



A STUDY ON THE IMPACT OF THE ONLINE SAFETY ACT NO. 09 OF 2024 ON SOCIAL MEDIA CONTENT CREATORS

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ABSTRACT

In response to the growing challenges of online misinformation, abuse, and digital harm, the Sri Lankan government enacted the Online Safety Act No. 09 of 2024. While the Act aims to regulate harmful content and promote safer online spaces, this study critically evaluates its impact on social media content creators, a group particularly affected by the legal ambiguities and enforcement provisions. Through a mixed-methods research design, data were gathered via an online survey of 100 content creators and 20 in-depth interviews. The findings reveal that 65% of respondents have modified their content strategies, and 45% reported engaging in self-censorship due to concerns over violating the Act. Sensitive topics such as politics, religion, and national security were the most avoided areas, driven by fear of prosecution under broadly defined terms like “false statements” and “religious feelings. “Interview data further highlighted the vagueness of legal terminology, which fosters uncertainty and a chilling effect, particularly among creators working in satire, political critique, and social commentary. Provisions such as Section 18 (online personation) were also seen as problematic, especially for influencers using pseudonyms or creative personas, who now face added risk of misinterpretation. While some creators expressed support for aspects of the Act that address incitement and digital violence, many fear it may be used to suppress dissent and curtail digital activism. The study concludes that although the Act has merits in regulating harmful content, it poses significant threats to freedom of expression if not revised for greater clarity and fairness. Recommendations include clearer legal definitions, protective mechanisms for legitimate critique, and stakeholder-inclusive reforms. These steps are vital to preserving the integrity of Sri Lanka’s digital discourse and ensuring content creators can operate freely within a democratic online environment.

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

1. Introduction

In the digital era, social media has revolutionized the landscape of communication, enabling individuals to create, share, and engage with content on an unprecedented scale. Platforms such as Facebook, Instagram, TikTok, Twitter (X), and YouTube have become central to public discourse, shaping not only entertainment and lifestyle trends but also political narratives, social movements, and cultural identities (boyd, 2014; van Dijck & Poell, 2018). Within this dynamic ecosystem, content creators ranging from influencers and independent journalists to educators and comedians play a pivotal role in generating and amplifying diverse viewpoints. Their influence extends beyond personal branding to shaping collective perceptions and sparking critical conversations on issues of national and global significance (Abidin, 2018; Jenkins et al., 2013).

However, the rapid growth of digital communication has also introduced significant challenges. The spread of misinformation, hate speech, online harassment, and content that may incite violence or social unrest has prompted governments worldwide to consider regulatory interventions (Gillespie, 2018; Wardle & Derakhshan, 2017). Against this backdrop, Sri Lanka introduced the Online Safety Act No. 09 of 2024 as a legislative framework aimed at addressing these pressing concerns. The Act seeks to create a safer online environment by curbing the dissemination of harmful or misleading information, preventing online impersonation, and protecting individuals and institutions from cyber threats (Ministry of Public Security, 2024). The Online Safety Act is notable for its comprehensive scope and stringent provisions. It criminalizes the publication or transmission of prohibited statements, including those deemed false, malicious, or inciteful toward violence or rioting. Furthermore, it targets content that threatens national security, incites religious or ethnic hatred, or tarnishes the reputation of public officials. The law also grants wide-ranging powers to regulatory bodies, including the ability to block access to platforms, issue takedown orders, and prosecute individuals for online offenses. These mechanisms are intended to uphold public order, social cohesion, and national integrity in the face of digital disruption (Senaratne, 2024).

While the goals of the Act may align with the need to ensure accountability and safety in online spaces, they also raise significant concerns regarding freedom of expression, digital rights, and creative autonomy (ARTICLE 19, 2024; Freedom House, 2024). This is particularly true for social media content creators, who

often operate at the intersection of art, opinion, and activism. Their content may touch on sensitive political, cultural, or religious themes, making them vulnerable to regulatory scrutiny. The fear of legal repercussions can result in self-censorship, a chilling effect that undermines the openness and vibrancy of digital discourse (Penney, 2017; Tufekci, 2015). Additionally, the ambiguity in defining what constitutes a "false statement" or "incitement" leaves room for selective enforcement and potential misuse of the law (United Nations Special Rapporteur, 2023).

