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Stigma, Discrimination
and Key Affected Populations:

**Strengthening the Role of Media
Advocacy in Sri Lanka through a Critical
Analysis of News Media Coverage**

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The report *Stigma, Discrimination and Key Affected Populations: Strengthening the Role of Media Advocacy in Sri Lanka through a Critical Analysis of New Media Coverage* aims to demonstrate the role of media in reflecting and perpetuating stigma and discrimination against key affected population and people living with HIV by identifying key issues and challenges and provide recommendations for strengthening the role of media advocacy in creating an enabling environment for HIV prevention, treatment and care.

The concept and methodology of this study were informed by participants of the *Promoting a legal enabling environment and strengthening the legal response to HIV in South Asia* held on 10 February 2012 in Colombo. Additional, guidance on the content and recommendations were provided by participants of the *National Stakeholder Consultation on HIV, Stigma, Discrimination and the Media* held on 4 October 2012 in Colombo.

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List of Acronyms

AIDS	Acquired Immunodeficiency Syndrome
ART	Anti-retroviral treatment
ARV	Antiretroviral
CoJ	Companions on a Journey
CBO	Community-based organization
DiC	Drop-in centre
FSW	Female sex worker
GO	Governmental organization
GFATM	Global Fund to Fight AIDS, Tuberculosis and Malaria
HIV	Human Immunodeficiency Virus
INGO	International non-governmental organization
IDU	Injecting Drug User
ILO	International Labour Organization
KAPs	Key Affected Populations
LGBT	Lesbian, Gay, Bisexual and Transgender
MDGs	Millennium Development Goals
MSM	Men who have sex with men
NGO	Non-governmental organization
PCCSL	Press Complaints Commission of Sri Lanka
PLHIV	People living with HIV
PWUD	People who use Drugs
SSI	Semi-structured interviews
STI	Sexually transmitted infection
TG	Transgender
UNAIDS	Joint United Nations Programme on HIV/AIDS
UNDP	United Nations Development Programme
VCT	Voluntary counselling and testing
WHO	World Health Organization

Executive Summary, Findings and Recommendations

Globally, it is well established that stigma and discrimination are among the biggest stumbling blocks to HIV prevention, treatment and care. It is equally well known that the media, as the prime shaper of 'the world outside and the pictures in our heads,'¹ can be one of the most powerful tools for fighting stigma and discrimination, and creating an enabling environment.

Over the course of the HIV epidemic's 30-year history, notable strides have been made globally to reduce stigma and discrimination towards people living with HIV (PLHIV) and key affected populations (KAPs) such as female sex workers (FSW), men who have sex with men (MSM), transgender (TG) people and people who use drugs (PWUD). These efforts have included the development of supportive legislation and policies, advocacy and community mobilization through networks and collectives, and media campaigns featuring celebrities and societal leaders. In addition, strategic and sustained efforts with the news media have not only facilitated increased and improved coverage, but have also served to advocate for changes in policies and programmes, and of equal importance, to fighting stigma and discrimination relating to key affected populations.

However, in Sri Lanka, the news media continue to play a less effective and arguably damaging role in their coverage on HIV and KAPs due to a number of complex factors. For example, the national prevalence of HIV is low at 0.1%, so related programming and community mobilization is limited; HIV therefore may not be considered a topic of great importance to the media industry, and may not align with their political and business interests.

Some political and media observers of Sri Lanka believe that the decades-long civil war has had long-term impacts on the state of media and practice of journalism including on issues of ethics, autonomy and regulation. Many also believe that the fundamental quality of journalism in Sri Lanka is poor, with most journalists having little knowledge of the basic codes of ethics underpinning the profession. This becomes especially problematic in the case of HIV, with media coverage of the issue routinely violating the rights of PLHIV and key affected populations in respect to confidentiality and anonymity. The criminalization and overall stigmatization of sex work, homosexuality and drug use in the country further fuel incorrect and damaging coverage if members of the media see themselves as a moral 'watchdog' reporting in the 'public interest'.

An example of this problem occurred in 2011 with the *Rivira* newspaper's sustained targeting of Companions on a Journey (CoJ), an NGO working with MSM in Colombo, thus forcing the temporary closure of some NGOs, and further driving KAPs underground. The episode led the government, UN agencies, NGOs, journalists and media analysts to examine the role of the news media in reporting on KAPs, and to initiate measures to strengthen the role of the media in stemming the epidemic and protecting the rights of key affected populations.

This study, therefore, is a first step towards enabling Sri Lanka to play its role in achieving the global UNAIDS-propelled strategic vision of zero discrimination, zero infections and zero deaths caused by HIV through an examination of the role of media in relationship to the stigmatization of key affected populations and people living with HIV in Sri Lanka. Conducted between July and October 2012, the specific aims of the study are to:

1. Demonstrate the role of media in reflecting and perpetuating stigma and discrimination against KAPs and PLHIV in Sri Lanka, and identify key issues and challenges;

1 As described by WWII broadcaster Walter Lippman

2. Provide recommendations for strengthening the role of media advocacy in creating an enabling environment for HIV prevention, treatment and care.

The study uses a multipronged design including: a desk review of HIV policies and programmes, and legislative and media frameworks; a content analysis of print media coverage on HIV and KAPs across 17 newspapers in English, Sinhala and Tamil between January 2010 and June 2012; and finally, semi-structured interviews (SSIs) with a range of cross-cutting stakeholders including the HIV sector (government, local NGOs, UN agencies), the media industry (journalists, media houses), media regulatory bodies and journalism institutions.

The study draws from theoretical frameworks such as the agenda-setting function of the news media and sociological analysis of 'Grand Narratives' in studying media representations of key affected populations. 'Framing' analysis is applied to the study of media coverage in the form of positioning of articles, formats, choice of headlines, words, phrases and visual imagery.

The study is especially timely, given that efforts are currently underway in Sri Lanka to develop and finalize the second National Strategic Plan (NSP) on HIV for 2012–2016.

Key Findings from Content Analysis

Volume

Of a total of 2440 articles, the maximum coverage was on people who use drugs (78%), followed by FSWs (14%) and PLHIV (5%), with MSM and TG accounting for the least coverage (1.7% and 0.9% respectively). What is especially of concern is the low coverage of MSM and TG populations, given that MSM currently account for almost half the HIV prevalence in the country. This is juxtaposed with the high coverage of people who use drugs, even though IDUs, who form a very small subset of this larger group, account for only 0.2% of the HIV transmission in the country.

Format

A bulk of the coverage (92.9%) was in the form of daily news reports, which were an undifferentiated mass of coverage on raids and arrests. Features, which can provide more nuanced and human interest coverage, accounted for only 6%; analytical columns/editorials which can play a critical role in facilitating informed debate and advocacy constituted only 0.5% of the coverage.

Placement

Overwhelmingly, the coverage was found mostly in the Crime section (90%), with Society (12%) and Health (1.8%) trailing way behind. The low coverage in other sections, such as the Business/Finance pages (0.2%), indicates that HIV has not been effectively 'mainstreamed' in the media, i.e. that the media understands and reports on the ways that HIV affects society beyond being considered only a health issue.

Content

Most of the stories (87%) fell into the 'law enforcement' category, followed by 'Health/HIV program and services' trailing way behind (5%) along with 'socio-cultural issues and personal stories' (4.8%). Stigma and discrimination (1.6%) and sexuality (0.9%) were the least covered categories.

Coverage of KAPs

PWUDs accounted for the maximum coverage among KAPs (78%), despite the low contribution of this group to the transmission dynamics in the country. This was followed by FSWs (14.1%) and PLHIV (5%). In sharp contrast, coverage was lowest for MSM (1.7%) and TG (0.5%), even though MSM account for 12.3% of the HIV transmission. The disproportionate focus on people who use drugs suggests that the

impetus for the coverage is not HIV, but other factors such as the criminal status of their activities or an interest, possibly sensationalistic, in the lives and activities of this KAP.

Representation of KAPs

Almost half the coverage (46.3%) presented MSM and TG as 'immoral', while female sex workers were primarily positioned both as 'criminals' and 'victims' (44.1% and 32.5% respectively). Coverage of people who use drugs, who account for the maximum coverage, was overwhelmingly that of criminals (96%). While data on PLHIV fell mostly in the 'positive' category (36%), closer examination indicates that much of it was event-centric coverage such as World AIDS Day (WAD) rather than a positive depiction of PLHIV as confronting and overcoming everyday challenges. About 27% of the coverage on PLHIV positioned them as 'victims' doomed to die tragic deaths, with little agency to alter their destinies.

Corroborating other evidence that highlighted a focus on the criminalization of key affected populations in media coverage, the study found that the police were the primary 'voice' in almost half (43%) the articles. In sharp contrast, KAPs were quoted in only 17% of the stories with a majority of these quotes (77 of 89) from PLHIV, which conveyed a message that key affected populations are HIV-positive. Of the remaining 12 stories quoting key affected populations, nine quotes were from FSW, two from MSM, and one from a transgender person.

Key Trends and Patterns

Overall, the volume of media coverage on HIV and KAPs is low in Sri Lanka — a direct result of the low HIV prevalence in Sri Lanka and its correlation with limited programming and community mobilization. In addition, as is the case with news media in most parts of the world, health coverage is given low priority compared to politics and business. However, while a relatively low volume of coverage is understandable in a low-prevalence country, what is of concern is the *quality* of coverage, and the clear violation of basic reporting ethics and standards.

Identified in this study are 'Grand Narratives', stories that are told that tie together historical meaning, experience and knowledge in a way that legitimizes society and a particular set of cultural beliefs. In the context of this report, elements of the grand narratives that we identified, and that the news media retells, perpetuates and promotes are: homosexuality and transsexuality are dangerous; they threaten the long-standing Buddhist culture of Sri Lanka; and they represent a 'pariah' western culture that is perverted. Homosexuality is a mask for paedophilia, involves older Caucasian men 'preying' on young innocent boys and is an illness that can be treated with bizarre cures. Similarly, female sex workers and people who use drugs are located in stories where AIDS is the punishment for sin.

While there are voices that differ to and dissent from these Grand Narratives — editorials advocating for the repealing of 'Victorian legislation' relating to sex work, features on adoptions by same-sex couples, or first-person testimonials from gay rights activists — they are insignificant in numbers and strength.

Notions of morality and the way that society views sex and sexuality will affect reporting on this area in the news media. It can be surmised that sex and sexuality in Sri Lanka are viewed negatively, leading to an absence of coverage, and that when written about, are done so in a way that is sensational and does not accurately reflect the broader society. Thus, an informed and open discourse on sex and sexuality (which received a mere 0.9% of the coverage) is absent in newspapers, even in health columns. It is replaced instead by salacious tabloid-style reporting that includes themes such as the licentious lifestyles of the wealthy and promiscuous, gay 'sex parties', full-page prurient 'exposés' on students leading double lives as sex workers, and cigarette-smoking Caucasian 'prostitutes' in archetypal skimpy red dresses that represent the threat of western depravity.

The criminal status of homosexuality, sex work and drug use contributes to the stigmatization of these groups. As noted by the Global Commission on HIV and the Law in 2012, punitive laws fuel the epidemic,

“create and punish vulnerability... promote risky behaviour... and exacerbate the stigma and social inequalities that make people more vulnerable to HIV infection and illness.”²

Media reporting can exacerbate this stigmatization by focusing on the behaviour and activities that are considered illegal in Sri Lanka such as sex work and homosexuality, rather than report on the lives of the individuals involved. Furthermore, negative media reporting can add moral judgement to the reporting, going beyond the facts of the matter to contribute to a cultural viewpoint that stigmatizes KAPs. Coverage of people who use drugs and female sex workers comprise news reports on brothel raids, arrests, and crackdowns on drug cartels. There is little attempt to understand the underlying causes for drug use or sex work, or the complex and multiple human dimensions to these phenomena. Set in a world of vice, violence and crime, these stories portray dire destinies awaiting those who are at odds with prevailing norms and social order. Headlines highlight arrests and raids, while images show uniformed police who restore law and order. At a symbolic level, this could be seen as the state establishment countering the forces of evil in morality’s name.

Underlying Issues and Challenges

The poor volume and quality of media coverage on HIV and KAPs in Sri Lanka is the result of a complex range of factors relating to both media advocacy efforts by development agencies and the nature of the news media industry itself.

- The HIV response will be strengthened where behaviours that contribute to HIV infection are decriminalized, such as homosexuality, sex work and drug use. In the absence of legal reform, the news media report on activities and events through the frame of criminalization, which contributes to the overall stigmatization of key, affected populations. When news media are overzealous in their reporting and take on the role of moral ‘watchdogs’, they contribute further to this stigmatization.
- Exacerbating this situation is the fact that the overall quality of journalism in Sri Lanka, as in some other parts of the world, is poor. Few journalists adhere to basic ethics such as confidentiality and anonymity. In the case of HIV and KAPs, the problem is exacerbated because sex and sexuality are taboo subjects, and sex work and sexual minorities are criminalized by the state. Journalists reflect the same biases and legal frameworks of the larger society of which they are a part. Education and training in journalism is almost always restricted to the technical aspects of the profession, rather than equipping students with a greater understanding of media theory and ethics, issues of human rights and social justice, and the mandates of an independent press.
- Another issue is the widely differing perceptions on the role of the news media as an institution in a functioning democracy, and conflict or lack of understanding between the news media on the one hand and NGOs and marginalized communities (including key affected populations) on the other. Typically, NGOs and KAPs expect the media to report on their concerns with far greater sensitivity and depth than they do, while the media may be uninterested, see itself as a moral ‘watchdog’, or feel no particular responsibility or obligation to do so.
- News media may also see their work in terms of being a corporate entity having to survive in an increasingly competitive market place, who therefore make choices on their stories and reporting based on their management or readership. Market imperatives, the increasing commercialization of the news media industry, and the media’s role in reporting on critical social issues — these are fundamental and critical debates that have started to occur across the globe, and Sri Lanka is no exception.
- Influencing the media is difficult. Firstly, media advocacy efforts of development agencies are often ad hoc and fragmented and may lack significant outcomes; for example, workshops draw mostly young journalists with little influence over their publications. Further, if the media industry is driven

2 The Global Commission on HIV and the Law (2012). Risks, Rights and Health. UNDP: New York City.

by politics and business, it makes it difficult to gain the sustained support of senior editors and journalists for other development and social issues, including health. These are challenges common to the South Asia region, as well as other parts of the world. Finally, the low prevalence of HIV in Sri Lanka further exacerbates the problem as it is not seen as an important or prominent issue.

- There is a widespread absence of a culture of citizens' rights in Sri Lanka, and this is especially true in the case of key affected populations who come from a long history of marginalization and disempowerment. In the case of media coverage, NGOs and KAPs have remained largely unaware of official redressal systems available, and a deep-rooted sense of self-stigma and intimidation have contributed to the lack of official complaints in response to the preponderance of negative coverage.
- The increasing democratization of social media including individual blogs presents new challenges in terms of quality control, as well as new opportunities that can be tapped for increasing KAP voices in the public domain.

Recommendations

This study addressed a challenging issue and yielded critical insight into the role of the news media in Sri Lanka in reflecting and perpetuating stigma and discrimination against key populations affected by HIV. It also captured a complex web of factors that influences such coverage: the criminalization of sex work and homosexuality in the country's legislation; a long history of stigmatization of behaviours that fall outside the hetero-normative framework that defines Sri Lanka's culture and society; and the gaps and challenges confronting the media advocacy efforts of development agencies.

Based on the desk review, content analysis and SSIs, the study identified a core set of recommendations for Sri Lanka's national HIV prevention programme. Understandably, these recommendations can only be effective if pursued through a concerted approach with the active participation of a wide range of stakeholders. However, if the news media is to play a proactive and independent role in a functioning and pluralistic democracy, protecting the rights of all citizens irrespective of sexual orientation, gender identity, or choice of sex work as a legitimate profession, the actions detailed below will be critical to the success of efforts to strengthen the role of media advocacy in Sri Lanka in relation to HIV and the rights of key affected populations.

- 1. Place stigma and discrimination experienced by key affected populations within the broader context of marginalization, human rights violations and equity issues in Sri Lanka.** This is a critical first step, especially necessary given that HIV prevalence in Sri Lanka is low, hence not seen as an 'attractive' issue for media coverage. Key affected populations, like other marginalized segments of the population in the country, lack effective access to education, health, housing and other necessities. This basic social vulnerability is further exacerbated by their sexual orientations, gender identities or choice of sex work as a means of livelihood, pushing them even further to the fringes. This larger context of disenfranchisement is critical. There is a need for greater attention to it. Attention to stigma and discrimination is a part of the larger global development agenda, as represented by the Millennium Development Goals (MDGs) and discussions on the post-MDG agenda in which Sri Lanka is a participant.
- 2. Express full support for and leverage ongoing media reform measures that are aimed at resurrecting media autonomy and ethics to facilitate gains for coverage of all marginalized populations, including KAPs.** In this context, media advocacy efforts must be grounded not so much in the argument for increased HIV coverage, but rather, improving the quality of coverage of all marginalized populations, including key affected populations, based on the fundamental premise of *protecting their human rights*. In this context, the National Media Policy (2007) provides a useful framework, given its focus on 'achieving excellence in the total practice of media by creating a people-centred, development-oriented, free, and responsible media culture as required by a well-informed and democratic society' while also promoting 'unity in diversity and harmony'.

