

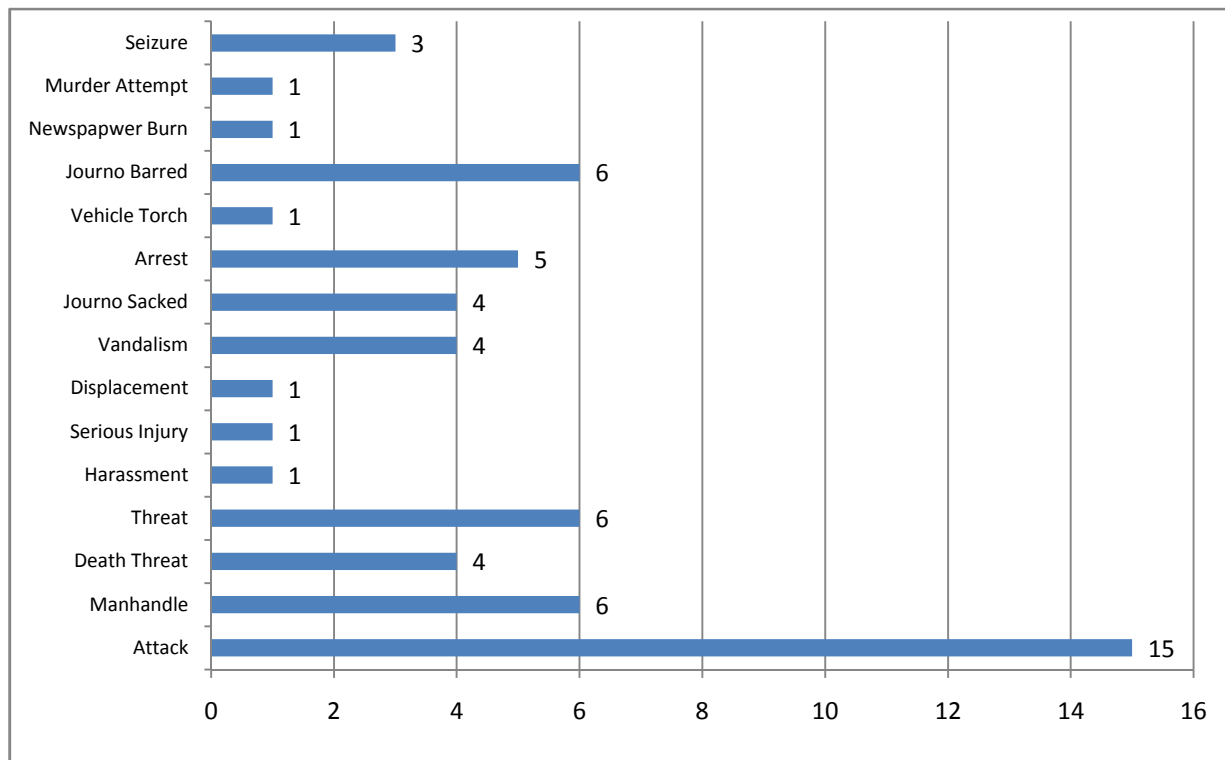
Press Freedom Sees Some Improvements

Time to Heed Broader Scope of New Media

As it was in the previous year, Nepali media suffered a spate of intimidations from political parties and their youth wings, security bodies, government officials, unknown persons this year too. Attacks, threat of physical action, death threat and manhandle to journalists, vandalism of press vehicles, obstruction, newspaper burning, are some important anti-press incidents occurred during the year. These incidents directly restricted journalist's right to fear-free and independent reporting and the freedom of the press and deprived citizens of their access to information.

Compared to the last year, this year, however, witnessed fewer incidents of press freedom violations. Freedom Forum recorded a total of **59** incidents of press freedom violation this year against 147 last year and 96 in 2011. The violations had surged up last year on the eve of the dissolution of the Constituent Assembly (May 27, 2012) while the violations of freedom of expression (especially the freedom of speech) mounted this year on the run-up to the election to the second Constituent Assembly of November 19, 2013.

Press Freedom Violation during 2013



Despite gradual increase in the number of media every year, **the pluralism in media in terms of content, language and newsroom diversity is yet to gain pace.** However, very slow but gradual development in this front is unavoidable.

About the democratic discourse the media can create, Nepali media is chiefly focused on political issues, which, many argue is the flaw. Social, economic, constitutional and developmental issues could be equally important.

