
- Differentiate between news and opinion
- Non-disclosure of sources of information without the permission of the source
- Respect for individual dignity
- Caution in crime reporting
- Not posting other's articles as if one's own
- Not posting obscene expressions

Protecting professional dignity

Complaints can be made to the Sri Lanka Press Council regarding newspapers engaging in journalism in violation of this code of ethics. The said board will summon both parties to conduct an investigation. If an offence has been committed, the board has the power to order the newspaper to publish the relevant correction, blame the wrongdoer, or apologize to the appropriate party.

This code of ethics applies only to newspapers, and there is a legal obligation to comply with it.

Code of ethics introduced by media organizations

1. Sri Lanka Press Complaints Commission Accepted Media Policy Series

There is a code of ethics accepted by Sri Lankan media organizations, the Editors' Forum, and significant newspaper organizations, which is the "Media Policy Series" adopted by the Sri Lanka Press Complaints Commission.

The essential elements of the media code of ethics include:

- Accurate reporting
- Corrections and Apologies
- Opportunities to answer
- General reporting and writing
- Privacy
- Non-harassment and trickery

Respect

Newspapers have a voluntary commitment to this code of conduct. Complaints can be made to the Sri Lanka Newspaper Complaints Commission against a newspaper publication that has agreed to this code of ethics. This Code of Conduct applies to newspapers and newspaper websites.

2. Web Code of Conduct

This code of ethics introduced by the Association of Professional Web Journalists applies to online publications. The essential elements of the media code of conduct include:

- Responsibilities
- News and information gathering
- Errors, omissions and corrections
- Credibility of sources
- Social Accountability in Reporting
- Individual and personal privacy
- People's behaviour in relation to web media
- To protect and maintain public interests

Ethical systems introduced by media outlets

- Commercial Service Business Operation Rules Code -1994 (Sri Lanka Broadcasting Corporation)
- News Channel Indicators (Guidelines for Sri Lanka Broadcasting Corporation's news announcements)
- Directions for Uva Community Radio's announcers
- Ethics, Standards and Practices in Television Broadcasting and Television Advertising (Sri Lanka Television Corporation)

- Code of Standards and Practices on Broadcasting of Advertisements (Sri Lanka Television Corporation)
- Series of Policy on Teledramas and Music Programs (Sri Lanka Television Corporation)
- Editorial Code of Conduct
- Neth FM Code of Conduct
- Groundviews Website Code of Conduct

NOTE

7.

Civil contempt



If certain publications in the media damage a person's reputation, that person has the right to sue for defamation. Therefore, journalists should be aware of the legal status of civil defamation.

Civil defamation law balances the conflicting concepts of protecting a person's reputation and another person's right to speech and expression.

English law shows that in a defamation case, the plaintiff must prove three things:

1. That the statement is defamatory
2. Applicability of the relevant statement to the plaintiff.
3. That the declaration has received publicity.

In a defamation case, two aspects can be presented to the defendant as a defendant in English law.

- 
- 
1. Consent
 2. Justification

Likewise, civil defamation cases are not raised by publishing the statements made in the Parliament or the facts declared in the court in the media; they are exceptional cases.

8.

Special Rules for Social Media Posts

First of all, it should be understood that social media is not a media that is not subject to any law.

It is also one of the modes of the right of expression, and related privacy restrictions as well as rules affect social media. Especially in one communication on the internet, it is often subject to the influence of three legal systems of three independent countries that have different legal systems.

1. The legal system of the person's country of residence obtaining information from the internet.
2. The legal system of the country where the database of the relevant website exists.
3. The legal system of the country of residence of the person releasing the information to the Internet.

Some of the most common cases of law enforcement against social media users can be summarized as follows.

Electronic Transactions Act No. 19 of 2006

Section 3 of the Act states that "No data message, electronic document, electronic record or other communication shall be denied legal recognition, effect, validity or enforceability on the ground that it is in electronic form."