3. **Create a national committee** of senior journalists, lawyers, human rights activists, HIV programme representatives from government, UN agencies, NGOs and KAPs that can act as a hub to provide technical advice, and anchor and monitor progress on media advocacy efforts. The committee must be mandated with the task of acting as a pressure group to monitor media coverage, improve reporting standards, and create an enabling environment for the ethical and sensitive coverage of issues relevant to key affected populations.
4. **Adopt a multi-tiered, segmented approach towards working with different news media, based on their ownership (government or private), ideological stance (liberal or conservative), and quality of coverage.** Initially, start working closely with liberal newspapers and individual journalists that have provided somewhat better coverage on HIV and key affected populations; over time, these efforts will grow organically to establish quality benchmarks for others to follow and create an overall enabling environment for improved media coverage of marginalized populations.
5. **Intensify efforts to mainstream HIV as an issue within cross-cutting government programmes as well as in media advocacy.** HIV is a multisectoral issue, and in some parts of the world 'HIV and Development' and 'HIV and Gender' arguments have been successfully leveraged in media advocacy to expand coverage beyond the health domain. This mainstreaming must be reflected in the media advocacy strategy: for example, given that business occupies a salient position in Sri Lanka's news media, this space (as well as those for gender and other dimensions of HIV) can be effectively leveraged to increase the range and breadth of coverage on HIV.
6. **Mobilize and leverage high-level political and policy commitment** to create an enabling environment for HIV prevention and the human rights of key affected populations. Political leaders and senior policy makers must be fully sensitized and oriented on the issues and key talking points; this will enable them to publicly advocate for HIV prevention and KAP rights, so that a politics and personality-driven media industry picks these issues up for coverage.
7. **Design and implement a strategic and multipronged media advocacy programme** including workshops, guidelines and terminology for media coverage, site visits to HIV-relevant programmes, and regular 'news feeds', as well as, importantly, partnership-building with media houses responsible for both news and entertainment programming. Conducting a rapid 'stigma assessment' of journalists, and using the findings as a baseline to measure the effectiveness of media advocacy interventions would provide added value. Sharing 'success stories' in media advocacy for HIV and KAPs through journalists and NGOs from other Asian countries can be especially effective in lessening the idea that HIV and same-sex relationships are part of a western-driven agenda.
8. **Strengthen the capacity of NGOs and KAPs** to engage with the media through skills-building workshops for mobilising the media, writing effective press releases, and using official systems for redressing problems in the media. As well as this, NGOs and KAPs must empower themselves with knowledge of human rights and HIV-related programmes, policies and issues so that they can effectively identify their key messages and advocate with the media. Vigilant communities with a greater degree of political awareness of their rights as citizens and consumers of the media can substantially bolster their engagement, not only with the media but also with politicians and policy makers.
9. **Empower NGOs and KAPs in 'citizen journalism'** in keeping with the increasing democratization of social media. In addition to being a fundamentally empowering process, placing the tools of communication in the hands of communities could yield multiple benefits, including a greater authenticity and diversity of news coming directly from marginalized communities, with the potential of further amplification through mainstream news media. Potentially, this could result in more positive and sensitive coverage on the active participation of key affected populations in HIV prevention efforts and in promoting and advancing basic human rights.
10. **Strengthen the role of the Press Complaints Commission of Sri Lanka (PCCSL)** in monitoring HIV coverage and facilitating official redressal for inappropriate or negative coverage. The study learnt

that based on official requests, the PCCSL in recent years has played a very effective monitoring role with regard to reportage on suicide and mental health; this experience can be effectively translated to the domain of HIV and KAPs.

- 11. Involve senior editors and the management of media houses to ensure their buy-in and thus facilitate sustainability.** Experience demonstrates that high-profile partnership-building, including exposure visits for senior editors to successful HIV programmes within the Asia/South Asia region, has helped catalyse their interest and engagement, and provided a wider perspective on HIV and the human rights of Key Affected Populations. Involving senior journalists from neighbouring countries such as India, which has had significant success with media advocacy, can also help defuse the notion that HIV and the rights of KAP is a Western-driven agenda.
- 12. Design and conduct capacity-building interventions for journalists that break out of the usual information-dissemination workshop mould** to creatively and effectively sensitize journalists to their own biases, especially with regard to sexuality, a sensitive and taboo subject. Expand outreach for these programmes to include regional languages, provinces and 'stringers' (freelance journalists) from rural areas. The study identified some possible creative approaches to such sensitization. In addition, capacity-building for the media must necessarily be multi-tiered and customized for different staff cadres within newspapers, including those involved with copy-editing and design and layout.
- 13. Provide clear contact points for the media to reach out to, and facilitate regular interaction** between communities/NGOs and journalists to facilitate greater trust and understanding, as well as the recognition of their common cause in protecting citizen rights. Building mutual trust and partnerships is crucial to a sustainable response.
- 14. Encourage powers of self-regulation** within the media in the interest of ownership and sustainability. Autonomous bodies such as the Free Media Movement (FMM) can play a vital role in encouraging discourse on media coverage of key affected populations, and push for the human rights of these marginalized communities. Within this context, the media can and must recognize the larger implications of HIV prevention efforts, and the value of community mobilization efforts for key affected populations, and thus play a larger advocacy role, highlighting gaps in the response and human rights violations.
- 15. Work through media/journalism colleges and institutions** to build a cadre of journalists equipped not merely in the technical production aspects of a market-driven industry, but a larger appreciation of media theory, ethics, human rights and social justice, and the role of the media in a functioning democracy. This can help institutionalize and sustain sensitive, ethical coverage on HIV and key affected populations within the overall framework of human rights, social exclusion and equity. In parallel, efforts should be made to mainstream sensitization efforts to multiple domains — cinema, television, radio, theatre — and a range of other popular cultural forms that define the collective imagination of a nation.

Conclusion

A complex web of factors has contributed to the negative and often damaging media coverage on HIV and KAPs in Sri Lanka. However, as demonstrated in several other parts of the world, the news media can play an effective and positive role in not only reporting on the realities of HIV, but also forcefully advocating for changes in policy and legislation, and highlighting gaps in programmes and the violation of the rights of key affected populations. Sri Lanka can and must learn from these experiences to take urgent steps to strengthen the role of the news media in protecting and advocating for the rights of key affected populations, rather than reflecting and perpetuating the stigma and discrimination of broader society. For this to happen, a range of stakeholders — government, development agencies, NGOs, key affected populations and the news media — must strike common cause to reshape a new and positive narrative that will benefit rather than damage the lives of those who are marginalized.

Rationale, Objectives and Scope of the Study

It is well established that stigma and discrimination are major impediments to HIV prevention and care globally, contributing to human rights violations and crippling the use of essential services.³ It is equally well known that the media, the prime shaper of the 'pictures in our heads'⁴ plays a critical role in reducing such stigma and discrimination, and creating an enabling environment for HIV prevention and care.

Over the course of more than 30 years, notable strides have been made to reduce stigma and discrimination towards people with HIV (PLHIV) and key affected populations (KAPs) such as sex workers, men who have sex with men (MSM), transgender people (TG), and people who use drugs (PWUD). 'Key affected populations' refers to those most likely to be exposed to HIV or to transmit it – their engagement is critical to a successful HIV response, i.e. they are key to the epidemic and key to the response.⁵

These efforts to reduce stigma and discrimination towards key affected populations have included developing supportive legislation and policies, advocacy and community mobilization through networks and collectives, and media campaigns involving celebrities and 'champions', i.e. high-profile supportive individuals.

However, while there are pockets of success, stigma and discrimination continue in many forms in different parts of the world. Sri Lanka is a case in point. With a low-level epidemic of 0.3% prevalence and limited HIV programming, Sri Lanka has witnessed high levels of stigma and discrimination against key affected populations over several years.⁶ Even though the Constitution of Sri Lanka Article 12 (2), Chapter 3 spells out the fundamental rights of citizens and the principle of non-discrimination⁷, it does not explicitly protect sexual minorities who have diverse sexual orientation or gender identities. The criminalization of MSM and other vulnerable populations is often a direct result of penal codes from the colonial era, similar to those found in other former British colonies such as India, Malaysia, and Singapore as well as in several African nations. Coupled with the social stigma attached to their behaviours, this criminalization contributes to the abuse, intimidation, unlawful detention and human rights violations of KAPS.⁸

Aggrieved parties have the possibility of making an application before the Supreme Court on the basis of the violation of their fundamental rights. However, given the high levels of stigma and discrimination, and the absence of constitutionally stated rights to equality and non-discrimination, key affected populations are rendered invisible in the eyes of society and the law, with no form of redress. This factor plays a role in deterring them from reporting the acts of discrimination, abuse and violence that confront them.

The media and its journalists both reflect and perpetuate the prevailing stigma and discrimination of the society in which it is located, both through acts of omission and commission. There is no discourse on the basic human rights of key affected populations, nor a questioning of the outdated legislation

3 Reducing Stigma and Discrimination: a Critical Part of National AIDS Programmes: A Resource for National Stakeholders in the HIV Response. UNAIDS http://data.unaids.org/pub/Report/2008/JC1521_stigmatisation_en.pdf

4 Lippman, Walter (1922). *The World Outside and the Pictures in our Heads*. In Public Opinion. Harcourt, Brace and Company.

5 UNAIDS (2011). UNAIDS Terminology Guidelines. http://www.unaids.org/en/media/unaids/contentassets/documents/unaidspublication/2011/JC2118_terminology-guidelines_en.pdf

6 Women's Support Group (January 2011). The Status of Lesbians, Bisexual Women and Transgendered Persons in Sri Lanka. NGO Shadow Report to the Committee on the Elimination of all Forms of Discrimination against Women. www.iglhrc.org/binary-data/ATTACHMENT/file/000/000/498-1.pdf

7 "No citizen shall be discriminated against on the grounds of race, religion, language, caste, sex, political opinion, place of birth or any such grounds." http://www.parliament.lk/about_us/constitution.jsp. Accessed 25 Nov 2012

8 Ibid 6

that criminalizes their behaviours, nor any discussion on their contribution to HIV prevention efforts within their communities; instead, members of key affected populations are overwhelmingly portrayed as criminals and immoral deviants that threaten the fabric of Sri Lankan society. While this has mainly been perpetuated in the print media, it has been picked up and amplified by electronic and social media, thus reaching a wider audience.

Civil society agencies have attempted to conduct media advocacy and sensitization workshops on HIV, the increased risk and vulnerability of key affected populations, and their rights to equality. However, these efforts are undermined by several factors: the high turnover of journalists, and the fact that these workshops are mostly attended by junior journalists with no larger decision-making powers to influence their publications. Specific media guidelines for reporting on HIV, which have been effective in facilitating more positive coverage in other countries, are absent in Sri Lanka.

A media incident in September 2011 is particularly illustrative of the issues discussed in this report: the stigmatization of a key affected population combined with problems with Sri Lankan journalism itself. 'The Rivira episode' involved a sustained and scathing 'exposé' by the *Rivira* newspaper on the HIV prevention efforts of an NGO working for MSM as endangering the tradition and culture of Sri Lanka. The Office of the President's call for an investigation further intensified a sense of fear and discrimination, further driving underground the most marginalized segments of society, and forcing both the closure and/or suspension of several NGOs.

The *Rivira* campaign displayed a complete lack of basic media ethics, and violated fundamental journalistic principles of anonymity and confidentiality. This episode posed the question to NGOs, the government and the media of the media's role and responsibility, especially with regard to covering HIV prevention efforts in the country. If Sri Lanka is to play its role in achieving the global strategic vision of zero discrimination, zero infections and zero deaths caused by HIV, strategic media advocacy, sensitization and partnership-building is of urgent necessity.

Efforts are currently underway in Sri Lanka to develop and finalize the second National Strategic Plan (NSP) on HIV for 2012–2016. It is therefore an opportune time to engage in actions that will strengthen the role of media in reducing stigma and discrimination against key affected populations, and thus contribute to an overall enabling environment for HIV prevention and care in the country.

This study, therefore, is a first step in this direction. Conducted between July and October 2012, the study uses a multipronged design to critically understand the nature of stigma and discrimination in media coverage, the influence of legislative and media frameworks, and develop recommendations to strengthen media advocacy. The methodology — involving a detailed desk review, content analysis of media coverage, and semi-structured interviews with a range of stakeholders — was used to identify a new and effective course for media advocacy under the National Strategic Plan and Sri Lanka's Round 9 grant from the Global Fund to Fight AIDS, Tuberculosis and Malaria.

This study also responds to recommendations made at the high-level SAARCLAW South Asian Roundtable Dialogue on HIV and the Law (held in Kathmandu, Nepal, 7–8 November 2011 and supported by the International Development and Law Organization (IDLO) and UNDP Asia-Pacific Regional Centre); it also responds to recommendations of the UNDP Asia-Pacific Regional Dialogue of the Global Commission on HIV and the Law (Bangkok, 17 February 2011) and its follow-up meeting in Sri Lanka in February 2012. This activity also reflects commitments under the HLM and UNESCAP Resolutions 66/10 and 67/9, and the recommendations made at the national consultation on MSM, HIV and sexual health in November 2009 in Negombo, Sri Lanka.

Goals and Objectives of the Study

- To demonstrate the media's role in reflecting and perpetuating stigma and discrimination against KAPs and PLHIV in Sri Lanka.
- Provide recommendations for strengthening the role of media advocacy in creating an enabling environment for HIV prevention and care.

Methodologies

The study used a mix of research methodologies, both quantitative and qualitative, which included:

1. A desk review of HIV policies and programmes, relevant legislative and media frameworks to understand their influence on media coverage, and a review of redressal mechanisms to assesses their use and effectiveness;
2. Content analysis of media coverage of HIV and KAPs to understand the nature and patterns of the stigma reflected in print media. The practical feasibility of accessing archives meant that the study focused only on print media coverage between January 2010 and June 2012. A total of 17 Sinhala, Tamil and English newspapers were selected based on their circulation to constitute the database (7 each of English and Sinhala, and 3 in Tamil).
3. Semi-structured interviews (SSIs) with a cross-cutting range of over 25 stakeholders including the HIV sector (government, UN agencies, local NGOs), the media industry (journalists/media houses), and media regulatory bodies such as the Sri Lanka Press Complaints Commission, media watchdogs and journalism institutions.

Constraints and Limitations

1. Due to ease of access, the study focused on the print news media. This was understandably a significant limitation given that radio, television and the internet increasingly serve as news sources. In addition, the study recognizes that a society's perception and understanding of issues is shaped not only by the news media, but also, and perhaps equally powerfully, by other kinds of media programming such as entertainment. In fact, entertainment-education — the strategic integration of social/educational messaging through entertainment formats such as soaps and talk shows — has fast gained ground as a key strategy to trigger social change. However, this was not within the scope of this study.
2. The study focused on the content analysis, the desk review and SSIs to understand the nature of news media's role in reflecting and perpetuating stigma and discrimination. However, media and communication studies clearly point to the need to consider the concept of media effects: the effects that media has on individuals and society, and the subjective differences in how audiences receive, interpret and make meaning of their exposure to the media. While media effects is an important domain, this was not within the scope of this study.
3. Another constraint was that due to the uneven representation of newspapers from the three languages in the study (with Sinhala papers accounting for the maximum number and Tamil newspapers the least), cross-language comparisons were not feasible. Also, the large, multi-language database for the Content Analysis component of this study presented some challenges. The various nuances and complexities of language such as in Sinhala and Tamil may have been lost in the process of transcribing and coding.
4. There was almost no coverage of IDUs during the time period for the study, but rather a preponderance of coverage on people who use drugs. Hence, the study decided to include PWUDs as a key affected population, rather than IDUs given the extreme stigmatization and criminalization of this group both in real life and in media coverage.

The Role of Stigma and Discrimination in HIV Prevention and Care

Understanding Stigma and Discrimination

“If we do not appreciate the nature and impact of stigma, none of our interventions can begin to be successful. AIDS is probably the most stigmatised disease in history.”⁹

– Edwin Cameron, Constitutional Court Justice, South Africa

With an estimated 34 million people living with HIV globally,¹⁰ the HIV epidemic has highlighted a stark reality — that it disproportionately affects those already caught in a cycle of disenfranchisement and marginalization due to inequities stemming from poverty, gender, and lack of access to education and health care.

Within this context, key affected populations are even more severely disenfranchised, given that their behaviours are severely stigmatized and little understood. Homosexuality and same-sex relationships are conflated with paedophilia, deviancy and perversion. Homosexuality is characterized as an illness sorely in need of a cure. Sex work has historically been conflated with trafficking and forced exploitation as the last recourse of ‘fallen women’.

However, sex between men and sex work are activities that place MSM and sex workers at greater risk to HIV at the same time that they place them as the objects of high levels of stigma and discrimination. The criminalization of these behaviours have forced populations associated with them underground and into near invisibility, challenging outreach efforts for HIV prevention.

Simply defined, stigma is ‘a process of devaluation’, an all-pervasive attitude that is expressed through language, behaviour, harassment and ostracization. Discrimination is the acting out of stigma: the unfair and unjust treatment of an individual through acts of omission or commission based, in this case, on their real or perceived HIV status or association with groups at greater risk to HIV. Discrimination may be institutionalized through existing laws, policies and practices that negatively target PLHIV and marginalized groups.¹¹

Stigma and discrimination are all-pervasive, and can occur in multiple settings: within the home and family, work, public spaces, health-care services, schools, places of worship, and housing. Stigma and discrimination are interrelated, reinforcing and legitimizing each other.¹²

Globally, it has long been recognized that stigma and discrimination are major stumbling blocks to HIV prevention and care, resulting not only in a violation of basic human rights but also a lower uptake of HIV preventive services such as testing and counselling, and reduced or non-participation in HIV programmes by key affected populations. Box 1 below highlights examples of how stigma and discrimination have negatively impacted the use of critical services for HIV prevention and care, including counselling, testing and disclosure, in different parts of the world.

Stigma and discrimination are daily realities for PLHIV as well as for key affected populations, whose behaviours are criminalized. Members of these groups often avoid, or delay, seeking necessary services

9 Cameron, Edwin (December 2007). Reducing Stigma and Discrimination: a Critical Part of National AIDS Programmes: A Resource for National Stakeholders in the HIV Response. UNAIDS http://data.unaids.org/pub/Report/2008/JC1521_stigmatisation_en.pdf

10 UNAIDS Global Report 2012. http://www.unaids.org/en/media/unaids/contentassets/documents/epidemiology/2012/gr2012/20121120_UNAIDS_Global_Report_2012_with_annexes_en.pdf

11 Ibid

12 Ibid

for fear of being 'found out', humiliated, and/or treated differently by health workers, and, in some instances, prosecuted and imprisoned by authorities.

Box 1: Examples of How Stigma Affects Service Utilization among KAPs¹³

Prevention and Testing

- In Botswana, a survey of patients receiving antiretroviral therapy found 40% delayed getting tested for HIV, mostly due to stigma.
- In a survey of IDUs in Indonesia, 40% said stigmatization was why they had avoided HIV testing.

Disclosure

- A study among PLHIV in Tanzania found only half the respondents had disclosed their status to intimate partners. Among those who did disclose, the average time from knowing to disclosure was 2.5 years for men and 4 years for women. Stigma contributed to delayed disclosure.

Care and Treatment

- In a survey of more than 1000 healthcare professionals working directly with HIV patients in four Nigerian states, 43% observed others (hospital personnel) refusing admission to someone with HIV.
- In Jamaica, more than two-thirds of newly diagnosed AIDS cases in 2002 had tested late in the progression of their illness, a phenomenon linked to stigma and homophobia. The remaining one-third were reported as deaths, indicating patients who failed to seek care and support as their disease progressed.

Reducing stigma and discrimination is critical to ensuring Universal Access to HIV/AIDS prevention, treatment and care and achieving Millennium Development Goal (MDG) 6, while also protecting human rights, fostering respect for PLHIV and KAPs, and reducing HIV transmission. The media has a vital role to play in this effort.

A Conceptual Framework for Understanding the Role of the Media

Nothing is more compellingly true than the fact that today the media is the prime shaper of our perceptions, our 'meaning making' of the world around us. The explosion of all-pervasive, omniscient 24/7 media, be it newspapers, radio, television or the internet, has resulted in literally creating a worldwide web which relentlessly mediates our experience of the world around us.