This study explores the nuanced impact of the Online Safety Act on Sri Lanka's digital content creators. It investigates how the legal provisions influence their creative practices, editorial decisions, and public engagements. The research also examines whether the Act fosters a climate of fear that stifles innovation and marginalizes dissenting voices. More broadly, it interrogates the tension between state-led efforts to regulate digital harm and the democratic imperative to preserve open expression in online spaces (Kaye, 2019; Laidlaw, 2015). Ultimately, the goal of this study is to provide a balanced assessment of the Online Safety Act's implications, grounded in empirical insights and informed by international best practices. By centering the experiences of content creators, the research aims to contribute to the ongoing dialogue on digital governance, legal reform, and human rights in the information age.

2. Literature Review

The regulation of digital platforms has emerged as a critical arena where state authority, corporate interests, and civil liberties intersect. As social media becomes increasingly central to civic participation and personal expression, it prompts necessary inquiries into the limits of legal oversight. This literature review synthesizes global and regional scholarly perspectives on online safety legislation, freedom of expression, and the unique challenges faced by digital content creators. The purpose is to contextualize Sri Lanka's Online Safety Act No. 09 of 2024 within a broader theoretical and empirical framework.

2.1 Global Approaches to Online Safety Legislation

Across the world, governments are navigating the tension between online safety and the protection of civil liberties. Laws such as Germany's Network Enforcement Act (NetzDG) and the UK's Online Safety Bill empower regulators

to compel rapid removal of illegal content and enforce platform accountability (Bradshaw et al., 2021). These laws are often justified on the grounds of protecting children, preventing hate speech, and countering misinformation. However, critics argue that such frameworks may pave the way for overreach. Gillespie (2018) describes this phenomenon as the rise of *platform governance*, where digital platforms become quasi-regulators under state pressure. Similarly, Suzor (2019) highlights that legal ambiguities often lead to inconsistent enforcement, risking the suppression of legitimate expression. Kaye (2018), in a UN Special Rapporteur’s report, cautions that vague definitions of “harmful content” can be misused to target dissent, especially in politically fragile contexts.

2.2 Freedom of Expression and the Chilling Effect

One of the central concerns in digital regulation literature is the *chilling effect*—the deterrence of lawful expression due to fear of legal or surveillance consequences. Empirical research by Penney (2017) shows that awareness of surveillance mechanisms correlates with a reduction in political and social engagement online. This effect is especially profound in non-democratic or hybrid regimes. Tufekci (2015) emphasizes the role of digital platforms as safe spaces for activism and minority expression. However, when regulatory frameworks lack transparency or due process, these platforms risk becoming tools for oppression. Chakravartty and Roy (2016) reinforce this point through studies from the Global South, where governments have leveraged digital laws to silence critics under the pretense of national security or public order.

2.3 The Role and Risks of Social Media Content Creators

Unlike mainstream journalists, social media content creators operate independently—often blending entertainment, education, and activism. Abidin (2021) and Bishop (2020) explore how “micro-celebrity” culture is increasingly politicized, especially among creators engaged in social commentary or satire. Their informal and accessible style of communication broadens public discourse but also exposes them to risk. Cunningham and Craig (2019) characterize content creators as *hyper-visible but under-protected*, arguing that they often lack institutional safeguards and legal literacy. In South Asia, creators have faced criminal charges or digital harassment for content perceived as controversial. Case studies from India, Pakistan, and Bangladesh (Ahmed & Arora, 2020) reveal

a pattern of arbitrary enforcement of IT laws, further illustrating the precariousness of digital expression in volatile environments.

2.4 Digital Rights, Ethics, and Democracy

Any attempt to regulate online speech must adhere to the international legal principles of *necessity, legality, and proportionality* (McGonagle, 2017). When these standards are violated, the risk of overregulation becomes imminent. The Association for Progressive Communications (2021) observes that online safety laws, often introduced during national crises, become permanent instruments of censorship, particularly against dissenters and minority voices. In this context, Global Voices (2022) has highlighted the dangers of algorithmic moderation and automated content takedowns. These systems frequently fail to account for cultural nuance, disproportionately affecting marginalized communities such as LGBTQ+ individuals and ethnic minorities who rely on digital platforms for self-expression and advocacy.