Thus, an article or report published on social media is as valid as an article in a printed newspaper before the law. Therefore, social media publications must be subject to restrictions such as civil defamation law, parliamentary privilege, contempt of court, and obscene publication law.

Computer Crimes Act No. 24 of 2007

Computers are used for social media usage. Section 6 of the Computer Crimes Act refers to using a computer to do something that may harm national security, national economy, or public safety. That is a mistake. Therefore, care should be taken when using social media.

Intellectual Property Act No. 36 of 2003

Publications on the Internet can also be considered as protected work in view of Section 6 under the Intellectual Property Act. Also, since the term "posting" includes "when it is made available to the public through an electronic medium", the term "posting" for the purposes of the Act also includes posting on the Internet.

According to this provision, Internet publications are copyrighted to their original owners.

"Computer programs" have also been identified as protected works under the Act. For this reason, if protected material is posted on social media, permission must be obtained from its author.

NOTE

9.

Legal challenges faced by journalists

Civil contempt charges

Journalists are at risk of being sued for damages by lawyers and suing for damages in civil courts, alleging that a publication published in a media has caused damage to a person's reputation. These threats can be mitigated by obtaining information from reliable sources, verifying facts, verifying and avoiding defamatory and false criticism.

Allegations of breach of parliamentary privilege

There is a risk of being called before the Privileges Committee of the Parliament and being sued before the Supreme Court, alleging a breach of parliamentary privilege through the statements made through the media. This challenge can be overcome by reporting only the true events that happened in the Parliament and the parliamentary committees, not publishing in the press the parts that the Speaker has ordered to be removed from the Hansard report, etc.

Charges of criminal defamation

The offence of defamation or criminal defamation, which was an offence under the Penal Code, has been removed by the Penal Code (Amendment) Act No. 12 of 2002. But according to the complaints made by some people to the police about this, there have been cases where some police officers summoned journalists to the police on this charge. In such cases, the police may be exonerated by pointing out that the law has been abrogated.

Allegations of copyright infringement

By using parts of other people's articles or photos and videos for their own media without proper permission, there is a risk of being sued for compensation under the Intellectual Property Act by the original owners of those works. This risk can be overcome by obtaining the written permission of the original owner of the work and publishing it through their media.

Prosecution under the Civil and Political Rights Act

There is a focus on prosecuting under the Civil and Political Rights Convention Act No. 00 of 2017 by publishing news in the media that promotes hatred or war. Therefore, journalists should be careful not to publish statements that spread racial or religious hatred in the media.

Restrictions under the Prevention of Terrorism Act and Orders

Section 2(a)(g) of the Prevention of Terrorism Act makes it an offence to publish statements that incite violence or division between different sections of the population or between ethnic or religious groups. So care should be taken not to make such kinds of posts. Also, care should be taken to publish media reports contrary to the orders issued under Section 27 of the Prevention of Terrorism Act.

Restrictions under Emergency Regulations

In the event that the President has declared a state of emergency under the Public Safety Ordinance, emergency orders override ordinary laws. Therefore, one should be aware of the current emergency orders and be careful about the limitations of those orders.

Prosecution under the Penal Code Act

As there is a risk of being accused of violating articles 120, 286, 286a, 291a, 291b, 345, 256c, 402, and 486 of the Penal Code regarding certain publications made by the media, get an understanding of those articles and proceed in a way that does not violate those articles. It is safe to do

Summons as witnesses

Suppose a statement published by a journalist in the media reveals a criminal offence in such a case. In that case, the police officers investigating the offence can obtain information from the journalist for police investigations. In the event that the association prosecutes the accusation, there is an opportunity to be called as a witness in the prosecution of the case. In such a case, a journalist is bound by law to provide assistance to the police and the court.

Legal acts under regulatory laws

Suppose certain publications published by the media violate professional ethics or violate the license conditions of electronic broadcasting media. In that case, there is a possibility of being summoned for the investigations conducted by the relevant regulatory body.

