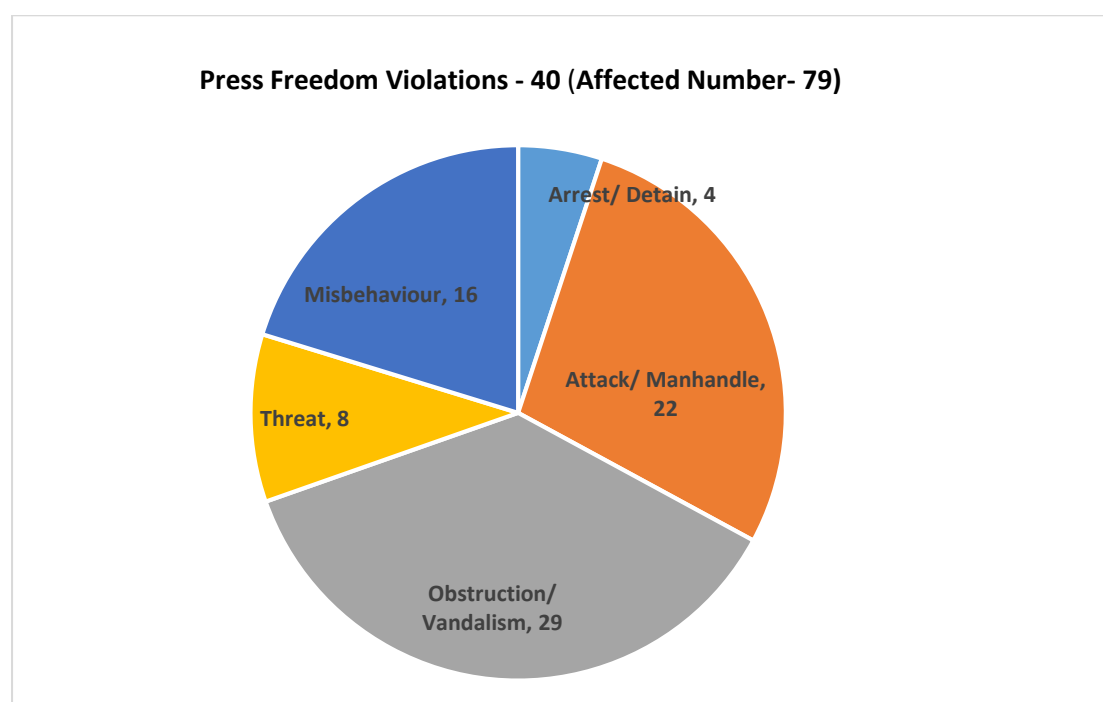


Attack on Press Freedom Unabated

In 2022, Nepal had a huge democratic exercise- largely peaceful conduct of elections at local, provincial and federal levels. At a time when such democratic exercise was on the one hand, another pillar of democracy- press freedom- could not remain free and unchallenged. Intimidation continued against free reporting and publishing contents. With rapid shift towards digital sphere, Nepali journalists remained prone to threats on online space. Absence of policy and law making for free press was equally pressing. Total number of press freedom violations decreased during this monitoring period, but intimidation trend is intact. In 40 incidents of violations recorded from May 2022 to April 2023, 79 media persons including eight female and four media houses were affected. In the previous year, 96 media persons were affected in 55 incidents of violations.

