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## COMBATING ONLINE FALSEHOODS: STRIKING A BALANCE BETWEEN FREEDOM OF EXPRESSION AND NATIONAL SECURITY IN SRI LANKA

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### ABSTRACT

In ancient times, war was militaristic. It was about weapons, bullets and barricades. However, at present, war is fought by way of information. In the digital age, fighting a war and winning a war are challenges. Online falsehoods are a threat that any country faces. The deliberate twisting of stories, hiding the truth, divulging sensitive information, misleading the public, and arousal of suspicion leads to devastating circumstances. Sri Lanka is a victim of online falsehoods. Therefore, the research problem looks into how Sri Lanka can effectively balance the constitutional guarantee of freedom of expression with the need to protect national security in the face of online falsehoods and manipulations, considering the inherent conflict between these two concerns. This is finely depicted in the post-war context of Sri Lanka. Therefore, it is important to identify the degree of falsehoods. In light of that, the government is tasked with striking a balance between national security and freedom of expression. There should be no liberty to entertain online falsehoods under the pretense of national security. Sri Lanka has guaranteed

freedom of expression by the Constitution, the supreme law of the country. Nonetheless, the Constitution has given prominence to national security by restraining the right of freedom of expression. These two concerns are inclined to conflict with one another. Therefore, the research problem is the need to dissuade this conflict to neutralize the battle even though the task is inherently grueling. The research has attained the objectives and answered regarding online falsehoods, and the threats incurred by it to national security, freedom of expression, and the impact on national security. Moreover, the means and ways to strike a balance between national security and freedom of expression and in the end, the research has provided recommendations to mitigate and combat online falsehoods. The research is qualitative in nature and has utilized secondary sources to achieve a better analysis. In the end, the research has attempted to prove the need to mitigate and combat online falsehoods whilst abiding by freedom of expression and national security concerns in Sri Lanka.

**KEYWORDS:** *Freedom of Expression, National Security, Online Falsehoods, Sri Lanka.*

## INTRODUCTION

The new war in the world has changed. In the modern world, war does not only happen by way of weapons. The traditional strategy of war has shifted to information warfare. The wide availability of social media, cost-effectiveness, information literacy and timely nature of online platforms have become a haven for terrorists, ill-motivated politicians and profit-driven individuals. They utilize online platforms to create and disseminate false information, misinformation, disinformation and hate speech. In Sri Lanka, this was witnessed during COVID-19 Pandemic, in the aftermath of the Easter Sunday Attack, and the conduct of LTTE and its international networks. Undoubtedly, online falsehoods and manipulations have become apex threats to national security as it results in twisting reality, modifying the original content and inciting hatred.

When denigrating and preventing online falsehoods, it is important to identify what amounts online falsehoods should persist, which is a strenuous task. According to Singapore's Protection from Online Falsehoods and Manipulation Act (POFMA), falsehood is, "*a statement of fact that is false or misleading*". It is imperative to note that, falsehoods do not cover opinions, criticisms, satire or parody. In that case, public authorities, private entities as well and the public, in general, must understand and practice information literacy. It is "the ability to find, evaluate, organize, use and communicate information in all its various formats, most notably in situations requiring decision making, problem-solving, or the acquisition of knowledge".

Government should not act arbitrarily, illegally, maliciously and beyond its scope to suppress the freedom of expression. The reason is that government is duty-bound to protect and promote freedom of expression, which is guaranteed as a fundamental right in the 1978

Constitution of Sri Lanka, the supreme law of the country. In addition, Sri Lanka has also ratified the International Covenant on Civil and Political Rights (ICCPR), which guarantees the freedom of expression. Nonetheless, there are limitations to the right of freedom of expression in the interest of national security. These limitations include constitutional limitations and limitations stipulated in the Public Security Ordinance (PSO) and Prevention of Terrorism Act (PTA). Unlike Singapore and Vietnam, Sri Lanka does not have an Act on Protection from Online Falsehoods. Therefore, Sri Lanka has to resort to the available laws and judicial precedents to serve justice, as well as to set precedents to prevent existing as well as future harm. In light of that, Sri Lanka must identify online falsehoods and criminalize them as it risks national security. The research focuses on and will explore online falsehoods and the threats incurred by them to national security and the freedom of expression and the impact on national security. Furthermore, the research attempts to strike a balance between national security and freedom of expression. In the end, the research will provide recommendations to combat online falsehoods whilst abiding by the law.

