

The Freedom Frontier

PRESS FREEDOM IN SOUTH ASIA 2014-15



THIRTEENTH ANNUAL IFJ PRESS FREEDOM REPORT FOR SOUTH ASIA 2014-15

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Afghan Independent Journalists' Association
 All India Newspapers Employees' Federation
 Bangladesh Manobadhikar Sangbadik Forum
 Federation of Nepali Journalists
 Free Media Movement, Sri Lanka
 Indian Journalists' Union
 Journalists Association of Bhutan
 Maldives Journalists' Association
 National Union of Journalists, India
 National Union of Journalists, Nepal
 Nepal Press Union

Pakistan Federal Union of Journalists

Sri Lanka Working Journalists' Association

<https://samsn.ifj.org/map/> provides a listing of all known cases of media rights violations from 2014

South Asia Media Solidarity Network (SAMSN)
 – Defending rights of journalists and freedom of expression in South Asia
samsn.ifj.org/



THE FREEDOM FRONTIER: PRESS FREEDOM IN SOUTH ASIA 2014-15

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Cover Photo: On March 24, 2015, India's Supreme Court ruled that Section 66A of the Information Technology (IT) Act contradicted the rights of freedom of expression after a massive media and legal campaign across the country.
Credit: Strdel/AFP

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FOREWORD

When it comes to the battle for freedom of expression and defending the rights of independent journalists, few could downplay the pressure and intensity of the media scene in South Asia. It is a region that is vibrant both in terms of the sheer number and diversity of media outlets and in the passion of the journalists at work. But it is also incredibly challenged on multiple fronts when it comes to journalist safety and the continuing aggressive controls placed on freedom of expression.

This 13th annual review of journalism in the region, *The Freedom Frontier: Press Freedom in South Asia 2014-15*, explores the frontlines, both old and new, that continue to shape and define the region's media development and in many ways thwart ongoing efforts to build a robust media environment. It is our biggest report to date and brings together analysis and specialised chapters on key areas such as the fight against impunity, reporting in conflict zones and gender equity in the media.

What is clear from the strong reports gathered from across the region is that freedom to express is being limited. So too, constitutional guarantees on independent media continue to be weakened by contradictory laws intent on silencing oppositional voices or views interpreted as being threatening or undermining state security. Amid and in spite of all that, thousands of media workers across the seven countries reported remain doggedly focussed on presenting the story. Often at great personal risk, they are defending the public's right to know and the right to

access information. Importantly, journalists are taking their battles to the courts, online and to the streets and they are harnessing digital tactics to build campaigns and solidarity with their colleagues in the region.

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The year under review in this report (May 2014 to April 2015) shows that journalists and media workers remain victims and, too often, targets in the deadly power struggles on which that they report. Within this time period, 14 journalists lost their lives, mostly in targeted attacks. Pakistan was the world's most deadly country for journalists, while Afghanistan experienced heightened levels of violence and a spike in journalist killings leading up to and after the country's protracted presidential election. Bangladesh has also carved a bloody name as a deadly arena for journalists, particularly for those operating in the online space. The year witnessed a rise in religious extremists in Bangladesh brutally murdering and targeting journalists and bloggers in their homes and on the street.

The digital realm is the newest frontier of conflict for press freedom but it also presents tremendous opportunities for informing, connecting with audiences and in harnessing



US-Bangladeshi blogger Avijit Roy was brutally murdered in Dhaka in February 2015. Following his death, hundreds of Bangladeshis held vigils and protests across the city condemning his murder. *Credit: Munir Uz Zaman/AFP*



The South Asia Media Solidarity Network (SAMSN) and the SAMSN digital hub provide a critical space for the region’s media journalists to express themselves, exchange good practices and share ideas in freedom of expression advocacy. The annual SAMSN networking meeting in Kathmandu, Nepal, in July 2014. *Credit: IFJ*

regional solidarity and action. This report explores some of the battles won, such as the concerted campaign and victory that rid India of the controversial Section 66A of the Information Technology (IT) Act, and some of the mighty battles ahead to stop new laws and censorship that inhibit the flow of information.

As journalists in South Asia continue to build monitoring networks to combat violations in their work, they must also equip themselves in the online realm to work and campaign effectively and securely.

In our gender chapter, we clearly document how women journalists in South Asia are a critical and growing voice in the media. Yet while more and more women continue to join journalism’s ranks, they are also particularly vulnerable as workers, as the highlights of the media and gender research by SAMSN-IFJ in partnership with the UNESCO and UN Women show. The focus on gender and media in South Asia not only spotlights the struggles of women journalists to break into a male-dominated profession, but also showcases best practices from the region. These success stories show how so many women and forward-thinking media companies are working to lead the way in practicing ethical and professional journalism; strengthening their rights and solidarity networks and, ultimately ensuring that gender equity gets a firm footing from media outlets and unions.

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For the first time, the report also features a special focus on conflict zones in the region: Balochistan and Khyber Pakhtunkhwa in Pakistan, Kashmir in India and the Northern and Eastern Provinces in Sri Lanka. Journalists in these hotspots have borne the brunt of decades-long ethnic, political strike and separatist struggles. Many have lost their lives, and the campaign to end impunity gathers strength, fuelled by the memory of our brave colleagues and the determination of that they should not have died in vain.

Importantly, as we explore the newer challenges to journalism, we must remain focussed on the all too real dangers of reporting from the ground and the ongoing campaign against impunity for attacks against journalists. This is a campaign that is gathering momentum and is beginning to engineer results in places like Pakistan and Nepal. But the battle will be waged and won on multiple fronts and can only be dented through meaningful cooperation between media, civil society and governments.

There is no doubt journalist unions and associations and others working for human rights must remain united in their frontline campaigns to this end – both online and offline. The SAMSN and the SAMSN digital hub provide a critical space for the region’s media journalists to express themselves, exchange good practices and share ideas in freedom of expression advocacy.

This report is part of the effort to build regional solidarity to meet the needs of South Asia’s media and is prepared by the IFJ-Asia Pacific with support and inputs from the many great voices and IFJ affiliates that comprise SAMSN.

As we take on journalism’s fights ahead, we hope *The Freedom Frontier* will be a meaningful addition to our solidarity efforts.

Jane Worthington
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OVERVIEW

The past year saw press freedom take a battering on various fronts. Braving threats, attacks, intimidation and even death, journalists in South Asia broke news, told human stories, unmasked the truth and held the powers that be accountable. In a region of immense political instability and insecurity, the region's media continued to do a stellar job of informing the public.

Impunity for the perpetrators of attacks and killings of media workers continues to be a serious concern, with Sri Lanka, Afghanistan, Pakistan and India topping in the list for the number of journalists killed. Last year's South Asia Press Freedom Report, for the first time, focussed on the issue of impunity. This year, we go into greater depth to unravel the problem's various dimensions; map its extent; highlight positive steps and lessons learned. A strong campaign to end impunity is slowly but surely gaining momentum and is greatly needed in order to ensure that those who abduct, attack or kill journalists are brought to justice.

Pakistan led the way in the battle against impunity, not only through judicial action, but also in institutionalising mechanisms to tackle impunity. Two landmark convictions and arrests brought relief to the grieving families of slain journalists Wali Khan Babar, murdered in 2011 in Karachi, and Ayub Khattak, murdered in Karak district in conflict

prone Khyber Pakhtunkhwa. The cases made progress only because of sustained efforts by the families, journalists' unions and pressure groups with cooperation from government and the justice system.

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The judicial commission set up to investigate the attempt to murder eminent television journalist Hamid Mir is part of this movement forward. Further to this was the announcement in April 2015 by the provincial government of Balochistan to set up two judicial tribunals investigating six murder cases of journalists since 2011. It was a welcome step in the right direction, though critics have demanded that the tribunals investigate cases of all journalists murdered, not just a select few.



Journalists in Lahore join the IFJ End Impunity campaign in November 2014. Pakistan is the deadliest country for journalists in South Asia. Credit: PFUJ

Indeed, these steps appear to be the results of a process started in 2013 to set up the Pakistan Coalition on Media Safety (PCOMS), to implement the United Nations Plan of Action on the safety of journalists, bringing together all the stakeholders. Roundtables held at the provincial level with all local governments have indeed provided a fillip to the campaign against impunity. Since the law and order issue is a provincial subject under the Constitution of Pakistan, creating a consensus and getting the commitment of provincial governments has been a huge achievement. The proposal to set up regional offices of a special public prosecutor in provinces where impunity is more serious gives concrete shape to these achievements.

Nepal too made great strides in dismantling impunity of perpetrators of murders of journalists. This includes the significant conviction in the murder of Dekendra Thapa, who was killed in 2004 in Dailekh by Maoist rebels during the 'People's War'. More recently, it was the closure of the case of Uma Singh who was hacked to death in Janakpur in 2009. Convicting the remaining accused sent a clear message that those responsible for killing journalists would be found and would be held accountable.

The virtual world, increasingly a contested arena with contradictory forces of repression, regulation and freedom of expression, saw moments of both restriction and openings. Bangladeshi bloggers paid with their lives for expressing their views online – a space that is becoming ever more threatening for media workers across the region. The brutal hacking to death of Avijit Roy and Oyasiqur Rahman for their 'secular' views is ample proof that the right to free speech is being given short shrift by religious and political fanatics and actors of different political hues. Society itself is moving towards more and more intolerance, with states seemingly standing by as they fail to protect the fundamental right to freedom of expression.

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This combined with ever increasing controls online posed a serious challenge to free speech. In the third year that YouTube has been banned in the country, Pakistan saw a further tightening of controls over cyber space. The selective enforcement of the Pakistan Electronic Media Regulatory Authority (PEMRA) and other criminal laws against media houses, and journalists was an assault on freedom of expression. Suspension of the licenses of Geo News TV and ARY News TV licenses on charges of alleged treason and blasphemy and punitive actions against their CEOs/anchors are just some of the prominent examples of rising aggressive over-regulation.

The PEMRA Amendment Bill 2015, which is currently in the pipeline, requires all Pakistani TV channels to shift their satellite uplinks to the national satellite system and ultimately provides further opportunity for control. Of critical concern is that television channels will not be allowed to broadcast anything deemed to create conflict or misunderstanding between various state institutions. The Prevention of Electronic Crimes Bill, 2015, which is also on the anvil, is another attempt to muzzle free speech. Critics say the Bill is vague in definition of alleged violations but could be used to censor, harass, and punish citizens and journalists at the behest of intelligence agencies, political or government functionaries. Along with anti-blasphemy laws already in operation, the space for independent journalism is getting further cramped.

The trend was similar in Afghanistan, which amended the 2012 Mass Media Law to increase governmental control to the extent that the High Media Council, chaired by the minister for information and culture, would oversee editorial policy.

In Nepal, the Electronic Transaction Act (ETA) was used indiscriminately to muzzle freedom of speech, and citizens were arrested for expressing their opinions on social media. Clause 47 of ETA restricts publication of 'offensive' materials online, but critics say that the definition of 'restricted material' is too vague, allowing for broad interpretations.

In an atmosphere of intensely contested online space, a progressive judicial response by the highest court of India on March 24 was a cause for celebration with petitions challenging the constitutional validity of a provision restricting expression online. Upholding the right to free speech online, the Supreme Court struck down Section 66A of the Information Technology Act, 2000, as "a section which creates an offence and which is vague must be struck down as being arbitrary and unreasonable". The judgement has implications not only for social media, which is gaining ground in the realm of information sharing and opinion making, but also for traditional journalism.