Prosecution under the Computer Crime Act

Section 6 of the Computer Crimes Act states that it is an offence to use a computer to do anything that may harm national security, national economy or public safety. Computers and mobile devices of journalists and media activists have been arrested using this section.

Experts are appointed by the Minister of Justice to assist the police in investigating these crimes. In addition, only a police officer who has received a certificate from the Inspector General of Police can examine a computer in this investigation.

NOTE

10.

Special challenges related to conflict reporting

Gathering information and reporting by a journalist in the field is a challenging task, and reporting in the field in a conflict situation is an opportunity to face more legal challenges. Let's try to identify some of those challenges.

The challenge of defamation litigation

There is a risk of civil defamation lawsuits due to damage to the reputations of individuals by the statements made during live reporting while reporting a conflict situation, especially in a conflict field. Therefore, in those reports, famous people should be careful about the accuracy of the facts when presenting the facts.

The challenge of criminal charges

Journalists involved in conflict reporting as members of conflicting groups are also at risk of being charged with crimes, so it is very important to build an identity separate from conflicting groups and carry out reporting.

The challenge of being called a witness

In relation to some criminal incidents that occur in a conflict atmosphere, journalists may be summoned to testify before the police as well as the courts in those criminal investigations as persons who have closely observed and reported those actions.

The challenge of taking camera equipment into police custody

Although there are limited opportunities for the police and courts to take the camera equipment of the journalists to obtain the data contained in the camera equipment for investigative work regarding certain incidents that occur in conflict situations.

The challenge of being arrested

There is a risk of the reporter being identified as a conflicting party, being arrested, and being caught by the security forces.

11.

Legal status of Arrest

Conviction and arrest

No person shall be detained except in accordance with the procedure prescribed by law. Article 13(1) of the Constitution states that a person is taken into custody for a reason, and that reason must be communicated to that person. Accordingly, a person can be arrested without a warrant on reasonable suspicion of a flagrant offence (a cognizable offence). Based on confidential information or valid complaint. The offence should be explained at the time of arrest.

The police (or the arresting authorities) do not have the right to assault the arrestee except to use the minimum force necessary to restrain them during the arrest.

Arrest and interrogation

Under common law, the police have the power to question a person who has been arrested in connection with a crime. The police do not have the power to assault or humiliate during such questioning. The maximum time an arrested person can be kept without being produced before a Magistrate is 24 hours. The person arrested during that time

- Exemption
- Provision of bail
- Must be produced before a Magistrate.

According to the investigation report given by the police when the arrested person is presented to a magistrate.

- To grant bail
- To remand or
- The power to issue a summons order rests with the Magistrate on a case-by-case basis.

Summoning the police to give a statement

The Code of Criminal Procedure contains provisions for a police officer to call the journalist to the police station to obtain a statement from a journalist to uncover a criminal offence.

"...According to the information received or in any other way, any person who appears to know the relevant facts regarding the matter may be ordered by us to come before him in a written order and that person should come as ordered. It is stated in Section 109(6) of the Code of Criminal Procedure. Accordingly, it is the legal responsibility of every journalist to obey such summons by a police station or a unit of the police."

However, after receiving such notice by phone or in writing, the journalist should take steps to get a description from the relevant responsible officer about what is wrong with the statement he is about to receive. Also, there is a right to get the services of a lawyer.

Section 177 of the Penal Code states that it is an offence to refuse to answer when questioned by a police officer.

It is also stated in Section 179 of the Penal Code that it is an offence to make false statements during such interrogation.

However, police officers do not have any right to assault while recording or questioning a statement.

Rights of a person under arrest

- Freedom from torture and degrading treatment
- Right to medical treatment
- Right to food
- Right to speak and meet with relatives
- Right to counsel

Right to legal assistance

The Right to a fair trial is a fundamental right of every citizen. Also, the Police (Appearance of Advocates at Police Stations) Rules, 2012, published by Special Gazette No. 1758/36 on May 18 2012, has given a lawyer the Right to appear at a police station on behalf of his client. Accordingly, the police officers are bound to provide the necessary facilities to a lawyer who comes to a police station on behalf of his client.

