

# END IMPUNITY CAMPAIGN

## (REPORT ON INTERNATIONAL DAY TO END IMPUNITY FOR CRIME AGAINST JOURNALISTS-2018)



FREEDOM FORUM

NEPAL

NOVEMBER, 2018

## CHAPTER -1

### 1. CONTEXT

*The International Day to End Impunity for Crimes against Journalists is an UN-recognized day observed annually on 2<sup>nd</sup> November. The day focuses on encouraging the media workers and journalists to talk about their issues of safety, struggle and impunity stories among government and non- government actors, and public. The Day is marked across the globe in a bid to raise awareness on journalists' rights, express solidarity to the campaign of journalists' safety and advocate for justice to the victim journalists and media persons in order to end impunity for the crimes meted out against them.*

*In Nepal, Freedom Forum observed this day by organizing programs in all seven provinces and in Kathmandu where stakeholders from various sectors were the attendants. Two journalists working on the investigative reporting and showing courage to work despite hostility were honored amid the program organized in Kathmandu on November 2. Also, the program became platform to share stories about the atrocities faced by victim family of the slain and disappeared journalists who pleaded the government to end the impunity, so that they could feel justice.*

*In Kathmandu, the event brought together 93 persons working in diverse sectors. Mr. Anup Raj Sharma, Chairperson at National Human Rights Commission was the chief guest for the program along with the special guests such as Ramesh Bista, General Secretary, Federation of Nepali Journalists, Harihar Birahi, Ex-President, Federation of Nepali Journalists, Ex-Chair, Press Council and Coordinator of Prize Selection Committee, Manchala Jha, Member, Truth and Reconciliation Commission, Subodh Raj Pyakurel, Chairperson of the Informal Sector Service Center (INSEC). Also the program was extended to the provincial level where 7 different programs were organized in 7 provinces along with the documentary screening session in each provinces.*

### 2. PROGRAM OBJECTIVE

After the documentary session, FF Executive Chief Taranath Dahal welcomed everyone highlighting on the objective of the program. Mr. Dahal shared the fact that journalists have gone through tremendous





hardship for the institutionalization of press

freedom in Nepal. He remembered those who lost their lives during conflict and stressed that the victims and their families are desperately waiting for justice. He welcomed the daughters of slain journalists in the program who were present in the program to share their stories.

He said that anyone who wishes to bring forward the voice of justice has to go through many problems.

The Executive Chief also welcomed two commendable journalists who contributed to the field of right to information, journalism and freedom of press. He also shared the information about the history of the recognition of the “International Day to End Impunity on Crimes against Journalists”. The Day is marked in commemoration of the deadly attack and killing of 32 media persons and journalists named as Ampatuan Massacre (also known as Maguindanao Massacre) in Philippines in 2009.

### 3. DOCUMENTARY SCREENING

A documentary named 'Impunity Plagues Media' was screened on the occasion. It highlighted the status of country's slain and disappeared journalists in two decades since 1996 and the struggles the families of the slain and disappeared journalists underwent. The documentary screening was also conducted in 7



provinces so that it could reach to the newly formed provincial and local level government and journalist from respective places.

### 4. AWARD DISTRIBUTION

Amid the program, two journalists were awarded for their contribution to right to information and journalism with



the use of RTI and stories of corruption and irregularities.

Senior correspondent of the Himal Khabar Patrika weekly, **Mr Ramesh Kumar**, was awarded with the **INVESTIGATIVE JOURNALISM AWARD** for his riveting investigative stories that have exposed the financial irregularities affecting development activities, and pointed out the weaknesses and flaws in State policies and practices that suffered the people much and made aware the concerned stakeholders.



Similarly, senior journalist/ RTI activist, **Mr Ram Bikash Chaudhary**, was awarded with the **COURAGEOUS JOURNALISM AWARD** for his relentless efforts at local levels to help build good governance through the use of RTI and journalism despite

hostility.

