

# Relatively Peaceful, but Inaction on Impunity Chills Nepali Media

Freedom Forum observed relatively peaceful atmosphere for media this year (2016) with significant decline on number of press freedom violations. FF recorded only 25 incidents of press freedom violations during 2016 against 83 of 2015. With 25 incidents of violations, nearly 75 media persons were affected. Despite having much awaited constitution in place, political stability was threatened especially due to political parties' differences over provincial demarcation, which undoubtedly kept media under fear of intimidations. There was neither any forward-looking policy on media, nor any measure taken from the State to address the impunity relating to the crimes against journalists, which is a pressing need, but has been pending for long. Journalists' professionalism is still eluding.

## Some Points

- Province No. 2 (which includes eight districts in the southern plains) and 3 (which houses the capital city Kathmandu) witnessed the highest number of violations- six and 12 respectively whereas Province No. 4 and 6 remained free of violations. Similarly, Province No. 5 witnessed four violations followed by Province No. 7 with two violations and the only one at Province No. 1.
  
- There were 11 incidents of attacks, while five threats and death threat combined, four manhandles, and five arrest/ detentions including attacks on two media houses.

***FM Radio building bulldozed: Local authority bulldozed FM Radio building, disrupting operation, and destroying equipments of Radio Dhading (106 MHZ) of Dhading, a neighbouring district to the capital city, Kathmandu, on September 23.***

*Station Manager of the FM, Rajaram Sharma, said, "A team mobilized by the district authority reached the FM station at 4:00 am, forced the*

*employees out of the office and bulldozed the building. It not only destroyed the equipment but also halted radio service completely. The attack caused the loss of some Rs 10 million."*

- As in the past, police persons were involved in many incidents of violations, while local leaders and cadres of different political parties are the second most hostile to media persons. Threat was more to reporters writing on misuse of public money and unmanaged public service delivery.

***Political cadre, government staff attack reporter:*** *Reporter with News 24 TV, onlinekhabar news portal and Arthik Abhiyan daily, Raj Kamal Singh, from Dhanusha district was attacked over a news story he published in the Arthik Abhiyan daily about the misuse of budget in the District Development Committee (DDC) and Constituency Development Fund.*

*On September 14, a group of some seven persons led by President of Dhanusha Constituency-1 of Nepali Congress party attacked reporter Singh reasoning the news earned disrepute to Gohiwar's political image.*

- Journalists in the capital city faced highest number of intimidations, mostly by police.

***Attack on journalist inside Singha Durbar:*** *Police persons attacked Kabin Adhikari, a photojournalist with an online news portal-onlinekhabar while he was photographing the arrest of protesters inside Singha Durbar, the central administrative place of the country, on April 10. There was a sit-in being staged by the government employees, which he was photographing.*

- The trend of running internet-based media has hopped significantly. Currently, there are 501<sup>1</sup>internet-based media in Nepal till date against the record of 250 in 2015.
- Freedom Forum's study shows: Out of the total reporters/news writers and news sources, there are only 13.4% women working as reporters and 10.67% women acted as news sources in the main dailies.

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<sup>1</sup> Press Council Nepal

- Internet penetration is expanding gradually in Nepal. It has now reached to 52.7% as compared to the record of 44.11<sup>2</sup> in the last year.
- Nepali media is still suffering the impunity relating to the crimes against journalists/media persons. Many crimes (murder of) against journalists are yet to be addressed by the State.

### **Gender Equality Poor**

Adding further dimension to its regular report, Freedom Forum on the last three months (October to December 2016) conducted media monitoring through gender perspectives, and found women's presence meager. News sources, as news writers and news presenters were almost all males.

- More than 50% dominance of male journalists and sources in the news depicts poor gender equality in Nepali media.
- Among the total media persons, males occupy 95 percent.
- Study of 5 main dailies (Kantipur, Annapurna Post, Commander Post, Republica and The Himalayan Times) revealed the following facts:
  - There were 13.4% female reporters and 10.67% female sources were quoted in the newspapers,
  - 48.15% of news the female reporters brought are about political issues, whereas only 18.52% about social and legal issues.
- Attracting women towards media and retaining them in this profession is a big challenge. Women occupy around 15% population of total Nepali journalists, which stands around 11,000.