2.5 Sri Lanka's Legislative Environment and the Online Safety Act

Sri Lanka's regulatory approach to media and speech has historically fluctuated between liberalism and authoritarianism. As Wickramatunge (2021) outlines, successive governments have employed emergency regulations, counter-terrorism laws, and cybercrime acts to curtail press freedom. The Online Safety Act No. 09 of 2024 introduces several problematic provisions. It criminalizes vaguely defined acts such as "false statements," "religiously offensive content," and "incitement to unrest." As noted by Verité Research (2024), the Act grants disproportionate power to a centralized Online Safety Commission without adequate judicial oversight. Furthermore, a joint statement by Hashtag Generation, the Centre for Policy Alternatives, and the Bar Association of Sri Lanka (2024) warns that these provisions could be used to intimidate creators, particularly those producing satire or commentary critical of the state.

2.6 Knowledge Gaps and Research Needs

Despite extensive global literature on digital governance, Sri Lanka remains under-researched in this domain. Key areas requiring empirical study include:

- Post-implementation experiences of content creators.

- Patterns of self-censorship across genres (e.g., political satire, cultural criticism).
- Digital legal literacy among young creators.
- Comparative analysis between Sri Lanka and other post-conflict democracies.

Such research is critical to understanding how the Online Safety Act operates in practice, beyond its legislative intent. Globally and locally, digital legislation is evolving in ways that simultaneously address and threaten democratic values. While the goal of online safety is legitimate, its implementation must not come at the expense of free expression and creative freedom. The Online Safety Act No. 09 of 2024 in Sri Lanka exemplifies the complexities of this balance. For social media content creators who act as cultural curators, activists, and public educators the Act presents a dual challenge: navigating the boundaries of legality while maintaining their creative voice. This literature review underscores the importance of embedding content creator experiences within wider debates on digital justice, regulatory ethics, and media freedom in the digital age.

3. Materials and Methods

This study employed a mixed-methods research design, integrating both quantitative and qualitative methodologies to explore the implications of Sri Lanka's Online Safety Act No. 09 of 2024 on social media content creators. The purpose of using a mixed-methods approach was to quantify patterns of awareness, perception, and behavioral change while also contextualizing these through qualitative narratives. Triangulating these diverse data sources enhanced the validity, reliability, and richness of the findings (Creswell & Plano Clark, 2018).

3.1 Research Problem

The enactment of Sri Lanka's Online Safety Act No. 09 of 2024 has generated significant concern among digital content creators, raising questions about how this legislation affects freedom of expression, digital creativity, and platform-based livelihoods. Given the ambiguities in legal language and the wide discretionary powers granted to the Online Safety Commission, this research investigates how social media creators in Sri Lanka interpret, react to, and adapt their content practices in response to this legislation.

3.2 Research Objectives

The study was guided by the following objectives:

- To identify how content creators interpret and respond to specific clauses of the Online Safety Act;
- To assess behavioral changes such as self-censorship or content withdrawal since the Act's enforcement;
- To analyze the socio-legal implications of the Act on digital creativity and freedom of expression;
- To compare Sri Lanka's legislative framework with international digital safety policies.

3.3 Research Design Framework

A convergent parallel design was adopted (Creswell, 2014), allowing simultaneous collection of quantitative and qualitative data, followed by independent analysis and eventual integration. This design was ideal for understanding both generalizable trends and the nuanced, personal experiences of affected individuals.

3.4 Quantitative Component: Online Survey

A structured online questionnaire was administered to 100 social media content creators in Sri Lanka. The sample included:

- Lifestyle and entertainment influencers,
- Independent political and news commentators,
- Meme page administrators,
- Bloggers and podcasters,
- Social justice educators and activists.

Sampling Strategy

Purposive sampling was combined with snowball sampling to ensure diversity across gender, ethnicity, content genre, and platform type (e.g., YouTube,

TikTok, Instagram, Twitter/X). Participants were recruited via creator networks, digital rights organizations, and direct outreach.

Survey Content

The 32-item instrument was categorized into the following thematic clusters:

- Demographics and platform engagement (e.g., content type, follower count, posting frequency);
- Awareness and knowledge of the Online Safety Act;
- Perceived legal and reputational risks under key sections (e.g., false statements, impersonation, religious offense);
- Behavioral adaptations (e.g., self-censorship, use of disclaimers);
- Perceptions of digital rights and expressive freedoms.