While media's role as a 'magic bullet' — that is, a force that has direct and unmediated impacts on audiences — has long since been disputed,¹⁴ there is little doubt that it acts as a powerful force in shaping our perception and understanding of the world around us. An important strand within this domain of understanding is the media's role in shaping social and cultural mores, and in creating the 'Grand Narratives' of our time. Post-modern thinkers Jean-Francois Lyotard and Michel Foucault have talked of the totalising power of Grand Narratives, narratives that have been repeated so often that

13 Joint United Nations Programme on HIV/AIDS (2007). Reducing HIV Stigma and Discrimination: A Critical Part of National AIDS Programmes. A Resource for National Stakeholders in the HIV Response. Geneva

14 Berger, A. A. (1995). Essentials of Mass Communication Theory. London: SAGE Publications.

they become 'The Truth', allowing no space for other narratives or interpretations to emerge.¹⁵ A classic example of one of the Grand Narratives relevant to this study is found in popular cinematic portrayals (especially in India) of the female sex worker (the 'prostitute') as a victim of trafficking and coercion, and doomed to a tragic death.

While these narratives are most often played out in the visual media (cinema, documentary, entertainment programming), the news media also play an important role. Through the placement of a story within specific sections of the newspaper, and the choice of headlines, words, phrases and visual imagery such as photographs and illustrations, the news media 'frames' issues, subliminally influencing our perception and understanding of the world around us.

Somewhat parallel to the idea of Grand Narratives, but more specific to the domain of news media is 'agenda-setting', one of the most influential theories of our time. Briefly, the theory refers to the ability of the media to determine what is important and worthy of debate in the public domain, based on the frequency and prominence of coverage given to issues.¹⁶ The theory was formally developed by Maxwell McCombs and Donald Shaw; however, its genesis appears to lie with Bernard Cohen when he first observed: "The world will look different to different people, depending on the map that is drawn for them by writers, editors, and publishers of the paper they read."¹⁷

An important implication in this statement is that the 'truth', as defined by journalism, can vary based on the ideological and socio-cultural lenses defined by individual journalists, newspapers and of course their ownership and management, which increasingly lie in the hands of large corporations. Media analysts then argue that the real function of the media lies not so much in reporting the 'truth' but in 'manufacturing consent' as famously elaborated upon by Noam Chomsky in his seminal work *Manufacturing Consent: The Political Economy of the Mass Media*.¹⁸

This report draws from the above theoretical frameworks.

The News Media and HIV

The news media has played a vital role in the HIV epidemic from the very start, communicating news on the virus, its modes of transmission, and efforts to halt its progression. At the same time, the news media has reflected the deeply engrained prejudices of society against PLHIV and KAPs.

Recognizing its power to both reflect and alter perceptions, HIV programmes in different countries have deployed a range of strategies to strengthen and leverage news media for creating an enabling environment. These strategies have included sensitization workshops for journalists, partnership-building with senior editors, exposure visits to HIV prevention programmes, and facilitating interactions with PLHIV and KAPs. Media advocacy packages and guidelines for terminology and reporting have served as effective tools for journalists across the world, contributing to significant positive shifts in HIV coverage.

Two innovative approaches are of particular note, both supported by Avahan, the India AIDS Initiative of the Bill & Melinda Gates Foundation. When Avahan was launched in 2004, it was clear that the focus would be on targeted interventions for HIV prevention among key affected populations. Ten years of media advocacy efforts in India did not produce the outcomes desired; it was clear that a radically new approach was needed to reduce stigma and discrimination.

15 Datta, Bishakha (2005) Not a Sob Story: Representing the Realities of Sex Work in India. In *Sexuality, Gender and Rights. Exploring Theory and Practice in South and Southeast Asia* (Misra, Geetanjali and Chandiramani, Radhika, eds.), Sage Publications.

16 McCombs, Maxwell (2004) *Setting the Agenda: The Mass Media and Public Opinion*. Cambridge. Blackwell Publishing.

17 Cohen, Bernard (1965). *The Press and Foreign Policy*. Princeton University Press.

18 Edward S Herman and Noam Chomsky (1998): *Manufacturing Consent: The Political Economy of the Mass Media*. Pantheon Books.

Strategies that emerged in neighbouring India from the Centre for Advocacy and Research (CFAR) focused on empowering key affected populations to engage with the media, along with media sensitization (refer to Box 2 for a detailed description). Meanwhile, the Heroes Project adopted a partnership approach with societal leaders and media across India, and provided new insights in working with the media. Heroes Project's national media summit on HIV in 2005, the first of its kind in India, drew over 25 large media conglomerates responsible for both news and entertainment programming who then pledged their support to HIV prevention efforts, providing substantial free airtime worth millions of dollars and integrating HIV messaging in a range of news and entertainment programming. The work of the Heroes Project yielded valuable lessons for media advocacy: the importance of working through large media conglomerates; the critical importance of using television, by far the most preferred channel of communication for all key affected populations; the significant role of education-entertainment in helping reduce stigma related to key affected populations; and the necessity of using formats that influence viewers from a wider spectrum than the narrow confines of news bulletins.

Box 2: Turning the Tables for Media Advocacy: Empowering the Subjects of Media Coverage¹⁹

Complementing their sensitization of the news media, the Centre for Advocacy and Research (CFAR), focused its energies on building the capacity of NGOs and KAPs to engage with the news media and understand the functioning of the industry, the roles of different cadres of staff in a newspaper, the process of news gathering and the pressures of the newsroom. KAPs were trained to identify their key concerns, designate media spokespersons within their organizations, practise media interviews and write effective press releases. Most importantly, they were empowered to understand their rights as readers, and seek official redressal when confronted with negative or incorrect coverage.

Over an intensive five-year period, the project reached over 7000 journalists, 3500 programme implementers, and 2500 KAP representatives. In keeping with the decentralization of the national programme, over 40% of the project's work was at the district and sub-district level. The shift in media coverage between the base year (2005) and the final year of the project was dramatic:

- Coverage on HIV and KAPs increased from 310 articles to 1500 annually;
- Stories representing KAP voices, their positive contributions to HIV programming, and cases of stigma and discrimination increased from 25 to 322;
- There was a paradigm shift in media representation of KAPs. Compare, for example, the reference to bar girls as *"desecrators"* and the *"main cause behind (HIV) positive patients and crime rate"* in the Maharashtra Times in 2005 to the empowered, rights-based representation in 2009: *"So what if we are sex workers? We need respect and dignity."*

A multi-pronged, mutually reinforcing strategy was critical to the project's success, and included media tracking, documentation, media sensitization and the capacity-building of HIV programme partners (managers, KAP representatives and NGOs).

¹⁹ Sarma, Nirupama (2009) Media Advocacy on HIV/AIDS: An End-Term Evaluation of the Grant to the Centre for Advocacy and Research (CFAR) by Avahan, Phase 1 of the Bill & Melinda Gates Foundation.

Media Coverage of HIV and KAPs in Sri Lanka — A Background

HIV and AIDS in Sri Lanka

Sri Lanka has an estimated HIV prevalence of less than 0.1 % in the adult (15–49 years) population, with about 3000 PLHIV, almost 50% of who are MSM. The predominant mode of transmission, counting for 82.8%, is through unprotected sex between men and women, followed by 12.3% through unprotected sex among MSM. Vertical transmission accounts for 4.4%, infected blood 0.4% and injecting drug use 0.5% of all transmission.²⁰

While this is a low-level epidemic, sentinel surveillance studies indicate that seroprevalence among key affected populations has been increasing over the years. For example, between 2009 and 2011, seroprevalence among female sex workers increased from 0 to 0.2%, among MSM from 0.48 to 0.9%, and among drug users from 0 to 0.2%.

Experience from other countries in South Asia has shown that concentrated HIV epidemics can expand quickly and affect the wider population through ‘bridge populations’ (for example, men who have sex with partners from both higher-risk key affected populations and lower-risk populations). Sri Lanka also has certain socioeconomic and behavioural factors that could ignite a larger epidemic in the country: the presence of a large youth population, internal and external migration, a hidden but flourishing sex industry, low levels of condom use, and concurrent sexual relationships among key affected populations.

Recognizing this potential threat, the National AIDS Committee (NAC) recommended a greater focus on targeted interventions (TIs) aimed at key affected populations. This was further endorsed by the National Strategic Plan (2007–2011), which aimed at increasing the coverage and quality of TIs, including treatment, care and support.

Recognizing that criminalization, stigma and discrimination towards KAPs could negatively impact access to and utilization of prevention services, the National AIDS Policy (NAP) of Sri Lanka, adopted in 2011, emphatically endorsed “prevention, treatment, care and support for all citizens in a non-discriminating environment where the protection of fundamental rights are upheld to the highest standards as enshrined in the Constitution of the Democratic Socialist Republic of Sri Lanka.”

Mapping studies estimate approximately 35,000–47,000 Female Sex Workers, 24,000–37,000 Men who have Sex with Men and about 305,000 drug users (of heroin, cannabis and opium) in Sri Lanka. Consistent condom use among female sex workers during the last sexual act with a paying partner was in the range of 80–95% and 64% among men who had sex with another male partner. Consistent condom use with all types of partners is low among both sex workers and MSM, thus exposing them to the risk of HIV infection. Although injecting drug users are few in number, the ones who inhale and snort drugs do engage in sex between men and patronize the sex trade. Although it is not yet a sizeable phenomenon, overlapping sexual partnerships between Female Sex Workers, Men who have Sex with Men and drug users could lead to increased HIV infections in Sri Lanka.²¹

Under the National STD/AIDS Control Programme, there are a total of 15 Targeted Interventions²² which include condom promotion, peer education, STI services, community mobilization, Drop-In Centres (DICs), telephone helplines and counselling.

20 UNGASS (2010–2011). Country Progress Report: Sri Lanka.

21 Ibid

22 Of these, 4 are for PLHIV, 3 for MSM, 2 for LGBT, 1 each for sex work and migration, and 3 for IDU. One TI addresses both MSM and sex work issues.

Sri Lanka's health care system, lauded for being on par with that of developed countries, provides free ART, counselling, testing and other HIV prevention services. While the quality of these services is good, a 2006 external review suggest that coverage and utilization is poor:²³ only 40.6% utilization of ART; 11.9% of services for prevention of vertical transmission; and 10% co-management of TB and HIV treatment (refer to Box 3 for further data). The review also drew attention to programme gaps such as an insufficient focus on key affected populations such as FSW and clients, MSM and partners, and drug users, and the inadequate involvement of NGOs and private sector in providing coverage of services. Similarly, a 2007 study indicates that coverage of behaviour change interventions for FSW, MSM and drug users is less than 10%.²⁴

Box 3: HIV Preventive Knowledge and Behaviours in Sri Lanka

- Only 66% of MSM knew that condoms could prevent HIV
- Only 41.2% of MSM had used a condom with regular male partner, and only 25.6% had used a condom with a non-regular partner at the most recent sexual exposure
- Only 2.6% of youth reported condom use during their last anal sex encounter with a male partner
- Only 42.6% of sex workers and 13.6% of MSM had ever sought HIV testing and counselling

Clearly, stigma and discrimination play a critical role in inhibiting service uptake, especially among key affected populations who do not have sufficient information, ability or opportunity (resources, tools and supportive environments) to negotiate safer sex, safer drug use, or access to HIV treatment and care. The next section examines the legislative frameworks underpinning the criminalization and stigmatization of discrimination towards KAPs in Sri Lanka.

Legislative Framework in Sri Lanka

A fundamental challenge to HIV programmes across several countries in the South Asia region is the tension between government endorsement and support for Targeted Interventions on the one hand, and the criminalization of sex work and homosexuality in the country's Constitution. This is the case in Sri Lanka as well (India successfully waged a lengthy battle against Section 377 of the Indian Penal Code, which criminalized so-called 'unnatural' sex. This resulted in the striking down of this legal provision, as it pertains to consensual sex between adults, by the Delhi High Court in July 2009).²⁵

Sri Lanka's HIV policies and programmes provide active endorsement of Targeted Interventions for HIV prevention and care among KAPs. The National AIDS Policy (NAP), for example, recognizing the *intimate link between HIV and human rights* efforts endorses prevention, treatment, care and support for all citizens in a *non-discriminating environment* where the *protection of fundamental rights* is upheld to the highest standards as enshrined in the Constitution.

The National Strategic Plan (NSP) and the National HIV/AIDS Programme mirror the Constitution of Sri Lanka in taking as their guiding principles the universal human rights and dignity of all Sri Lankans, including their sexual and reproductive rights. Each of these documents states that there should be no

23 National HIV/AIDS Strategic Plan (2007–11). National STD/AIDS Control Programme, Ministry of Healthcare and Nutrition, Sri Lanka. <http://www.aidsdatahub.org/en/reference-librarycols2/item/14398-sri-lanka-national-hiv/aids-strategic-plan-2007-2011-national-std-and-aids-control-programme-sri-lanka-2007>

24 Ibid

25 Reference: Naz Foundation (India) Trust v Government of NCT of New Delhi & others 2009 (160) DLT 277.

discrimination on the basis of gender, HIV status, sexual behaviour or sexual orientation. HIV testing without prior informed consent is never acceptable (unless anonymous and unlinked for screening purposes), and each HIV test result has to be confidential.²⁶

Under the Constitution of the Government of Sri Lanka, Articles 12, 13, 14 and 15 clearly outline the fundamental rights accorded to citizens (refer to Box 4). However, a review of these rights suggests that some of these rights, being loosely or ambiguously worded, provide ample scope for their subjective interpretation, which could lead to their violation, especially in the case of KAPs whose behaviours are criminalized.

Box 4: Fundamental Rights Accorded by the Constitution of Sri Lanka

Article 11 Freedom from torture

No person shall be subjected to torture cruel, inhuman or degrading treatment or punishment.

Article 12 Right to equality

1. All persons are equal before the law and are entitled to the equal protection of the law.
2. No citizen shall be discriminated against on the grounds of race, religion, language, caste, sex, political opinion, place of birth or any one of such grounds.
3. No person shall, on the grounds of race, religion, language, caste, sex or any one of such grounds, be subject to any disability, liability, restriction or condition with regard to access to shops, public restaurants, hotels, places of public entertainment and places of public worship of his own religion.

Article 13 Right to Freedom from arbitrary arrest, detention and punishment, and prohibition of retroactive penal legislation

Article 14 guarantees the fundamental right to freedom of expression and association

According to **Article 15 (7)**, “**The exercise and operation of all the fundamental rights declared and recognised by Articles 12, 13 (1), 13 (2) and 14 shall be subject to such restrictions as may be prescribed by law in the interests of:**

- a. National security, public order and the protection of public health or morality, or;
- b. For the purpose of securing due recognition and respect for the rights and freedoms of others, or;
- c. Meeting the just requirements of the general existing written law and unwritten law to continue in force.”

For example, within Article 12 (2) is enshrined the principle of non-discrimination. It reads: “No citizen shall be discriminated against on the grounds of race, religion, language, caste, sex, political opinion, place of birth or any such grounds”. Regrettably, this provision does not *explicitly* protect persons of diverse sexual orientation or gender identities against discrimination.

²⁶ National Strategic Plan 2007–11. National STD/AIDS Control Programme, Ministry of Health care and Nutrition, Sri Lanka.

The CEDAW NGO Shadow Report makes a compelling argument on how loopholes in the law are being abused to victimise and discriminate against lesbians, gay, bisexual and transgender (LGBT) persons: “...since it has not been spelled out that sexual orientation and gender identity is a basis for... non-discrimination to be upheld, L[G]BT persons in Sri Lanka have no form of redress. The lack of protection of the right to equality and non-discrimination... leads to stigma and discrimination against them as well as to their being rendered invisible in the eyes of society and of the law.” The report further notes that this “deters members of these groups from reporting acts of discrimination, abuse and violence that they face to the relevant authorities.”²⁷ While this statement has been made in the context of sexual minorities, it is equally true for sex workers.

To cite another example, under Article 15, restrictions a) and b) on freedom of expression mirror what is said in the International Covenant on Civil and Political Rights, but the constitution of Sri Lanka goes one step further with the Clause c) restriction which refers to *written and unwritten law*. This Clause is particularly problematic when it comes to KAPs because of the criminal classification of their behaviours (refer to Box 5 for details of specific legislation), and the reference to *unwritten law* that provides ample scope for misinterpretation, subjectivity and abuse.

Box 5: Legislation Relevant to Sex Work, Homosexuality and Drug Use

1. **Section 365A which criminalizes homosexuality**
2. **Section 365A** of the Penal Code (1883) criminalizes sexual activity between two consenting adults of the same sex: No.2 (cap 19) refers to the ‘sex against the order of nature’ and ‘gross indecency’. The Article also clearly states that “*Voluntarily carnal intercourse with man, woman or animal against the order of nature can carry imprisonment for a term which may extend ten years.*”
3. Article 7 of the **Vagrancy Ordinance** (of 1842, amended 1956) **criminalizes male and female sex work, stating**: “Police may arrest without a warrant any person deemed to be idle or a disorderly person...”; “every common prostitute wandering in the public street or highway, or in any place of public resort, and behaving in a riotous or indecent manner...”; “any person in or about any public place soliciting any person for the purpose of the commission of any act of illicit sexual intercourse or indecency, whether with the person soliciting or with any other person, whether specified or not.”
3. **The Poisons, Opium and Dangerous Drugs Ordinance (1935)** criminalizes drug use and related acts including possession, sale, consumption and manufacture. The standard drug-associated arrests are for trafficking, sale and possession.

To date, there have been no convictions under Section 365A which criminalizes homosexuality; however, complaints have been received by police stations citing this provision, spurred in part by the recent increase in sex tourism in Sri Lanka. As the CEDAW Shadow Report notes, “This criminalization paves the way for police and anti-gay groups to brand all lesbian, bisexual and transgendered persons as ‘perverts’ and criminals.”

Sex work is criminalized in Sri Lanka under the Vagrants’ Ordinance (1842), and includes both male and female sex workers. The CEDAW Shadow Report indicates, “Among the most serious issues faced by sex workers are the high level of intimidation, unlawful arrest and detention and sexual and physical

27 Women’s Support Group (January 2011). The Status of Lesbians, Bisexual Women and Transgendered Persons in Sri Lanka. NGO Shadow Report to the Committee on the Elimination of all Forms of Discrimination against Women. www.iglhrc.org/binary-data/ATTACHMENT/file/000/000/498-1.pdf

violence and abuse.” The report details how the Vagrancy Ordinance is used to “wrongfully detain transgendered people, and people of sexual minorities because they appear to look different.”

Underscoring the overwhelming impact of punitive legislation and criminalization, the CEDAW Shadow Report notes that “the fear of being apprehended and identified as a person of non-normative sexual behaviour or practice leads to a cycle of silence by the communities affected, their families and friends and by society as a whole, and makes them vulnerable to a range of abuses including extortion, intimidation, unlawful arrest and detention, harassment and torture.”

In addition, the Report on Sri Lanka, Universal Periodic Review, of the United Nations recognizes that organizations working on these issues “...are under increasing scrutiny. As all forms of extremism grow and flourish, the number of threats, obscene telephone calls and other acts of intimidation is growing. The fact that there are only a handful of persons who are ‘out’ and are able to represent the views of the community in public arenas is also shaped by this high level of threat and intimidation.”²⁸

Restrictions on Publications, Content and Forms of Self-Expression

To add to the criminalization of specific behaviours and sex work, several sections of the Penal Code of Sri Lanka further contribute to the climate of repression by prohibiting any discussion relating to sexuality and alternative identities in the public domain, including restrictions on publications and their content (refer to Box 6).