Contempt of court, vaguely defined, is another barrier to investigative journalism and expressing opinion. Not only was David Bergman, a British journalist with *New Age* in Bangladesh, slapped with contempt of court, even citizens who had signed a petition in his support were also charged. In Nepal, a controversial Contempt of Court Bill was moved in parliament, afflicted with the same problem of vague definitions and potential for arbitrary use.

Access to information, which has long been denied to journalists in many countries of the region, has seen some forward movement in some countries. Bhutan's Right to Information (RTI) Bill has been caught in procedural red tape for a couple of years now, but Sri Lanka's RTI Bill might finally see the light of day under the new political dispensation. In Afghanistan, a significant development in Afghanistan was the approval of the Access to Information Act, signed by President Mohamad Ashraf Ghani in December 2014.



Over 40 female journalists were arrested in Telangana, southern India in 2014 when they were protesting against the banning of two television stations. Chief Minister K Chandrasekhar Rao's camp office at Punjagutta against the banning of two Telugu TV channels TV9 and ABN Andhra Jyothi, in Telangana state. *Credit: Twitter*

Bhutan's Right to Information (RTI) Bill has been caught in procedural red tape for a couple of years now, but Sri Lanka's RTI Bill might finally see the light of day under the new political dispensation.

In the Maldives, after ratifying the Right to Information Act last year, President Abdulla Yameen established the Office of the Information Commissioner to operationalise the law in July 2014. This step, however, is of scant comfort given the government's takeover of the public service broadcaster on April 29, 2015. When he ratified the Public Service Media Act, President Yameen also dissolved the Maldives broadcasting corporation and its five member board. Critics view the move as a direct assault on press freedom, which will effectively reduce the state broadcaster to a government mouthpiece.

Job insecurity continues to dog the media in all countries in the region. Mass retrenchment and job losses were seen as the media industry collapsed under the weight of its own ambitious expansionism. Poor and irregular wages and denial of benefits are still the norm in the media industry

in South Asia. The year also saw mass retrenchment in media houses with little warning. In August 2014, 40 media workers at the Guwahati-based TV broadcaster, Focus NE, were laid off in a 'cost cutting exercise'.

A notable victory, however, was the November 2014 Delhi High Court order upholding the 2012 decision of an Industrial Tribunal. The court termed the dismissal of 272 workers by the Hindustan Times group as illegal and ordered their reinstatement with full payment of wages owed. Sadly, since the layoffs in 2004, 13 media workers have died during the struggle for their rights. While the judgement has been a morale booster, the management is likely to go on appeal.

In India, compulsions of the market, politics and the media industry put fundamental ethics of journalism to test with the phenomenon of paid news continuing to blur the difference between news and advertisement. During the Lok Sabha elections in India in May 2014, the Media Certification and Monitoring Committees (MCMCs) set up by the Election Commission confirmed 787 cases of paid news of the 3,100 notices issued to candidates.

Despite the judicial triumph of February 2014, when the Supreme Court upheld the most recent wage award for journalists and other newspaper employees as legally

and constitutionally sound, implementation continued to be inconsistent. The big media houses remain among the biggest defaulters. In June 2014, a number of the employees of the Hindi newspaper *Dainik Jagran*, based in Noida, filed contempt proceedings in the Supreme Court against management. The application to the court was on the grounds of a failure to implement statutory wage scales in a newspaper which claims to be ‘the most widely circulated newspaper in the world’.

Bhutan’s media struggled to survive in a situation of extreme fragility. Many private media houses are almost bankrupt and on the verge of closure. The lack of financial sustainability has forced many professional journalists and editors to leave the industry, seriously impacting the quality of journalism in the country. Yet not a single media house downed its shutters, providing hope that a recovery is possible. Meanwhile, journalists are persevering and working forward to develop the country’s media as best they can, including a significant achievement in developing Bhutan’s first code of ethics.

Pakistan suffered from censorship, punishment and fines for alleged treason and blasphemy to heavy restrictions on broadcast through cable networks. So too, the government tightened the screws on the Jang Group, the country’s largest media group and the single largest employer of journalists in Pakistan. The pressure is believed to be fallout from the assassination attempt on Hamid Mir, a senior journalist with the group, who held intelligence agencies responsible for an attack on him in April 2014. The incident also revealed the sharp divisions in the media community in Pakistan where political affiliations sometimes trump professionalism and solidarity with colleagues.

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In Afghanistan, the period in the lead up to the presidential elections was a tense one for the media. Several instances of violence were recorded in the period of election coverage from April to June 2014. The presidential election in 2014 was one of the longest in the history of the country. The prolonged process, as well as opposition and conflict over results during both rounds, engaged the media while the public was anxious for clarity about the political outcome. In the face of threats, assault, intimidation and pressure from all sides, Afghan journalists attempted to maintain balance at time of great political instability. Despite major breakthroughs in terms of setting up mechanisms to redress violations, Afghanistan witnessed the most number of deaths of journalists in recent years.

The year under review saw the tragic death of 14 journalists in South Asia – most of them in targeted killings. Pakistan, Afghanistan and Bangladesh were the most dangerous places for journalists, with four deaths each. This included a young woman journalist who was stabbed to death in Balkh, Afghanistan, and two gory machete murders of Bangladeshi bloggers. India had four deaths, two of them targeted killings. Photojournalist Shafat Siddique lost his life in the devastating floods in Kashmir in September, while young Dalit journalist Nagaraju Koppula



Zubair Hatamai, a journalist and cameraman for Mitra TV died after a suicide bomb attack in December, 2014. The attack at the Estaqlal High School in Kabul, left Zubair in a coma for 10 days before his death. AIJA leadership were among hundreds of mourners at Zubair’s funeral. *Credit: AIJA*



Sabeen Mahmud, a Baloch media and human rights activist was brutally murdered on April 24 in Karachi. Mahmud was leaving an event where she was hosting a panel discussion about the situation in Balochistan, working with several social activists from the embattled province. She was shot in her car and died at hospital. *Credit: Facebook*

died an untimely death from cancer with little support from his media organisation.

In South Asia, abduction continued to be a method of silencing journalists. Most common in Pakistan, this year the Maldives media community was rocked by the sudden disappearance of one of its own. The whereabouts of journalist and blogger Ahmed Rilwan Abdulla are still unknown after he disappeared in August 2014. A massive public and social media campaign has done little to push investigations along.

While Sri Lanka did not experience any journalist deaths in the past year, several had close shaves. Even six years after the end of the war, the media in the Northern and Eastern Province of the island continue to face attacks and harassment. In September 2014, Sinnarasa Siventhiran, a journalist with *Uthayan*, was attacked by masked men introducing themselves as police officers who then threw him in front of a speeding bus, which swerved just in time.

Pakistani journalists continued to face the wrath of militants, bureaucrats, politicians, the military and security agencies. Threats, harassment and intimidation were tactics regularly employed to silence the media. While journalists from the Tribal Areas, Waziristan Balochistan and Khyber Pakhtunkhwa were particularly vulnerable, journalists in cities like Karachi and Lahore also faced attacks from mobs and unidentified assailants. The killing of prominent human rights activist Sabeen Mahmud in Karachi on April 24, 2015, following death threats, is another horrific instance of silencing those who dare to speak out. Mahmud was returning from her cafe-book store T2F after hosting a talk

entitled 'Unsilencing Balochistan' by a Baloch separatist leader.

Attacks and recriminations on activists and union leaders was also noted. In July 2014, the Assam Tribune group of Publications, a leading group of newspapers in Guwahati, illegally sacked the president of the Journalists Union of Assam and Secretary of the Indian Journalists Union (IJU), Geetartha Pathak, on frivolous and baseless charges. Pathak has twice been member of the Press Council of India and of the Central Press Accreditation Committee. The trend of targeting union leaders was seen in different countries of South Asia. In Sri Lanka, Sunil Jayasekara, convenor of the Free Media Movement (FMM), received a series of death threats from unidentified callers, outlining dire consequences if he went ahead with a scheduled press conference in July 2014. As in Pakistan, a pattern of violent mobs, seemingly working in collusion with the authorities, systematically disrupted seminars and training programs for journalists, especially those from the North and East of Sri Lanka. In Pakistan, the home of senior journalist and union leader Rana Azeem was fired upon twice in one week by unidentified assailants. This was part of a continued intimidation against the leader over the preceding year.

Attacks by unknown assailants were rife in Nepal, where political instability due to the prolonged process of writing the constitution has contributed to a deteriorating law and order situation. With that has come an increased climate of self-censorship by the media itself. The fluid political state ever since the signing of the Comprehensive Peace Accord in 2006 continues. With the second Constituent

Assembly elected on November 2013, having missed the self-set deadline of January 22, 2015, to promulgate the new constitution, instability is rife with a fragile government struggling amidst rising public frustration. In the ongoing transitional phase, all eyes are on the writing of the constitution but issues such as press freedom and implementation of the Working Journalists Act appear to be on the back burner. With the devastating earthquake on April 25, 2015 having reduced large parts of the country to rubble, expected to exceed more than 10,000 dead, and counting, the priority of Nepal will be to rise from the dust and rebuild. Journalists have been at the forefront, discharging their duties in extremely difficult circumstances.

Sri Lanka's new regime, voted in after a hotly-contested election in January 2015, promises to wipe away decades of impunity, mistrust and suspicion and has ushered in new hope for media freedom on the island. The remarkable coalition of progressive forces managed to achieve what might have seemed impossible - toppling the authoritarian and militaristic regime of Mahinda Rajapaksa. General Secretary of the Sri Lanka Freedom Party, Maithripala Sirisena, stood as the common opposition candidate and contested under the National Democratic Front (NDF), a broad coalition of oppositional forces. This keen electoral contest was seen as Sri Lanka's most significant poll for decades. It effectively ended a decade of rule that had become increasingly authoritarian and marked by nepotism, corruption and suppression of press freedom. As new president, Maithripala Sirisena, brings with him the promise of a new era of media reform, exiled journalists have been urged to come home, and cases of disappearance such as that of Prageeth Eknaligoda in 2010 are once more in the spotlight. The long-demanded Right to Information Act might yet see the light of day.

While the Maldives witnessed intense political rivalries and a hostile atmosphere for the media, an optimistic note was

struck when the landmark Right to Information Act (RTI) came into force in July 2014. President Abdulla Yameen, having set up the Office of the Information Commissioner as required by the law, began to make steps towards good governance. But the media developments in the Maldives might seem like small comfort in a country thrown into chaos with the former President Mohamed Nasheed having been thrown into jail in what has been described as 'politically motivated' judgement.

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When disaster strikes and people flee for their lives away from the spot, intrepid journalists rush in to tell the story to the world. Risking their lives – be it in the floods in Kashmir in September 2014 or the devastating earthquake in Nepal on April 25, 2015. Journalist unions, media owners and governments must commit to ensuring that journalists are extended adequate training in covering conflict and disasters; given medical and accident insurance, and provided safety equipment in order to carry out their jobs without fear. Should a mishap occur in the line of duty it is the responsibility of the media houses and governments to provide medical relief and compensation to families in case of deaths on duty. It is only when journalists can cover the story with security that we can prevent them from becoming the story themselves.