### **Social Networking Sites**

Internet is becoming increasingly pervasive in Nepal too. As much as 52.7% of the total populations is connected to internet irrespective of convenience and speed. Approximately 8 million Nepalis are using social media<sup>3</sup>. However, the users of internet are almost city centered.

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<sup>2</sup> Nepal Telecommunications Authority

<sup>3</sup> Center for Media Research

- Recent trend of hash tags becoming viral were- Tarkariwaali, Hanumanji, Lokman, Kulman, Sumanbhai, Kanchan Sharma. The issues over Kanchan Sharma's television interview and lately Prime Minister's property details created furor in Nepali social media.
- Interestingly, Prime Minister Pushpa Kamal Dahal had expressed his annoyance at the comments posted about the government's performance on social media. He called upon real journalists to help the government by finding some ways to make people responsible to their expressions at a program.

### **Impunity Watch**

Adding another dimension to the regular report, Freedom Forum conducted a study on legal status of journalists/media persons murdered and disappeared from 1996 to 2016 and found that more than two-third of the cases relating to media persons' murder were not investigated.

Murder cases of Ishwor Budathoki (RSS), Kumar Ghimire (Janaprabhat weekly), Dev Kumar Acharya (Janadisha daily), Raj Kumar KC (RSS), Rohan Chaudhary (Jaleshwornath FM) have neither been investigated nor any process forwarded. Similarly, murder cases of Gopal Giri (Nepali Patra), media entrepreneurs Jamim Shah and Arun Singhaniya are still under investigation.

*Though very late, a convict of Arun Singhaniya's murder was held into custody for further investigation on 1st December 2016. Earlier Nepal police, after six years of the murder of media entrepreneur Arun Singhaniya from Janakpur, a city in the southern plains of Nepal, proved that suspended member of parliament (MP), Sanjay Sah, was the mastermind.*

*Held in connection with another crime- bomb blast in Janakpur city, the police investigation revealed that he was the mastermind behind the murder of media entrepreneur Singhaniya. Singhaniya was the chairperson of Radio Today Communications Group. The police investigation further disclosed that four other persons – Chandra Dip Yadav, Yongendra Sahani, Om Prakash Yadav and Mukesh Chaudhary- were also involved in the murder. Singhaniya was shot dead at local Shiva Chowk of Janakpur city on March 1, 2010.*

## **Policy Watch**

The Ministry of Information and Communications has sent the **Directive on Operation and Management of Online Media** to the Council of Ministers for approval after the revision. Earlier, the Directive had drawn flak over its various provisions that were against freedom of expression, e.g. government could block websites if they failed to renew their registration on time, and published content against the law. As per the directive, one needs to register online media before launching it, that is to say, any website that wants to do online journalism should apply for registration with details of editor or broadcasters. After the freedom of expression defenders and practitioners arguing that at a time when the online media are gradually becoming quick, convenient and the major source of information to the people living even in the remote areas of the country; government's move undoubtedly tried to silence such new media, the Ministry was bound to withdraw and revise the Directive.

The government approved the **National Mass Communications Policy** in July 22 after the Council of Ministers gave its nod to the draft prepared by a high-level committee. Despite having representation from different sectors (21 members) in the high-level committee the policy is yet to internalize the democratic values. It has failed to duly address the issues relating to internet-based media. The '*registration*' of the internet-based media discourages freedom of expression on the internet. The internet-based media has been treated differently from the print media which is wrong. The Policy has also failed to duly mention the transformation of State-run media- Radio Nepal and Nepal Television- into the public service broadcasting, which is long advocated agenda for media reform in Nepal.

Other serious issues to address positively are frequency distribution, license, role of state-owned media, Press Council's role, social accountability, investment on media industry, etc.