The recent random distribution of the membership based on political faith by the only umbrella organization of the journalists across the country, the Federation of Nepali Journalists (FNJ), can be taken as a step against the welfare/rights of the journalists and politicization on media profession. On the other hand, the role of the Union of Media Employees, which is broader than the FNJ, is very lackadaisical.

No specific laws and policy were brought out by the government this year so that media freedom could be boosted and journalists' rights protected. However, **the ministry-level decision to study on online media is an appreciative step.** New media as the online media and social media have emerged as new challenge in terms of their regulation without hindering the free flow of information, freedom of expression.

During this year, three journalists were arrested by the police for their update on news portals as per the Electronic Transaction Act. The police administration dubbed it a cyber crime and harassed journalists and suppressed media freedom. It is a matter of great concern and debate that the State/government needs to address without interfering with the press freedom, and freedom of expression which are oxygen to functioning democracy.

For the safety and security of the journalists, few CSOs have been imparting training which is meager in relation to the number of journalists. The number of working journalists (active) remains somewhere between 5,000 to 6,000 across the country. In addition to the CSOs, nearly 300 plus two college and some 200 graduate colleges are providing academic course on mass media and journalism. Similarly, it is fair to say that many journalists in Nepal are low-tech which has been a drawback for them to enhance capacity and sharpen technical knowledge in par with modern journalism.

Professional safety as proper payment to the working journalist is quite discouraging. It has direct bearing on the media freedom and professional development.

The physical safety of journalist is threatened also because of the misconduct of journalists' themselves. As the number of media outlets is growing, the journalists' number is grown with the chance of taking media as tool to gain other. Some reports on journalists' detention are related to their misconducts.

Looking into the broader area of the freedom of expression, **the right to freedom of expression (FoE) was suppressed and obstructed, especially during the run-up to the election to the second Constituent Assembly (November 19, 2013).** Although

disagreed initially by the Communist Party of Nepal-Maoist which boycotted the election for the anti-poll activities as bombing, barricade, arson and obstructions, the government confirmed the party as the enforcers of such wrongdoings. These misconducts directly/indirectly suppressed and affected people's (especially election candidates') right to freedom of speech. The poll-boycotting party conducted nearly three dozens of activities that affected freedom of expression. In addition to these, the government (Home Ministry) pressed the film festival organizing body to screen documentary based on war while Nepal Army pressured film producer not to show the feature film, *badhshala* (slaughterhouse).

Into the front of impunity regarding the press freedom, it can be taken as an improvement that the mastermind of the murder of Uma Singh was nabbed and sent to jail though very late. Similarly, the murderers of the journalist Yadav Poudel were life-imprisoned. Importantly, the murders of journalist Dekendra Thapa from the far-west of Nepal were finally brought to justice despite heavy political pressure and protection. On January 28, 2013, nine leaders and cadres of the then CPN-Maoist were filed murder case by the Dailekh District Court establishing proof of their involvement in journalist Thapa's murder. The justice was dispensed after almost eight years of the crime. These are major indications in the improvement of impunity on media freedom this year.

In some few cases, the police personnel first threatening journalists have later admitted mistakes and abided by people's right to information and journalists' right to free reporting.

Compared to the last year, Nepali media remained satisfactory as the press freedom incidents declined sharply. The independent government was relatively very friendly thereby resulting in the reduction of press freedom violation from 147 to 59. It suggests that politically unstable government is more hostile to media than the stable and independent one. These, along with the improvement in impunity situation, are positive developments in Nepali media.

In conclusion, political parties, despite being the essential elements of democracy, are still hostile to media, another element of democracy. They need to embrace media for healthy and competitive system of democratic discourse. Government officials and security bodies are also yet to internalize the role of press freedom to foster democratic principles with enhanced and accountable governance.

Only politically neutral and professional role of media unions could help consolidate professionalism in media and protect journalists' rights. Faith-based treatment among journalists would enfeeble media unions' capacity of collective bargaining.

In order to make the media safe and professional, journalists are the first persons responsible for this. The joy of safe, free, professional and dignified media hinges on the strict adherence to it ethics by the media persons. It has been a need of the hour.

About the way forward, a review on press freedom violation occurred in the past 15 years is needed so that a long term plan on media safety and rights could be outlined. As the country is in new democratic context, new kind of media strengthening was essential.

Similarly, the coming Constituent Assembly which is to bring new constitution should guarantee the broader regime of freedom of expression and its corollaries – freedom of press and right to information - with proper laws and policy so that all media could thrive healthily and boost democratic practice.