On the occasion, noted journalist Harihar Birahi, who was the coordinator of the prize selection committee highlighted why the journalists were chosen for the award.

Chief Guest Chairman of the National Human Rights Commission, Anup Raj Sharma, awarded the journalists with the prize token money as well as certificate of appreciation.

## 5. CAMPAIGNS

The program for November 2 was organized after conducting various campaigns on social media sites, media talks on TV and FM radio and publishing press release on various news outlets. For the program, the pamphlets were printed with the message "End impunity for crime against journalists". Along with the pamphlets, badges were distributed among the participants with the same message. Before the beginning of the program, news channels were informed for the television coverage.

Before and after the program, information and updates were massively shared through Freedom Forum's social media pages such as Facebook, twitter, etc. The documentary prepared was also reposted and circulated through YouTube. The overall publicity

campaign was performed in order to inform people from wider area about the International day to End Impunity for crime against journalists.

## 6. STORY TELLING

### Ms Trishna Acharya

Ms Trishna Acharya, daughter of slain journalist Dev Kumar Acharya 'Kaundinya' and Pabitra Rokka, daughter of journalist made disappeared, Dhan Bahadur Rokamagar, were present at the program to share their stories about the hardship they faced and the struggles they waged at the loss of father.

Ms Acharya said she has been fighting with the hope that truth and justice will prevail.

"My father, Dev Kumar Acharya, was brutally (literally "brutally") killed during insurgency. There

were three deep cuts in his chest and his toe was fractured. My father died once but we are dying every single day. My brother fled away from school and home. Sister is in post-traumatic phase. Mother is also struggling to cope up with the death of my father emotionally as well as financially. She has started a cottage industry named "Ganga Jamuna Udhog" which was again closed by political backstabbing" she shared.

She asserted, "The culprits are freely roaming around. I used to share a very strong bond with my father and this incident has left me with sleepless nights in the hope of justice."

Trishna was accompanied by Uma KC, daughter of journalist Rajendra KC, and Sabbu Sharma, daughter of Nawaraj Sharma whose fathers were also killed just for being a journalist.

She shared that the families of the victims were pushed to more emotional, social and psychological vulnerabilities.

Acharya reminded her father as a conscious and progressive writer. "When will justice prevail," she questioned, ending her views.





## Ms Pabitra Roka Magar

Ms Roka Magar shared that her father Dhan Bahadur Rokaya was killed by then rebel force, Maoists, and his whereabouts is still unknown.

"I was only five year old- too young to know the things- when this incident took place. As I grow up, I have come to realize the trauma my family underwent. Many requests were made, but

whereabouts of my father is still unknown," he recounted.

She wailed that no relief was provided to her family from any side. So, her mother was sole bread winner in the family. "However, I still have the hope for justice, Roka Magar broke into tears while speaking.



## 7. SPEECH

### Mr Chiranjivi Khanal, Head, Journalism and Mass Communications, Central Department, Tribhuvan University

- The problems journalists face for the free press is prevailing all around the world.
- Freedom of journalists is linked to freedom of society.
- It is appreciative that Freedom Forum organized such programs for raising voice for social justice.
- If constant efforts for addressing impunity are done, then ultimately the view of the society will change.



### Mr Ramesh Bista, General Secretary, Federation of Nepali Journalists

- Many cases of attacks against journalists and media workers have been reported. There are numerous persons who need to be investigated, but no such investigation is done to reach conclusion.
- The political leaders have not been able to bring such culprits to the court. The alarmingly low global conviction rate for violent crimes against journalists and media workers is estimated at one in every ten cases. These wrongdoers should not be left free.
- If there is anything most necessary it is the political will to end impunity for crimes against journalists in Nepal. The voice for social justice must be continued through journalism.



### Mr Subodh Pyakurel, Chairperson, Informal Sector Service Centre (INSEC)

- Development means social justice and human rights too.
- Development depends on democratic behaviour. However, corruption is ever growing.
- Democracy and poverty can never move forward together.



