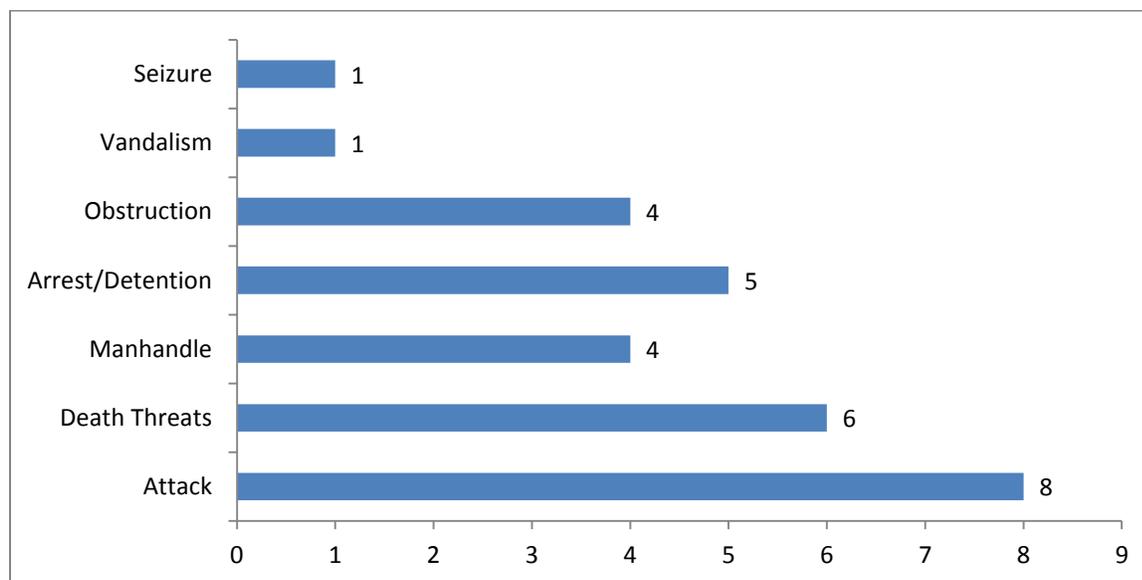


## Anti-Press incidents decline; Policy environment still regressive

This year (2016 May to 2017 April), the country saw relatively improved atmosphere for press freedom resulting in significant decline on number of intimidation against media/media persons, thanks to less number of political agitations. As in the previous years, those to fuel intimidation-attack, death threats, threat, manhandle, vandalism- are the local level political leaders and cadres and the security employees. With the internet-based media growing gradually, they are likely to be targeted more in the days to come. Similarly, though State agency seems active to introduce new policy and directive to bring reform in the media sectors in line with the changed system, the un-accommodative nature of State actors needs change to improve press freedom.

Freedom Forum recorded a total of 29 incidents of press freedom violations which affected 80 media persons across the country in the monitoring time of 2016 May to 2017 April. Compared to the last year, it is the improvement, for 59 cases of violations were recorded last year, in which more 100 journalists were affected. This year, there were 12 cases of attack/manhandle, which is followed by death threats, 6; and brief arrest, 5.

### Press Freedom Violations during a year (May 2016-April 2017)



- Among all, Province No 3 having the capital city Kathmandu recorded highest number of violations (15), where Kathmandu Valley itself witnessed 13 incidents. Province No 3 is followed by Province No 2 with the violations numbering 9. It means the more the media concentration, the more the press freedom violations.
- This year, 4 cases were found related to Internet-based media, which includes online news portal blockade and journalists' issued threats through social media (Facebook).
- A total of 6 cases of violations occurred while journalists were covering protests carried out by the political cadres or their youth wings.
- Moreover, 9 out of the total cases recorded were caused due to the security and government bodies' hostility to media persons while, while political cadres involved in 4 violations.

### **Policy watch**

***National Mass Communication Policy:*** The government approved the new National Mass Communications Policy-2016 on July 22. The meeting of the Council of Ministers approved the Policy -2016.

It was a positive step that the government brought the new policy on media at a time when the country has ushered in the changed political and constitutional set ups.