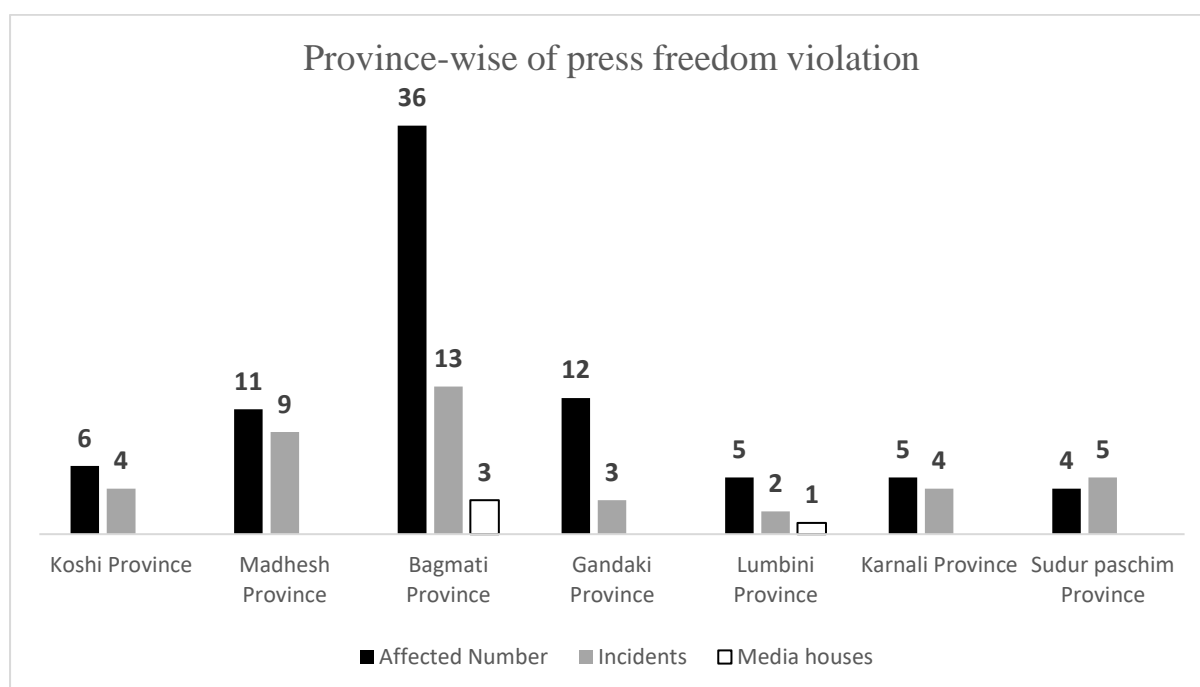
1. Facts and Figures



- Out of 79 media persons affected this year, 29 faced obstructions/vandalism, 22 were attacked, 16 were abused verbally or misbehaved, eight received threat or death threat and four were arrested/detained. Similarly, three media houses were attacked, and one vandalized. This report is based on Freedom Forum's regular press freedom monitoring. Detailed information is available in www.nepalpressfreedom.org

- Looking into the data on affiliation of media persons, 16 are affiliated to television, 12 are associated with online news portals, 11 each with newspaper and radio and remaining 30 mentioned under 'others' category include news agency, online television, YouTube channels, etc. Likewise, affected media are Radio Banglachuli, Avenues Television, www.onlinekhabar.com and www.ukeraa.com.

- The highest number of incidents took place in Bagmati Province (13) with majority in the federal capital, Kathmandu (9) which affected 36 media persons and three media houses. It is followed by six journalists in Koshi Province, 11 journalists in Madhesh Province, 12 journalists in Gandaki Province, five journalists and one media house in Lumbini Province, five journalists in Karnali Province and four in Sudurpaschim Province.



- In majority of incidents, journalists were affected by security agencies followed by political cadres and civil staffs. Out of four media houses, three were attacked by the political cadres.

2. Some major incidents

- Ward Chair at a rural municipality in Parbat threatened journalists to cut his fingers and break hands and legs for writing news about him at the voting center on the day of election. He also accused the journalist of defaming him during the election.