- Cases of present impunity culture have frequently been closed by the court without reaching a just conclusion. So I request the government to come up with a solution for ending this culture.

### Ms Manchala Jha, Member, Truth and Reconciliation Commission

- I was a democratic supporter in the past.
- Journalists are increasingly becoming a target of violence, threats, and murder



around the globe.

- The Commission has not been able to make any improvement in the sector for which the Commission was actually formed. It will not be able to perform well

unless the government and the political parties wish for it. It is in dilemma right now as it has not been able to perform properly.

- I have sent many requests to the higher level, but I have not received any proper responses from them. As many 3,200 complaints were received but still the nature of the complaint cases are not researched and given proper consideration.
- The government has not allocated sufficient budget and employees for the Commission.
- A sum of at least NRs. 1 million is needed for compensation, but the government has allocated only 3,00 thousand rupees for it. With this small budget, the Commission will not be able to provide support. The government has failed to make amendments in the national code.
- Showing sympathy is not enough, justice should be provided to the victims.
- Nepal, being one of the members of the Human Rights Committee, has not been taking cases of impunity seriously. If this continues, the situation in the country will worsen with the passing years.
- Constant reminders to the government and political parties for addressing this problem should be done.



## Mr Tara NathDahal

India and Mexico are one of the countries with good democratic system but these countries have highest rates of impunity. This shows that cases of impunity is not higher in the countries having conflicts, but in those where corruptions is rife and it is being exposed.

## Mr Harihar Birahi, Ex-President, Federation of Nepali Journalists

- We have been struggling for the freedom of press for long.
- By distributing the Investigative Journalism and Courageous Journalism Awards to the aspiring journalists, Freedom Forum is also providing motivation to all the journalists working for the cause despite hostility.
- If the government is not valuing the journalists in the country, the organization like this has recognized journalists for their work and valuable contribution in this sector.
- Journalism is not just an occupation, but is a continuous struggle.
- The people in power have changed, but their nature is still the same. Even though a new government and constitution have been formed, the journalists are still facing tough times.
- Change will not take place unless the behaviour of the government changes. So, government's hostile perspective to media must be changed.



## Mr Anup Raj Sharma, Chief Guest, Chairperson, National Human Rights Commission

- Victims of various human rights violations are facing many difficulties every day, but we have not been able to solve their problems.
- Voters choose parties with the hope that their chosen parties would bring some improvement and change in the country, but they eventually come back to the same behaviour of struggling for power.

- Despite having mature democracy, the impunity culture is deep in India too.
- Around 5,000 cases of impunity have been reported, but the government has not been taking such cases with importance.
- Right to privacy is important, but this right is not relevant for works in the public sector. Every work in the public sector should be transparent to the public.
- No journalists can be punished for disclosing the truth for social justice. The case in our country is getting worse with the wrongdoers actually being the ones in power and roaming safely.
- Democratic administration is must to ensure justice.



### Mr Hari Binod Adhikari, Chairperson, Freedom Forum

- The brave voices like that of the daughters of the slain journalists will hopefully work for bringing change.
- Speaking the truth has itself become a challenge in the present world.
- This country has brought new government and constitution but has completely shut their mouth when it comes to speaking about human rights.
- Journalists and media workers are attacked for bringing out the truth and if this continues the impunity culture will never end.
- Crimes against journalists and media workers will not end unless the culprits are punished by the country.



## CHAPTER -2

### END IMPUNITY DAY IN 7 PROVINCES

The program for end impunity for crime against journalists was extended to the provinces of Nepal in order to make it more impactful and effective to sensitize the government to address the impunity against journalists.

#### Province 1

"Province 1 government is positive to protect and promote freedom of expression. The government is serious towards journalist's physical and professional safety," said Minister for Internal Affairs and Law, Hikmat Karki, as the Chief Guest of the program.