However, the points as **negative restrictions, no mention of foreign investment in Nepali media, failure to link policy with the citizen and social accountability of the policy, baseless allocation of radio frequency**, non-accommodative nature of the policy as not mentioning well about film, editorial independence, relations between publisher and reporter in a print media, little mention of social media, need of registering internet-based media, are issues of concern.

***Press Council's plan to conduct license exam for journalists:*** Press Council Nepal, a State agency to see code of conduct on journalists, brought a preliminary draft of the Journalists' Code of Conduct-2016. The efforts were made by the Council to classify journalists and making journalists to take eligibility exams signals State may control media and journalists, which doesnot suit democratic practice, as it **violates freedom of expression.**

**Wages of Journalist:** It is a **positive step** that the government had fixed monthly wage of working journalists at Rs.19, 500 in minimum to be effective from 16 July 2016. The government made this decision after the recommendation by the Minimum Wage Fixation Committee. However, it needs proper implementation.

**Online Media Directive:** Online Media Operation Directive 2017 was published in the gazette on March 20, 2017, which is without any fundamental difference from the earlier version.

The Directive was brought under the Good Governance (Management and Operation) Act-2007 which suggests that the government has taken online media only as a medium for good governance and as a government entity to deliver service rather than as a vibrant medium to boost the practice of freedom of expression and bring citizen's voice in the main stream.

**The Directive is oriented towards control of internet-based media.**

Even a writ petition was filed at Supreme Court against the Directive issued on March 26. The petition demanded the SC to repeal the Directive, arguing that it was against freedom of expression, right to information and the constitutional provisions.

### **Impunity Watch**

*It is laudable that impunity relating to the crimes against journalists is being addressed though slowly,*

District Court Dhanusha issued a decision to remand an accused of Arun Singhaniya's murder- Sanjay Saha- to custody on December 1, 2016. Judge Deepak Kumar Dahal issued the order on the basis of evidences presented. Singhaniya was the Chairperson of Radio Today Communications group. He was shot dead at local Shiva Chowk of Janakpur city on March 1, 2010.

Janakpur High Court upheld the District Court Dhanusha's decision of life imprisonment to murderers of journalist Uma Singh. In the verdict issued on March 15, three convicts of Singh's murder- Nemlal Paswan, Umesh Yadav alias Swamiji and Singh's sister in law Lalita Devi Singh were sentenced life imprisonment with confiscation of entire property.

Despite this, the cases of crimes against journalists (killing and disappearance during the armed insurgency in Nepal) are waiting justice, for long.