Against the spirit and principles of the freedom of expression, **Press Council Nepal has planned to conduct license exams for the journalists**. It is quite ridiculous to make one take exam to become a journalist, because the qualification tests of journalists can be conducted by the concerned media houses. It is the media house's right to determine what sort of human resources is required for it. As the Council is the State-run body, it is highly likely that only those

favouring government can be journalists which is fully against the freedom of expression principles and practices.

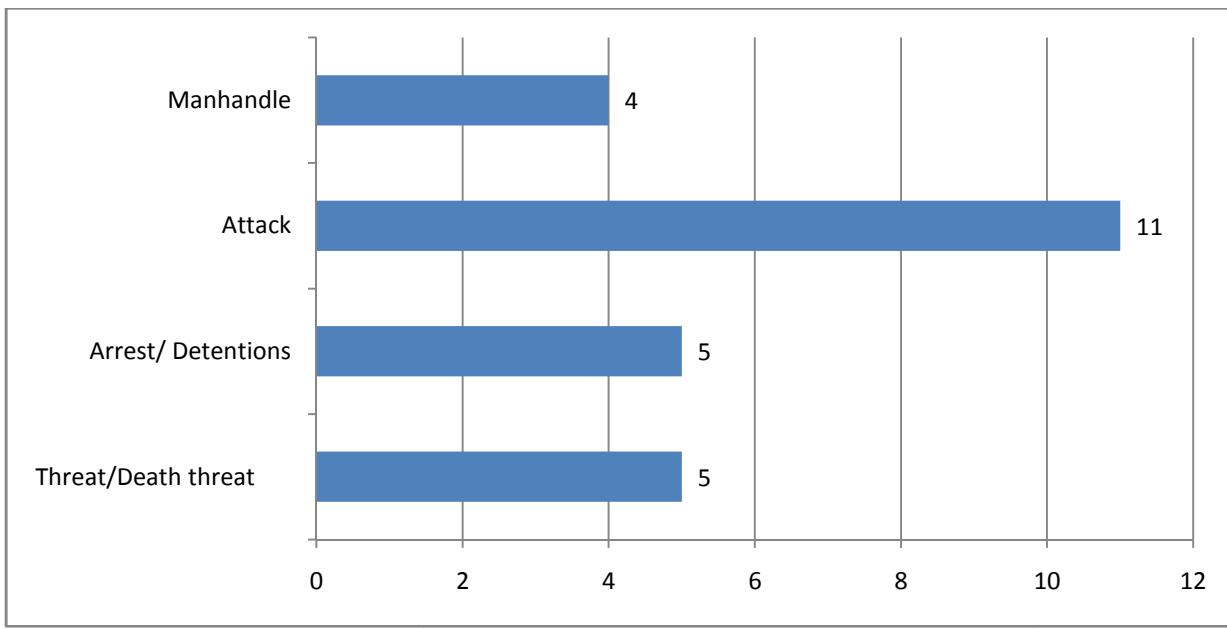
**To a positive development,** the procedure for implementing the provision providing 50 percent discount to working journalists having ID Cards issued by Department of Information for treatment in government hospitals is on the final stage.

Similarly, the government fixed the minimum monthly wage of working journalists at Rs 19,500 to be effective from 16 July. The government made this decision after the recommendation by the Minimum Wage Fixation Committee. Earlier, the minimum monthly wage fixed for the working journalists was Rs 10,008. It is an achievement for the working journalists. Its effective implementation helps in journalists' financial security.

### **To conclude,**

- Lesser the political agitations, fewer the press freedom violations,
- Political parties need to instruct their cadres and local leaders to respect journalists, and so is the case on security agencies,
- Efforts from State sides are essential to address impunity relating to crimes against journalists, which would help discourage intimidations against journalists and create atmosphere conducive for free and fair journalism and free flow of information,
- In case the current differences of political parties on pressing issues of federalism continue, the agitations in the local levels would put the media at the receiving end,
- Journalists' eagerness for better news would not only hone skills but also contribute to media professionalism,
- Section 47 of Electronic Transaction Act is still a threat to freedom of expression.

## Press Freedom Violations during a Year 2016



**Total Violations= 25**

**Total No. of Journalists Affected = 75 +**

## Which Province, How Many Violations?



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