A morning rally was organised in the Capital Wednesday, March 25 to mark the 56th establishment day of the Federation of Nepali Journalists (FNJ), an umbrella organisation of more than 10,000 journalists of Nepal. Credit: Bikash Karki/CMR Nepal

IMPUNITY

Pressing for accountability

Impunity for the perpetrators of attacks and killings of media workers continues to be a serious concern in South Asia, a region where violence and intimidation of the press goes unpunished. Having focused on the issue for the first time in last year's South Asia Press Freedom Report, in this report we go into greater depth to understand the various dimensions of impunity; map the extent of the problem in South Asia; highlight positive steps and lessons learned. A regional campaign to end impunity is slowly gaining strength and momentum, in order to ensure that perpetrators cannot get away with murder.

The 2014 Impunity Index, published by the Committee to Protect Journalists, had revealed Sri Lanka, Afghanistan, Pakistan and India as the worst offenders on impunity in the region. The situation, unfortunately, remains much the same, but some significant progress has been made in the region to end impunity. This report highlights the state of impunity in three countries of the region, as well as some welcome steps forward in the campaign to end impunity.

Nepal: Tackling impunity

Journalists in Nepal have braved a decade-long conflict seeing many of their colleagues harassed, disappeared,

tortured and killed. As many as 35 journalists have been killed in Nepal since the civil war began in 1996 and four others have been disappeared. Almost all these cases are awaiting justice, with a majority of them not even having reached the stage of investigation.

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A major step forward in dismantling the impunity of perpetrators of murders of journalists came on December 7, 2014 with the Dailekh District Court conviction of five accused in the abduction and murder of Dekendra Thapa in 2004. Thapa, working for Radio Nepal in Dailekh, was abducted by Maoists in June and abducted two months later. The accused were handed down jail terms for periods between 18 and 24 months. Four other accused are still at large, and their charge-sheets are on hold in court. Although the jail terms are relatively light, this has been hailed as a landmark verdict in the case of a journalists' murder committed during the war. The new political dispensation has laid the ground for prosecution, after



As many as 35 journalists have been killed in Nepal since 1996 and four others have disappeared. In January 2015, Nepalese journalists came together to hold a vigil following the death of seven journalists in the attacks on the *Charlie Hebdo* offices in Paris. Credit: FNU/NPU

Maoist Prime Minister Baburam Bhattarai had ordered police in 2012 to discontinue investigation into the case.

In another positive development in July 2014, the Appellate Court handed down life imprisonment to Yubaraj Giri, Somnath Dhakal and his wife Manju Dhakal for murdering journalist Yadav Paudel. On April 4, 2012, Poudel had been pushed off the roof of the hotel in Birtamode, owned by the Dhakal couple. Poudel was in talks with Giri to begin publication of a local daily newspaper when he was murdered.

A blow for accountability was also struck in the recent verdict in the Uma Singh case. On April 22, 2015, the Dhanusha District Court sentenced Umesh Yadav alias 'Swamiji' to life imprisonment for masterminding the killing of radio journalist Uma Singh. Working with Janakpur Today FM, one of the few women journalists in the Terai region of Nepal, Uma Singh was hacked to death in January, 2009. Two people – Lalita Devi Singh and Nemwal Paswan – are in the prison serving a life sentence for the crime. The conviction and sentencing of Yadav closes the case of Uma Singh, one of the major cases of murder of journalists, and it also follows two other convictions for the murders of journalists in recent times.

Impunity is the biggest challenge for media rights organisations in Nepal and the IFJ affiliate Federation of Nepali Journalists (FNJ) has been long demanding a judicial commission for all cases of murders of journalists. This demand does not look like it will be met anytime soon. When even the murders of journalists are not being properly investigated and prosecuted, attacks and threats on journalists are not taken seriously by the state security agencies.

A crucial issue that has emerged in recent times is self-censorship among journalists and media, largely as a result of the lack of physical safety and impunity of perpetrators of attacks and murders. A recent study by the FNJ showed that self-censorship is widespread, in varying degrees, because of fear, political pressure and advertisers' pressure. That the most-cited reasons for fear were attacks, threats and



Nepalese radio journalist Uma Singh was brutally murdered in January 2009. On April 22, 2015, the Dhanusha District Court sentenced Umesh Yadav to life imprisonment for masterminding the killing of Singh.

impunity, is an indication not only of the prevalent climate of insecurity, but also the lack of accountability of those who commit acts of violence against media workers.

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Sri Lanka: Impunity on the Island

Witnessing a three-decade long ethnic conflict and war, Sri Lankan journalists have experienced unrelenting threats, intimidation, attacks, disappearances and murders. Three case studies best illustrate the depth of impunity in Sri Lanka as well as the campaign against it.

Where is Prageeth Eknaligoda?

January 24, 2010 was the last time Prageeth Ranjan Bandara Eknaligoda (Prageeth Eknaligoda) was seen by his family. At the time of his disappearance five years ago, he was not a popular public figure, known only in the field of alternative media and the human rights community. Eknaligoda excelled in writing, graphic designing, cartooning and illustrating, donned the role of a social activist, and used his talent to inform the public and work towards creating a more humane society.

It was only after his disappearance that his friends and colleagues publicised his writings and cartoons by establishing Prageeth Eknaligoda Foundation and publishing two collections of his writings and curating an exhibition of his cartoons. His social and political vision then became known not only in Sri Lanka but also internationally.

Eknaligoda not only wrote critical investigative articles but also used irony and humour to highlight contemporary events. His enormously creative graphics, drawings and cartoons responding to day to day socio-political events were mostly published in alternative magazines and



Dekendra Thapa, a journalist with Radio Nepal, was abducted in June 2004 and two months later was reported as being executed by Maoist forces. On December 7, 2014 five accused were sentenced to jail for his murder.

websites which shared his vision. Among small sociopolitical forums he was a significant presence. His articles were published in magazines such as *Wimasuma*, *Mawatha*, *Wihiduma*, *Siyapatha*, and *Yukthiya* newspaper. He also worked as the designer of the Tamil newspaper *Amudu* and served on the editorial board of the *Siyarata*. At the time of his disappearance, he was mainly connected to Lanka-e-News as an independent political critic.

Born on April 9, 1959 in Ruwanwalla in Sabaragamuwa Province, Eknaligoda had developed his political acumen through his association with a leftist political party while a student. He began his professional life in the advertising industry as an artist and copywriter. At the time of his disappearance, he was married with two children.

The disappearance

At the time of his disappearance in 2010, Eknaligoda was a significant contributor to the political campaign aimed at freeing the country of the corrupt and autocratic family-led regime of Mahinda Rajapakse. The presidential election in which Mahinda Rajapakse stood for a second term was in January 2010. Rajapakse's election campaign made full use of state property and resources. Though Eknaligoda did not accept opposition candidate General Sarath Fonseka as the ideal person to lead the country towards change, he used his talents to the fullest, to support General Fonseka's campaign so as not to pass up an "opportunity for a new direction". Eknaligoda, skilled in copywriting, designing graphics and cartoons as well as posters and banners,

dedicated his support to the much-awaited political change. A thinker with a vision for a new world, he maximised his influence even in small spaces and did so without any expectation of benefit or even livelihood. His close associates were aware of his financial difficulties, and his wife Sandhya's attempts to support their two sons through her job.

These were the days when the culture of abducting people in white vans thrived and many persons, including the opposition leader, inquired about Eknaligoda.

Eknaligoda was made to disappear without a trace on January 24, 2010 when he left the Lanka-eNews office in the evening. He had been once been abducted in August 2009 – five months prior to the disappearance – when he was returning from Dambulla. As he was walking from the bus stop at Makumbura Junction on High Level Road in Kottawa, he was abducted and his eyes immediately bound shut. His wife Sandhya, worried since he was not home even by midnight and his phone was not working, called his friends to ask if they knew anything. These were the days when the culture of abducting people in white vans thrived and many persons, including the opposition leader, inquired about Eknaligoda. By 11.00 am the next day, he



Prageeth Ranjan Bandara Eknaligoda was last seen by his family on January 24, 2010. A regarded journalist and cartoonist, Prageeth was critical of the government control of media. Since his disappearance, journalists across Sri Lanka annually hold protests pushing for stronger investigation of his case. Credit: Sunanda Deshapriya

was released by his abductors around the same place where he was picked up.

Some suspected that this abduction was a warning; others suspected that it was a case of mistaken identity. Five months later, on January 24, 2010, only two days before the presidential election, Eknaligoda was abducted again, and this time, there were no mistakes. Five years later, on January 9, 2015, the social change Eknaligoda expected has come about. But he is not with us to express his feelings with his pen.

Now, his elder son, Sanjaya Eknaligoda, who was 15 years old at the time of his enforced disappearance, has passed G.C.E. Advanced Level examination. His younger son, Harith, who was 12 at the time, is currently studying for G.C.E. Advanced Level examination, struggling with psychiatric problems induced by the trauma of his father's disappearance. Sandhya Eknaligoda continues to be engaged in an unending search for her husband.

Investigation dead end

On the day following Eknaligoda's disappearance, his wife, Sandhya lodged a complaint at the Homagama Police Station which had jurisdiction over the area. In the beginning, the police resisted accepting her complaint but upon her insistence, proceeded to do so. Since Eknaligoda disappeared after he left the Lanka-e-News office, a complaint was also lodged at Thalangama Police Station which had jurisdiction over that area. There is no information available on the progress of investigations conducted based on these complaints. The only investigation carried out with regard to the complaint made at the Homagama Police Station, when he was abducted in 2009, was taking into custody the piece of cloth used to bind his eyes shut.

On February 19, 2010, Sandhya Eknaligoda filed a habeas corpus writ at the Appellate Court in Colombo pleading to present her husband in court.. This case (HRC 1/2010) is currently being examined at the Magistrate's Court, Homagama. Though the court has given around 50 dates the case has been heard only on a few occasions, invariably being adjourned. Evidence from eight persons has been recorded: Sandhya Eknaligoda, the complainant; Gamini Perera, Eknaligoda's friend; Wasantha Kulathunga, owner of the mobile telephone connection used to make the last call Eknaligoda made before leaving the Lanka-e-News office; the Officer-in-Charge of Homagama Police Station who recorded the complaint of disappearance; Officer Wijesinghe of the Colombo Crime Division in charge of investigations related to disappearances; Sub-Inspector of Police, Janaka, of Nugegoda-Mirihana Crime Division; Arundika Fernando, Member of the Parliament, and Mohan Peiris, the Attorney General who later became the Chief Justice.

The evidence of Arundika Fernando, a member of parliament belonging to the United People's Freedom Alliance which was in power at the time, was recorded because he had made a statement that Eknaligoda was living in France. Mohan Peiris who was the Attorney General at the time, representing the government, in March 2012

stated at the United Nations Committee against Torture in Geneva, that Prageeth Eknaligoda was living overseas. These statements received an immense publicity in media.

The case, which was to be examined for the first time this year on February 5, 2015 was adjourned to March 28, 2015, and again to May.

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The police have either been unable to find any information regarding crimes against media, including information on Eknaligoda's enforced disappearance, or, one is forced to conclude, unable to disclose information regarding the perpetrators. This non-disclosure has been in the face of a vigorous public campaign. Eknaligoda's friends, media organisations including Free Media Movement, civil society organisations, Sandhya Eknaligoda and citizens of the country have been engaged in many activities such as protests, demonstrations, public meetings, *Sathyagrahas* (non violent protests) and creating awareness among the international community including the United Nations.

Five years on, despite the political change in January that Eknaligoda hoped to see, the journey towards genuine transformation will be difficult without disclosing what happened to Prageeth Eknaligoda.