Chief District Officer of Morang, Ramesh Kumar KC, said State agencies were sensitive towards journalists' safety.



Chief of Province 1 Police Office, Deputy Superintendent of Police, Kedar Rijal, expressed that police was also ready to cooperate with other State agencies to ensure safety to journalists.

#### Province 2



Province No 2, on November 12, brought together 25 persons from media, administration, security agencies, and human rights. The Chief Guest at the program was Province's Minister for Internal Affairs and Law, Gyanendra Kumar Yadav. The Minister argued that Province 2 would be media friendly. "Journalists are always for democracy; they write for those in

injustice.



### Province 3

In Province No 3, the International Day to End Impunity for Crimes against Journalists was marked by organizing a program in the province capital, Hetauda, on November 15. As the Chief Guest, Minister for Internal Affairs and Law in the Province, Shalikram Jamakattel, suggested that even the journalists need to change their behaviour and become independent.



### Gandaki Province (Province 4)

The Gandaki Province organized a program marking the International Day to End Impunity for Crimes against Journalists in Pokhara on November 14.

In the program, Province Chief of the National Human Rights Commission, Dipakjung Dhwoj Karki, warned that if the impunity related cases are reconciled, the impunity would be further deepened.

"Attack on journalists is the attack on citizen's voice," senior journalist Ramesh Poudel noted.



### Province 5



In Province No 5, the day was marked at Ghorahi, Dang. Chief Minister of the Province, Shankar Pokhrel, said the feedback Freedom Forum had given would be incorporated in the mass media policy. A total of 45 people gathered to celebrate the Day. "None can attack and threaten journalists

merely because of their news," he asserted.

Similarly, National Assembly member Anita Devkota opined that media needs to relay the information from public to government and government to public.

House of Representative member Hirachand Thakuri said as crime is politicized, those involved in crime are not taken action, which results in impunity.

### Karnali Province (Province 6)

In Karnali Province, a program was organized to mark the Day in Birendrangar on November 14.

On the occasion, Province Minister for Internal Affairs and Law Naresh Bhandari said, "Province government is committed to end impunity relating to crimes against journalists." He further viewed journalism is a watchdog in democracy. However, it is not free of risk, he added.



A total of 36 persons from administration, security agencies, media, rights defenders, participated in the programme.

### Province 7

At the program attended by Chief District Officer, chiefs of security agencies, civil society representatives, legal practitioners and media persons in Province No 7 on November 28, the speakers admitted that the impunity relating to crimes against journalists was yet to be ended. "In order to end impunity, all sides need to play cooperative role," said CDO Mohan Raj Joshi, adding that even the irregularities within media sector should be ended.



Similarly, regional coordinator of Federation of Nepali Journalists, Min Bam, accused that State of gagging press freedom. "Dozens of incidents against media are waiting justice," he argued, adding that the self censorship psychology has plagued media persons, which is detrimental to free press.

The documentary FF had produced on the media persons killed and made disappeared from 1996 to 2016 was shown in all programs.

## CHAPTER -3

### CONCLUSION

The program in the central and province level convey the following conclusion:

#### 1) Documentary

- Documentary screening at the central and provincial program helped for creating awareness about the issues of impunity faced by journalists.
- The documentary successfully updated the status of slain and disappeared journalists' families.
- It was a way to prod the government bodies to take impunity issue seriously.

#### 2) Award

- The award provided to the journalists working in the investigative and RTI sector is highly recognized among the media fraternities.
- The award distribution was taken as an innovative step and well received by the media sector.
- It is highly recommended that the award should be continued to encourage the journalists to work actively in their profession.

#### 3) Political and government sectors

- The program received mixed review from the ministries and authorities.
- Some of the provincial ministries committed to take issues related to impunity seriously and address them.

#### 4) Media fraternity

- Media fraternity took the program as an opportunity to discourse the impunity and safety issues among them.