## LITERATURE REVIEW

According to, (Patabendige,2022), "At present, determining what a fact is and what is fake has become an arduous task. The reason is that social media is the biggest information-sharing platform. In the past, information/communication was penned or inked, heard or watched, but now, the readers and spectators are able to interact and interpret. Therefore, it is crystal clear that war has changed from a physical aspect to an online space. As a result of wide availability, cost efficiency, productivity, and technical capability, social media has become eye candy, yet deceiving for users. Social media has become the lifeblood of information-sharing platforms. As much as it

caters for the day today's needs, on the other hand, social media intrudes on personal space and results in privacy violations at certain points. Content created, generated, modified, and disseminated online does not end the way it started.” This research fully agrees with the author’s perspective and showcases how social media utilized to spread falsehoods and cause manipulations.

As mentioned by Hacıyakupoglu et al. (2018) in “Countering Fake News a Survey of Recent Global Initiatives”, “until today most of the proposed statutes criminalizing falsehoods have not directly addressed the cross-border nature of the offence.” However, when perusing Germany’s Network Enforcement Act, the Act mandated the need and the establishment of a local contact point so that transnational technical companies could cooperate. This not only highlights the nature of the offence but also depicts its effect of it, which is the offence, has no borders. The authors further mention the proposed Honest Ads Act; generally, the Act is framed in terms of protecting the domestic order of the United States and targeting the role of non-citizens. Further, to prevent the “contributions, payments and disbursements for electioneering communications, which is in the form of online advertising”. Agreeing with the authors, the researcher will portray the necessity of having separate legislation, which has extra-territorial application.

Jones, (2019) has mentioned in “Review of Online Disinformation and Political Discourse Applying a Human Rights Framework”, that “determining whether a message is appealing is likely to be read and shared is a matter which widely depends not on its veracity, but on four characteristics”. The characteristics mentioned by Jones are provocation of emotional response; the presence of a powerful visual component; a strong narrative and finally repetition. According to him, the most successful and problematic content engages moral outrage as

well as ‘high-arousal’ of emotions, which are superiority, anger, fear as well as mistrust. To influence the behaviour of a person, the key measure is to capture the emotion. Firstly, even though the message is perceived as shocking and false, when repeated and reiterated, the so-called information becomes normal and acceptable as clearly explained by the author. Therefore, in light of that, the researcher has discussed the methods of online falsehoods in the Sri Lankan context and their detrimental impacts.

Solove (2013), in “The First Amendment as Criminal Procedure”, has mentioned that “Communicators will also be deterred if speech or association tends to get them placed on a watch list or in a situation such as getting subjected to additional airport screening”. Regardless of the additional burden, it is crucial to understand that, in terms of public safety and public benefit, precedence should be vested in national security. Since freedom of expression and national security, concerns are conflicting and contradicting, the research has explained them separately and weight them against one another and has attempted to strike a balance.

As stated by (Sirohi 2021) in “Pegasus in the Room: Law of Surveillance and National Security’s Alibi”, the right to privacy in the context of surveillance was first argued in 1996 in the case of *People’s Union for Civil Liberties (PUCL) Union of India*, the case was filed as a matter of Public Interest Litigation, which challenged the constitutional validity of Section 5(2) of the IT Act of 1885. The said Act allows interception by authorized agencies. The Supreme Court held that the provision conforms with the Constitution. However, the court did not take the right to privacy lightly. The court by shielding the right to privacy stressed the fact that to be intercepted by a public authority, two preconditions must be satisfied. The exceptions were ‘public emergency’ as well as the ground in the ‘interest of public safety. In this research,

the researcher has analysed the exceptions to freedom of expression and its imperativeness.

According to (Han 2020), in “Protection from Online Falsehoods and Manipulation Act Regulating Fake News to Maintain Public Trust in Singapore”, public trust does not lie solely in the management of falsehoods; it also vests in government’s capacity, accountability and willingness to engage in alternative perspectives. The author has further mentioned that ‘trust’, in the political process is not only about clarifying falsehoods regarding the government. It also extends to government’s will to engage the public in the policymaking process. The research will shed light on the duties of government. Research goes a step beyond and discusses the measures that government can utilize to prevent and mitigate threats by online falsehoods.