Uthayan: Red Dawn in Jaffna

The Tamil daily *Uthayan* (which means 'Dawn') was launched in Jaffna on November 27, 1985. Jaffna District in the Northern Province of Sri Lanka has a strong culture of provincial newspapers. Even at the time that *Uthayan* was launched, there were already magazines and newspapers with a long history, such as *Eelanadu*, *Saturday Review*, *Murasoli* and *Thinamurusu*. However it was difficult for these papers to function amidst the danger of conflict in the North and some of them closed down.

Uthayan also faced war-related problems and armed attacks specifically aimed at suppressing the newspaper. Yet the newspaper continues to be published, even though printing had to be halted several times due to reasons such as damage caused to the office premises by aerial bombs and shell attacks and eviction of people from the Jaffna peninsula in 1995 due to intense battle between the LTTE and Sri Lankan army.

Uthayan's founding editor, M. V. Kaanamylnathan, who was at the forefront of all these challenges, continues to work as the editor-in-chief of the paper, taking only a short leave of absence during medical treatment for a life-threatening ailment. In the long history of media suppression in Sri Lanka, *Uthayan* has been the subject of the greatest number of attacks. Attacks against the paper stand out even in the past 10 years, during which media suppression increased in the name of war and fighting terrorism. During this period serious attacks were launched to suppress media



Prageeth Eknaligoda's wife, Sandya, has long advocated for an investigation and answers into her husband's disappearance. *Credit: Vikalpa/Flickr*

and intimidate journalists in the North. Due to measures taken to murder ideas with the intention of preventing the revelation of the plight of people living in a war zone, as well as the problems of the post-war period, journalists in the North were forced to live in secrecy, hounded as though they were terrorists.

Since Uthayan always stood for the aspirations and needs of Tamil people, it was a headache for the government which sought to suppress the Tamil people.

Uthayan is known as a paper which never failed to report on the issues during the war as well as in the post-war period, firmly taking the side of the people. Knowing the risks, they functioned as strategically as possible. Since *Uthayan* was the most purchased paper in the North, attention of officials towards the content of the paper increased. Towards the end of 2008, the Sri Lankan military pressured the newspaper to publish a statement criticising the LTTE, knowing that it could influence the public. However being a credible media institution, they refused to issue such a statement. Subsequently, to justify the attacks directed against *Uthayan*, the government branded the paper as an 'LTTE newspaper'. Since *Uthayan* always stood for the aspirations and needs of Tamil people, it was a headache for the government which sought to suppress the Tamil people. Both *Uthayan* daily and the weekend edition have a circulation figure of approximately 18,000- 20,000.

Long history of attacks

1. On October 11, 1987, a shell attack was directed at the newspaper's office on Navalar Road in Jaffna. Since eight employees were injured and the office was damaged,

the newspaper could not be printed till February 14, 1988. As hostilities were common during this period, this attack was considered to be a hostile strike.

2. Printing of the paper which recommenced on February 14, 1988 had to be halted again for 17 days from 9-25 November the same year due to the unavailability of fuel, electricity and newsprint due to the war.
3. When the Indian Peace Keeping Force (IPKF) and Eelam People's Revolutionary Liberation Front (EPRLF) took away the printing machines belonging to *Uthayan* on September 21, 1989, printing had to be stopped again. It was only after 136 days of negotiation, on February 4, 1990, that the paper could resume publication.
4. On September 27, 1990, the newspaper office faced an aerial bomb attack. As a result, Sona Pathmanathan, employed in the distribution unit lost his life. Two employees Y Jeganathan from the administration unit and A. Sunthar Raja, a technician, became disabled. Security officer, V. Kandappu, suffered serious injuries. The paper could not be published for four days.
5. From 1990 to 1993, when hostilities escalated and lives of people were being threatened, like the public, the staff of *Uthayan* also worked from underground bunkers. When newsprint was unavailable, they used lined paper used to make exercise books and even used brown paper.
6. On October 31, 1995, when people were evicted in order to launch the operation to take over Jaffna, staff members of *Uthayan* were displaced to Chavakachcheri. They took the printing machines with them. In a matter of two weeks, on November 14, having set up the machines in the village of Sarasalei in Chavakachcheri, they resumed publication. *Internally Displaced Uthayan*

was published from that location till April 19, 1996. When the Government of Sri Lanka's forces took control of Jaffna, *Uthayan* returned to Jaffna with the people who were permitted to return. It took 81 days to recommence printing in bombed out Jaffna. It was possible to print the paper only on July 10, 1996. On April 23, 1997, the newspaper office was relocated to Kasthuriya Road, Jaffna. This continues to be the location of the office to date.

7. On May 29, 2000 when the government sealed the newspaper office the paper could not be printed for 45 days. Police who called at the office with the allegation of publishing a false news item which embarrassed the Government sealed the office and took away the keys. After presenting facts to the officials, printing could be recommenced.

Other attacks and murders

1. **August 29, 1998:** Velupillai Thavachelvam, a journalist attached to *Uthayan* who lived in the village of Sembianpattu in Vadamarachchi, was killed in his home.
2. **Augusts 21, 1991:** Two hand grenades were thrown at the *Uthayan* office. The bombs that blasted near the printing machines killed S. Selvaraja who worked as a security officer.
3. **May 6, 2001:** *Uthayan's* manager, A. Nandakumar, who was travelling on his motorbike, died when he crashed into an army jeep at Illeppiadi junction on Navalar Road. In the backdrop of continued threats directed at *Uthayan*, it is believed it was an intentional killing and not an accident.
4. **June 23, 2001:** Editor-in-chief of *Uthayan*, M.V. Kaanamylnathan, met with a road accident. This accident occurred when he was travelling to the office from his home in the morning. The vehicle involved in the accident belonged to the pro-government Eelam People's Democratic Party (EPDP). The seriously injured Kaanamylnathan received treatment at Jaffna Hospital and subsequently at Colombo's Delmon Private Hospital and then in Switzerland. It was commonly believed that this was an attempt to murder and not an accident. Though the attempt failed, Kaanamylnathan was incapacitated for about two and a half years and unable to function as the editor of *Uthayan*. During his enforced absence, N. Vithyatharan, the editor of *Sudar Oli*, a newspaper published from Colombo which belonged to the same company, functioned as the working editor.
5. **January 26, 2006:** Subramaniam Sugeertharajan, stringer for *Uthayan* and *Sudar Oli* from Trincomalee was murdered. He worked as a clerk for the Port Authority, Trincomalee, and was shot in the head by an unidentified gunman on his way to work around 6.40 am. The murder took place in the High Security Zone by the office of the Governor of the North and East.
6. **May 2, 2009:** An attack was launched by a group of six armed gunmen who broke in to the office at night. The group armed with T 56 rifles, destroyed the entire computer unit by shooting and damaged the printing machines. *Uthayan's* sales manager, Bastian George Sahayadasan (Suresh), and machine binder, Rajarathnam Ranjith Kumar, were killed during this attack. Two other employees suffered injuries. This attack occurred on the eve of the World Press Freedom Day in the year that Sri Lanka had been chosen to observe UN World Press Freedom Day.
7. **August 15, 2006:** Sathasivam Baskaran, a driver with *Uthayan* was murdered in Achchuveli on his way back to the office after distributing *Uthayan* to sales representatives. He was travelling in a vehicle bearing the logo of *Uthayan* at a time when curfew was being declared and distribution was done when the curfew was lifted between 10.00 am and 1.00 pm. The spot where the murder took place was controlled by the military.
8. **August 18, 2006:** The warehouse in Rasaweediya, Kopay, where newsprint was stored was set ablaze. An armed group set fire to the warehouse while curfew was in place.
9. **September 10, 2006:** An armed group called at the office insisting on the publication of an announcement demanding the calling off of a strike underway at the University of Jaffna. It threatened serious repercussions would follow unless the announcement was published. However, *Uthayan* stood its ground and did not publish it.
10. **April 29, 2007:** A young crime reporter Selvarasa Rajivarman who was also member of *Uthayan's* editorial board was shot dead around 10.00 am in the security zone where the office is located.
11. **November 17, 2007:** Vadivel Nimalaraja a young proof reader was abducted when he was leaving the office after working the night shift. As he was riding away on his bicycle, a group of unidentified persons abducted him near the railway crossing on Navalar Road not far from the office. It is believed that he was later killed.
12. **February 29, 2009:** The editor of *Sudar Oli* the paper published from Colombo simultaneously with *Uthayan*, N. Vithyatharan was abducted. There was a great pressure from media institutions to find him. He was abducted by the CID and formally arrested later. He was released on April 24.
13. **March 24, 2009:** A hand grenade was thrown at the *Uthayan* office from the adjacent road around 11.30 pm. It was believed that the attack targeted the office of the editor-in-chief. The blast caused injuries to a police constable who was in the nearby police guard room.
14. **June 25, 2009:** Stacks of *Uthayan* newspapers which were forcibly taken from the distribution unit were set on fire on the street. Armed groups forced newspapers in Jaffna to publish statements against the LTTE. When such statements were not published, thousands of copies of *Thinakural* and *Valampuri* were set ablaze, along with copies of *Uthayan*.

15. **June 27, 2009:** A notice threatening to kill all those who worked for *Uthayan* was pasted on lamp posts around the office. The same notice was posted to the *Uthayan* office. It was issued by the "Tamil Organisation for the Protection of the Country".
16. **May 11, 2011:** Journalist S. Kavitharan, zonal journalist with *Uthayan* was assaulted by a group of unidentified persons as he was cycling to work.
17. **July 29, 2011:** Gnanasuntharam Kuganathan, *Uthayan's* news editor, was subjected to a serious mob attack. He was severely injured and received treatment at the Intensive Care Unit at Jaffna Hospital. He later went to Switzerland, leaving the country as well as media work.
18. **November 26, 2012:** Prem Annand who worked as an editor with *Uthayan* was assaulted by the military and his camera was damaged. He was subjected to this attack when he went to cover a ceremony organised by students of the University of Jaffna. Videos of the military chasing and attacking the individuals who had gathered became public.
19. **January 10, 2013:** As Nagesh Pradeepan and two other employees were distributing the *Uthayan* to sales representatives at Valvatithurai, four persons who arrived in two motorbikes forcibly took the papers and set the papers on fire.
20. **April 3, 2013:** Six persons with their faces covered, armed with clubs and speaking in Sinhala, attacked the *Uthayan* office in Kilinochchi. Five employees who were distributing the papers which had arrived from Jaffna were subjected to this attack and two of them: A. Ponnathurai (57) and Pradeepan (28), suffered serious injuries and had to be hospitalised. Machines including computers and photocopiers, vehicles including motorbikes and a lorry were damaged in the attack.
21. **April 13, 2013:** 10 days after the attack on the Kilinochchi office, three persons who came to the office in Jaffna, threatened the security officers and set fire to a printing machine.
22. **July 10, 2013:** Journalist Nakulan Pradeep Amuthan (23) was attacked by a group of unidentified persons in Thelippalei as he was travelling home on his motorbike at night after work.
23. **October 28, 2013:** *Uthayan's* photographer Chandrakumar Darshan, was attacked by the military and photographs he captured were deleted. Based on a complaint that the military destroyed dwellings of people in Walikamam North, a few people's representatives, members of parliament and representatives from provincial governing bodies visited the area. Darshan, with another camera operator, had gone to cover this incident. Military personnel who dispersed the crowd threatened and attacked the photographers, forcibly took the cameras and deleted the images on them.