Data Analysis

Data were analyzed using SPSS and Microsoft Excel. Descriptive statistics (means, frequencies, and cross-tabulations) were generated. Preliminary correlation analysis explored relationships between creator types and key variables such as perceived risk and behavioral change.

3.5 Qualitative Component: In-depth Interviews

A total of 20 semi-structured interviews were conducted with a purposive subset of survey respondents. These participants represented varied content domains such as political satire, religious commentary, and youth activism, and included both micro- and macro-influencers.

Interview Structure

Interviews followed an open-ended protocol covering four key themes:

- Interpretation of the Act's legal language and intent,
- Emotional and psychological responses to the legislation,
- Peer-level observations on changes in content trends,
- Future concerns about content strategy, visibility, and legal exposure.

Key provisions such as Section 12 (false statements prejudicial to national security) and Section 16 (insulting religious beliefs) were discussed in detail.

Interviews were conducted via Zoom or encrypted messaging platforms, audio-recorded with consent, and transcribed verbatim.

Analysis Process

Data were coded and analyzed using NVivo for thematic analysis. Emergent codes were clustered into dominant themes. Peer debriefing was conducted to minimize subjectivity and enhance interpretive reliability.

3.6 Documentary and Legal Analysis

A textual analysis was undertaken to contextualize and evaluate the legal framework of the Online Safety Act. This included:

- Clause-by-clause review of Sections 3–22;
- Analysis of the institutional structure and authority of the Online Safety Commission;
- Review of enforcement procedures and judicial oversight mechanisms.

Secondary sources such as policy briefs, bar association reports, civil society publications, and comparative analyses from Harris and Nguyen (2023) and Jones and Clarke (2022) were consulted. Sri Lanka’s legislation was juxtaposed with digital safety frameworks such as India’s IT Rules (2021), Singapore’s POFMA, and the UK’s Online Safety Bill.

3.7 Content and Social Media Discourse Analysis

A qualitative content analysis was conducted on:

- 75 publicly available social media posts (e.g., stories, reels, tweets),
- 12 news articles and 5 press statements by digital rights organizations,
- Engagement metrics such as likes, shares, and comment sentiment.
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Posts were identified using targeted hashtags :

(e.g., #OnlineSafetyActLK, #DigitalRightsSL, #FreeSpeechSL) and analyzed using discourse and sentiment analysis frameworks.

3.8 Ethical Considerations

The study adhered to institutional ethical standards. Key measures included:

- Informed consent was obtained from all participants;
- Anonymity and confidentiality were maintained throughout;
- All recordings and datasets were encrypted and securely stored;
- Participants were assured of the right to withdraw at any stage;
- No identifying data were published;
- Ethical clearance was secured from an approved academic review board.

3.9 Limitations

This study recognizes the following limitations:

- The non-probability sampling limits generalizability;
- Social desirability bias may have influenced self-reports;
- Legal interpretations are based on present legislation and may evolve.

The researcher maintained a reflexive journal to document positionality, manage bias, and monitor the influence of their dual role as both digital participant and researcher.

4. Results and Discussion

This section presents the findings from the quantitative and qualitative data, interpreted in relation to the study's objectives and research problem. The aim is to triangulate numerical trends with narrative insights to offer a comprehensive understanding of how Sri Lanka's Online Safety Act No. 09 of 2024 is impacting content creators across multiple platforms.

4.1 Content Creator Awareness and Interpretation of the Act

A central objective of this study was to assess how content creators interpret and respond to specific clauses of the Online Safety Act. According to the survey, 74% of participants indicated a general awareness of the Act, but only 28% could correctly identify its key provisions, such as those under Sections 12, 14, 16, and 18. This gap in knowledge was echoed in qualitative interviews,

where many creators acknowledged a "surface-level" understanding and expressed uncertainty about the legal thresholds of terms like "false statements" and "national security."

Interviewees emphasized that the ambiguous legal language left much room for subjective enforcement. One interviewee, a political satirist, noted:

"It's not the law itself that silences me, but the not knowing where the line is."

This legal precarity serves as a significant deterrent to expressive content, particularly in politically or culturally sensitive domains (Perera, 2024).