## RESEARCH METHODOLOGY

Online falsehoods and manipulations are apex threats to national security. Sri Lanka has guaranteed freedom of expression by the Constitution, the supreme law of the country. Nonetheless, the Constitution has given prominence to national security by restraining the right of freedom of expression. These two concerns are inclined to conflict with one another. The only way and the research problem the researcher has identified are the need to dissuade this conflict, to neutralize the battle even though the task is inherently gruelling. To do so, the researcher has utilized a qualitative perspective, in which the researcher has critically analysed already existing sources and has arrived at a conclusion. The research has used secondary sources such as books, journal articles, proceedings and reports. The research is supplemented by an array of legislations including, the Sri Lankan Constitution 1978, Penal Code, Computer Crimes Act, Prevention of Terrorism Act and Regulations, Police Ordinance, International Covenant on Civil

and Political Rights (ICCPR) Act No. 14 of 1995 and Singapore’s Protection from Online Falsehoods and Manipulation Act.

## ANALYSIS

### **Online Falsehoods and its threat to national security**

#### **Falsehoods**

As mentioned in the introduction, with advanced technology information is readily accessible. Due to the free flow of information and availability, ascertaining the reliability of the information has become a crucial task. One such major hurdle is “falsehoods” happening in the online context. Even though there is no uniform definition for falsehoods, when perusing literature, there are different definitions provided. Pal & Banerjee, (2019) has mentioned that “online falsehood encompasses the phenomenon whereby unfounded and unverified online messages leave behind their digital footprint in the form of texts,” As stated by Murillo (2019), a false statement is “far the broadest federal statute criminalizing ‘lying’ as per 18 U.S.C. § 1001, (United States Code) which makes it a crime to “knowingly and willfully . . . make any materially false, fictitious, or fraudulent statement or representation” in the course of “any matter within the jurisdiction of the executive, legislative, or judicial branch” of the federal government. There’s no requirement that the statement is under oath.” Here, the USC has revolved around false statements with *Mens rea*, which means when there is a guilty mind. Nonetheless, this definition on ‘false are mentioned here for the benefit of explaining the gravity of falsehoods, which also has the elements of a false statement. However, the question arises as to whether there is a need to incorporate falsehoods as a strict liability crime, where the mental element is wholly disregarded.

According to the understanding of the researcher, so far the versatile well-established definition provided for online falsehoods is the definition provided in, Singapore's Prevention of Falsehoods and Manipulations Act 2019. According to the Act, a "false statement of fact" is defined as a "false or misleading statement which a reasonable person would consider to be a representation of fact". Falsehoods are often synonyms and called misinformation, disinformation and false news. Even though these are not uniform, when explaining falsehoods, it is crucial to define others as well. Accordingly Budgar, (2022) has stated that "Misinformation contains content that is false, misleading, or taken out of context but without any intent to deceive." Budgar, (2022) further states, "Disinformation is false or misleading content purposefully created with an intent to deceive and cause harm. There are three factors behind disinformation. Firstly, political power or influence, secondly, profit or the desire to create chaos and the final factor is to confuse." In addition, the term fake news can be factually incorrect information which is shared deliberately to disseminate misinformation. Such information looks credible and convincing and is able to grab the attention resulting in opinion. Individuals or a group of individuals can also create this news. The conduct will be a resultant effect of interests of their own; further, it can also be initiated and motivated by an external party/ third party. The source goes on to mention that the said misinformation is driven by various agendas including economic or political."

Vasu et al., (2018) have mentioned how fake news may be understood as a range of phenomena. According to them, there are five categories of fake news, 'Disinformation' which is committed and distributed to weaken national security, which can also be state-sponsored disinformation campaigns. 'Misinformation' falls under two categories, which are rumours circulated for or maybe as a part of the political

agenda by a domestic group or rumours and falsehoods, which are dissented without a broad political aim or intention and can be caused with or without malicious intent. The fourth category is for entertainment purposes such as comedy and satire. Finally, falsehoods can also be distributed with a motive of financial gain.