Box 6: Restrictions on Publications and Content and Self- Expression

Section 285 states that “Whoever sells or distributes, imports, or prints for sale or hire, or wilfully exhibits to public view, any obscene book, pamphlet, paper, drawing, painting, photograph, representation, or figure, or attempts or offers so to do, shall be punished with imprisonment of either description for a term which may extend to three months, or with fine, or with both.”

Section 286 states that “Whoever has in his possession any such obscene book or other thing as is mentioned in the last preceding section for the purpose of sale, distribution, or public exhibition, shall be punished with imprisonment of either description for a term which may extend to three months, or with fine, or with both.”

Section 279 states that “Whoever sings, recites, or utters in or near any public place, any obscene song, ballad, or words to the annoyance of others, shall be punished with imprisonment of either description for a term which may extend to three months, or with fine, or with both.”

Section 479 states that “Whoever, by words either spoken or intended to be read, or by signs or by visible representations, makes or publishes any imputation concerning any person, intending to harm, or knowing or having reason to believe that such imputation will harm, the reputation of such person, is said, except in the cases hereinafter excepted, to defame that person.”

Sections 285, 286, 287 and 479 place restrictions on the nature of content that is permissible in publications. Sections 285 and 286 use the word ‘obscene’ to classify publications — however, the word ‘obscene’ itself is undefined, and has been unfairly used in print to judge and condemn anyone who does not fit into the heterosexual normative framework. Similarly, in Section 287, the phrase ‘to the annoyance of others,’ is relative, and provides scope for misinterpretation, subjectivity and abuse. While

²⁸ United Nations (May 2008). Report on Sri Lanka – Universal Periodic Review. <http://daccess-dds ny.un.org/doc/UNDOC/GEN/G08/132/02/PDF/G0813202.pdf?OpenElement>

Section 479 aims to provide protection for citizens from potential harm through news media coverage, it remains ineffective for KAPs who are deemed as lacking any rights due to the criminalization of their behaviours.

All in all, a multiplicity of factors — archaic, ambiguous and loop-holed legislation, historically and deeply engrained prejudices, and a genuine lack of awareness — converge to create a climate of stigma and discrimination towards KAPs in Sri Lanka. This is further reflected and perpetuated by the media industry, whose journalists are drawn from the same larger society. Sensitizing and working closely with the news media is, therefore, critical to increasing their understanding of human rights with regard to sexuality and gender, and of the critical contributions of KAPs to HIV prevention. An informed and sensitive news media is vital to facilitating debate and discourse critical to the functioning of a vibrant democracy, one that delivers on its promise to protecting the fundamental human rights of all its citizens, especially those who are disenfranchised and marginalized.

The News Media in Sri Lanka — A Background

Today, Sri Lanka has 38 publications (newspapers and magazines), 15 newspaper publishers, 51 radio stations and 5 community radio stations, and 22 TV channels across 15 TV stations.²⁹ The Sri Lanka Press Institute (SLPI) in the Ministry of Mass Media and Information is the nodal state agency for regulating the news media, while the Press Complaints Commission of Sri Lanka (PCCSL) is the nodal autonomous body mandated with regulation and, as the name suggests, official redressal of complaints against the news media.³⁰

The news media in Sri Lanka, as an institution, is arguably undeveloped in terms of media regulations, policies and practices with continuing questions of autonomy and ethics (refer to Box 7 for key developments in the news media in Sri Lanka). Clear guidelines for media ethics and reporting have been developed and shared by the Editors Guild (refer to Annex C). While guidelines for HIV coverage and terminology have been developed, their poor dissemination has resulted in their lack of effectiveness. Media analysts also critique the state of journalism education in the country, citing its singular focus on technical skills for media production and the neglect of broader and critical foundations that can equip students with a sound understanding of media theory, frameworks and ethics critical to improving the functioning of journalism.³¹

Box 7: Key Recent Developments Relating to Media Autonomy in Sri Lanka:

1991: Government moved to introduce **Media Commission** to Sri Lanka. In response, the **Standing Committee of Journalists** is formed by journalists and media personnel who see the Media Commission as a form of censorship.

1992: The first public meeting of the Standing Committee of Journalists as the **Free Media Movement** took place soon after a crackdown on an insurgency, when the media struggled to document the human rights abuses, including torture and murder, of insurgents. The FMM aimed to act as a platform for diverse viewpoints on the rights and responsibilities of the media community.

1998: **The Colombo Declaration on Media Freedom** was signed by the FMM, the Editors Guild and the Newspaper Society of Sri Lanka. The Sri Lankan Press Institute (SLPI), the Press Complaints Commission

29 www.pccsl.lk

30 "In any case where the public interest is involved, the Press Complaints Commission will be entitled to require a full explanation by the Editor and/or journalist demonstrating how the public interest was served." Code of Professional Practice (Code of Ethics), Editors Guild of Sri Lanka, adopted by the PCCSL.

31 Sasanka Perera (2012): Media Practice, Media Education and Politics in Sri Lanka. <http://mediareformlanka.com/sites/default/files/core-research-articles/Sasanka%20Perera.pdf>

of Sri Lanka (PCCSL), and the Sri Lanka College of Journalism were established to improve journalism standards.

2003: **Sri Lankan Press Institute (SLPI)** registered. The SLPI hosts the Press Complaints Commission of Sri Lanka (PCCSL) and the Sri Lanka College of Journalism. The SLPI and PCCSL won significant financial support from Norwegian and Scandinavian donors.

2005: **Tholangamuwa Declaration** made, which outlined a charter of rights for media and journalism. It was a landmark for strengthening processes of self-regulation and social responsibility within the media community. The Declaration was adopted by several leading agencies in the government, news media industry and trade unions.³²

2007: The **National Media Policy** was established, focused on “achieving excellence in the total practice of media by creating a people-centred, development-oriented, free, and responsible media culture as required by a well-informed and democratic society”. The stated objectives of the policy are: “to create a media culture that upholds national identity, unity in diversity and harmony; to establish a media tradition with a clear understanding of its social responsibility; to bring about a socially responsible, ethical media culture ensuring media freedom; to bring about an enabling environment to encourage and promote professionalism among media practitioners and organizations; and to pave the way to create a media environment in keeping with technological advancements and best media practices”.

2008: The **Colombo Declaration** endorsed an active role for non-media stakeholders (academics, activists, scholars, professional bodies and ordinary citizens) in upholding journalistic standards and creating a free and independent media.

The News Media and HIV in Sri Lanka

Because the behaviours of KAPs are criminalized and are perceived as running counter to the traditional culture of Sri Lanka, the news media in Sri Lanka both reflect and perpetuate the prevailing climate of stigma and discrimination. This trend is not new: in February 1995, the *Ravaya* reported on an operation carried out on a person with HIV at the Colombo General Hospital. The newspaper alleged that the patient had bribed the doctors to carry out the operation, thereby creating the impression that those with HIV lack basic integrity, and have no right to medical treatment.

Journalists have violated basic codes of ethics such as confidentiality and anonymity in reporting on HIV. For example, one newspaper reported the death of a child as a result of AIDS, providing details of her location, her parents’ occupations, and the subsequent death of the second child — enough evidence for the community to easily identify them.³³

Coverage on KAPs is even more negative and strident. Articles expressing fear or hatred of homosexuals and transsexuals appear regularly in the media, as noted by the CEDAW Shadow Report, especially among state-owned newspapers. An announcement from the Women’s Support Group (WSG) of a conference for lesbians in July 1999, for example, met with fierce public opposition. One of these protests came in the form of a letter to the editor published in *The Island*, which advocated the rape of conference participants by convicted rapists. The complaint filed against this letter was dismissed with the Press Council, the government body mandated with redressal of complaints, condemning lesbianism as “sadistic and salacious.”³⁴

32 Signatories included the Sri Lanka Press Institute, the Press Complaints Commission of Sri Lanka, the Sri Lanka College of Journalism, the Newspaper Society of Sri Lanka, the Free Media Movement, the Sri Lanka Working Journalists Association, the Sri Lanka Tamil Media Alliance, the Sri Lanka Muslim Media Forum, the Federation of Media Employees Trade Union, and the South Asian Free Media Association – Sri Lanka Chapter.

33 Centre for Policy Alternatives (July 2007). HIV/AIDS in Sri Lanka: A Profile on Policy and Practice.

34 Women’s Support Group (January 2011). The Status of Lesbians, Bisexual Women and Transgendered Persons in Sri Lanka.

Disclosure and the breach of confidentiality and other basic journalistic ethics are often justified by the media as serving 'public interest' on the assumption that all behaviour, even private, that is associated with KAPs is against public interest.

A study of journalists' knowledge and attitudes towards HIV corroborates poor knowledge with stigmatizing attitudes. Conducted among Colombo-based print and electronic journalists who reported on health in 2000, the study found, upon aggregation, that only 27% had a sound knowledge of HIV, and 41% of them believed that PLHIV were a threat to society.³⁵

Civil society agencies have attempted media advocacy and sensitization programmes on HIV and KAPs; however, these efforts have been fragmented and stymied by the lack of participation by senior editors and the high turnover of journalists.

The need for strategic and concerted media advocacy on HIV and KAPs has been endorsed and advocated through several platforms. The National Consultation on MSM, Sexual Health and HIV in 2009 urged the need for a strategy for "sensitising and working with the print and electronic media to educate the general population about sexual minorities" and emphasized that conveying "positive images of MSM and transgendered people was absolutely essential."³⁶ The Centre for Policy Alternatives (CPA) in a study on HIV policy and practice advocated a multisectoral approach and a rights-based framework which includes sensitive reporting of HIV/AIDS and related stories: "All stakeholders must ensure that there is training of journalists, editors and media personnel on methods of reporting a HIV/AIDS story."³⁷

Redressal Mechanisms and Procedures

Under Section 9 of the Sri Lanka Press Council Law (No. 5 of 1973), the PCCSL is the nodal autonomous agency mandated with facilitating official redressal for negative or incorrect media coverage, and provisions have been made for actions that can be undertaken by the Council against newspapers and editors with regards to complaints (refer to Box 8).

In an effort to educate the public about their rights to complain about negative or incorrect coverage, a 'Right of Readers' announcement outlining the process to be followed is routinely and mandatorily published in all newspapers (with the latest announcement published in 2010). However, understandably, awareness of this right of response is not uniform across civil society, and is especially low among KAPs.

Box 8: Procedures for Filing Complaints on Media Coverage

1. Any person who reasonably believes that he has been adversely affected by a published item, including a news story, article, photograph and/or graphic that appeared in a newspaper or a magazine published in Sri Lanka may complain to the PCCSL.
2. The complaint of the said complainant shall be in writing and duly signed preferably in the prescribed form and communicated to the PCCSL in person, by Registered Post, Facsimile, E-mail or any other electronic means

NGO Shadow Report to the Committee on the Elimination of all Forms of Discrimination against Women. www.iglhrc.org/binary-data/ATTACHMENT/file/000/000/498-1.pdf

35 Centre for Policy Alternatives (July 2007). HIV/AIDS in Sri Lanka: A Profile on Policy and Practice. <http://www.eldis.org/assets/Docs/37751.html>

36 Companions on a Journey and Naz Foundation International (2009). First Sri Lankan National Consultation Meeting on MSM, HIV and Sexual Health. Meeting Report 18–21 November 2009 http://www.msmsgf.org/files/msmgf/Asia/ART_EN_181109_FIR.pdf

37 Centre for Policy Alternatives (July 2007). HIV/AIDS in Sri Lanka: A Profile on Policy and Practice.

3. The complainant shall annex a copy of the published item, which he alleges adversely affected him, along with the said complaint. Where the complaint is communicated via e-mail or any other electronic mean, the complainant shall take steps to have the complaint form duly signed and to provide a copy of the published item along with a copy of the complaint be delivered at the PCCSL within seven working days thereof.
4. The Chief Executive Officer (CEO) of the PCCSL shall entertain a duly received complaint only if it appears that the published item referred to has breached the Code of Professional Practice of the Editors' Guild of Sri Lanka as adopted by the Sri Lanka Press Institute and the PCCSL for the time being.
5. The CEO shall not entertain a complaint against any published item after two years from its publication.
6. Once the complaint is entertained the CEO shall, within one working day thereof with a copy to the complainant, communicate the same to the Editor of the newspaper or the magazine concerned and call for a reply from the said Editor within a maximum period of three working days thereof.
7. Failure by the Editor of the newspaper or the magazine as the case may be to tender his reply on the due date may result in the said complaint being directly referred for adjudication by the Council of the PCCSL.³⁸

A review of PCCSL documentation on complaints indicates that between January and December 2010, the PCCSL received a total of 131 complaints, of which 53 were against the Sinhala press, 33 against the Tamil press and 22 against the English press.³⁹ Of these, 23 complaints were deemed “not against the print media” (that is, of a personal nature such as suggestions on topics for articles and requests for employment) rather than complaints against any specific report. Notably, not a single complaint had been filed with regard to coverage on HIV or KAPs, despite the questionable quality of coverage and the many instances of violations of journalistic ethics.

Of the 131 complaints received, 41 were declared “resolved” (action has been taken), 47 “out of mandate” (including 24 which did not involve the media), 34 in which the complainant “did not proceed,” and 3 “sub judice.” In the case of 6 complaints (most of them relating to *The Lanka*, one to *the Daily Mirror*) there was “No progress from Editor.”

Despite the existence of official redressal systems, and the preponderance of negative coverage, awareness of procedures for filing complaints is low, with not a single complaint filed after 2000 relating to KAPs.

A Summary of the Rivira Episode

On 11 September 2011, the newspaper group *Rivira* published a series of articles targeting HIV prevention efforts among the Men who have Sex with Men (MSM) community in Sri Lanka. The headline for the lead story was “Violating the Penal code of Sri Lanka: 24 Homosexual Centres to Open”⁴⁰, sensationalistic and fear-mongering, which created a large-scale controversy resulting in closing down several NGOs, and with repercussions that reverberate to this day.

While negative and incorrect media coverage on key affected populations for HIV — sex workers and sexual minorities — had been rampant in Sri Lanka for several years, the *Rivira* episode represented a new level of hostility. The article featured photographs of peer educators from *Companions on a Journey*

38 http://www.pccsl.lk/how_to_make_complain.php

39 Requests were made for more current data, but were unavailable

40 This story originally was published in Sinhalese. Headline and segments below have been translated into English.

(CoJ), an organization for Lesbian, Gay, Bisexual and Transgender (LGBT) rights supported by the Global Fund Regional MSM project for Sri Lanka. The caption read: *Rivira camera lens captured this picture of the members of the homosexual organization 'Companions on a Journey' while they were distributing condoms and 'Easy Glide' lubricants to homosexuals, near the public toilet in front of the Cargills building in Fort.*

The journalist had posed as a gay man seeking CoJ services ostensibly in the interest of 'investigative journalism.' The article attacked CoJ as an organization promoting homosexuality with the funding of international agencies, and elaborated: *"According to Sri Lankan Penal Code, the homosexual act is a grave offence. Let alone the legal background, such an act is an unacceptable sexual relationship, shunned by the majority of people in our country. But some organizations in this country have come under the influence of dollars of international NGOs, and in the guise of HIV prevention activities, try to safeguard this unacceptable sexual relationship, promote it, and provide a legal environment conducive to it."*

Providing the name and addresses of CoJ's offices, the article highlighted the fact that they were located near primary and secondary schools, thus endangering the lives of young children. It urged parents to protect their children from the homosexuals working at CoJ, thereby equating homosexuality with paedophilia, a common misconception in Sri Lanka.

CoJ was forced to close down its offices immediately and suspend its HIV prevention activities under Round 9 of the Global Fund grant for HIV.

Over the next few weeks, *Rivira* continued its campaign in the form of a series of articles that presented the detrimental effects of 'promoting' homosexuality in Sri Lanka. Both CoJ and the National STD/AIDS Control Programme (NSACP), the government's nodal agency for HIV, were in the line of fire.

"Companions on a Journey institution plays a powerful role in the STD/AIDS Control programme implemented under the Ministry of Health. A senior official stated that since the Health Ministry does not have programmes to directly reach prostitutes and people with homosexual behaviour, they obtain the support of various NGOs. Although this is the opinion of health officials, what happens is the increase of homosexuals. If condoms are distributed by NGOs for AIDS prevention, we would like to ask health officials whether Easy Glide is distributed to eat. It is by using this situation that the institute called 'Companions on a Journey', which calls for the legalization of homosexuality in this country, escapes the net of the law and continues their course of actions well. The gay society of Companions on a Journey, investigated by us, holds gay parties for their members which take on a unique aspect. At this venue, the new members can get to know each other and develop relationships. Also, without any obstructions, they get the opportunity to have sex openly with the person one is attracted to."

Editorials complimented this 'expose', attacked foreign NGOs, and claimed that the government had become stooges of these NGOs with the aim of moral and cultural degradation: "Terrorism and secession are not the only means to destroy a country. Through the headlines of today's *Rivira*, we have revealed how the NGO mechanization, fed systematically and surreptitiously by foreign forces, have spread their tentacles around the world; destroying the morality and the civility of this country. To our sadness, the mechanisms of the State health sector have also become stooges of them.

"In pariah⁴¹ white men's countries, homosexual acts and homosexual marriages take place openly. They are legal in those countries. It need not be stated that the final objective of creating homosexual centres in our country is to legalize homosexual marriage. Obviously, these fellows want to drag Sri Lanka, a country of thousands of years of civilization, morality and culture to the mouth of destruction. Their aim is to transform all the vices of the pariah white men into this country and destroy the country and the nation."

The President's office issued a statement calling for an investigation, further heightening the sense of fear and discrimination of these groups. CoJ activists were detained by the Criminal Investigation Department (CID) and interrogated about project activities. Following their release, the CID contacted

41 A derogatory term for foreigners

the National STD and AIDS Control Programme (NSACP) to verify if homosexuality was a disease, quoting one of the detained activists. Though MSM were directly in the line of attack, others such as transgender people, sex workers and drug users were also affected. In a related incident, the President's office contacted another LGBT support group to inquire into their activities. The group immediately shut down its website and suspended its activities.

Discussions with former CoJ peer educators revealed that they had no knowledge whatsoever of any redressal mechanism for addressing the incorrect and damaging coverage. Had we known, they say, we would have filed a complaint with the Press Complaints Commission of Sri Lanka (PCCSL).

While the Rivira incident represents the most extreme of reactions, and should not be taken to represent all media coverage in Sri Lanka of key affected populations, it did highlight all of the key issues of this report: the role of media in their portrayals of KAPs, the way media coverage can affect both public and official perceptions of KAPs and HIV, and that there can be concrete and far-reaching results.