By the beginning of 2015 *Uthayan* had faced over 30 attacks aimed at suppression of the newspaper which seriously



Uthayan editor MV Kaanamylnathan has been at the forefront of the challenges faced by his newspaper and other Tamil journalists. Credit: Lakruwan Wanniarachchi/AFP

affected its functioning, including attacks serious enough to result in the temporary closing down of the newspaper office. Three of the attacks were aimed at *Sudar Oli*, published from Colombo simultaneously with *Uthayan*. Both these newspapers are owned by the same company. With such a history of suppression *Uthayan* is bravely engaged in its media mission because of its dedication to voicing the aspirations of their Tamil speaking readers and focus public attention on the challenges faced by the Tamil people.

Sri Lanka has become infamous for being unable to investigate murders and attacks against journalist and media institutions across the island, not only in the North.

Stagnant investigation

Serious attacks directed at *Uthayan* during the long period of war were considered to be results of hostilities. During the war, media institutions and individuals in the North could not raise their voices in favour of justice or equity. Though they were aware of the perpetrators, they were unable to pursue the legal route. Indeed, calling for justice was punishable by death. During the last phase of the war and the post-war period, though civilian rule was supposed to have been restored, there was a *de facto* military rule. During this period, until the new government came to power in 2015, Tamil journalists in the North and East did not get the opportunity even to attend training programs. It was impossible conduct such programs in the North and journalists could not attend programs in the South as the armed forces launched organised protests to disrupt such events. Under these circumstances, *Uthayan* had to endure all the serious damages caused. There was no investigation into murders of journalists and media workers and no legal action was taken. Sri Lanka has become infamous for being unable to investigate murders and attacks against journalist and media institutions across the island, not only in the North.

Though complaints against bomb attacks and shootings against *Uthayan*, and attacks against and murders of journalists and media workers have been registered at police stations, no report of investigation has ever been disclosed and no one has been arrested. They have not attempted to spend time on pushing for investigations as it is well known that no action will be taken. Editor-in-chief, Kaanmylnathan and news editor, Kuganathan had to leave the country to seek medical care. They were forced to overlook whether or not investigations had been conducted. Officials have failed to bring before the law individuals attached to the army and armed groups which receive protection of the army, who are suspected for the murders and abductions. No one has been convicted of murders, abductions, attacks and destruction of news papers which took place after the end of the war.

A complaint regarding the recent (2013) assault of photographer Chandrakumar Darshan, and deletion of the images he captured had been lodged at the Human Rights Commission which is considered to be an independent body. With regard to this complaint (Number HRC/JA 214/2013), it took one year before the accused were even summoned. That too, they were summoned to the Human Rights Commission in the capital though they had lodged the complaint at the Human Rights Office in Jaffna. Though the situation was so, only a postponement of the investigation has occurred since the responsible party representing the army failed to appear.



Journalists in Colombo held a candle-light vigil against impunity.
Credit: Amila Proboda

Sirasa untamed

MTV/MBC media network, famous as Sirasa Media Network, which belongs to Maharaja business conglomerate started broadcasting in September 1992. Today the group owns three television channels and four radio channels. The network's Sinhala language television channel and radio channel are named Sirasa. They have studio complexes in three locations: Broadcasting and operations are carried out from their studio complex in Braybrooke Place which is considered to be their main office, studio complex in Depanama, Pannipitiya, and the one in Ratmalana.

When Sirasa did not comply, government spokespersons and pro-government extremist groups verbally attacked Sirasa, branding it as a media network which supports terrorism.

Attempts to control the MTV/MBC media network, or 'Sirasa Media Network' as it is known, starting with verbal attacks, began after 2005. The network's television broadcast had great public impact. While most media catered to the needs of the governing party, under the governing party's direct or indirect influence, news and current affairs programs on Sirasa were seen to give moderate opportunities to the needs of the opposition and the public. Their interventions with regard to the issues of common people, and in disclosing corruption and misconduct were commendable. The serious attack aimed at destroying Sirasa Media Network was launched at a time when the war was being glorified in the midst of immense human suffering.

During the last phase of the war, from 2008 to May 2009, news related to war had to be reported within the limits imposed by officials. All media refrained from the humanitarian reporting of numerous forms of suffering experienced by people caught in the middle of the war. At the time, the minuscule humanitarian news reports which were strategically reported came from a few Tamil newspapers. During such a period, Sirasa media network gave opportunities to opposition politicians and attempted to report issues unrelated to war in a country obsessed with war. It was thanks to the opportunities provided by this media network that dissenting voices were given space. These alternative voices revealed the manner in which those in power ignored the needs of the people, hiding behind the slogan that everyone should contribute to the "war against terrorism".

This was exactly the reason why the government wanted to make Sirasa a carrier of the voice of the government alone. When Sirasa did not comply, government spokespersons and pro-government extremist groups verbally attacked Sirasa, branding it as a media network which supports terrorism. Since such verbal attacks could not compel Sirasa to bow down, the largest attack against a television

3. **May 19, 2008:** The camera crew of Sirasa was attacked and cameras were damaged when the crew went to photograph and record a Vesak pandal (*Thorana*) festivity in Kelaniya. Former Minister Mervin Silva, a powerful politician of the area carried out the attack through his supporters. A complaint was lodged at the police station with this regard. Though the perpetrators were well-known, police did not arrest anyone.
4. **August 4, 2008:** Two journalists working with Sirasa, Thushan Ranawaka and Waruna Sampath, were assaulted and their cameras were taken away by former minister Mervin Silva. When the journalists went to cover the opening of Kiribathgoda flyover, Silva demanded that the crew leave. His supporters assaulted and drove away the journalists and forcibly took their cameras. Complaints were lodged with the police regarding this incident. Though the police intervened to ensure that the journalists recovered their cameras, no perpetrator has been brought to justice.
5. **September 22, 2014:** Reporter for Sirasa from Badulla, Chandana Kurupparachchi, was subjected to a serious mob attack just after the Uva Provincial Council election held on September 20. Chandana Kurupparachchi reports about incidents of election violence and violations of election rules promoted a mob attack on September 22 in Hali Ela. He suffered serious injuries needing hospitalisation and surgery. It is suspected that supporters of former minister Dilan Perera were connected to this attack. A complaint was lodged and investigations are reportedly being carried out by the crime investigation division. Progress of the investigation has not been disclosed so far.
6. **October 6, 2008:** Reporter from Anuradhapura, Mohamed Mahroof Rashmi (31) was killed. A suicide bomb attack that occurred at the opening ceremony of the new office of the opposition leader of the Northern Provincial Council at the time, General Janaka Perera killed 27 persons including the opposition leader of the Provincial Council. Rashmi, who went to cover the event, was also a victim of the explosion which occurred around 8.40 am. Unknown terrorists were held responsible for this incident. No investigations were carried out. No cases were filed.
7. **December 18, 1999:** Assistant camera operator for Sirasa, Indika Pathinivasam was killed. The last election rally of the election candidate from the governing party for the presidential election was held at the grounds of Colombo Municipal Council. The young journalist who was covering the rally was killed in a suicide bomb attack aimed at the presidential candidate. Anura Priyantha Kure from Independent Television Network (ITN) was also killed. Several journalists were injured. The presidential candidate also suffered injuries and lost one eye. These deaths joined the list of uninvestigated killings.
8. **May 28, 2008:** Jaffna district reporter for Shakthi TV and Shakthi Radio, which are owned by the network, Pararajasingham Devakumar, was killed. He was hacked to death while travelling to Vattukottai where

he lived. His friend who was travelling with him was also murdered. It was suspected that the killers were connected to the LTTE. The attack was considered a result of terrorism and no cases were filed.

Apart from these major targeted incidents, journalists attached to Sirasa were also subjected to attacks when journalists in general were attacked. Even the provincial journalists of Sirasa have become victims of such general attacks against journalists. Sirasa media network has reportedly paid compensation and funds to cover the cost of medical treatment to journalist attached to the network who were killed or had to be hospitalised for treatment following attacks. Families of young journalists who were married have received compensation. Though duties have been fulfilled at an organisational level, no one has even been arrested or brought to book for the attack and murder of journalists.

Sirasa media network has reportedly paid compensation and funds to cover the cost of medical treatment to journalists attached to the network who were killed or had to be hospitalised for treatment following attacks.

Pakistan: understanding impunity

Impunity has taken deep roots in Pakistan, particularly with the rise in terrorism after the country aligned itself with the US-led coalition against al-Qaeda and other militant groups in post-9/11 Pakistan. Earlier, no unified platform existed to voice indignation over the issue of impunity which was increasing every single day. Three months after the PCOMS platform was launched 2014 proved the bloodiest year for journalists, media workers and bloggers with casualty figures reaching 14 – the highest ever.

Overall, more than 100 journalists have been reported killed in the last 13 years in Pakistan, according to Pakistan Federal Union of Journalists (PFUJ). Sadly, only three murder cases of killed journalists, including Daniel Pearl, have seen any hope of justice so far.

Balochistan journalist Manzoor Baloch is unaccounted for since he was last seen on November 7, 2014. His family says he went “missing” from the heart of Quetta, provincial headquarters of violence-hit Balochistan. No group has claimed responsibility so far and there has been no word yet about whether he is alive or not. Four tribal journalists were picked up and detained by military authorities and intelligence personnel in the first three months of 2015. As alarming as the high handedness is the lack of support from employers. When uniformed soldiers surrounded the Peshawar office of a leading English newspaper to look for a tribal journalist, the organisation did not protest the staffer’s detention but instead asked him to “cooperate” with the handlers.



Balochistan journalist Manzoor Baloch was last seen on November 7, 2014, when he disappeared from Quetta. No group has claimed responsibility.

The assassination attempt on Hamid Mir, one of the country's leading TV anchors, injected a new wave of self-censorship into journalists.

Ironically, it may be because of increased self-censorship among media practitioners that no journalist has been target-killed so far this year – perhaps the longest period when no journalist has been killed.

Chipping away at impunity

Some significant markers in challenging impunity in the year under review are worth highlighting. The families of two murdered journalists are celebrating small but significant victories for the action on impunity of crimes against media and its practitioners in Pakistan. Murtaza Khan Babar, elder brother of Geo News channel reporter Wali Khan Babar who was shot dead in port city Karachi in January 2011, said his family “cheered” the arrest of absconding convict Faisal Mehmood alias ‘Mota’ from ‘Nine-Zero’, the Muttahida Qaumi Movement (MQM) party headquarters on March 11 this year by paramilitary force Rangers. The absconder was convicted in absentia by an anti-terrorist court in Sindh province on March 1, 2014, along with Naveed Polka, Muhammad Ali Rizvi, Faisal Mahmood, and Mohammad Shahrukh Khan for the murder of Babar.

Similarly, the family of late Ayub Khattak, a reporter in Karak district of northwestern Khyber Pakhtunkhwa province, is

vigorously pursuing the murder charges against the two accused who have been arrested. The bereaved family is leaving no stone unturned to get the accused convicted and, thus, helping the broader objective of the journalist community in the country and abroad – fighting impunity in Pakistan.

A welcome step forward was the decision of the current Balochistan government to set up two judicial tribunals investigating six murder cases of journalists since 2011.

A welcome step forward was the decision of the current Balochistan government to set up two judicial tribunals investigating six murder cases of journalists since 2011. This announcement, in April 2015, is the first step any provincial government has taken to fight impunity in the province where media and its practitioners are under attack from all sides. The murders to be investigated are: Abdul Haq Baloch, Javed Ahmed and Munir Shakil from Khuzdar district and Abdul Razzaq, Abudost Rind and Ilyas Nazar from Makran district, who were killed from 2011 to 2013. The terms of reference for the tribunals include: the investigation should fix people responsible for these

murders and also recommend measures to prevent such murders of journalists in the future.