### **Impact on national security**

Even though seldom discussed, online falsehoods have become an apex threat to national security. The reason is online falsehoods can create misery, division and destabilize any country. Online falsehood is the basic platform which directs to a physical space catastrophe. If a lie is being circulated as to the government taking measures to cut the employees in the temporary category, without compensation, this will be a hot topic in the media. Consequentially, people including the youth will start making petitions and even go to the extent of organizing a riot. If public unrest escalates, the government will have to impose emergency laws and restrict freedom of expression. In addition, falsehoods during an epidemic and disaster situations affect detrimentally to a country. For example, false danger alerts on a natural disaster and a death toll from an epidemic are a few examples. Another example of affecting national security can be seen when falsehoods occur during election campaigns where voters will be misled.

Falsehoods also result in ethnic disharmony leading to incitement of violence by riots, for example, in the aftermath of the Easter Sunday Attack in 2017, Sri Lanka underwent extremist activities that the country had ever undergone as an emergency. Falsehoods promote and result in religious extremist activities, radicalization as well as terrorist activities. Moreover, falsehoods cripple the economy such as panic buying, thinking of a foot shortage and boycotting businesses based on ethnicity and religion due to hate and fear. In

addition, falsehoods create unnecessary fear in the community as a result of false danger alerts and false intelligence news, which lead to the erosion of public faith in government.

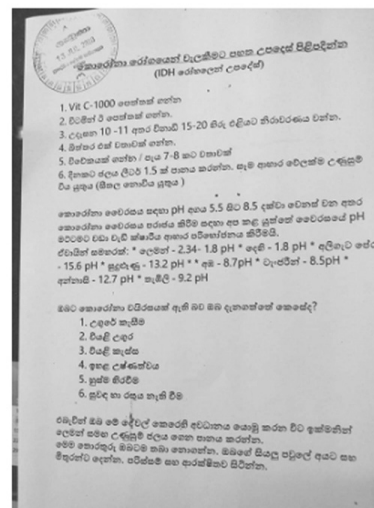
Furthermore, falsehoods undermine the democratic process. Gioe et al., (2021) have mentioned that, “fake news” only entered the American lexicon in 2016, they further stated that the receptivity of Americans to disinformation and misinformation resulted in the erosion of American democratic norms, which generated domestic chaos. Furthermore, both disinformation and misinformation have resulted in undermining the public trust in democratic organizations as well as affecting public esteem detrimentally. The authors bring out a pivotal point. According to them, “domestic strife resulting from foreign and domestic misinformation, disinformation campaigns was not identified as a threat in any US. national security strategy until very recently.” If the US did not recognize the threat posed by online falsehoods sufficiently, Sri Lanka being a country, which does not have adequate skill and know-how to combat the falsehoods faced, the result will be hazardous. The reason is ‘falsehoods’ are often committed online. Adding burden, these are extra-territorial crimes; therefore, stopping the piece of information is a mission, which is hard to be attained. Even though the false piece of information is taken down or corrected under a direction, by the time the actions are taken, it would have reached plenty of people. Looking at the discussion it is crystalline that a “lie”, which is intentional or not, if disseminated can create physical violence as well. The violence, agony and disturbances are national security threats, which put people’s lives at stake.

**Impact of falsehoods on the national security of Sri Lanka**

All countries undergo falsehoods as the world is wholly digitalized; Sri Lanka too faced

online falsehoods multiple times gravely and yet to face many more. For example, Gunawardene, N. (n.d.) “during the COVID-19 pandemic, the death toll was fabricated . In addition, it was observed that there were fake posts (images) on social media (WhatsApp as well as Facebook) that purported to share coronavirus preventive guidelines pretending to be issued from Infectious Disease Hospital. Following this, the public was asked to “strictly adhere” to approved COVID-19 guidelines; as these said recommendations in the “misleading posts have previously been debunked by health experts.” These falsehoods in a time of pandemic are known as “*infodemic*”. According to the World Health Organization (WHO), “*infodemic*” is the ‘overabundance of information, this information can be accurate and some are not, which arises during an epidemic situation.’ Therefore, it is evident that falsehoods, misinformation as well as disinformation affect health security, where people might undergo wrong health practices and measures, which would endanger the life of the individual as well as the country as a whole since the escalation of wrongful practices, will make the government incapable of managing a health crisis.

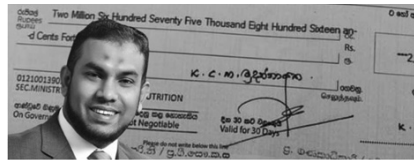
මෙම තොරතුරු, මිබිමේ නඩා නොකරන. මිබිමේ සියලු පවුලේ අයට සහ මිතුරන්ට දෙන්න. පවිත්රී සහ ආරක්ෂිතව පිටවන්න.