Findings from the Content Analysis

Methodology

The content analysis focused on coverage between January 2010 and July 2012, across a total of 17 newspapers (7 each in English and Sinhala, 3 in Tamil) that were chosen based on the highest circulation figures. The list included leading newspapers such as *Daily News*, *Dinamina* and *Thinakaran* (refer to Annex B for a list of papers included in the database). A team of 6 researchers (2 per language) reviewed and compiled articles related to the relevant KAPs in the chosen newspapers. Data was gathered manually and entered into Microsoft Excel and Epi Info.

Key words and phrases used to select articles across all languages included variations of HIV, AIDS, sex workers, men who have sex with men, transgender, sex work, prostitution, brothel, massage parlour, homosexual, gay, drugs, drug user, drug addict, ganja, heroin, and injecting drugs.

Data was analysed based on the following format:

1. **Volume** or the number of articles with one or more of the relevant search words.
2. **Placement** of the article within specific sections of the newspaper (such as the front page, or Business, Health or Society). This was an important criterion, indicative of its importance and how the publication wants to communicate the issue to its readers.
3. **Location of the story** (national or international). This was an important factor in the analysis, indicating the interest and ability of the newspaper to carry local coverage on these topics or its dependence on wire services for international news.
4. **Format of the article.** This was an important factor in determining the scope of the coverage possible within specific formats such as news, feature, and editorial. While news reports, by definition, simply report events considered 'news', features allow for more in-depth, complex and nuanced writing, while editorials and columns serve as space for the publication to express its editorial opinion and advocate for specific actions.
5. **Content of story.** This was another level of analysis and was examined through five sub-categories: 'HIV/health programme and services'; 'socio-cultural issues and personal stories'; 'law enforcement'; 'sexuality'; and 'stigma and discrimination'.
6. **KAPs covered.** These were, in order of priority: MSM, TG, FSWs, PWUDs and PLHIV. Some factors to be noted:
 - Where there was more than one KAP group covered, the categorization was based on the primary KAP focus.
 - In terms of differentiating between MSM and TG, articles were classified as MSM if they were focused on the behaviour of sex between men, and TG if they were focused on transsexual gender and identity.
 - Articles were selected on the basis of KAPs, not only HIV, to ensure a broader sample. Hence, people who use drugs emerged as an important group, independent of HIV, but criminalized.
7. **Representation of KAPs.** This was further categorized under the following categories based on 'framing' analysis: 'criminal'; 'immoral'; 'victim'; and 'positive, empowered'. The overall treatment of the story — as evident from the headlines, words and phrases; visual imagery (photographs, illustrations); and whose voice was represented — was included in the framing analysis.

There were several challenges in terms of content analysis: in many cases, the coverage was of such poor quality that it did not yield sufficient evidence for categorization and analysis; in addition, some of the categories were not mutually exclusive and this was difficult to factor into the analysis. In some cases, where percentages are misleading because the data set is too small, both percentages and data have been provided.

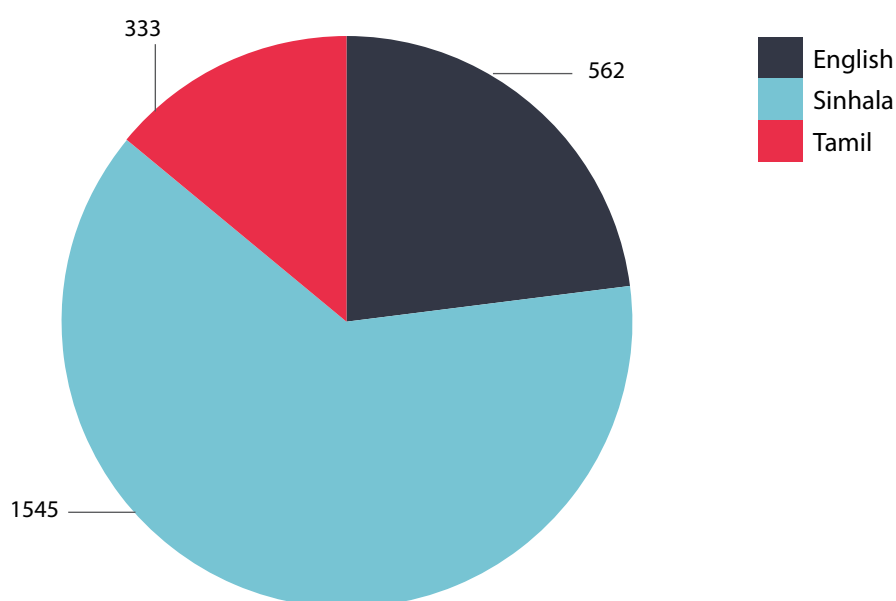
Findings from the content analysis

1. Volume of coverage

In total, the analysis found a total of 2440 articles on HIV, KAPs and related issues during the time period for the content analysis. Of these, the Sinhala media had the most number of articles (1545), followed by English (562) and Tamil (333). *Because only three Tamil newspapers were included in the database, in contrast to seven each for English and Sinhala, cross-language comparisons in terms of percentages are not possible*; however, it was clear that the Sinhala press was the frontrunner in terms of volume of coverage in relation to the English media. Four of the 17 newspapers belonged to the government-owned media house, the Associated Newspapers of Ceylon Ltd group⁴², which accounted for 479 articles.

A bulk of the coverage (40.8%) was in the Sinhala press, followed by the English press (38.8%) and Tamil press (20.4%). In the English press, coverage was maximum in the Island (39%) followed by the Daily News (24%). Among Sinhala papers, Divaina (31%) was followed closely by Lankadeepa (29.7%); while in the Tamil media, Veerakesari (41%) was followed by Thinakural (35.8%).

Figure 1: Volume of Coverage across Languages



2. Location of Coverage

The location of the stories provides some indication of the priority accorded to HIV coverage by the newspapers. Most of the articles (1545 or 63%) were datelined Sri Lanka, indicating a stronger focus on coverage from within the country (refer to Graph 2 below which shows the location source matched to coverage in each language).

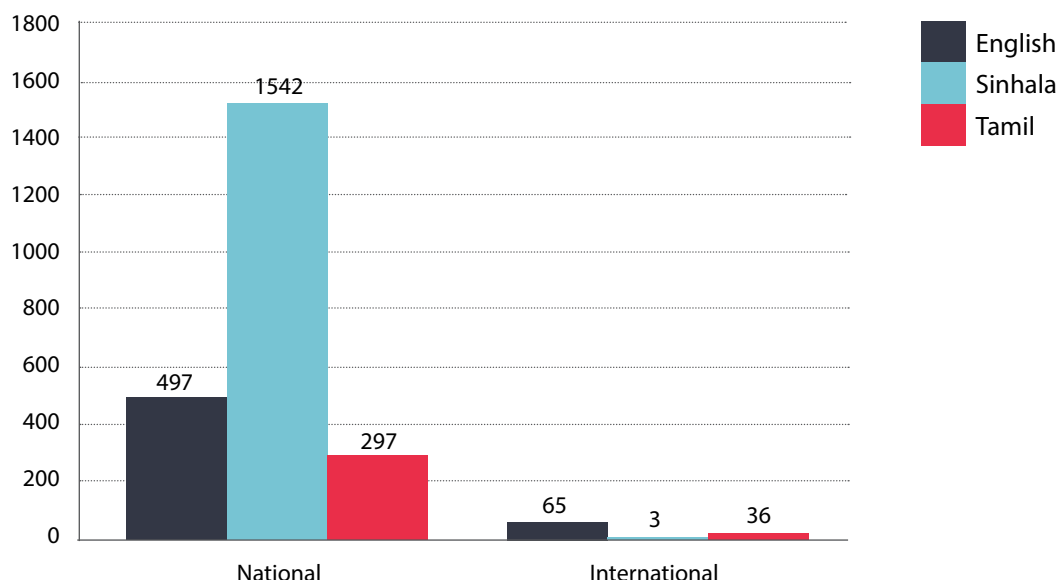
Of the 41 articles on MSM, there was an almost equal division between national and international stories (20 and 21 respectively); in the case of transgender people, the corresponding figures are 2 and

⁴² Daily News, Sunday Observer, Dinamina and Thinakaran

10. The low coverage of MSM and TG overall, and from within the country, perhaps suggests insufficient programming with these groups, coupled with, inadequate media attention to these issues.

Of the coverage that focused on female sex workers, a majority (315 or 91%) was from within Sri Lanka; for PLHIV, 78 stories or 63% were national coverage. All 1920 articles on people who use drugs were sourced from within the country.

Figure 2: Sources of Stories across Languages



3. Placement of Articles

The placement of stories in specific sections of the newspaper plays a huge role in determining how these stories are framed and understood. Overwhelmingly, the coverage was placed primarily in the Crime section (2020 or 90%), with Society (276 or 12%) and Health (42 or 1.8%) trailing way behind (refer to Figure 3 below with figures disaggregated into KAPs). There were 12 articles in the Editorial/Opinion section (plus 3 Letters to the Editor), 11 in Politics, and a mere six in the Business/Finance sections for the entire period.⁴³

The six Business/Finance stories were mostly event-centric reports of one-day awareness campaigns by the business houses Caltex and John Keels Holdings (one of the largest business houses in Sri Lanka). One report focused on the adoption of international labour standards by the International Labour Organization (ILO).

There was only one article during the entire period on the front page — and that was the *Rivira* episode (the other two appeared in inside pages).

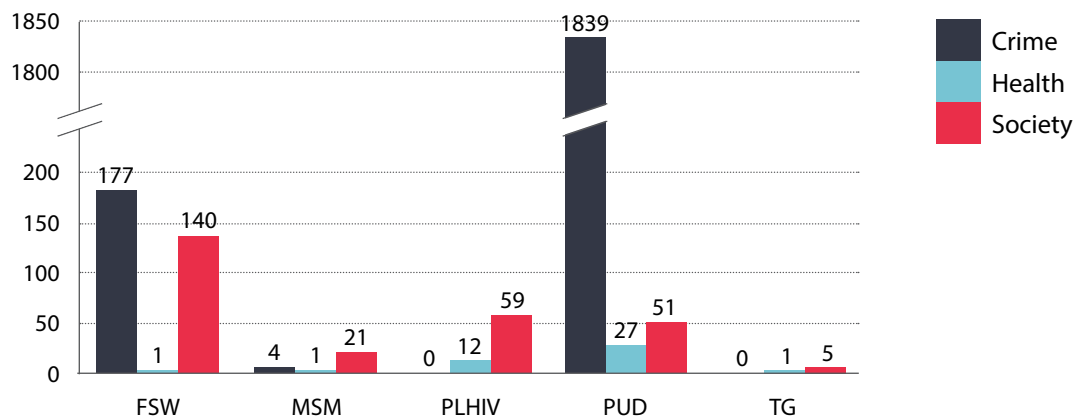
The findings are disappointing for several reasons: the excessive criminalization, juxtaposed with the fairly low coverage on HIV, even as a health issue, suggests a critical gap. The low coverage in the Business/Finance sections suggests the limited mainstreaming and programming in the country's

⁴³ Data does not represent all of the sections included in the analysis and hence, does not add up to the total volume of the database.

business response to HIV and that the ‘HIV and Development’ argument, an understanding of how HIV affects the development of countries beyond the health domain, is absent.

When cross-analysing the placement of stories with coverage of KAPs, it was found that a majority of stories in the Crime section was on people who use drugs (1839 or 91 %), followed by FSWs (177 or 8.8 %); most of these stories were on brothel raids, arrests and crackdowns on drug cartels. Coverage in the Society section focused primarily on FSWs (140 or 50.7%) followed by PLHIV (59 or 21.4%) and PWUD (51 or 18.5%). In the Health Section, a majority (27 or 64.3%) focused on people who use drugs. The bulk of the coverage on MSM (21 or 51.2%) and TG (5 or 41.7%) was in the Society section, while the Crime section featured four stories on MSM and the Health section one for each of these groups.

Figure 3: Top Three Sections Featuring Coverage on HIV and KAPs



4. Format of Articles

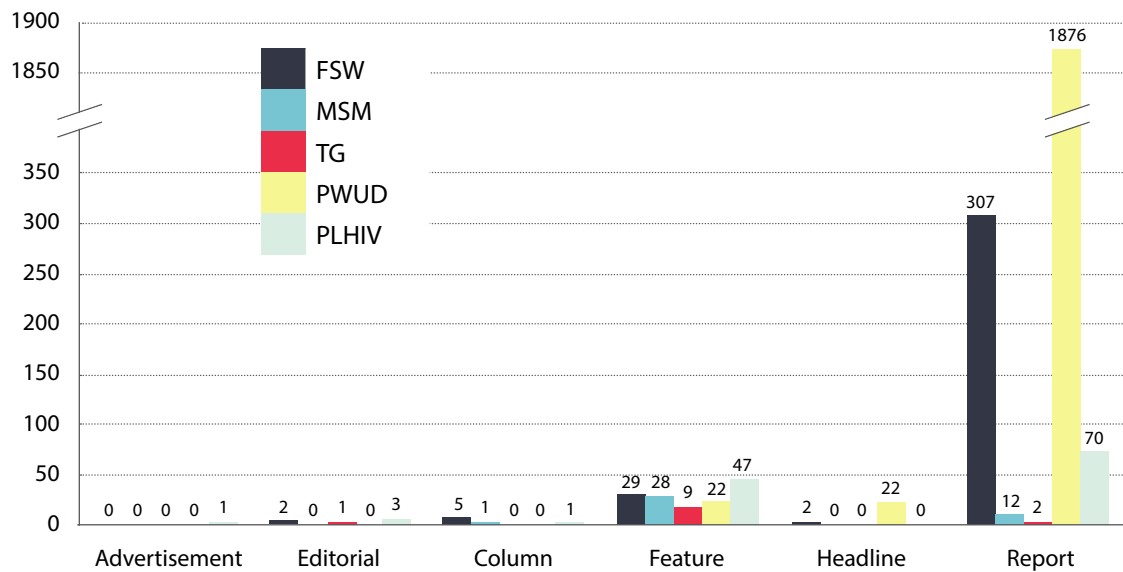
This was an important criterion for the analysis since different formats within the newspaper provide very different opportunities and scope for news media coverage. Different formats identified include advertisements, columns, features, editorials and news reports.

The bulk of the coverage (2267) was in the form of brief daily news reports, followed by features trailing way behind at 135. Columns and editorials together added up to only 12.

Cross-analysis of formats and KAPs suggests that reports were by far (93%) the main format for coverage on all KAPs, with PWUDs accounting for 82% of this coverage. FSW had the maximum coverage in terms of columns/editorials (7 of a total of 12) which are crucial platforms for analysis and advocacy. The bulk of the features (47) coverage was devoted to PLHIV, while the majority of front-page articles (22 out of 24) were on people who use drugs.

The high preponderance of daily reports — an undifferentiated mass of news on arrests, raids and crackdowns — juxtaposed with the low volume of articles in the form of features is disappointing, given that the latter is a valuable space for more in-depth, nuanced and human interest stories that provide a human face to the epidemic and KAPs. Similarly, the few examples of columns and editorials indicate that this platform, which can potentially play a critical role in facilitating informed debate and advocacy on HIV and KAPs, is severely underutilized.

Figure 4: Format and KAPs Covered

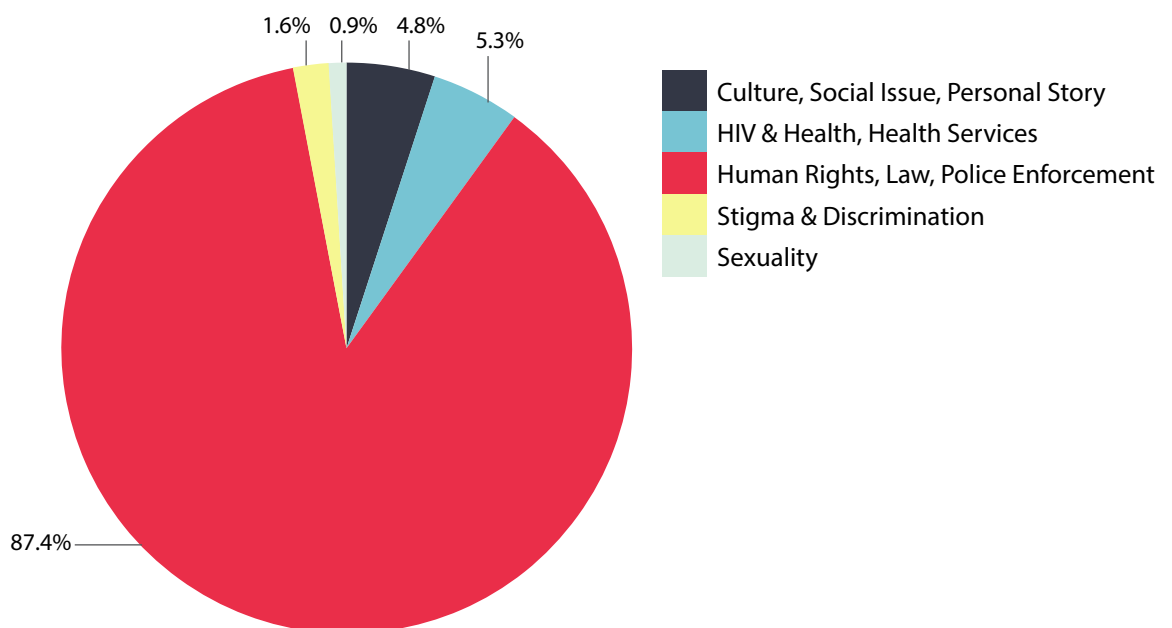


5. Content of Coverage

This constituted a significant portion of the analysis, and was further divided under five mutually reinforcing, overlapping sub-categories (refer to Graph 5 below).

‘Law enforcement’ far exceeded other content for coverage, with ‘sexuality’ being the least covered, and reflects the criminalization of KAP behaviours. The low coverage of ‘stigma and discrimination’ speaks poorly for the media as an institution that is intended to safeguard citizen rights; alternatively, it could also indicate few instances of these cases being reported to the media. The poor coverage of sexuality, echoed once again through the Semi-Structured Interviews, is a cause for concern, reflecting or contributing to the negative notions of sexuality evident through the analysis.

Figure 5: Key Content Areas Covered in Coverage



6. KAPs Covered

Of the five KAPs that were the focus of this study, coverage on people who use drugs was overwhelmingly high (1920 or 78.7%), followed by FSW (345 or 14.1%), PLHIV (122 or 5%), MSM (41 or 1.7%) and TG (12 or 0.5%) (Refer to Figure 6). There were no articles on IDUs per se.

The high coverage of people who use drugs is inversely correlated with the low contribution of injecting drug use to the HIV prevalence in the country (with IDUs constituting an even smaller proportion of the overall drug use patterns in Sri Lanka). Moreover, a bulk of the coverage focused on middlemen and drug dealers rather than the users per se. For example, only 11% of coverage on heroin was on heroin users, with the figure being 21% in the case of ganja. The disproportionate focus on people who use drugs can be clearly seen not as a concern about HIV but due to their criminal activities with the police serving as a key source for such coverage.