On producing before a Magistrate

They have the right to complain about the injustices that happened to them at the police station when they are brought before a magistrate. There is also the right to request medical treatment or forensic examinations. The Magistrate has the right to complain if there is a threat to his life in a secured prison or police station.

12.

Legal measures that can be taken in case of loss of media freedom

Fundamental Rights Litigation

In the process of violating the freedom of the press, if a fundamental right described in the sixth chapter of the Constitution has been violated by any executive or administrative action, in such a case, a fundamental rights petition can be filed before the Supreme Court.

Complaining to the Sri Lanka Human Rights Commission

In the process of violating the freedom of the press, if a fundamental right described in the sixth chapter of the Constitution has been violated by any executive or administrative action, in such a case, a complaint can be filed with the Human Rights Commission of Sri Lanka.

Complaining to the police

If the violation of freedom of the media that occurred constitutes a criminal offence, a complaint can be filed at the police station in the area where the incident occurred. If there is any obstacle to going to the police station, you can make a complaint through the phone number 119 or by visiting the police website.

Complaining to the National Police Commission

If the violation of media freedom was caused by the actions of the Sri Lanka Police or police officers, in such a case, a complaint could be made to the National Police Commission.

Civil litigation

If there is a financial loss due to the fact related to the violation of freedom of the press, it is possible to file a civil case in a district court for compensation.

Filing personal complaints

A personal complaint can be filed with the Magistrate's Court if the police do not prosecute a criminal offence related to the violation of press freedom.

Complaining to higher officials

If government officials carried out the incident related to the violation of press freedom, complaints could be made to that official's superiors.

13.

Institutions from which relief can be obtained

Honorable Chief Justice

Supreme Court
Supreme Court Complex
Hulftsdorp Street
Colombo-12

Director of Investigations

Sri Lanka Human Rights Commission

No. 14- R. A. De Mel Mawatha
Colombo-04

Emergency Call-1996

National Police Commission
Block No. 9, BMICH Premises
Buddhaloka Mawatha, Colombo-07
Instant Call-0710361010
Fax-0112683307
info@npc.gov.lk

Inspector General of Police

Police Headquarters
Colombo-01

NOTE

14.

United Nations bodies for the Right to freedom of Expression

United Nations Human Rights Council

One of the main mechanisms of the United Nations dealing with human rights. This council consists of state representatives. The council has 47 members. It meets three times a year and discusses the situation of the member states and various aspects regarding human rights. Parallel to the sessions of this Council, sessions are also conducted by NGOs on various themes and states.

United Nations Special Rapporteur on the Right to freedom of Expression

The position was established in 1993 by the United Nations Commission on Human Rights. The task of the Special Rapporteur is to protect and promote freedom of Expression in accordance with international law.

Reports are submitted to the United Nations Human Rights Commission regarding the Right to express opinions, and in cases where the Right to express opinions is violated, this special rapporteur draws international attention to those situations.

Correspondence of this Special Rapporteur
Special Rapporteur on the promotion and
protection of the Right to freedom of o
pinion and Expression
c/o Office of the High Commissioner for Human
Rights
United Nations Office in Geneva
1211 Geneva 10, Switzerland
Fax: +41 22 917 9003

United Nations Human Rights Committee (Directly)

A citizen of that state can complain to this committee when a right mentioned in the United Nations Convention on Civil and Political Rights is violated by a certain state. Nevertheless, they should have resorted to judicial relief locally before making such a complaint. This committee is a coordinated body of human rights expert judges. Recommendations are issued after examining the facts of the complainant and the state side.