(Source: <https://factcheckafp.com/false-socialmedia-posts-purportshare-coronavirus-guidelines-sri-lankan-hospital>)

A few other examples, which depicted the gravity and the threat of online falsehoods, were seen in the aftermath of the Easter Sunday Attack in 2019. Many false danger alerts on the discovery of explosives and fake intelligence alerts roamed the country. As reported by Quinn, (2019) “Facebook and its properties such as Instagram, WhatsApp and Messenger were immediately blocked by the government” to prevent a further catastrophe.

On the other hand, after the Easter Sunday Attacks in 2019, hatred towards Muslims emerged within the majority of Sinhalese who underwent an understandable fear factor for the extremist activity. In reality, a considerable majority discriminated against Muslims even though the Easter Sunday Attack in 2019 were a terror attack and not a communal activity. However, there were visible politically driven campaigns that intensified the fear and inculcated hatred resulting in unfair treatment towards Muslims. One of the key examples was Dr Shafi who was falsely alleged of illegally sterilizing women. Later, he was reinstated with salary arrears upon failure to prove the said allegations.



Dr. Shafi awarded salary arrears; decides to purchase essential medicines for Sri Lanka.

Written by Zulfikar Farhan  
13 Jun 2022 8:08 PM

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(Source- <https://www.newsfirst.lk/2022/06/13/dr-shafi-awarded-salary-arrears-decides-to-purchase-essential-medicines-for-sri-lanka/>)

Boycotting of Muslim businesses aftermath of the Easter Sunday Attacks in 2019 causing Islamophobia was another such example of online falsehoods.



(Sources: <https://groundviews.org/20130215civil-society-organisationcondemn-anti-muslim-rhetoric-and-attacks-in-sri-lanka/>)



(Source- <https://m.facebook.com/photo.php?fbid2678616292199618&id=100001538200897&seta.572157669512168&source57&refid=52&tnEH-R>)

genocide, causing inter-generational trauma and also taking away the Tamil Homeland. All these falsehoods are created and disseminated on social media platforms.



(Source: [https://twitter.com/hashtag/tamilgenocide?src=hashtag\\_click&f=live](https://twitter.com/hashtag/tamilgenocide?src=hashtag_click&f=live))



(Source: <https://twitter.com/SanjulaPietersz/status/1583317198973865984/photo/1>)



(Source: [https://twitter.com/hashtag/tamilgenocide?s=hashtag\\_click&f=live](https://twitter.com/hashtag/tamilgenocide?s=hashtag_click&f=live))



(Source: <https://twitter.com/hashtag/tamilgenocide?srchashtagclick&flive>)

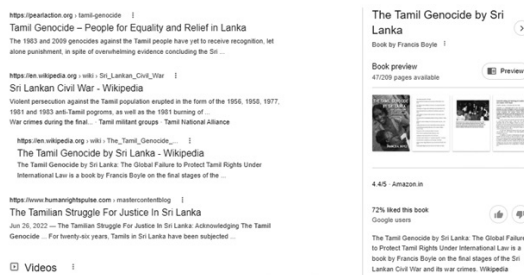
The resultant effects of these false claims have put Sri Lanka at stake. Resolutions including 46/1 Resolution and 51/5 L HRC are a few of such examples. Even though these resolutions are non-binding, they are authoritative in nature. Therefore, if Sri Lanka is refusing or denying the content mentioned therein, Sri Lanka must prove its innocence and negate these fictitious claims. In addition to these resolutions, Canada's Tamil Genocide Education Week Act established a law where, "May 12th to 18th of each month, the 'seven days each year ending on May 18th was proclaimed as Tamil genocide education week. During the period for a week, all ontarians are encouraged to "educate themselves about and also to maintain their awareness of the Tamil genocide as well as other genocides that have occurred in the history of the world."

Moreover, the Palermo City Council Memorandum of Understanding (MOU) together with the Italian-Tamil community recognized the "genocide of Eelam Tamils which was perpetrated by the Sri Lankan state". This MOU too sets out an "Educational week to memorialize the Tamil Genocide" starting from 11th to 18th of May each year. This week is dedicated to conduct activities to raise awareness and to demonstrate in collaboration with Tamil organizations, these will take place in public environments including schools and



the objective is to inform and create awareness among Palermo citizens on Tamil genocide and other such incidents.