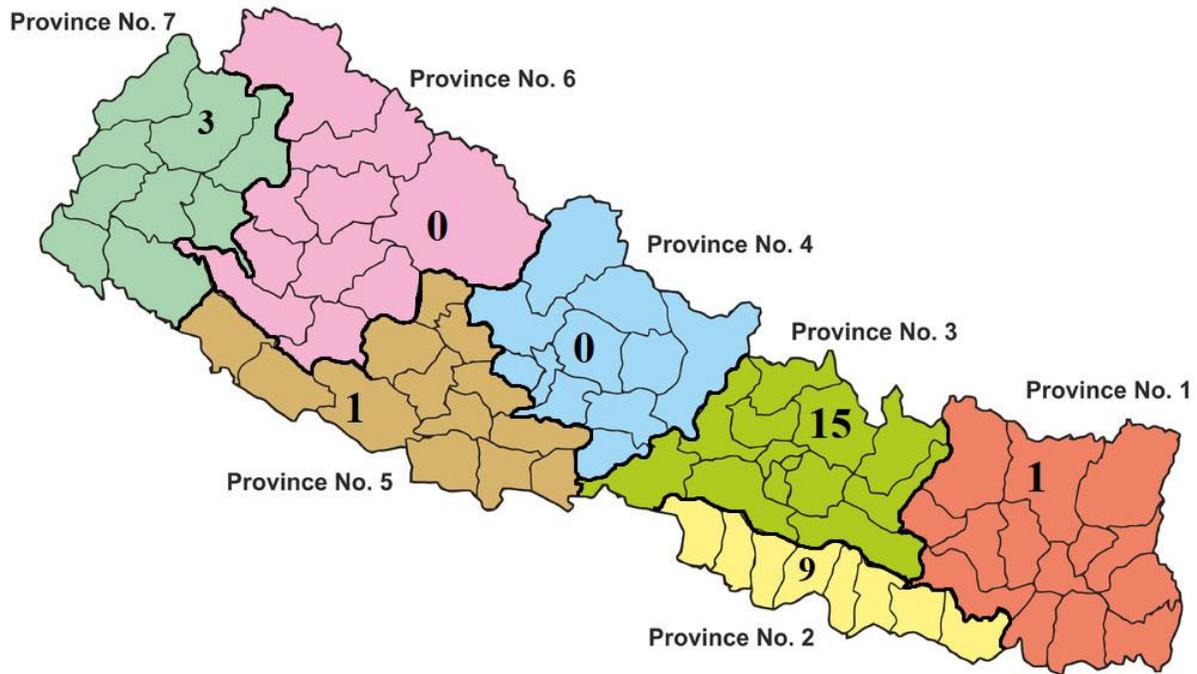
### **Some highlights**

- A news portal *newssewa.com* operated from Kathmandu was blocked in February 2017, over the news it published. News was about an effort of a senior police official- Deputy Inspector General (DIG) to hide own misdeeds. Two other websites- *arthiknews.com* and *karnalikhobar.com* were also blocked by the Nepal Telecommunications Authority (NTA) upon the request of Nepal Police. Latter two media were blocked also on the similar reason, FF believed.
- A team of journalists was threatened by Suresh Chandra DC, Assistant Forest Officer, through Facebook on February 3, 2017 over a news story on massive illegal deforestation in Joroyal area of Doti published on many newspapers and online news portals. Doti is the district which lies in the far western region of Nepal.
- Correspondent with Image Television channel and *setopati.com*, Anil Tiwari, was attacked by police persons while reporting a protest against Parsa District Court's verdict on 1 December 2016.
- A petrol bomb was hurled against a group of three photojournalists namely, Keshav Thapa of The Kathmandu Post, Shreedhar Poudel of Online Khabar and Manoj Thapa of Metro FM 95.6 by an unidentified gang on March 28. The attack took place while they were reporting on the clashes between Police and various student unions protesting against the Free Student Union's election at Ratna Rajya Laxmi Campus in the Kathmandu Valley.
- The Film Development Board Nepal denied the approval for the development of a movie named “Gajabaja”, directed by Ganesh Dev Pandey (Tuka Entertainment) merely because of its 'title' (Gajabaja). Director and the producers of the film shared the information with Freedom Forum that FDB denied approval to the film arguing that the term 'gaja' (marijuana) would promote marijuana. Gaja is contraband in Nepal. The FDB refused to recognize the film merely because of its title, they said, adding that it was denied production since February 2016. When the line ministry was inquired about this, it too said the word 'gaja' could be omitted, as it would not give good message.

## **Conclusively,**

- Although political parties and free press are equally important pillars of democracy, the lack of political culture among the political parties/leaders and their cadres, resulting in hostility to media is a serious problem. Unless the local cadres are made aware of the importance of free press, the media persons are continuously at the received end of uncultured politics. The written commitments of the political parties to free press need to materialize into practice.
- Low media literacy among the public and among the security persons especially the low level police persons draws similar concern that they are not receptive to journalists' right to free reporting. When security persons fail to segregate journalists from protest, the number of attack on journalists rises quickly. Here is the need of proactive role from State to protect and promote press freedom.
- With the rising use of internet-based media and their easy and quick accessibility, suppression of such media is highly likely by the State. Role of the internet-based media for free expression need to be internalized to improve democratic values.
- As the news of the disclosure of the financial irregularities and administrative malfeasance are most sought by the journalists, these issues are of course of the headache to the public officials. The antagonistic behavior they mete out to the journalists can be changed once they practice transparent and accountable governance.
- The Government while formulating the media policy needs to embrace the complete principle of freedom of expression, so that it would help pave way to guarantee free press.

**Which province, how many violations?**



**End**