Coverage of MSM and transgender people was particularly low, despite the high prevalence of HIV among MSM.⁴⁴ Articles on MSM included local sub-groups such as beach boys and male sex workers. Low levels of mobilization and programming for MSM and TG, and their limited engagement with the media is a possible reason for this low volume of coverage.

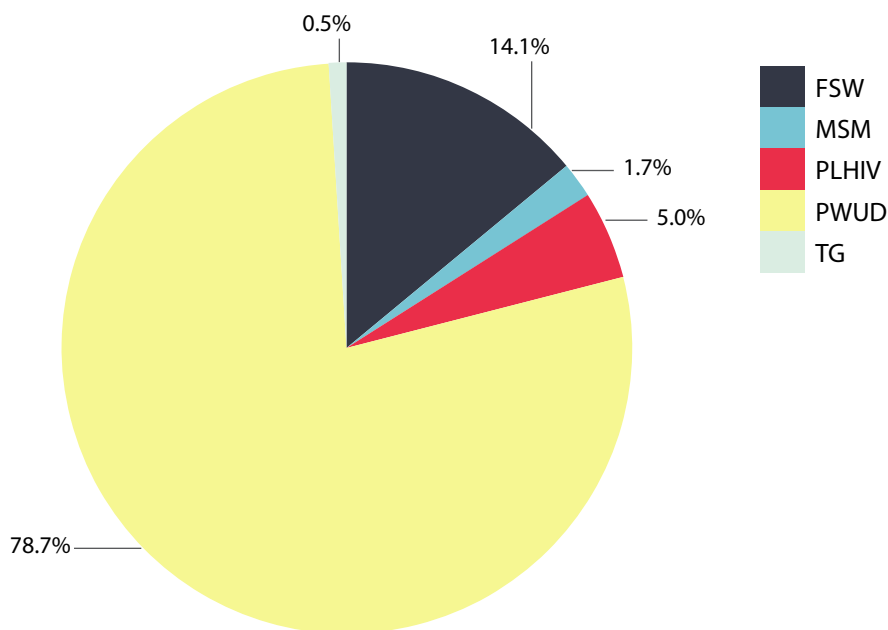
KAPs Covered and Location of Coverage

With the exception of MSM and TG, most of the coverage of KAPs was from within Sri Lanka. In the case of MSM, coverage was almost equally divided between national and international datelines (21 and 20 respectively), and in the case of transgender people, 10 of the 12 articles had international datelines.

The low coverage of MSM and transgender people could be indicative of several things: the low visibility of these groups in the public domain, an insufficient focus in the national programme on these groups, and their poor community mobilization, and a resulting lack of advocacy.

A majority of articles on FSW (315) and PLHIV (78), and all the articles on people who use drugs, are set in Sri Lanka, and are mostly focused on brothel raids, arrests and crackdowns on drug rings.

Figure 6: Coverage of KAPs



⁴⁴ The analysis used behaviour and identity as key criteria in determining if articles were to be classified under MSM or TG. If the article focused on behaviour, it was classified as MSM, and under TG if it focused on transsexual gender and identity.

KAPs Covered and Section Placements

As indicated earlier, PWUDs received the maximum coverage overall, with a bulk of the coverage in the Crime section (1839 or 95% of the total coverage on PWUDs). PWUDs were also the primary group covered in the Health section (27 of 42 articles). FSWs were the second most common KAP appearing in the Crime section with 177 articles, which accounted for 51% of all coverage on FSW. Of the 276 articles in the Society section, a majority (140) were focused on FSWs, followed by PLHIV (59 or 21%) and PWUD (51 or 18%).

The majority of the coverage on MSM (21 of 41 stories, or 51%) was in the Society section; similarly, in the case of transgender people, a bulk of the coverage (five of the total 12 stories) was in the Society section. Of the 12 editorials/opinion pieces, four were on PLHIV, three each on MSM and PWUD, and two on FSW. Only one article featured on the front pages, and that was focused on PLHIV.

KAPS Covered and 'Voice'

By looking at direct or indirect quotes, the study examined whose voice is primarily represented in the stories, since this plays a significant role in the overall perspective or slant of the article. Not all articles had quotations, but of the total number of quotes found, the police was the primary voice in over 43% of the articles, followed by KAPs (18%), and civil society (15%). However, a closer examination indicates that a bulk of the KAP quotes belonged to PLHIV (77 of 89).

KAPs Covered and Content of Coverage

A cross-analysis of KAPs covered and content of coverage indicated the following findings:

MSM and Transgender People

A majority of the 41 articles on MSM was in the 'sociocultural issues and personal stories' category (14) followed by sexuality (11). In the case of transgender people, the focus was in the 'sexuality' category (7) followed by 'socio-cultural and personal stories'. Six of the MSM stories, with international datelines, were debates on either same-sex marriage or same-sex adoption, mostly from the USA.

Negative statements from leading political figures further embed and lend credence to stigmatizing coverage. For example, the article 'Lanka for dialogue with gays' (*Daily Mirror*, 25 June 2010) quotes Prime Minister D.M Jayaratna echoing concerns about the cultural appropriateness of gay rights: "It is not wrong for them to seek rights. But we must know what exactly they want... and then we will see if it hurts our culture and take a decision accordingly." A snippet titled 'MP vetoes gay rights' refers to the government's action plan for human rights, which had a provision for gay rights, having to be "examined a few times before approval" and the President's displeasure: "President Mahinda Rajapaksa was unhappy when he found out about the provision" (*Talk at the Café Spectator*, column, *Sunday Times*, 11 September 2011).⁴⁵ In the *Rivira's* attack on Companion on a Journey's HIV prevention efforts for MSM, Manohara De Silva, President's Counsel, is quoted as asking, "If it is to save the public from AIDS, why distribute gel?" (*Rivira*, 11 September 2011), a good example of how misinformed and negative statements by public figures are amplified by the news media.

The displeasure of national political figures with the idea of rights for sexual minorities is juxtaposed with statements from Western leaders such as Britain's Prime Minister David Cameron threatening to withdraw development aid pending decriminalization of Section 365A. 'SL among anti-gay nations on Cameron's aid-cut list' (*Daily Mirror*, 31 October 2011)⁴⁶ and 'Cameron's threat — what Sri Lanka has to say' (*Daily Mirror*, 4 November 2011).

45 <http://www.sundaytimes.lk/110911/Columns/cafe.html>

46 <http://www.dailymirror.lk/news/14463-sl-among-anti-gay-nations-on-camerons-aid-cut-list.html>

Female Sex Workers

A majority of stories on female sex workers (304 or 88%) fell into the 'law enforcement' category, and were mostly focused on brothel raids (on 'houses of ill fame'), arrests and crackdowns on 'the world's oldest profession'. 'Raid on Sri Lanka's finest brothel' (*Irida Lankadeepa*, 12 December 2010), for example, links sex work with a wealthy, dissolute lifestyle highlighted by the presence of foreigners both among clients and sex workers. The article also published photographs of those arrested along with their names, with no thought to informed consent or confidentiality, the cornerstones of ethical journalistic reportage, especially in the context of HIV.

Articles in the 'socio-cultural and personal stories' category were 28 in number or 8% of all stories on female sex workers, of which more than half were located internationally. Among these were reports of well-known personalities 'caught' as it were, with sex workers, providing salaciousness typical of such coverage. For example, 'David Beckham reappeals court case against woman who claimed he paid for sex' (*Daily News*, 21 January 2012). Local stories portrayed betrayal and deception on an unimaginable scale: 'Child and 9 women sent to National Child Protection Authority' (*Lankadeepa*, 24 Nov 2011) and 'Mother sells daughters into prostitution' (*The Island*, 30 June 2012), alongside the shock value of students leading double lives as sex workers (Leisure and Living section, *The Island*, 8 January 2012).

Despite the high prevalence of HIV among female sex workers, only six stories were classified in the 'HIV/health programmes and services' category; again, despite the discrimination and rights violations confronting this group on a daily basis, there were only two stories on cases of stigma and discrimination affecting this group. Five articles focused on sexuality.

People Who Use Drugs

The analysis found that 1839 (75%) of the 'law enforcement' articles were focused on people who use drugs. Ironically, this disproportionate focus on crime and PWUDs, who account for a negligible proportion of the HIV transmission in the country, is juxtaposed with the low coverage of the HIV programme and services itself, clearly demonstrating that the impetus for the coverage is not a concern about HIV but about the criminal status of drug use and the reliance on police for crime coverage – found in headlines such as 'Druggo nabbed, friends bolt' and 'Dr. Fernando: drug and liquor addicts a burden to society' (*Daily Mirror*, 20 January 2010).

People Living with HIV

A majority of the articles (90 or 73%) of the 122 articles on PLHIV were in the 'HIV/health programme and services' category, and focused on the availability or lack thereof of services. This is an issue especially of concern in the north of the country as evidenced in 'The challenges facing HIV/AIDS and the social changes at Jaffna' (*Veerakesari*, 26 December 2010).

While on the surface these articles seem encouraging, the headlines are alarmist and induce fear: 'One person infected with HIV daily' (*Sunday Leader* 24 April 2011) and 'Sri Lanka in the dangerous clutches of AIDS' (*Thinakkural*, 1 May 2011).

Articles in the 'stigma and discrimination' category account for only 12 stories (9.8%) of all coverage on PLHIV. Most of these focused on awareness raising, rather than covering actual cases of stigma and discrimination of PLHIV.

7. Representation of KAPs

The last segment of content analysis examined the representation of KAPs through the use of 'framing', a critical sociological lens for content analysis of media representations. The analysis was conducted at two levels:

1. First, the study looked at representations across four categories:
 - **Criminal** if the KAPs/their behaviours focused on the illegal aspects of the behaviour leading to arrests, raids, crackdowns or being taken to court.
 - **Victim** if the KAPs were presented as lacking any choice or agency in deciding the course of their lives. This was especially evident in the case of female sex workers and PLHIV, the latter being described as ‘patients’ who have little hope of leading normal lives and who face a death sentence, in contrast to the view in other countries of HIV as a condition that can be ‘managed’.
 - **Immoral** if the KAPs’ behaviours and choices were seen as running counter to the social norms and values of Sri Lankan society.⁴⁷ This was especially relevant to MSM, TG and FSWs.
 - **Positive, Empowered** if the articles positioned KAPs as having dignity and basic human rights in their practise of alternative sexual or other behaviours, and that they lead normal lives.
2. Second, the study looked at the overall treatment of the story in terms of headlines, the nature of the headlines, where and how the stories are positioned within a newspaper, the choice of words and phrases in the story, and visual imagery such as photographs and illustrations. These provide subtle but powerful clues to deeply engrained beliefs and values, social norms and behaviours (refer to Box 8 below).

MSM and Transgender People

The coverage on MSM focused overwhelmingly on the ‘immoral’ nature of their behaviours (19 stories or 46.3%). Homosexuality is described in these articles as ‘unnatural’, ‘against nature’ and ‘against religions,’ and MSMs are referred to as ‘sexual weirdoes’ and ‘shameless’. Not surprisingly, of the seven articles which portray MSMs as ‘positive, empowered’, six are internationally datelined, and discuss same-sex rights in a context where homosexuality is not criminalized.

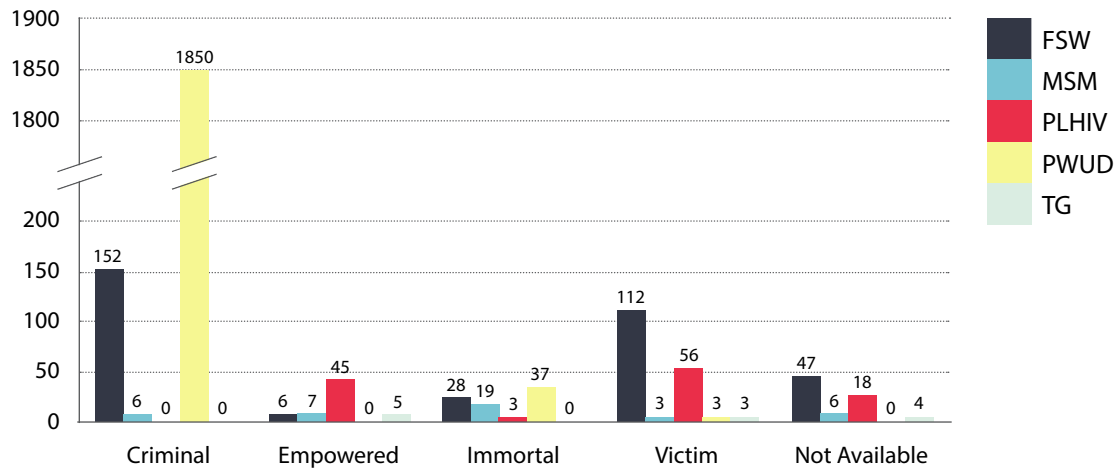
Examples of Positive Coverage

It should be noted that the analysis did reveal instances of positive, nuanced and humanizing coverage, though they were few in number. To cite some examples of stories that seek to inform and educate readers: reportage on the tussle between the Health Ministry and the provinces over a move to introduce reproductive health education in schools; a positive feature on LGBTs coming together for a sports competition (5 December 2010, *Sunday Leader*), and a detailed Sunday Leader two-page feature examining the issue of sex work from various frameworks — moral, legal, cultural, feminist — which was noteworthy in its efforts to provide readers with sufficient information to form an informed opinion.

There were also a number of human interest articles: a personal story focused on Elton John’s surrogate child, ‘New Baby for Elton’ (*Daily Mirror*, 28 Jan 2011), which talks about same-sex couples, surrogacy and adoption in the United Kingdom. Other examples include ‘The Life Journey of a Sexual Rights Activist, Upeksha’ (*The Sunday Leader*, 15 May 2011), a positive and empowering story of a lesbian’s coming to terms with her sexual preferences, and her struggles and growth as an activist; while ‘My story: the gay movement in Sri Lanka’ by Sherman Anthony de Rose (*Sunday Leader*, 8 May 2011) is another portrayal of struggle and resilience. These personal testimonials by representatives of KAPs are humanising and uplifting, rare among overwhelmingly negative representation.

⁴⁷ This negative category is different from the criminal category because it is especially focused on ‘moral’ dimensions.

Figure 7: Representation of KAPs across different categories ⁴⁸



A feature headlined ‘Strange boys that pleasure tourists’ (*Irida Lankadeepa*, 15 Aug 2010) mentions young transgender males in the context of sex work; however, because this was presented as behaviour rather than as an issue of gender identity, the article was classified under MSM.



A deeper analysis shows that the articles problematize alternative sexualities and gender identities as a threat to the fabric of society. For example, two internationally datelined articles offered ‘solutions’ to homosexuality — ‘Singapore group offers liberty from same sex attraction’ (*Daily Mirror*, 3 January 2011) — reflecting a common belief that homosexuality is a disease or illness sorely in need of treatment and cure. Another article provided a possible treatment for the ‘disease’ by sexually pairing up lesbians and gays, thus curing both: ‘Israeli rabbi pairs gays to lesbian’ (*The Island*, 5 September 2011). While it is entirely possible that these stories are carried, in true tabloid style, to

highlight something bizarre about society, given the relative dearth of serious coverage on HIV, they do seem to typify a certain attitude on the part of journalists towards key affected populations.

This problematizing results in a conflation of MSM with paedophilia: in a first example, triggered by an alleged case of child sexual abuse, a commentary on MSM behaviour linked it to paedophilia, and warned readers to be careful since the incident was located close to schools: ‘Sexual abuse: police initiate enquiries’ (*Daily Mirror*, 8 January 2011). The second article, part of the Rivira series as discussed beforehand, flouted basic ethics of confidentiality. Headlined ‘Homosexual office in Maradana and Valwatta Road’ (*Rivira*, 11 September 2011), the article was accompanied by photographs of peer educators distributing condoms, images of condoms and lubricants as part of the work on an NGO working with Men who have Sex with Men.

Transgender People

As indicated earlier, transgender people are a hugely under-represented group in news coverage, with a total of only 12 articles. Five of these were classified as ‘positive, empowered’, with most of them being international stories. One more neutral story was on sex reassignment surgery.

⁴⁸ Please note that a large number of articles had insufficient data and are thus classified under the ‘not available’ category.

FSWs

Of the total of 345 articles on female sex workers, a majority (152 or 44.1%) presented them as criminals, with reports of arrests and brothel raids. Headlines were a give-away of the nature of the stories, with 'brothel raided' a common description: 'Brothel raided' (*The Island*, 8 June 2010) and 'Brothel raided, 3 quizzed' (*Sunday Observer*, 25 September 2011). Other headlines read 'Prostitution house captured: 4 women arrested' (*Thinakkural*, 9 August 2010); '5 people including 3 girls arrested for sex work' (*Veerakesari*, 25 Nov 2011); 'Brothel raided, 5 arrested' (*Lankadeepa*, 13 December 2011); and 'Brothel raided, 3 young girls netted' (*Divaina*, 3 October 2011).

The dominant theme of female sex workers as criminals was followed by their portrayal as victims (112 or 33%) with little agency or choice in their destinies. In these stories, FSWs are consistently tricked or forced into 'prostitution' (note the use of this term instead of the more neutral 'sex work', indicative of the media's judgmental attitude or ignorance towards this group): 'Women sent to Singapore for prostitution' (*Dinamina*, 1 September 2010). Another article conflates love outside marital confines with the danger of prostitution, thus further reinforcing traditional taboos. 'Love has made girlfriend get into prostitution, lover and 3 friends remanded' (*Divaina*, 20 August 2010). Within this framework, FSWs are sometimes portrayed as synonymous with HIV: 'Curtailling prostitution and preventing AIDS' (*Sunday Leader*, 18 December 2011).



Persistently and unremittingly, the stories weave a Grand Narrative of 'prostitution' as a world of deception, force, violence, crime, immorality — and HIV. The narrative is one of the ultimate degradation of the human spirit, with little hope of redemption. There is little attempt to humanize sex workers and present their perspectives. The positive global discourse on sex work as a profession of choice, with sex workers having equal human rights, living with dignity and deserving of the protection of their rights, is absent.

Only six of the articles (1.7% of the total) portray female sex workers as positive, empowered or at the very least, neutral. These articles are equally divided between English and Tamil newspapers, with four of them being internationally datelined. One of these likens female sex workers to other citizens who have to pay taxes: 'Dutch government enforcing taxes on prostitution' (*The Island*, 14 January 2011), while the second, headlined '1400 youth vowed to marry sex workers' (*Veerakesari*, 26 January 2010) presents a more challenging task in terms of classification because the act itself could be seen as

one of condescension or in the 'rehabilitative' mode. However, the coverage itself is neutral, and hence was classified as such.

PWUDs

News media coverage overwhelmingly portrayed PWUDs as criminals (1850 or 96%), followed by 37 articles in the 'immoral' category and 33 as victims. This focus on criminalization is also evident in the fact that only 297 (15.5%) of all articles on people who use drugs were actually about people who use drugs, with the rest focused on middlemen and drug dealers. Of these, most (93%) were news reports of police enforcement. People who use drugs are portrayed as hardened criminals, junkies and petty thieves, with no distinction made between drug use and drug addiction. The only solution to this issue of drug use that is presented in the articles is abstinence; the concept of harm reduction is an alien concept.