These resolutions, MOUs, as well as laws, finely portray how a bogus claim, when constantly circulated becomes a precedent. In the end, due to these posts' circulation, the Sri Lankan government was labelled as a country, which has committed genocide. This can easily be found when the word 'Tamil Genocide' is googled or searched.



(Source: <https://www.google.com/genocide=tamil+genocide&aq=chrome.0.35i39j46i263il3j69i60l-2j69i6me&ieUTF-8>)

In reality, Sri Lanka has not breached the Genocide Convention and Sri Lanka abided by International Humanitarian Law principles.

### **Freedom of expression, impact on national security and striking a balance**

The right to free expression is one of the important rights, which is recognized by the United Nations, it is also a fundamental right protected by domestic, regional as well as international instruments. One such example includes Article 19 of the International Covenant on Civil and Political Rights (ICCPR) as well as Article 10 of the European Convention on Human Rights (ECHR). To put it simply, freedom of expression means the ability to voice, hold opinions and seek and impart information as well as ideas verbally

or in writing. This right is essential in any democratic country to attain a just and free society leading to the betterment of people. The right of free expression is an indispensable characteristic of a politically literate society. The public must be able to share their opinion, create dialogue, make decisions and elect their representatives. On the other hand, this right allows individuals to constructively criticize ill-motivated individuals and entities by creating awareness among the public. The right is also a vital requisite to oppose discrimination and ensure representation. Further, the right brings individuals and countries together by building consensus and learning from each other. The said right of freedom of expression cannot be arbitrarily restricted or limited due to discrimination. However, the right can be curtailed under certain strict and special circumstances.

Regardless of the imperativeness and the advantages associated with the right of freedom of expression, individuals as well as entities tend to misuse this right. Adding burden, as the technology in the digitalized world is sophisticated, information dissemination happens promptly. For those reasons, terrorists, extremists, radicalized individuals, politically ill-motivated individuals, profit-driven personnel and spies use the freedom of expression to engage in falsehoods, disinformation, hate speech and false news likewise. Therefore, it is evident that these two conflicting interests of freedom of expression against national security must be balanced. Due to its incompatible nature, freedom of expression is restricted under special circumstances.

As per ECHR'S Article 10, the right to the freedom of expression is a right vested in any person, nonetheless, the same right can be intervened in circumstances including, if the act is prescribed by law or on the grounds such as public safety, to protect the health, to secure territorial integrity and to preserve national

security. The Article and its exceptions came into discussion in the case of *Observer and Guardian v. The United Kingdom* (1991). As per Thakur, (2021) in addition, the intervention by domestic authorities was deemed appropriate and regarded as necessary for a democratic society; this view was upheld in the case of, *Tolstoy Miloslavsky v. The United Kingdom* (1995).

In the Sri Lankan Constitution, which is the supreme law of the country national security takes precedence just like in any other country. According to Article 15(7), “The exercise and operation of all the fundamental rights which are declared as well as recognized by Articles 12, 13(1), 13(2), 14 shall be subject to restrictions which may be prescribed by law”, the instances or the grounds are, when the matter is in the interests of national security, in an instance to preserve public order, when it is required to protect public health or morality when there is a need to secure due recognition and also in an instance to respect the rights and freedoms of others and when there is a need to meet the just requirements of the general welfare of a democratic society. The word “Law” in the Article includes the regulations that are made under the law for the time being related to public security. When it comes to Article 14, unlike in ECHR, freedom of expression in the Sri Lankan Constitution is only limited to citizens. As per 14(1), subsections a, b, c, g and h are subjected to limitations. Article 14 (1) states that “Every citizen is entitled to (a) the freedom of speech, an expression which also includes publication; 14(1) (a) is subjected to such restrictions which include, when the act is prescribed by law when in the interests of racial and religious harmony or when it concerns parliamentary privilege.

Freedom of speech, expression and publication are indispensable rights in any country regardless of state, size or ethnicity. As a country, which is democratic, the government is therefore duty-bound to respect public opinion, which will give the liberty to engage in healthy

dialogue as well as to engage in constructive criticism. However, in a situation, where there is disinformation, hate speech, misinformation, false information, manipulations or falsehoods that happen with the intent to deceive the public and create havoc, such wrongdoings should not be entertained. This is a well-established law as well as a principle domestically, and regionally as well as when it comes to international legislation.