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- The contents published on the news portal www.ukeraa.com were deleted and replaced with irrelevant contents. Total five news stories- about a citizenship and passport issues of newly established political party Rastriya Swatantra Party and its coordinator and a cooperative involving then Vice President's son - were deleted as many times as they were uploaded.
- On the run up to the election, senior journalist Kishor Nepal's mobile phone was blocked and social media accounts hacked. Although the mobile phone was opened after some days, the social media accounts were blocked for long.
- Journalist KP Dhungana received abusive and threatening messages on his social media posts after he posted a video questioning one of the leaders Rabi Lamichhane about his Nepali citizenship.
- Journalist and right to information activist Kailash Majhi was arrested and charged under indecent behaviour for his critical reporting about local leadership in Saptari. He was arrested for seeking information on activities of a construction consumer committee in the district using RTI. He was released after four days with Rs. 1500 bail amount.
- Speaker of the House of Representatives, discredited journalists saying 'they were on hire during his meeting with a delegation of the Federation of Nepali Journalists on formulation of media related laws and policies.
- Election Commission Nepal ordered an online news portal to remove its content related to a contestant for election which as per ECN violated the election code of conduct.
- Press Council Nepal sought justification with the Nagarik national daily for publishing a cartoon featuring the former prime minister and leader on the daily.

3. Impunity Update

A case of media entrepreneur Arun Singhaniya was addressed in the past year 2022. Janakpurdham High Court sentenced life imprisonment to the Sanjay Kumar Saha who was declared the mastermind of the murder of Singhaniya on September 21, 2022. It has been nearly two decades since the signing of Comprehensive Peace Accord but transitional justice process shows no progress. Moreover, government's adamant to pass the transitional justice bill as it is and citizen's outcry to amend the bill has almost halted the justice bodies to look into cases of impunity for crimes against journalists too.

4. Law/ Policy Watch

Bill formulated to amend Transitional Justice Act was widely criticized for depriving the victims from justice. Though the government is preparing to pass the bill without any changes, human rights activists and victim families have been demanding the government to withdraw the bill and amend it in line with the international human rights standard and Supreme Court order.

Similarly, Public Service Broadcasting Bill after being endorsed by the National Assembly is currently in the House of Representatives on April 6, 2023. According to media experts, the bill allows government to control over state-owned media if passed as it is. Freedom Forum

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along with other civil society organization has been lobbying with the government to amend the bill as per international PSB standard.

The National Cybersecurity Policy recently brought forth by the government also drew serious attention of the digital rights activists and FoE defenders. Though it is a good practice that the government has sought for public opinion on the draft and asked to furnish any recommendations on the policy, the policy lacks human rights friendly provisions. On this, FF has also provided preliminary recommendation and if the recommendation is addressed, it would help ensure FoE friendly cyberspace.

5. Major Trends

Discrediting media by the House Speaker, despite holding an esteemed public post, reflects the people's representative's perception towards media. Such statements have discredited and devalued professional journalism and media fraternity in the nation.

Issuance of warning letter by the media regulatory body, Press Council Nepal, to media house to justify their content in the run up to election is another worrying trend observed this year. The state agencies must not be motivated politically against press freedom.

Media fraternity faced digital surveillance during elections last year. The Election Commission of Nepal (ECN) had to be made aware repeatedly to not take any move that breached free press. The overarching election code of conduct hassled Nepali media. The ECN ordered an online news portal to delete its content, bypassing the legitimate procedure of reporting to the Press Council Nepal. It was clear digression from jurisdiction that panicked free press.

Another upsetting aspect was that the bill session of the new parliament failed to bring any important bill relating to the press freedom and journalists' rights. The parliament had direct impact of political wrangling.

Nepali media also faced digital attack on its content during election. This was one of the serious attacks which was blatant violation of data privacy, free press, free expression and information.

Although the number of press freedom violation declined this past year, the trend of intimidation on free press, anti-press attitude among public agencies and officials is intact.

6. Few Projections

In the wake of increasing activities of public and media in digital platforms/online, the chances of attack on media persons and press on cyberspace is high.

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Digital/cyber surveillance on investigative journalists, independent thinkers and free press would grow in the days ahead. So, all journalists must be digitally equipped with necessary skills and knowledge to exercise rights safely.

A substantial discourse is needed in media landscape on how Artificial Intelligence would impact on Nepali media persons and press freedoms.

Nepali press and media persons are likely to witness impact of populist politics. So, they need to aware of adverse political wave to ensure free, independent and professional media.

Similarly, another discourse essential at present is the financial sustainability of media houses in the face of crisis which would put press freedom at receiving end.