A Positive Editorial

Within a landscape of incorrect, negative and fiercely stigmatizing coverage, mention must be made of a positive and progressive editorial titled 'Vagrancy, brothels and prostitution and laws against the poor' (*Daily Mirror*, 17 April 2011). The editorial critiques the legislation that allows arbitrary arrests of sex workers, describing it as a throwback to 'Victorian times' and advocating that it be reviewed and amended. As editorial such as this one provides valuable opportunities for informed debate on sensitive subjects, and others like it need to be encouraged.⁴⁹

PLHIV

A bulk of the media coverage (45 or 37%) on PLHIV was in the 'positive, empowered' category; however, a closer examination reveals that the articles were not so much about people and families affected by HIV as much as they are about events such as World AIDS Day and the launch of a new NSACP programme.

Commonly occurring words include 'unprotected sex', 'discrimination', 'sex workers', 'homosexuals' and 'treatment' — and of course 'AIDS' and 'AIDS patient' (especially in headlines), despite years of efforts to change terminology from 'patient' to person living with HIV.

The choice of stories from international locations reflects how the Sri Lankan media wants to position HIV. For example, an article headlined 'AIDS patients are eating cow shit before they take the pill due to lack of food' (*Veerakesari*, 29 July 2011 as picked up from the *Irin Plus News*, 28 July 2011), talks about the desperate measures of PLHIV during the financial crisis in Swaziland. Given the dearth of overall coverage on PLHIV, this choice of an article from another country demonstrates an inclination towards the negative positioning of HIV. It is interesting also to note that the original English report, translated into Tamil, uses the term HIV which was then changed to AIDS.

Of all articles on PLHIV, 34 of them or 27.9% portray them as **victims**, reflecting the general perception of society. Especially common are portrayals of women infected by their husbands (and who are therefore 'innocent victims'), and children with HIV due to vertical transmission. These articles are written in a manner designed to evoke sympathy and even pity, as opposed to articles that blame and shame PLHIV.

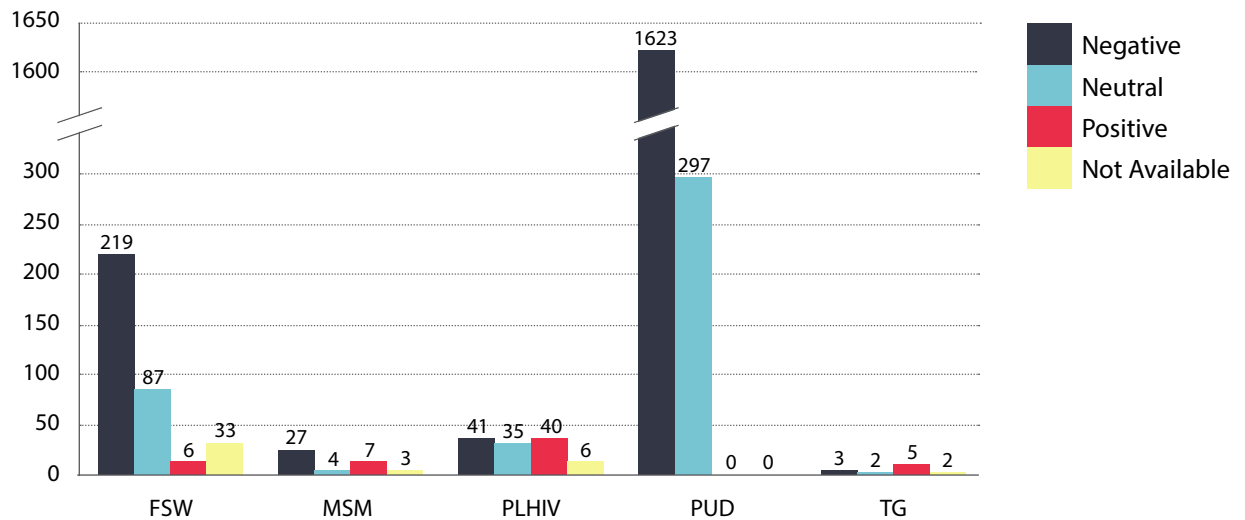
In terms of representation of PLHIV, there is a more even split, with 34% (41 articles) having negative representations of PLHIV and 32.8% (40) which contain positive representations.

Overall representation across positive, negative and neutral categories

In order to arrive at the 'big picture' of how KAPs are represented, the study analysed the representations across three basic categories — positive, negative, and neutral (refer to Figure 8 below).

⁴⁹ Efforts were made to identify any follow up letters/responses to this editorial but information was not available

Figure 8: Representations of all KAP



As the graph makes clear, FSW and MSM were overwhelmingly portrayed in a negative way, with people who use drugs having the maximum negative coverage, and no stories whatsoever in the positive category. Positive and negative coverage was almost equally divided for PLHIV, while positive coverage exceeds negative coverage for Transgender people by two articles, a negligible difference, given the low numbers overall.

Box 8: Overall Treatment of Story and Visual Imagery – Some Vignettes

This study devoted some attention to the overall treatment of news media stories in terms of how they were displayed, the use of headlines, colours, and choice of visual imagery.

Several stories were accompanied by stock, cartoon-like illustrations which often seemed to trivialize the story being reported [1].

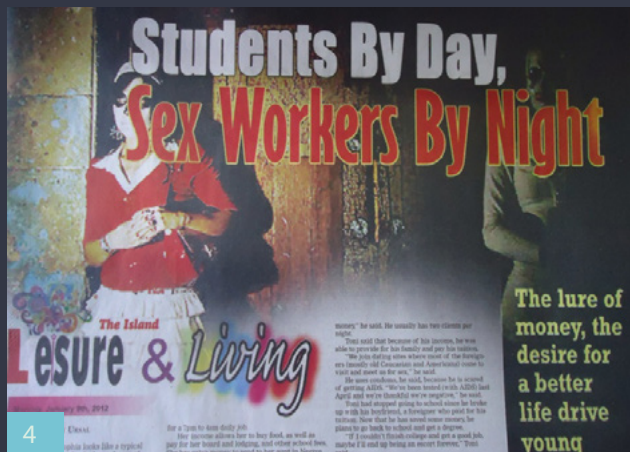
A striking feature of several articles was the use of stock images of Caucasian men, or of two pairs of handcuffed male hands, to represent men who have sex with men, and stock photos of Caucasian women to represent female sex workers. Headlines and photographs provide vital entry points into the coverage. For example, an article titled ‘Strange boys that pleasure tourists’ (*Irida Lankadeepa*, 15 August 2010), sparked by an alleged sexual incident between a tourist and a beach boy in Galle, talks about cross-dressers and beach boys who comb the beaches in Sri Lanka looking for foreign customers. The two accompanying photographs are puzzling: the first features an adult white male and young boy gazing at each other across the grass [2], while the second, a still from a Hollywood film, features Keanu Reeves looking down at a man in his arms [3]. It is not clear why or how these pictures were chosen for the article, but they do suggest a link between homosexuality, paedophilia and Caucasian men — a representation not confined to this article alone.

Articles on female sex workers are typically displayed in a garish multicolour design with provocative headlines in large fonts such as ‘Students by day and sex workers by night’ (Leisure and Living section, *The Island*, 9 January, 2010) [4].

Sex workers are synonymous with HIV, as reflected in the juxtaposition of their images with those of hospitalization and death [5].

Even the findings from a University of Manitoba mapping study of sex workers and MSM in Sri Lanka which would, under normal circumstances, merit serious review does not escape an ignominious fate. The full page displayed of the study features prominent photographs of imagined archetypal Western sex workers: blonde, high-heeled, cigarette-smoking Caucasian women in skimpy clothes (*Irida Lankadeepa*, 25 July 2011) [6].⁵⁰

Photographs accompanying stories on people who use drugs are a classic study of visual disempowerment: top-angle shots of a lone person, half-dressed and unkempt, in the act of preparing his smoke [7]. Juxtaposed alongside these are images of several uniformed policemen, icons of power and respectability [8]. As in the case of all coverage that focuses on the criminal aspects of KAPs, the police emerge as primary voices (43%) both visually and textually, the long arm of the state restoring law, order and morality.



50 By way of explanation, one of the editors interviewed for this study suggests this was a default option, to circumvent guidelines forbidding use of pictures of local FSWs without informed consent. However, semi-structured interviews indicated this might have also stemmed from the perception that sex work and homosexuality are Western trends and influences in danger of corrupting traditional Sri Lankan culture.

Conclusions

The Content Analysis covered a wide and difficult terrain, revealing as many insights as challenges, chiefly to do with language and translations of articles. However, notwithstanding these limitations, the analysis provided some valuable findings:

1. An overwhelming pattern in the coverage was the invisibilization and problematizing of MSM and transgender people; as well as the conflation of MSM with ‘corrupt’ western influences.

The volume of coverage of MSM was extremely low, despite the fact that MSM account for almost half the HIV prevalence in the country. There was a preponderance of MSM coverage in the Society sections, with representations of homosexuality and transsexuality as a social problem, a Western fetish threatening the social fabric. Some coverage conflated MSM with paedophilia.

Coverage of MSM was almost equally divided between national and internationally datelined stories, while 10 of the 12 stories on transgender people were international. The use of international stories could suggest several things: the low levels of national programming and advocacy with these groups, and their attendant low visibility in the public domain, or the limited engagement of this group with the media. On the positive side, internationally datelined articles also increase the possibility of more positive, multidimensional coverage on this severely stigmatized group with several human interest stories, such as Elton John having a baby through a surrogate, as well as debates on issues such as same-sex marriage.

2. The analysis revealed that the predominant coverage of HIV and KAPs was on PWUDs, together with an excessive focus on criminalization,

despite the low contribution of this group to the HIV transmission dynamics in the country. FSWs followed PWUDs in terms of volume of coverage and a focus on criminal behaviour. Predominantly the coverage was in the form of an undifferentiated mass of daily reports on arrests, raids and crackdowns in the Crime section. The content and visual imagery of these reports set drug use within a world of vice and crime with the police acting as the long arm of the law restoring order and morality.

3. In terms of agenda setting, the content analysis suggests that the media’s role with regard to supporting HIV prevention and the human rights of KAPs has been extremely limited.

On the contrary, the media has mostly reflected and further perpetuated the prevailing stigmatization and criminalization of these groups.

Findings from the Semi-Structured Interviews

While the Content Analysis reflects the direct experience of media coverage of KAPs, in order to gain a more holistic understanding of the issue, this study also conducted semi-structured interviews (SSIs) with a range of over 25 stakeholders representing government bodies, NGOs, KAPs and the media (refer to Annex A for a complete list of stakeholders interviewed).

The discussions provided a wide and vastly divergent landscape of experiences and perspectives on the role of media with regard to HIV, while also identifying key challenges and recommendations for strengthening the quality and quantity of media coverage in this domain.

I. Trends and Patterns

Overall, most stakeholders believed that the low volume of media coverage on HIV was a direct result of the low prevalence of HIV and consequent limited programming in the country. In addition, as many journalists pointed out, health and HIV are low priorities for a media industry that is driven today mostly by politics and business.

Most stakeholders felt that in recent years there was a slight, barely perceptible shift in the terminology used, especially in the English-language press. This was especially true in the case of national HIV-related events (such as the release of the National AIDS Policy) where press releases have been issued by the Health Ministry and the NSACP, thus reducing the scope for erroneous or negative terminology in these instances.

Some stakeholders believe that the typical focus of coverage is narrow with HIV framed mostly as a medical issue with attendant coverage on treatment, care and support programmes. Misplaced notions of morality ensure that discussion on sex and sexuality — even within health columns — is rejected and replaced by frivolous ‘lifestyle’-reporting presenting MSM as rich playboys frequenting gay sex parties, and ‘exposés’ on students leading double lives as sex workers. Dr Tudor Weerasinghe (Rector, Faculty of Journalism, Sripali Campus, University of Colombo) points to the irony of “articles clarifying myths and misconceptions on HIV running parallel to stigmatizing stories on PLHIV and MSM.”

Several respondents believe that the media coverage simply mirrors traditional popular perceptions of ‘Sri Lankan culture’ which is equated with a hetero-normative framework, and one that is strongly grounded in traditional Buddhist culture. Any variation from this, such as homosexual or transsexual behaviour and identities, is regarded as immoral and deviant, and justifiably ends with a tragic conclusion. In this framework, AIDS is portrayed as punishment for those who have erred and strayed away from prescribed moral paths.

Coverage of MSM and transgender people is variously described by stakeholders as being “brutal and violent,” representing “the dark side of society, one populated by vagabonds and wasters.” Coverage of MSM in particular was problematic. Kumari from the organization Lanka Plus believes that MSM are presented as “parasites, feeding off our culture. The media has a hateful attitude towards the gay community, it’s scary and cruel. This is something that even an average citizen shouldn’t do, leave alone the media. It’s all about ‘exposing’ the community.”

Contextualizing this skewed representation, Upali Saram (Editor, *Divaina*) points out, “We haven’t provided enough scientific evidence and perspective to understand and legitimize alternative sexual behaviours and identities, such as that of MSM and TG.” Sunil Jayasekera, the Convenor of the Free Media Movement, echoes the same view: “There’s an absence of university studies and research from within Sri Lanka that can be reported in the media, and pushes our thinking on these issues.” For example, the issue of choice vs. force, which has occupied a central and contentious position within discourse on sex work, would be a useful debate to be covered in mainstream news media.

Stakeholders believe that there's a denial of risk within Sri Lanka, both in the media and in larger society, a perception that HIV affects 'them' not 'us'. The 'them' is the anonymous, faceless and often 'low-class' MSM, TG and *nacchis*, sex workers and drug users who populate the crime reports on police crackdowns and arrests. This is the underbelly of life in Sri Lanka, a life that newspaper readers don't often personally encounter, but experience vicariously through the newspapers.

'Investigative journalism' and 'exposés' then become the guise for sensationalistic journalism that violates basic journalistic ethics. Citing an example, Sampath Samarakoon (Centre for Policy Alternatives), describes the coverage of a particular journalist who "supposedly befriends sex workers — only to write about how bad their lives and characters are." The frequent interaction between the police and crime reporters is another crucial factor for the abundant and negative coverage on KAPs in the crime sections. "About a year ago the police asked all papers to publish pictures of some supposed porn stars; thankfully, only one paper followed suit, but the fact that they did, shows that we have an extremely hypocritical press with relation to sex," notes Samarakoon.

Within this landscape, brothel raids, arrests and crackdowns on drug dens and sex 'rackets' become the primary representation of KAPs, especially people who use drugs and sex workers, whose voices are rarely represented within the coverage. "There is never any analysis or background to put a human face to these arrests, to understand the underlying causes," notes Kamal Liyanarachchi, (Director, Press Complaints Commission of Sri Lanka (PCCSL, the nodal independent agency responsible for media monitoring and redressal).

The 'other' is typified by negative, stock stereotypes and whose identity is equated with criminal behaviours. For example, all beach boys are viewed as sex workers; MSM and transgender people are immediately conflated with paedophiles and child abusers (a recent article in *The Island* by a well-known and respected counsellor was cited as an example); and sex workers are the tragic victims of trafficking and violence, with little agency or choice in their destinies. PLHIV are sick and dying 'patients' and HIV is a death sentence, not a life condition like diabetes that has to be managed. A representative from Positive Hopes Alliance, a PLHIV network, corroborates this media perspective based on personal experience. "Journalists want to photograph the thinnest parts of my body; they want people to feel sad about us and pity us." This positioning of HIV as a punishment for sins is deliberate, rather than inadvertent, observes K. Janaranjana (Editor, *Ravaya*). "It is their express intention" to induce fear into the readers in order to deter them from straying away from prescribed norms.

A related point, as some noted, was the dependence on the same community voices in the media coverage, thus limiting the divergence of perspectives from the community. For example, Princey Mangalika, an HIV positive woman is often quoted in the Tamil/Sinhala press, which may reflect the overall unwillingness of PLHIV to be publicly represented. In another example, in coverage of the campaign to repeal section 365A of the Sri Lankan Penal Code that criminalizes homosexuality, the same visible community advocates are used every time.

NGOs and KAPs felt that divergent viewpoints and the absence of a sense of unity among KAPs were other reasons for ineffective engagement with the media. Roshan de Silva from *Ceylon Today* and Niluka Perera from Diversity and Solidarity Trust (DAST) cite the example of the *Rivira* episode as a case in point. "Everyone in the community started fighting and name calling. There was absolutely no unity, so we couldn't get together to respond at all, let alone complain to the press."

II. Underlying Issues and Challenges

1. Poor quality of journalism overall, and poor awareness of media ethics

While the experiences of most NGO and KAPs with the media paint a grim picture, journalists and media analysts provide a perspective that helps place these issues in a larger context. Without exception, most stakeholders felt that the overall quality of journalism is extremely poor, and that this is not an issue specific to HIV alone.

“Many young journalists are completely unaware of even basic journalistic ethics, leave alone their awareness of specific reporting guidelines for HIV,” says Dodawatha, a statement corroborated by the findings from the Content Analysis. Several NGOs and community representatives cite examples of trying to work with the media, only to be misquoted, misrepresented or confronted with reports that exclude the most important content, such as contact information for helpline services. Jayasekera also cites an example where basic ethics such as privacy and confidentiality were completely violated, as in the case of a lead story in Ravaya on an HIV positive person who underwent surgery, a story which was both “unethical and unnecessary.”

Pointing to another underlying challenge, K. Janaranjana, Editor, Ravaya Publications, notes: “The fact is that journalists often think they know everything; they don’t like to learn anything new.”

In order to build the long-term capacity of journalists, the Sri Lanka College of Journalism has a class on Media Law and Ethics in the first semester, and a class on ‘Special Topics’ in the third semester. The Special Topics presents an opportunity for focusing on social issues requiring a different approach to reporting; to date, modules have been conducted on gender, violence, drug abuse and post-conflict issues but none yet on HIV or KAPs. Anuradha Herath (Director, Sri Lanka College of Journalism) cites the constraints: “We take our cues from the industry, where politics and business reign, not health or HIV.”

2. Media advocacy efforts of development agencies — ad hoc, fragmented

Over the last few years, NGOs and UN bodies have attempted to engage with the news media on HIV and issues related to KAPs. However, these efforts have been ad hoc and fragmented. Requests made to the Ministry of Health and the Ministry for Mass Media and Information to take ownership and provide leadership to these media advocacy efforts have not yielded any results.

Moreover, these efforts are stymied by the lack of involvement of senior journalists and decision-makers. For example, workshops are attended only by young journalists who have no decision-making powers to influence their media houses. Senior editors seem particularly recalcitrant to engage with these issues, an attitude, some believe comes from a common ‘know-all’ position.

Further, the high turnover of journalists and editors challenge any long-term sustained effort. Revathi Chawla (National Programme Officer, HIV and Youth, UNFPA) mentions a regular paid Question–Answer column on sexuality in a women’s magazine in Sinhala and English that they had initiated around 2004–05. Unfortunately due to a change of editors, this was discontinued.