## Laws

Even though Sri Lanka does not have separate legislation to curb, avert and eradicate falsehoods, some countries have passed laws. One such example is Vietnam. As mentioned by (Yen Vu, 2019) “the law in Vietnam on cybersecurity is broadly focused on prohibiting disinformation, the information which “distorts Vietnam’s history, which denies revolutionary achievements of the country, which destroy the national solidarity block also the law further states “providing of false information, confusing the citizens, cheating, tricking, manipulating training or drilling resulting in people to oppose.” Singapore is also one of the prominent countries that has passed strict laws against online falsehoods as well as manipulations. The objective of Singapore’s Protection from Online Falsehoods and Manipulation Act 2019 (POFMA) is to prevent the electronic communication of falsehoods. According to POFMA, Act focuses on statements of facts, according to the Act is of a reasonable man’s interpretation. One of the key features of the Act is it is not abusive or overly controlling, it gives room for comedy, entertainment as well as criticism. However, if a person commits a falsehood or a manipulation with knowledge or intent and is likely to be prejudicial to the security of Singapore or its health, ties with other countries, affect the election process or political legitimate decisions, and incite enmity paves the way to violence and erodes public faith such amount to an offence. The Act further has a plethora of remedies and

directions to prevent and mitigate falsehoods as well as manipulations. Since Singapore's Act became a topic of debate in 2021 it reached the courthouse, following the Court of Appeal held that the Act is constitutional, and it does not breach freedom of expression.

## CONCLUSION

From the discussion, it is clear that online falsehoods are a threat to the national security of Sri Lanka. It affects the country's peace, morals, rule of law, territorial integrity, sovereignty, ethnic harmony as well as democracy. The challenge is countering as well as minimizing the threats of falsehoods. As society is technologically sophisticated and people are technically conversant, information sharing happens instantaneously. It was evident from the discussion how Sri Lanka underwent the repercussions of falsehoods, which disrupted peace and put national security at a stake. On the other hand, freedom of expression is a vital right in a democratic process. Therefore, it is important to differentiate what facts and what amounts to fake. Therefore, individuals, government as well as society as a whole must ensure not to use freedom of expression as a weapon to threaten national security but to use it as a legitimate right to achieve the best interest leading to a secure country's security.

## RECOMMENDATIONS

People come across various information, however, determining what to give prominence, and attention to and determining truthfulness is an arduous task. In light of this, it is paramount to instil information literacy, which is the ability of an individual to seek, assess, use and organize information, available in many forms. Most importantly, information literacy means the ability to make the right decision, solve the problem and detect the fact against the lie. Therefore, creating public awareness is crucial to fact-checking, the family, and school workplace can start this simple practice.

It is important to be technologically literate, even though the majority of people know how to use technology, using goes beyond possessing. Therefore, it is important to instil technological literacy in individuals to responsibly and correctly use tools for effective communication.

It will be prudent if Sri Lanka can introduce a separation law to curb and eliminate falsehoods. Therefore, this Act must criminalize falsehoods, it should also provide remedies for the aggrieved party and it applies if a person is wrongly accused. The words such as 'falsehoods' should be interpreted in uniformity with other jurisdictions to avoid ambiguities. The said Act should also provide immediate relief mechanisms such as directing the uploader to remove it, correct or any other direction as specified by the said law.

There must be a separate reporting procedure available to the public or entities to report falsehoods or seemingly false information. Consequentially, authorities must be trained well to take necessary actions.

Government should invest in research and development to identify online falsehoods, which can collapse a country intangibly. Therefore, officials as well as the public should be competent to identify threat patterns just as if they understand trending and viral content in day-to-day life.

Most importantly, Sri Lanka should strengthen its cyber capabilities further by enhancing international cooperation to train individuals to safeguard the country by preventing falsehoods. Sri Lanka should constantly be updated and engage with enforcement agencies on social media and vigilantly take off inappropriate content, which is harmful to the nation.

Finally, yet importantly, government should ensure that the right of freedom

of expression is not breached arbitrarily. Government should allow public freedom, peaceful protests, and constructive criticism leading towards a positive outcome. Government should ensure to prevent breaches and limitations in online falsehoods if authorities are acting for their benefit, to seek revenge or attain a profit.

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