4.2 Behavioral Change and Self-Censorship

Another key objective was to assess behavioral changes among creators. The survey revealed that 65% of respondents have modified their content strategies due to fear of violating the Act, with 45% explicitly engaging in self-censorship. Within that group, 30% stated they now avoid content related to politics, religion, or national security—areas most likely to invoke Sections 12 and 16 of the legislation.

These patterns were strongly corroborated by interview data. Several creators reported deleting or archiving previously posted content that could now be deemed controversial. Others described intentionally depoliticizing their language or withdrawing from social commentary, especially on Twitter/X and TikTok. As one creator explained:

"I used to comment on national events with humor. Now I just post recipes."

This chilling effect aligns with global observations on digital laws with vague enforcement parameters, suggesting that legislation meant to promote safety may unintentionally foster cultural and political silence (Harris & Nguyen, 2023).

4.3 Impact on Expressive Freedom and Digital Creativity

The third objective focused on the law's implications for expressive freedom and creativity. A recurring theme in interviews was that content is now increasingly filtered, less confrontational, and more "brand-safe." This is particularly

detrimental to genres like satire, religious commentary, and activist media, where engagement often depends on bold expression.

A striking concern surrounded Section 18, which criminalizes online impersonation. While the section targets fraud and malicious identity use, pseudonymous creators and performance artists fear being misclassified. For instance, a lifestyle blogger using a pseudonym reported:

"I'm afraid my parody character might be interpreted as impersonation. That persona was my brand."

This concern has already led some creators to retire their fictional or satirical accounts, reducing the diversity and dynamism of Sri Lanka's digital content space (Smith, 2021).

4.4 Reactions to Specific Clauses and Perceived Risks

A nuanced insight emerged around Section 14, which penalizes content inciting violence or rioting. Unlike other provisions, this clause received moderate support: 62% of survey respondents agreed that such controls are necessary in the age of misinformation and viral hate speech.

However, many interviewees cautioned against the overreach of this provision, noting that terms like "incitement" can be weaponized in politically polarized contexts. Independent journalists and alternative media creators expressed concern that legitimate criticism could be reframed as incitement or subversion.

As one journalist stated:

"There's a difference between calling for justice and being accused of instigating unrest. The line has blurred."

This dilemma reflects broader international debates on how digital safety laws may disproportionately affect dissenting voices (Jones & Clarke, 2022).

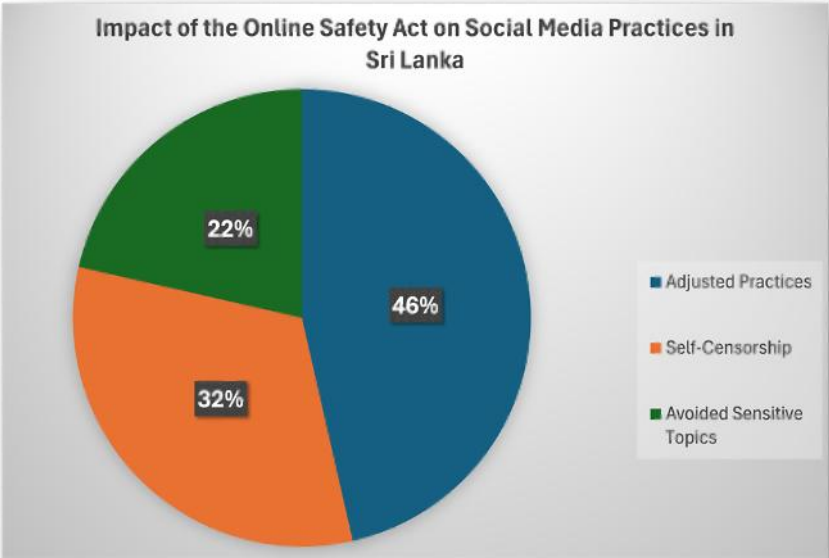
4.5 Comparative Legislative Perceptions

In addressing the final objective comparing Sri Lanka's Act with global standards—participants expressed awareness of similar laws in India and

Singapore but noted the lack of stakeholder consultation in the Sri Lankan context. Respondents perceived Sri Lanka’s Online Safety Commission as opaque and politically aligned, raising concerns about enforcement impartiality. Interviewees contrasted this with the UK’s Online Safety Bill, which they noted involves greater civil oversight and public engagement, suggesting that procedural transparency could mitigate fear and resistance.