Some senior journalists in Quetta have some reservations about the tribunal and are demanding that the Balochistan government should investigate all murder cases of journalists and desist from following a pick-and-choose policy. However, the move on the part of the government deserves appreciation as a significant breakthrough, given the fact that the tight control of the security establishment over the province leaves little room for the autonomous and effective functioning of the civilian administration.

These milestones strengthen the mandate of the Pakistan Coalition on Media Safety (PCOMS), implementing the United Nations Plan of Action on the journalists' safety and the issue of impunity, since it was unveiled in October 2013 with all media-related stakeholders ranging from media owners, working journalists, political parties, federal government to civil society and media support organisations, both national and international, sitting on an all-powerful Steering Committee.

Significant wins

The first momentous achievement of the UN Plan of Action has been to bring all media stakeholders together – indeed a challenging task in Pakistan where the gulf between media owners and working journalists is very wide. The Pakistani government's endorsement and approval of the Plan of Action is itself the follow-up win PCOMS was able to score at its inaugural conference in Islamabad in October 2013. The appointment of a Special Public Prosecutor and the production of vital documents such as 'The Safety and Protection of Journalists-A Guide for Legislative and Policy Reform' and 'Safety Protocols for Media Houses' were noteworthy.

The buzzword “fighting impunity” reached the corridors of power of the federal and provincial governments.

However, it was roundtables held at the provincial level with all local governments that provided the movement against impunity a real boost. PCOMS was backed by provincial governments in the move to set up special public prosecutor office at the regional level. This invaluable support is vital since the law and order issue is a provincial subject under the Constitution of Pakistan and PCOMS is looking to set up regional offices of the special public prosecutor as the issue of impunity is far more serious in these provinces. At the roundtables in all provincial and federal capitals, a consensus emerged that threat to the life of journalists is growing each day and the issue of impunity has greater implications for media freedom and freedom of expression in the country and, therefore, there is a need for special laws to protect journalists and media houses.

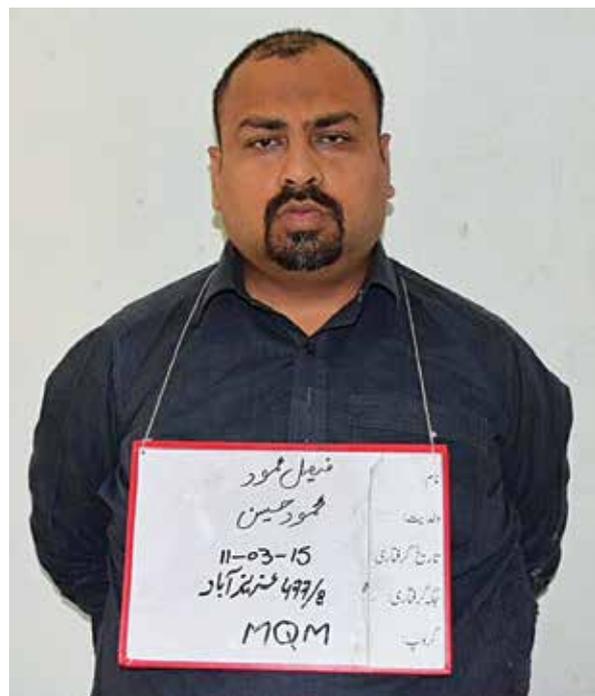
The buzzword “fighting impunity” reached the corridors of power of the federal and provincial governments. Prime Minister Nawaz Sharif ordered a commission to investigate

attacks on media houses and working journalists directing that attacks should be treated as “acts of terrorism.” Taking forward this imperative, on April 20, 2015, the office of Prime Minister Nawaz Sharif announced that a three-member judicial commission would be set up to investigate the attack on eminent journalist Hamid Mir. It announced a reward of ten million rupees (USD102,745) for any information leading to the arrest of the attackers.

The police in the federal capital of Islamabad established hotlines for media houses to call for emergency rescue in case of any threat or attack. A similar step was introduced in Khyber Pakhtunkhwa province where an endowment fund was set up for financial assistance for journalists. Pakistan Journalists Safety Fund (PJSF) – assisted by the Norwegian government – has been instrumental in saving journalists' lives by providing legal and medical assistance and offering temporary relocation inside the country. More than 30 journalists were assisted through the PJSF since it was set up in 2012. Another significant move in the final stages of launch is the setting up of 'safety hubs' in collaboration with the country's leading press clubs. This will put in place a mechanism to record every threat received by a journalist or a media house anywhere in the country and integrate this information with provincial or federal response systems in order to mitigate risk.

Challenges

Convincing key stakeholders such as media houses and working journalists in the print media that the issue of safety and security is a question of survival for both was the most difficult aspect of the campaign. There is still a long way to go in convincing the body representing the electronic media. With the majority of attacks today



Mehmoed Faisal, a co-accused in the murder of Geo News reporter Wali Khan Babar, was captured at the Muttahida Qaumi Movement (MQM) party headquarters on March 11, 2015. Credit: PFUJ



Karachi journalists call for an end to the killing and violence against journalists in 2014. Pakistan remains the deadliest country in the world for journalists. *Credit: PFUJ*

directed against journalists working with TV channels, this obstacle must be tackled on a priority basis.

The security establishment's unwillingness to sit and work with the media sector is a major tipping point, although no substantial lobbying and advocacy has yet been done to open up communication channels between the two sides. The state actors' role in attacking, harassing and intimidating the media is no longer a secret. The issue of terrorism is proving as "blessing in disguise" for the security establishment to secure more tools against the media instead of protecting it. It is also emerging that the civilian government lacks control over the security establishment and is devoid of a clear vision on how to provide an enabling environment for the media.

While the Pakistan Federal Union of Journalists (PFUJ) continues to work to improve the working environment and wages for its members, impunity remains a challenge. Further, moves to protect citizen journalists under a journalists' safety bill soon to be tabled in the national Parliament and provincial legislative assemblies are facing resistance from within the journalist community.

Divisions among journalists in the country continue to be a challenge in the battle against impunity. A similar division among media owners has worsened the situation with one media house speaking against its rival in the public sphere – this too at its peak during the first few months following the attack on Hamid Mir.

The greatest beneficiaries of this situation appear the press freedom predators in Pakistan – both state and non-state actors.

Agenda for change

A continued and sustained campaign is key to fighting impunity. The international community is standing behind the Pakistani media extending support to building journalism capacity and safety and security. However, there is dire need to engage both the civil and security establishment to open up communication channels and

Convincing key stakeholders such as media houses and working journalists in the print media that the issue of safety and security is a question of survival for both was the most difficult aspect of the campaign.

reach a broader understanding of the problem of impunity in the country. Media houses may voluntarily or otherwise commit themselves to coming up with safety protocols and working journalists must follow the protocols. A multi-stakeholders approach – involving the media houses, the working journalists and the state – is required to fight back impunity. No single stakeholder can do it alone.

Despite notable setbacks, Pakistan can boast of leading the Asia-Pacific region on impunity action. What has made this happen is the unflinching resolve by working journalists and democratic forces to work together for press freedom in the country. These setbacks, meanwhile, cannot write off breakthroughs scored in a little over two years of advocacy and lobbying.

CAPSULE REPORTS: CONFLICT ZONES

South Asia is home to armed conflicts of various intensities and differing political origins. The common thread however is the impact on the media which is caught in the cross-fire. Threats, intimidation, direct attacks, abductions and targeted killings have made the region one of the most dangerous for journalists on duty. In such a hazardous situation, press freedom is indeed a challenge. Some spots are focal points where media workers are particularly vulnerable.

For the first time, the South Asia Press Freedom Report focuses on these hotspots: Balochistan, Khyber Pakhtunkhwa (KPK) and the Federally Administered Tribal Areas (FATA) in Pakistan; Kashmir in India; and the Northern and Eastern Provinces in Sri Lanka.

BALUCHISTAN, PAKISTAN: Cemetery for Journalists

Over the last two decades independent journalism has been difficult in most parts of Pakistan but reporting from Balochistan has been particularly challenging due to multiple threats from various quarters – Baloch nationalists and separatists as well as security and intelligence agencies.

Background

Balochistan, the largest of four provinces with an area of 350,000 sq km makes up 44 percent of the total area of

Pakistan, but houses only five percent of the country's people. Its population of 6.5 million (excluding two million Afghan refugees) is made up of various ethnic groups such as the Baloch, Pashtuns, Brahuis, Hazaras, Sindhis, Punjabis, Uzbeks and Turkmens.

This resource rich but poverty-stricken and under-developed province has been in the throes of a conflict ever since the birth of Pakistan in 1947. A variety of militant groups have been at the forefront of the struggle that has seen brutal suppression by the State. The demands of these groups range from increased autonomy and higher percentage of royalties from natural resources to more substantial allocation in the provincial budget. Some militant groups also demand complete independence in the shape of a separate Balochistan. Separatist groups currently operating in the province are the popular Baloch Liberation Army (BLA); the Bloch Liberation Front (BLF); Bloch Republic Army (BRA); United Bloch Army (UBA); United Bloch Liberation Army (UBLA) and Lashkar-e-Balochistan (LB). Other sectarian groups such as the Lashkar-e-Jhangvi also have a significant presence in Balochistan, targeting mainly the minorimaty Shia community.

"There is no journalism in Balochistan. Both the state and non-state actors want to take over the media." - Shahzada Zulfiqar (Former President, Quetta Press Club)



Pakistani journalists protest with video cameras in the air during a march in Quetta on April 17, 2010, against the killing of a private television station cameraman in a suicide bomb attack. Credit: Banaras Khan/AFP

Media context

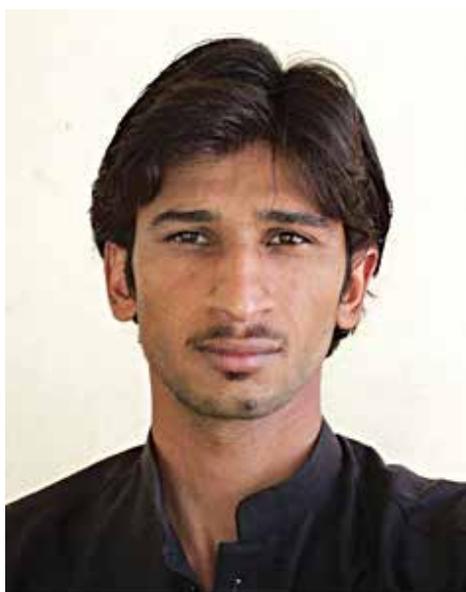
A total of 148 national and regional newspapers are published in the province and almost all television news channels have offices in the provincial capital Quetta and correspondents in rest of the Balochistan. These media outlets employ about 1010 journalists across the 32 districts of Balochistan, with 200 of them working in Quetta. There are only 15 working women journalists, five of whom work in Quetta. The press club network in the province is widespread, with more than one press club in each district. The Quetta Press Club has a membership of 130 and almost all journalists in Balochistan (1000) are members of a press club. About 400 journalists are members of the Pakistan Federal Union of Journalists (PFUJ).