Secretary Human Rights Committee
Room D-204
Support Services Branch
Office of the High Commissioner for Human Rights
Palais des Nations
1211 Geneva 10
Switzerland
Tel: +41 22 917 3965
Fax: +41 22 917 0099
E-mail: etistounet.hchr@unog.ch

NOTE

15.

International organizations working for the Right of Expression

Article 19

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London.
EC1R 4RR

Tele: +442073242500

Twitter: @article19org

Facebook: Article19org

Email: info@article19.org

Amnesty International

M.Thai Tower, All Seasons Place,
87 Wireless Road, Lumpini, Phatumwan,
Bangkok, THAILAND 10330

Telephone: +66(0)987543995

Fax: +66-29392534

Email: infor.eseaprobangkok@amnesty.org
(For East and East Asia and the Pacific)

Reporters Without borders

CS 90247

75083 Paris Cedex 02

(+33) (0)1 44 83 60 56 or (+33) (0)1 44 83 84 66

assistance@rsf.org and assistance2@rsf.org

International Federation of Journalists

IPC-Residence Palace

Rue de la Loi 155

B-1040 Brussels, Belgium

+32 (0)2 235 22 00

+32 (0)2 235 22 19

Email: ifj@ifj.org

International Press Institute

Phone: +4315129011

Fax: +4315129014

Email: infor(at)ipi.media

Web: ipi.media

16.

Media organizations operating in Sri Lanka

Free Media Movement

No. 96, Kirula Road,

Colombo-05

Tel-011-236 8895

Email: fmmsrilanka@gmail.com

Sri Lanka Young Journalists' Association

No. 176/3A,

Oruthota, Gampaha.

Tel-07710661417

Email: web.yjasl@gmail.com

Sri Lanka Working Journalists Association

No. 276/3, Pradeepa Mawatha, Maligawatta,
Colombo-10

Tel- 011 2439276 / 011 2197094

Email: slworkingjournalist@gmail.com

Sri Lanka Muslim Media Forum (SLMMF)

41/2, Vijitha Road, Nadimala, Dehiwala.

Email: muslimmediaforum@gmail.com

Federation of Media Employees

Trade Unions (FMETU)

No. 30, Amarasekara Mawatha,

Colombo-05.

077-3641111

Email : info@fmetu.org

Sri Lanka Tamil Journalists (SLTJ)

No. 185. Grandpass Road,

Colombo-14

Email : gajan75@gmail.com

South Asian Free Media Association

(Sri Lankan Chapter)

107 Obeysekarapura, Rajagiriya.

Email : safmasrilanka@gmail.com

17.

Useful Websites

Sri Lanka Police - Police Department

<https://www.police.lk>

Sri Lanka Press Institute

<https://slpi.lk>

Sri Lanka Press Council

<https://www.slpc.lk>

The Ministry of Mass Media

<https://media.gov.lk>

The Department of Government Information

<https://www.dgi.gov.lk>

<https://rti.gov.lk>

Government Printing Department

<http://www.documents.gov.lk>

Website of the Ministry of Justice

<https://www.lawnet.gov.lk>

The Parliament of Sri Lanka

<https://www.parliament.lk>

Media Law Forum

<https://www.medialawforum.org>

18.

Emergency Contact Numbers

Police emergency call

119

Sri Lanka Human Rights Commission

1996

Bar Association of Sri Lanka

0112447134

Legal Aid Commission

0112433618

National Police Commission

0112166503

Government Information Department

0112515759

Hotline - 074 3070888

MEDIA LAWS

LAW HANDBOOK FOR JOURNALISTS



Stifling the peaceful Expression of legitimate dissent today can only result, inexorably, in the catastrophic explosion of violence some other day. We trust, however, that the Inspector-General of Police will of his own volition issue appropriate directions and instructions to all Officers-in-charge of Police Stations, that criticism of the Government, and of political parties and policies, is, per se, a permissible exercise of the freedom of speech and Expression under Article 14 (1)(a).



Supreme Court Justice

Mark Fernando

In the case of Amarasinghe v. Sirimal



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