4.6 Figure

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



This pie chart illustrates the distribution of behavioral responses among Sri Lankan social media creators following the enactment of the Online Safety Act. The majority (46%) adjusted their content practices, while 32% engaged in self-censorship, and 22% avoided sensitive topics such as politics, religion, or national security.

4.7 Synthesis and Interpretation

The overall findings point to a paradoxical effect: although the Online Safety Act seeks to enhance user safety and reduce harmful content, it simultaneously imposes implicit constraints on digital creativity, particularly in areas involving

political and cultural critique. The lack of clear definitions, fear of arbitrary enforcement, and perceived political utility of the Act have transformed the digital landscape into one of hyper-vigilant self-regulation.

Unless mitigated through legislative clarification, transparent enforcement, and stakeholder dialogue, the law risks becoming a tool of preventive suppression, limiting not just harmful speech, but also critical discourse that is vital for democratic engagement.

5. Conclusion

This study presents a comprehensive investigation into the impact of the Online Safety Act on social media content creators in Sri Lanka, revealing critical tensions between regulatory intentions and expressive freedoms. The findings suggest that, while the Act is well-intentioned in its goal to address misinformation, online harm, and digital incitement, its broad and ambiguous language has inadvertently fostered a climate of fear and self-censorship among digital content producers.

One of the most pressing outcomes identified is the prevalence of self-censorship, particularly among creators involved in political commentary, religious discussions, or social critique. Sections of the Act especially those addressing vague terms like “*false statements*,” “*national security*,” and “*religious feelings*” have made it difficult for content creators to distinguish between legal compliance and potential infringement. As a result, many creators have withdrawn from producing critical content, not due to disagreement with the Act’s goals, but due to uncertainty and fear of arbitrary enforcement. Moreover, the study underscores a disproportionate impact on creators who rely on satire, critique, or persona-based storytelling. These forms of content essential to a diverse and democratic digital space are increasingly seen as legally vulnerable, leading to a notable decline in both creative experimentation and civic engagement online.

5.1. Theoretical Implications

Theoretically, this study contributes to broader discussions on digital governance, freedom of expression, and platform regulation in the Global South. It illustrates the growing tension between state efforts to regulate harmful online behaviour and the constitutional rights to free speech and expression. In the Sri

Lankan context, where social media serves as an important channel for alternative viewpoints and grassroots activism, this tension is particularly acute. The study thus signals the need for a rights-based digital policy framework that acknowledges both state security concerns and the democratic imperative of open discourse.

5.2. Practical Implications and Policy Recommendations

Practically, the findings of this study point to several urgent reforms that should be considered to balance safety and freedom:

1. **Legal Clarity and Precision:** The Act must be reviewed to replace vague terms with clearly defined legal standards. Ambiguity not only opens the door to misuse but also leaves creators vulnerable to arbitrary interpretation.
2. **Protective Mechanisms for Content Creators:** Safeguards should be introduced to protect creators engaging in legitimate critique, such as a transparent appeals process, independent oversight committees, or journalistic exemptions for political commentary.
3. **Stakeholder Engagement:** Policy reform should include consultations with content creators, digital rights advocates, legal experts, and civil society to ensure the law reflects both public safety and civil liberties.
4. **Public Awareness Campaigns:** Many content creators operate without full understanding of their rights or the legal framework. Educational initiatives can empower them to navigate the digital space more confidently.

Without these critical changes, the Online Safety Act risks creating a chilling effect a phenomenon where the fear of potential legal repercussions leads to pre-emptive silence, stifling Sri Lanka's vibrant, diverse, and politically active digital culture.

5.3. Directions for Future Research

Given the Act's relatively recent implementation, this study also opens up avenues for future longitudinal research. Future studies could explore:

- The long-term behavioural shifts among content creators.

- The legal precedents set through enforcement cases.
- Comparative studies between Sri Lanka and other countries implementing similar digital laws.
- The evolution of content moderation practices in response to state regulation.

Such research would be essential in informing responsive digital legislation that is both protective and permissive upholding public safety while safeguarding democratic freedoms.

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