Abducted, killed, disappeared

The toll of those killed in the line of duty since 2008 is tragic (See Table). The year 2015 has not seen the killing of a media worker, which may be because of the high level of self-censorship now apparent in the region. Harassment and clouds of fear are thick in the province which has witnessed five separatist movements since Independence. With tribal feuds rife, it is often difficult to identify the exact motive or the real perpetrators of killings and abductions when they happen.

Harassment and clouds of fear are thick in the province which has witnessed five separatist movements since Independence.

A spate of targeted killings started in 2008 when Chishti Mujahid, a reporter associated with the weekly Urdu *Akhbar-e-Jehan* ('Newspaper of the World') was killed by unknown armed assassins in Quetta. The Baloch Liberation Army (BLA) later claimed responsibility for the murder.



Ilyas Nazar, a copy editor with a Baloch language newspaper was picked up by intelligence agencies in December 2010. His body was found in February 2011. Credit: UNHCR

Other journalist killings followed, mostly by separatist groups who found their writings "objectionable" and often occurred after militants warned journalists against taking any "pro-Pakistan" stance in their writing or attending Independence Day ceremonies.

Abducting journalists in 2009 and 2010 was rife. Riaz Mengal of the *Balochistan Times* was abducted after he wrote about the issue of land grabbers in Khuzdar. He managed to escape after three months in captivity. Others, however, were not as fortunate. Ilyas Nazar, a reporter for the daily *Tawar* was kidnapped from Mustong and his bullet-ridden body was recovered on January 3, 2011.

Wali Khan Babar, a reporter of Geo TV, was killed on January 13, 2011 in Karachi. He was a resident of district Zhob in Balochistan. His is the only case in which investigations have been completed and the court has also announced a verdict against the killers. One of his killers, Faisal Mota, was arrested in the recent raid of Rangers at the MQM (Muthahida Qaumi Movement) head office known in Karachi as '90'. Importantly, the Wali Khan Babar case was registered only after countrywide pressure was mounted by the PFUJ and local unions who also monitored the progress of the case.

Manzoor Ahmed Bugti, of Pakistan Television, has been missing from Dera Bugti since November 7, 2014. His whereabouts remain unknown.

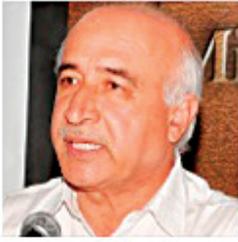
"Too many journalists have been killed in Balochistan during these past years, and their deaths have not yet been brought to justice" - Mohammad Essa Tareen (Former President of Balochistan Union of Journalists)

Pressing for accountability

Impunity is a continuing issue for journalists in Pakistan, as sometimes the journalists themselves avoid reporting incidents to the police out of fear of reprisal. But on their



Riaz Mengal was abducted in 2009 for an article about the issue of land grabbers in Khuzdar. *The Balochistan Times* journalist escaped a few months later.



” My government will soon launch a judicial inquiry into the killings of journalists
Balochistan Chief Minister
Dr Abdul Malik Baloch

part, government agencies have also not done their duty of carrying out proper investigations into the murders, attacks, kidnapping and disappearances of journalists. The present provincial government of Dr Abdul Malik has promised to look into matters concerning journalists’ security and safety. His assurance came after a delegation of the PFJ met him in 2014 with the list of journalists who had been killed and threatened in the line of duty.

Training to stay alive

Balochistan has become a cemetery for journalists who perform their journalistic duties with great honesty and courage. Only a few of them have been re-located to safer locations by their parent organisations; the majority of them continue to report from the frontlines in Balochistan. PFJ with the assistance of its international partners especially International Federation of Journalists has taken

many daring steps to train journalists – many of whom are not even its members – in security and safety.

Balochistan has become a cemetery for journalists who perform their journalistic duties with great honesty and courage. Only a few of them have been re-located to safer locations by their parent organisations.

In 2012, a capacity building training program was held by the PFJ and its partners for the safety and security of reporters working for various news channels and newspapers in far flung areas of the province. With assistance from the PFJ and the IFJ and based on the IFJ



Pakistani journalists protest against the killing of a journalist in the troubled Swat Valley, Peshawar, on February 19, 2009. Unknown gunmen killed 28-year-old Musa Khan Khel the day before near Matta in the troubled Swat valley, where Islamist hardliners waged a campaign to enforce sharia law. Credit: Tariq Mahmood/AFP

mission to Balochistan, training programs were delivered to journalists from Quetta, Mastung, Loralai, Khuzdar, Chaman and Turbat on safety, security and ethics.

Media houses have started taking interest in the safety of their journalists, but there is a continued need to engage them and institutionalise professional safety and security. The International Federation of Journalists (IFJ), International Media Support (IMS) and PFJ have produced training material, handbooks and charts in Urdu and English on ethics, safety and safe journalism.

Unfortunately, these handbooks and pamphlets with the code of ethics for safety are often ignored by desk staffers at the office in the headquarters, leading to a lack of priority in establishing mechanism for safety in the field. Impartial and unbiased reporting and editing could save and protect 40 to 50 percent threats to the journalists working in Balochistan and elsewhere in Pakistan. There is a continued need to provide journalists with a safety net as well as to build professional capacity so as not to invite any threat to their lives from their style of reporting.

Media workers killed in Balochistan since 2007

No	Date	Name	Organisation	Details
1	October 18, 2007	Khalil Ullah Samalani	Reporter, <i>Ba-Khabar</i> ('Be Informed')	Killed at Pakistan Peoples Party rally in Quetta for the late chairperson Benazir Bhutto, when it was attacked by a suicide bomber.
2	February 9, 2008	Chisti Mujahid	Columnist for <i>Akhbar-i-Jehan</i>	Killed by the Baloch Liberation Army (BLA) in Quetta
3	April 14, 2008	Khadim Hussain Sheikh	Journalist, Urdu-language <i>Khabrayn</i> ,	Killed in Hub by unknown assailants
4	April 16, 2009	Wasi Ahmed Qureshi	<i>Daily Azadi</i>	Shot in Khuzdar by the BLA
5	April 16, 2010.	Malik Mohammad Arif	Cameraman, Samaa TV	Killed in a suicide bomb blast while covering a terrorist attack on the Quetta Civil Hospital
6	June 27, 2010	Faiz Muhammad Sasowli	<i>Aaj Kal</i>	Shot in Khuzdar by the BLA while driving. He had survived two previous attempts on his life.
7	September 3, 2010	Ejaz Raisani	Reporter, Samaa TV	Killed while covering a rally in Quetta that was attacked by suicide bombers.
8	September 3, 2010	Muhammad Sarwar	Driver, Samaa TV	Killed while covering a rally in Quetta that was attacked by suicide bombers.
9	October 2010	Abdul Hameed Hayatan, a.k.a., Lala Hamid Baloch	<i>Jang</i> and <i>Nawa-e-waqt</i> and also president of the Gwadar Press Club	Kidnapped from Mustong district by security agencies on October 25. His bullet-ridden body was found on November 18, 2010 in Turbat district.
10	December 14, 2010	Muhammad Khan Sasowli	Correspondent for <i>Balochistan Times</i> , Royal TV and the INP news agency. and president of the Khuzdar press club,	Gunned down outside his home. His killing was claimed by the armed separatist organisation Baloch Armed Defenders.
11	January 13, 2011	Wali Khan Babar	GEO News	Killed by gunmen in Karachi. His killers, from the MQM were sentenced to death on March 10, 2015
12	February 11, 2011	Ilyas Nazar	Copy editor with a Balochi language paper	Picked up by intelligence agencies on December 22 on his way from Quetta to native Turbat. His body was found in February.
13	February 18, 2011	Abdost Rind	<i>Daily Eagle</i> (Urdu)	Shot by motorcycle borne assailants on his way home from work in Turbat

No	Date	Name	Organisation	Details
14	April 1, 2011	Rehmat Ullah Shaheen	Daily <i>Twar</i> (Balochi language paper).	Kidnapped from Dhadar, and his bullet-ridden body was found in Quetta.
15	April 25, 2011	Zareef Fraz	Editor In-chief of quarterly Urdu magazine <i>Shajo</i>	Kidnapped on April 21, 2011, his bullet ridden body was found on April 25, 2011 in Turbat.
16	April 29, 2011	Siddique Ayido	Daily <i>Eagle</i>	Kidnapped on December 21, 2010 with his associate Yusuf Nazar when they were coming out of the court in Pasni. Their bullet-ridden bodies were found at Ormara on April 29, 2011.
17	April 29, 2011	Yusuf Nazar	Daily <i>Eagle</i>	Kidnapped on December 21, 2010 with his associate Siddique Ayido when they were coming out of the court in Pasni. Their bullet-ridden bodies were found at Ormara on April 29, 2011.
18	August 14, 2011	Munir Ahmed Shakir	<i>Express News</i>	Killed in Khuzdar for celebrating Pakistan's Independence Day. Baloch Armed Defenders claimed responsibility.
19	October 16, 2011	Akhtar Mirza,	Editor, <i>Daily Jang</i>	Died in Quetta of a heart attack reportedly brought on by threats and intimidation by government agencies and separatist groups.
20	November 5, 2011	Javed Naseer Rind.	Formerly with <i>Express News</i>	Forced to give up journalism due to death threats from both the government and separatist groups, was kidnapped on September 11. His bullet-ridden body was found in Khuzdar on November 5, 2011.
21	May 19, 2012.	Razaq Gul Baloch	Reporter, <i>Express News</i>	Kidnapped and his bullet ridden body was placed near his house.
22	May 28, 2012	Abdul Qadir Hajizai	Reporter, daily <i>Mushraq</i> , Wish TV	Killed in Washak, The Baloch Liberation Front accepted responsibility for his murder
23	August 31, 2012	Dilshad Dhani	Daily Urdu <i>Azadi</i> and Joint Secretary of Gwadar Press Club	Killed in Karachi
24	November 18, 2012	Rehmat Ullah Abid	Duniya TV	Killed in Panjgur, Balochistan, by unidentified assailants
25	September 29, 2012	Abdul Haq Baloch	Correspondent, ARY Television and secretary-general of the press club	Killed in Khuzdar as he was leaving the press club. He had been on the hit list of the Baluch Musalah Diffa Army (BMDA, or the Armed Baluch Defense) since November 2011.
26	January 10, 2013	Imran Shaikh	Senior cameraman, Samaa TV	Killed in a bomb blast that occurred minutes after an initial explosion near a billiards hall in Quetta,
27	August 28, 2014	Irshad Mastoi	Bureau Chief of On Line News Agency	Killed by unknown assailants in Quetta
28	August 28, 2014	Abdul Rasool	Reporter ARY news	Killed by unknown assailants in Quetta
29	August 28, 2014	Muhammad Younas	Media assistant	Killed by unknown assailants in Quetta

KHYBER PAKHTUNKHWA AND TRIBAL AREAS, PAKISTAN:

Reporting from the Trenches

Formerly the North West Frontier Province, Khyber Pakhtunkhwa (KPK) is the third largest of Pakistan's four provinces in terms of its population and economy and has its own provincial government and independent provincial assembly. The Federally Administered Tribal Areas (FATA) comprise seven administrative agencies and six frontier regions and are directly governed by the Federal Government of Pakistan. Special laws such as the draconian Frontier Crimes Regulations (FCR) are operative in FATA.

Both KPK and FATA with a majority Pakhtun population were relatively peaceful – barring some administrative and political problems – since the birth of Pakistan in 1947. However, trouble in this rugged and beautiful borderland began in the late 1970s with the war against the Soviet Union in Afghanistan, along with infighting among various Afghan groups which spilled over into the region. The security situation worsened after the US attack on Afghanistan in 2001.

