

A Study on the Impact of the Online Safety Act No. 09 of 2024 on Social Media Content Creators

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1. Introduction

In the digital age, social media has emerged as a powerful platform for content creation, public discourse, and activism, transforming how information is disseminated and consumed. However, with this shift comes the challenge of regulating harmful content, misinformation, and online abuse. The Online Safety Act No. 09 of 2024 was introduced in Sri Lanka as a legislative response to these challenges, aiming to protect individuals and institutions from the harm caused by the misuse of digital platforms. The Act specifically addresses concerns about the communication of prohibited statements, incitement to violence, and content that undermines national security or religious sentiments.

This study focuses on the implications of the Online Safety Act for social media content creators, who are among the most influential users of these platforms. These creators not only entertain and inform their audiences but also contribute to public debate on sensitive issues, such as politics, religion, and culture. As the Act imposes stringent penalties for false statements, incitement to rioting, and online personation, content creators must navigate these legal complexities while maintaining their creative freedom and expression. The research aims to evaluate the impact of the Act on content creators' ability to operate freely, the extent to which it induces self-censorship, and its broader implications for digital rights and freedom of expression in Sri Lanka.

2. Materials and Methods

This study employed a mixed-methods research design to gather both quantitative and qualitative data on the impact of the Online Safety Act on social media content creators. The quantitative component consisted of an online survey distributed to 100 social media content creators, including influencers, independent journalists, bloggers, and activists, from various fields such as entertainment, news, social commentary, and marketing. The survey captured data on their knowledge of the Act, perceived risks of prosecution, changes in content strategy post-enactment, and instances of self-censorship.

For the qualitative component, 20 in-depth interviews were conducted with selected participants from the same group. The interviews explored their personal experiences and concerns regarding the Act's enforcement, especially provisions such as Section 12 (false statements threatening national security) and Section 16 (insulting religious beliefs). The analysis also incorporated a review of relevant legal literature, policy papers, and international case studies on the regulation of digital spaces to compare the effects of similar legislation in other countries (*Jones & Clarke, 2022*). Ethical considerations were taken into account, ensuring participant confidentiality and the voluntary nature of participation.

The research also employed content analysis to review online publications and social media posts related to the enactment and enforcement of the Act. Additionally, existing legal documentation and critiques of the Act were consulted to provide a comprehensive

understanding of its scope and application (Harris & Nguyen, 2023). A focus was placed on the possible legal interpretations of key provisions, which could lead to broader implications for free speech and digital expression.

3. Results And Discussion

The study's findings reveal that the Online Safety Act has significantly altered the landscape for social media content creators in Sri Lanka. Of the 100 survey respondents, 65% reported adjusting their content creation practices due to concerns about violating the Act, with 45% stating that they have engaged in some form of self-censorship. A notable 30% indicated they had refrained from posting content related to politics, national security, or religion, fearing the legal consequences outlined in Sections 12 and 16.

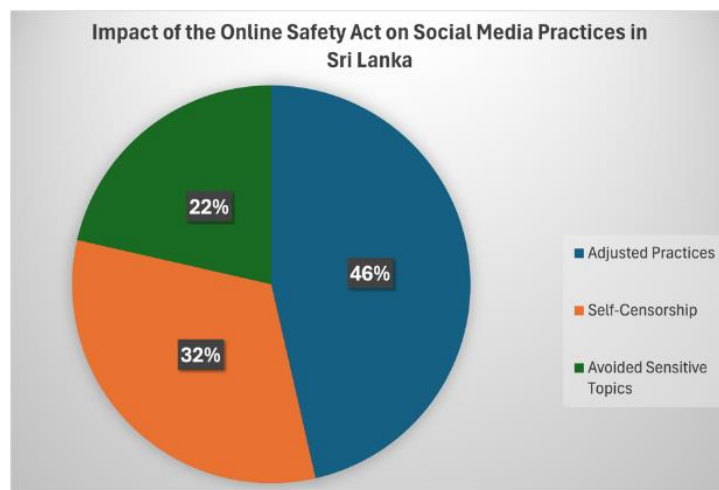


Figure 1: Impact of the Online Safety Act on Social Media Practices in Sri Lanka

The Interviews provided deeper insights into the specific challenges content creators face. Many interviewees highlighted the vague and broad definitions within the Act, particularly the terms “false statements,” “national security,” and “religious feelings,” which leave room for subjective interpretation by authorities. This vagueness has led to a climate of fear, where content creators are unsure of where the legal boundaries lie, prompting them to avoid controversial or sensitive topics altogether (Perera, 2024). Additionally, creators working in satire or political commentary felt disproportionately targeted, as their content is more likely to be scrutinized under the provisions of the Act.

Further, the Act's provision on online personation (Section 18), aimed at curbing identity theft and fraud, raised concerns among influencers and bloggers who often use pseudonyms or alter-egos as part of their online personas. While the Act seeks to protect against online deception, the fear of misinterpretation of this provision has discouraged some creators from experimenting with creative identity presentations in their Content (Smith, 2021). The Act's intent to prevent online harm, particularly in cases of incitement to violence or rioting (Section 14), was generally supported by respondents who acknowledged the dangers of unchecked misinformation. However, the broad scope of the Act raised concerns about its potential to suppress dissent and curb legitimate political activism. Interviewees expressed worry that their criticism of government policies or cultural norms could be construed as incitement, leading to potential legal action (Harris & Nguyen, 2023). This sentiment was particularly prevalent

among independent journalists and political bloggers who rely on the digital space for alternative media coverage.

4. Conclusion

Conclusions This study provides a comprehensive analysis of the Online Safety Act's impact on social media content creators, revealing several important principles and concerns. First, the Act's broad and ambiguous language has led to widespread self-censorship among content creators, particularly those engaging in political, religious, or social commentary. While the Act's objectives of curbing misinformation and protecting public order are clear, its provisions risk stifling free expression and creativity in Sri Lanka's digital space. The study highlights that content creators feel vulnerable to arbitrary enforcement due to the lack of clear legal definitions, which disproportionately affects creators working in fields where controversy and critique are integral to their content. Theoretical implications suggest a growing tension between state control over digital spaces and individual rights to freedom of speech. The practical implications indicate the need for revisions to the Act, particularly in terms of clearer guidelines and protections for content creators who engage in legitimate critique and expression.

The findings of this study recommend several steps forward, including a review of the Act's provisions to ensure clarity and prevent misuse, as well as the introduction of mechanisms that safeguard freedom of expression. Without these changes, the Act risks creating a chilling effect on Sri Lanka's vibrant social media landscape, limiting the diversity of voices and stifling critical debate. Future research could explore long-term effects as the Act's enforcement evolves and the potential for legal reforms to protect digital freedoms.

5. Keywords

Self-censorship, Freedom of Expression, Digital Rights, Content Creators, Online Safety Act.

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