Media guidelines and glossaries with recommended terminology have been effective in improving coverage in other countries. However, none of the stakeholders were aware of or had seen such guidelines in Sri Lanka.⁵¹ C. Dodawatha (Training Officer, Associated Newspapers of Ceylon, a government-owned media house) urged that if these guidelines do exist, someone in the HIV sector needs to take leadership and share them effectively with the media.

However, stakeholders such as Dr. Weerasinghe and others question the value of such codes and guidelines. “There are so many codes... including those reporting on politics and the war, but there is no practical application of [them].” In a media culture which is really a business that is all about ‘sell, sell, sell’, the rights of minorities are bound to be violated, he says, indicating that self-regulation by the media is the only sustainable option.

Another critical issue is the choice of spokespersons, and the incorrect and misleading statements made by public figures, says Nehama Jayawardene (Women’s Support Group (WSG)), an observation echoed by Chawla. As examples, Jayawardene cites a column in *The Island* by a well-known and respected counsellor in Sri Lanka which equated same-sex behaviour with a disorder like paedophilia; and a Health Minister who declared that there are no lesbians and gays in Sri Lanka. The media, knowing no better, simply reproduces these statements, she notes.

51 It is understood that UNAIDS Sri Lanka has copies of these guidelines developed specifically for Sri Lanka

H. A. Lakshman (Director, Community Strength Development Foundation) agrees that NGOs and service providers are partly to blame for inappropriate media coverage. “The media only picks up what is shared with them,” he says. “For example, STI doctors when talking to the media share pictures depicting someone with HIV as being thin and emaciated (this was before the advent of ART and the focus on promoting positive communication messages on HIV), so this is the image that the media takes home.”

Irrefutably, the content analysis and SSI discussions point to the fact that **journalists represent the larger society from which they are drawn, and hence reflect the same biases and prejudices.** Sex and sexuality, in particular, are sensitive and taboo subjects, and subjects such as homosexuality, gender identity and sex work require a fundamental change in the lens through which journalists view the world around them. Standard information dissemination workshop approaches — the *de rigueur* of media advocacy by development agencies — achieve little in changing fundamental attitudes and belief systems.

3. Capacity of NGOs and KAPs to engage with the media and related bodies

A lack of capacity of NGOs and KAPs to engage with the media and related bodies includes a number of different issues: distrust of media engagement by NGOs and KAPs, the lack of understanding by NGOs and KAPs of how the media works, a lack of capacity of NGO and KAP representatives to engage with the media and present useful information, and at a more fundamental level, the stigmatization and discrimination towards KAPs that would lead them to be unwilling to speak to the media in the first place, or identify themselves as members of KAPs. NGOs and KAPs also lack knowledge of and capacity to work with bodies that handle media complaints.

The SSI discussions brought into sharp focus the conflicts between NGOs and the media. Many NGO and KAPs reported on their efforts to engage with media by placing stories with them and providing interviews. However, experiences abound of being misquoted and misrepresented, or information critical to a report — such as the contact information for a positive network — being omitted. Letters to editors pointing out inaccurate, negative coverage are never published; phone calls are never taken or returned.

While such concerns are legitimate, discussions revealed that NGOs representing KAPs lack basic knowledge of how the media actually works, their constraints, and their code of ethics. Nor were they aware of their right to complain about coverage and the process for such complaints. Only a few had heard of the PCCSL, and none had ever filed an official complaint.⁵² Jake Oorloff, Sakhi Collaboration, voiced concerns about the lack of a designated person within an NGO or KAP group to talk to the media; he also noted the time involved in redressal. Some positive networks were under the misconception that complaints should be redressed by the Ministry of Health via the NSACP. Very few, if any, NGOs or members of KAPs have ever entered a newsroom; yet, there is a complete lack of recognition of their own limitations in working with the media. Lakshman was the only NGO stakeholder to clearly indicate that they need capacity-building for working with the media.

It is also noteworthy that in addition to poor knowledge of the news media, many KAPs and NGOs were ignorant of important HIV programme-related documents directly relevant to their concerns — such as the National AIDS Policy. This lack of awareness was prevalent even among senior NGO staff, who seemed only vaguely aware of relevant programmes and policy documents, and had not participated in any shared discussions on them. This lack of political awareness must be addressed.

⁵² The only exception was Roshan De Silva from DAST who called the PCCSL to complain about an advertisement in the paper promising a cure for HIV. Because there was no breach of confidentiality or privacy, the PCCSL advised them to contact the Medical Council instead.

Underlying this diffidence and disempowerment is the high levels of stigma within communities. For example, even among MSM, those who are HIV-positive are stigmatized within their own communities. Many of them are reluctant to even identify themselves as MSM, as either homosexual or bisexual, which makes mobilization and organization on the basis of sexual identity difficult. “They talk about their sexual preferences as if it’s merely a fun activity, something they engaged in at school since there was no other option,” observes Dissanayake. “If MSM themselves don’t acknowledge their sexual behaviour, how can we expect the media to grasp the finer nuances, the greys?” Community members indicate that the all-pervasive nature of stigma results in HIV projects themselves being stigmatized. “Stigma prevents us from speaking to the media, and at the same time it’s stigma that we’re trying to challenge — so it’s a Catch 22,” sums up one community representative.

NGOs and KAP representatives also lack capacity or knowledge of how to launch complaints about inaccurate or damaging media coverage. For example, in the case of the *Rivira* episode, no complaints have ever been officially filed with the PCCSL. Several stakeholders indicated a feeling of helplessness, confusion and lack of understanding of why, despite several discussions and indications of support, an official letter of complaint was not filed with the PCCSL. Liyanarachchi wryly notes, “The only complaint concerning the *Rivira* articles came from someone in Ratthanapitiya village who had taken offence because the location of the office of Companions on a Journey was recorded as Ratthanapitiya Walawwatta Road, and he wanted people to know that this had nothing to do with his village. Basically, there are no gay people in his village.” However, interviews indicate that those affected by the episode did not understand how to make an official complaint, nor did they indicate they had been offered support or given guidance on the issue.

“When the Rivira incident happened we talked to a lot of papers, even Neth FM, a local radio station but nobody talked to us, nobody called us back. We called Rivira to complain, but they shouted at us and said we’re homosexuals, corrupting an entire generation in this country. I pointed out that my photo had been published, and that was wrong. Their response was ‘You have fooled the government, and are spreading disease along with condoms, this does not suit the culture of Sri Lanka.’

We didn’t know about the PCCSL; if we knew we would have gone and put a complaint. Can’t we go now and put a complaint — Is it too late? I remember in 1999, Companions on a Journey put a complaint with the Press Council about lesbian issues, but we lost that battle in court.”

– Focus Group Discussion of the group Heart to Heart, including former CoJ staff

Perception of the Role of the Media

At the very heart of the debate is the deep divide between NGOs and the media, and the consequently sharply divided perspectives on the very nature and role of the media — a fundamental and long-standing contention. Typically, NGOs and KAPs expect the media to perform a responsible and educative role with regard to social issues, while the media itself perceives its role as an institution that needs to survive in a competitive, market-driven industry.

Dodawatha is quick to dismiss idealistic expectations of media with a note of realism: “No one writes to educate the masses or to improve the lives of marginalized communities. We want to write stories that excite the public.” He cites a recent story about someone who died in prison who was HIV positive, where everyone who shared the ward was ordered to be tested. “This is the kind of story that sells papers.” NGOs and KAPs should recognize the pressure on media to generate ‘interesting’ news, and provide journalists with HIV stories with interesting angles so that they can be reported on in different sections of the paper such as business or politics, as well as health.

While taking cognisance of market imperatives, other editors such as Saram underline the media’s responsibility to provide information and report accurately (“Where else will they get it from?”). He also

recognizes that the imperatives of HIV coverage are different from other issues: “We need to be more sensitive and need to be trained.”

Janaranjana also points to the role of the media as an institution in a pluralistic democracy. “We need to help people understand and accept that there are different things and people from us in the world, and that is the way it should be. Those different from us also have a right to live in this society.”

Nehama Jayawardena of the Women’s Support Group argues that the media discourse should be within a framework of ‘rights’, not morality: “Whether you like it or not, people are going to have same-sex encounters, they are going to take drugs, they are going to have sex.” So rather than sensationalize such stories, she believes the media should, within these contexts, provide information on safer sex, harm reduction and other HIV preventive behaviours. This is in keeping with global conventions outlining fundamental rights to information on sexual and reproductive health, and the media’s crucial role in ensuring the protection of these rights.

4. Absence of a culture of citizens’ rights

The South Asia region, as in other parts of the world, is marked by the absence of a culture of citizen’s rights; this is true for Sri Lanka as well. Few people are aware that they have rights as media consumers, points out Liyanarachchi. This is especially true in the case of KAPs, who come from a history of stigmatization and discrimination, and may have a deeply engrained sense of powerlessness, especially when face-to-face with state institutions or the media. Many community members corroborate this point, indicating that when confronted with even the most damaging coverage, they simply ‘suffer silently’ or are limited to making phone calls and submitting letters to editors. None of them have attempted a formal complaint to the PCCSL or any other institution, given that they are largely unaware of them or the processes involved.

5. Rapid increase of digital media, individual bloggers and citizen journalists

The increasing democratization of new media presents new opportunities for marginalized communities to find a voice, and present issues from their perspective. However, Indira Hettiarachchi (HIV Officer, ILO) points out that this rapidly proliferating domain could present new problems and challenges in terms of the quality and control of the material.

Media Advocacy Efforts for HIV in Sri Lanka

In an attempt in recent years to strengthen media coverage on HIV, different UN bodies and NGOs have launched initiatives such as media workshops. However, most of these workshops are attended by young journalists with no power to influence their larger media houses. In addition, the high turnover of journalists and the lack of institutionalization undermine the sustainability of these efforts.

Currently, the Family Planning Association (FPA) of Sri Lanka conducts a session every quarter with about four journalists to talk about Sexual and Reproductive Health (SRH), including HIV. At the same time, their pilot project, Hamunupitya, involves training of about 20 young journalists on SRH and HIV, with the aim that they will write and present these stories to the Ruhunu Sevaya radio station. FPA will review the stories to ensure their quality prior to their dissemination. The project is likely to be scaled up based on experience and learnings.

Indira Hettiarachchi (HIV Officer, ILO) describes a three-month radio programme on HIV conducted in 2006 in partnership with the Sri Lanka Broadcasting Corporation (SLBC): “We even had people calling into the show from abroad and asking questions,” she says, as proof of the reach and power of such mass media programming.

Bibliography

- Berger, A.A. (1995). *Essentials of Mass Communication Theory*. London: SAGE Publications.
- Centre for Policy Alternatives (July 2007). *HIV/AIDS in Sri Lanka: A Profile on Policy and Practice*.
- Cohen, Bernard (1965). *The Press and Foreign Policy*. Princeton University Press.
- Companions on a Journey and Naz Foundation International (n.d.). First Sri Lankan Consultation Meeting on MSM, HIV and Sexual Health. 18–21 November 2009
- Datta, Bishakha (2005). "Not a Sob Story: Representing the Realities of Sex Work in India" in *Sexuality, Gender and Rights: Exploring Theory and Practice in South and Southeast Asia* (Geetanjali Misra and Radhika Chandiramani, eds., Sage Publications.)
- Herman, Edward S and Chomsky, Noam (1998). *Manufacturing Consent: The Political Economy of the Mass Media*. Pantheon Books.
- International Development Law Organization (n.d.). South Asia Roundtable Dialogue: 'Legal and policy barriers to the HIV response. Kathmandu, Nepal.' 8–10 November 2011
- McCombs, Maxwell (1968/2004). *Setting the Agenda: The Mass Media and Public Opinion*. Cambridge. Blackwell Publishing.
- Lippman, Walter (1922). *Public Opinion*. Harcourt, Brace and Company.
- Perera, Sasanka. Media Practice, Media Education and Politics in Sri Lanka. <http://mediareformlanka.com>
- Sri Lanka, *The Constitution of Sri Lanka*. http://www.parliament.lk/about_us/constitution.jsp
- Sri Lanka, National STD/AIDS Control Programme, Ministry of Health Care and Nutrition. *National Strategic Plan 2007–11*. <http://www.aidsdatahub.org/en/reference-librarycols2/item/14398-sri-lanka-national-hiv/aids-strategic-plan-2007-2011-national-std-and-aids-control-programme-sri-lanka-2007>
- Sri Lanka, *National HIV/AIDS Policy*
- Sri Lanka, *The Vagrants Ordinance* (1942). http://www1.umn.edu/humanrts/research/srilanka/statutes/Vagrants_Ordinance.pdf
- Sri Lanka. *Country Progress Report. Sri Lanka. 2010–11*
- Sri Lanka Campaign for Peace and Justice (2011). Sri Lanka: An Attack on Press Freedom. <http://www.scribd.com/doc/61158268/Sri-Lanka-Press-Freedom-Final>
- Sri Lanka Working Journalists Association; Free Media Movement; Newspaper Society of Sri Lanka; The Editors' Guild of Sri Lanka (2008). *Colombo Declaration on Media Freedom and Social Responsibility* (October 2008).
- UNAIDS (December 2007). *Reducing Stigma and Discrimination: a critical part of national AIDS programmes: A resource for national stakeholders in the HIV response*. http://data.unaids.org/pub/Report/2008/JC1521_stigmatisation_en.pdf
- UNDP (2012). *Sex Work and the Law in Asia and the Pacific: Laws, HIV and Human Rights in the Context of Sex Work*.
- UNGASS (n.d). *Country Progress Report: Sri Lanka* (January 2010–December 2011)
- Women's Support Group (January 2011). *The Status of Lesbians, Bisexual Women and Transgendered Persons in Sri Lanka. NGO Shadow Report to the Committee on the Elimination of all Forms of Discrimination against Women*. www.iglhrc.org/binary-data/ATTACHMENT/file/000/000/498-1.pdf

List of Stakeholders Interviewed

Media Representatives

1. Upali Saram, Editor, Divaina
2. Sunil Jayasekera, Convenor, Free Media Movement
3. Roshan de Silva, Ceylon Today
4. Niluka Pereira, Diversity and Solidarity Trust
5. Kamal Liyanarachchi, Director, Press Complaints Commission of Sri Lanka
6. K. Janaranjana, Editor, Ravaya Publications
7. Centre for Policy Alternatives, Sampath Samarakoon, Editor Vikalpa (Sinhalese Citizen Journalism Site)
8. C. Dodawatha, Training Officer, Associated Newspapers of Ceylon
9. Dr. Tudor Weerasinghe, Rector, Faculty of Journalism, Sripali Campus, University of Colombo
10. Anuradha Herath, Director, Sri Lanka College of Journalism

NGOs, Networks

11. Heart to Heart
12. Sunanda, Positive Hopes Alliance, a network of PLHIV
13. Kumari, Lanka Plus Foundation
14. Sarojini, AIDS Foundation Lanka
15. Princey Mangalika, Positive Women's Group
16. Nehama Jayawardena, Women's Support Group
17. Pathitha Wijebandra, CIV MSM Group
18. HA Lakshman, Director, CSDF
19. Jake Orloff, Sakhi Collaboration

Development Agencies

20. Dr. Harishchandra Yakandwala, Program Manager, PR 2 Country Project Sarvodaya
21. Dr. Lasantha Kodituwakku, Management Consultant, Global Round 9 Regional HIV Grant – DIVA Project Technical Agency (In the process of being formed)
22. Revathi Chawla, National Programme Officer, HIV and Youth, UNFPA
23. Indira Hettiarchchi, HIV Officer, International Labour Organization
24. Madu Dissanayake, Director, Policy and Advocacy, Family Planning Association of Sri Lanka

List of Publications for Content Analysis

English

- Daily Mirror (70,000) ⁵³
- Sunday Times (140,000)
- The Island
- Sunday Island
- Daily News (State-owned) (85–90,000)
- Sunday Observer (State-owned) (165,000)
- Sunday Leader (165,000)
- Daily Mirror (70,000)

Sinhala

- Lankadeepa (480,000)
- Sunday Lankadeepa (240,000)
- Divaina
- Sunday Divaina
- Lakbima
- Dinamina (State-owned) (70,000)
- Silumina (Sunday) (State-owned) (220,000)
- Rivira

Tamil

- Veerakesari
- Sunday Veerakesari
- Thinukural
- Sunday Thinukural
- Thinakaran (State-owned)
- Sunday Thinakaran (State-owned)

In addition, relevant news clippings, archived at LGBT NGOs and/or UNAIDS, served as sources for the content analysis.

⁵³ Circulation given in parentheses.

Code of Professional Practice (Code of Ethics) of The Editors Guild of Sri Lanka, Adopted by the Press Complaints Commission of Sri Lanka⁵⁴

“Newspapers and journalists, while free to hold and express their own strong opinions, should give due consideration to the views of others and endeavour to reflect social responsibility.

2. Accurate Reporting

- 2.1 The media must take all reasonable care to report news and pictures accurately and without distortion.
- 2.2 Every reasonable attempt should be made by editors and individual journalists to verify the accuracy of reports prior to publication. Where such verification is not practicable, that fact shall be stated in the report.
- 2.4 Publications are encouraged to engage in investigative journalism in the public interest.

5. Confidential Sources

- 5.1 Every journalist has a moral obligation to protect confidential sources of information, until that source authorizes otherwise.

6. General Reporting and Writing

- 6.1 In dealing with social issues of a particularly shocking or emotionally painful nature — such as atrocity, violence, drug abuse, brutality, sadism, sexual salacity and obscenity — the press should take special care to present facts, opinions, photographs and graphics with due sensitivity and discretion, subject to its duty to publish in the public interest.
- 6.4 (i.) The press must avoid prejudicial or pejorative reference to a person’s race, colour, religion, sex or to any physical or mental illness or disability. (ii.) It must avoid publishing details of a person’s race, caste, religion, sexual orientation, physical or mental illness or disability unless these are directly relevant to the story.

7. Privacy

- 7.1 The press shall exercise particular care to respect the private and family lives of individuals, their home, health and correspondence. Intrusions on this right to privacy without consent could be justified only by some over-riding public interest.

8. Harassment and Subterfuge

- 8.1 Journalists, including photojournalists, must not seek to obtain information or pictures through intimidation or harassment or by misrepresentation or subterfuge. The use of long-lens cameras or listening devices must also not be used unless this can be justified in the public interest and the material could not have been obtained by other means.”

⁵⁴ Accessed 15 March 2013 at: http://www.mediareformlanka.com/sites/default/files/archival_files/The%20Editors%20Guild%20of%20Sri%20Lanka%20Code%20of%20Ethics.pdf

Bios of Authors and Peer Reviewers

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Hans Billimoria works with the Grassrooted Trust, and together with his passionate team, he looks forward to helping change the misconceptions people have towards HIV, those who live with it, and other key affected populations that are marginalized in Sri Lanka, including people who use drugs. His main areas of interest currently are Positive Living; Sexuality & Religion; Patriarchy, and the community response to drug use.

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