KPK and FATA gradually transformed into a veritable war zone when the Pakistan Army initiated military operations against local and foreign militants including Al Qaeda in 2002. A couple of years on, local militants began an attempt to seize power in Pakistan. American drone attacks to flush out militants have resulted in severe collateral damage in the shape of civilian deaths and made living and working

conditions in these areas that much more dangerous. Since 2003, more than 30,000 lives have been lost in KPK and FATA. Over the last 13 years, around ten major military operations were launched, the most recent being Operation Zarb-e-Azb launched in 2014.

No journalists were killed in KPK and the Tribal Areas in the year under review 2015, but the precarious security situation has also affected journalists who work under extremely stressful conditions, subjected to pressure from security agencies, armed militant groups, district administration and tribal leaders.

Media scene

With the rapid launching of private TV channels, local and national newspapers, FM radios and periodicals, the number of journalists in KPK and the Tribal Areas, is on the rise with more young men and women joining the profession. Journalists here face multiple challenges including insecurity of life, economic constraints, job insecurity, non-payment of salaries, impunity and unfavourable working conditions.

Peshawar – the capital of Khyber Pakhtunkhwa– boasts an active media scenario, publishing about 350 newspapers, magazines, weeklies and periodicals. There are as many as 500 working journalists in Peshawar including about 45 women journalists. There are about 100 journalists in Abbottabad in the Hazara region of KPK, and almost 260 working journalists in FATA.



Journalists receive safety training from IFJ and PFJ in Peshawar in 2012. Credit: PFJ

Intimidation and abduction

Journalists – both men and women – from electronic and print media in different areas of the province were interviewed for this report in order to gauge the ground reality. Interviewees revealed that although the number of threats from the Taliban had declined due to the ongoing army operation, incidents of intimidation and threats from various quarters including security forces, armed militants and politicians continue to be of serious concern. The prevailing atmosphere of intimidation and threats from all sides made journalism a particularly risky profession, as many journalists testified. Fazil a correspondent with a news channel from Hangu, shared that he had to leave his home after he got threats from terrorists for reporting news which was against them. Ahmed, correspondent with a newspaper and TV channel from Abbottabad, said that the local police had cracked down on journalists for reporting on the increasing crime rate in the area. Khan, a correspondent from Bannu said that there area had once been a stronghold of militants but the law enforcing agencies were successful in restoring peace. Now, news related to the security situation was regularly scanned and controlled by security agencies.

“Hussain, a correspondent from Khurram Agency, said that he was himself kidnapped by armed militants and was detained four years ago when he reported a story against militants.”

Hussain, a correspondent from Khurram Agency said that he was himself kidnapped by armed militants and was detained four years ago when he reported a story against militants. He related that in similar style, in December 2009, Taliban militants in Miranshah detained a freelance journalist working for the Associated Press (AP) for shooting in the volatile tribal region in violation of a ban imposed by them. Taliban spokesman Ahmadullah Ahmadi said by phone from somewhere in North Waziristan that the reporter had been taken into ‘custody’ for violating the ban. He was later released. In a direct attempt to control the media, in April 2010, a journalist, Muhammad Imran Khan, and his sister were injured when unidentified militants made a failed attempt to abduct them from their home in Khar, Bajour Agency in FATA. The Tehrik-i-Taliban Pakistan (TTP) spokesman Azam Tariq told journalists in North Waziristan that the “pro-America” media was spreading wrong information about the TTP.

Wazir, a journalist from Waziristan said that journalists were not only threatened by militants but faced risks because of drone attacks. Khan, a correspondent from Mohmand Agency said that incidents of missing persons were common but reporting such incidents is tantamount to putting your own life at risk.

It is often difficult to uncover the perpetrators On July 2, 2014, the home of Jamshed Baghwan, the bureau chief of

Express News in Peshawar was bombed. This was not the first time he had been subjected to an attack. In March 2013, a bomb was found in his house but defused before it was detonated. A few weeks later his home was damaged by a grenade.

In some cases, security agencies or militant organisations put pressure on journalists to get ‘clearance’ from them before releasing their reports.

Poor working conditions

There are around 350 newspapers, magazines and periodicals being published from Peshawar. Most reporters earn a pittance of approximately PKR 10,000 (USD 100) while camerapersons earn about PKR 5000 (USD 50). This meagre amount is a violation of the amount set by the KPK government, PKR 15000 (USD 150). They are also not following the Government of Pakistan Wage Board Award pay fixation, as the implementing authority, the Labour Department, is weak in enforcing implementation. Additionally, media owners openly defy the notification of the provincial government of KPK and exploit their employees despite the fact that the media industry receives USD 1,300,000 annually in government advertising revenue alone. This is quite apart from advertising budgets of private business.

However there are a few newspapers published from Peshawar where the minimum salary for reporters is PKR 15,000 (USD150), camerapersons PKR 10,000 (USD100) and the maximum salary is PKR 40,000 (USD 400). However the salary of media persons working for national dailies including English and Urdu are comparatively higher, with minimum salary packages being PKR 25,000 (USD 250) and the maximum going up to PKR 100,000 (USD 1000). The salary package in the electronic media is also unsatisfactory, with junior reporters and camerapersons drawing a salary of around PKR 15000 (USD 150) while senior reporters’ salaries could cross PKR 100,000 (USD 1000).

The low and irregular salaries as compared with bigger cities like Lahore, Karachi and Islamabad despite tough working environments are a major area of concern. Even though some media houses do not pay monthly salaries, journalists are forced to continue or face losing huge outstanding salary arrears or losing their job altogether. There is also no compensation for the journalists who die while on duty; their families are left without any source of support.

Job insecurity, lack of insurance cover and proper safety training or provision of any protective equipment is common. Shahzad Alam, a correspondent from Swat, shared that he was working in a conflict zone without any safety equipment or proper training. Most of the fresh entrants into journalism lack professional training. They are hired as interns and are placed directly in the field without being equipped for such responsibilities in a hazardous environment. The journalists from FATA not only face life threats but now are also amongst the numbers of internally displaced persons (IDPs) after the ongoing ‘war on terror’. Although journalists are more aware now due to training

workshops held by IFJ and PFUJ, they still need more training and education regarding safety, especially while they are performing their duties in the conflict areas. The majority of journalists are either unaware or not following PFUJ Code of Conduct while covering events. According to Nisar Mohmood Khan, President of Khyber Union of Journalists, since 2003, about 27 journalists in KPK and adjacent tribal areas have lost their lives in the line of duty while some of them could have been saved if they had adequate training to work in conflict areas. Lack of unity in a politically polarised atmosphere is another area of concern.

Even though some media houses do not pay monthly salaries, journalists are forced to continue or face losing huge outstanding salary arrears or losing their job altogether.

Lack of security for working journalists has been a major challenge for men while the situation is more threatening for women journalists. Women journalists are somewhat coping in urban areas like Peshawar and Abbottabad but are unable to work in tribal or other remote areas due to conservative attitudes and unsafe working conditions. MS, a Peshawar based female journalist explained that she could not cover public as well as religious processions only because she was a female while exploitation from male colleagues was also a major concern.

No accountability

Impunity is another area of concern. Since 2003, 26 media workers have been killed in KPK and FATA. But in many cases, despite demands from the unions, perpetrators have not even been identified, leave aside apprehended and punished. Some journalists have not only been verbally threatened but have also received bullets by post sent by unknown people. The perpetrators of such crimes are encouraged when they are not held accountability and brought before a court of law. The reports of threats from terrorists, local administration, state and non-state actors has been in great numbers while majority of the cases are not reported due to fear.

Pakistan remains one of the deadliest countries in the world for journalists, and impunity for the attackers remains almost absolute. The only two journalists whose murderers have been charged are the *Wall Street Journal's* Daniel Pearl and more recently GEO news reporter Wali Khan Babar.

According to senior journalist Shamim Shahid based in Peshawar, in KPK and FATA despite vociferous demands and protest of the union bodies (PFUJ, Khuj and TUJ) not a single investigation report from any authority has been shared in the public domain. The hidden hand behind journalists' killings therefore remains hidden.

Strength in unity

It is extremely significant that journalists are attempting collective action in the face of severe repression and

control. At present there are two local unions in KPK and FATA which are affiliated to the Pakistan Federal Union of Journalists: the Khyber Union of Journalists (KhUJ) based in Peshawar, capital of Khyber Pakhtunkhwa and the other is the Hazara Union of Journalists (HUJ) based in Abbottabad.

Another 17 journalist unions are also operating in KPK including Nowshera Union of Journalists (23 members); Mardan Union of Journalists (28); Kohat Union of Journalists (40); Hangu Union of Journalists (35); Bannu Union of Journalists (27); Lakki Union of Journalists (15); Karak Union of Journalists (25); Khyber Union of Journalists (450); Swat Union of Journalists (62), Buner Union of Journalists (8);

Between a rock and a hard place

Ziaul Haq based in Peshawar has been attached with electronic media since 2003 and has been regularly covering news about the Taliban and the military action against the Taliban. He has interviewed senior Taliban leaders like Baitullah Mehsud, Hakeemullah Mehsud and many others, triggering threats.

Though threats have become routine for journalists covering Tehrik-i-Taliban related news, after the attack on the Army Public School at Peshawar on December 16, 2014, in which 132 innocent children were killed, media coverage of Tehrik-i-Taliban was strictly banned in both the electronic and print media. As a result, on January 10, 2015, the Taliban spokesman including Ihsanullah Ihsan were frustrated and phoned Ziaul Haq threatening that if his news was not run on the ARYNEWS channel, the Taliban would take action against him and other media persons. Following this, another group named Jundullah also sent him a text message in Urdu on his cell phone. Ziaul Haq then posted the conversation with the Taliban on Facebook (Haq Zia) on the same day to show that the abrupt government ban on coverage of Taliban news could have dangerous consequences. The PFUJ and the IFJ issued solidarity statements condemning the intimidation of journalists.



"I appeal to the Pakistan media to not take sides, otherwise the organisation will be compelled to take action against the media. Enough is enough. We had also condemned the attack on the Army Public School but the media is defaming the Taliban. We are going to hold meetings on media affairs. Al Qaeda will participate in the meeting."

Dir Union of Journalists (40); Upper Dir Union of Journalists (30); Shangla Union of Journalists (23); Batkhela Union of Journalists (5); Malakand Union of Journalists (11); Hazara Union of Journalists (50) and the Haripur Union of Journalists (40).

There is one union of journalists for seven tribal agencies and six frontier regions with the name Tribal Union of Journalists (TUJ). Beside this there are also local units of the TUJ. The total membership of the TUJ is 230 in general while local units have fewer members: South Waziristan Union of Journalists, Wana (40); North Waziristan Union of Journalists, Miran Shah (30); Kurram Agency Union

of Journalists, Parachinar (25); Orakzai Agency Union of journalists, Hangu (7); Bajour Agency Union of Journalists, Khar (30); Mohmand Agency Union of Journalists, Ghalanai (30); Khyber Agency Union of Journalists, Bara (60).

In Pakistan, which was declared by the IFJ as most dangerous country for media persons, there is a grave need for journalists' bodies to come together. Despite personality and leadership clashes, it is encouraging that all factions spill on to the streets in protest when issues of journalist safety and security are at stake. Unions have continued to put pressure on the government to bring perpetrators to justice.

Media workers killed in Khyber Pakhtunkhwa and Tribal Areas (2003-2014)

No	Date	Name	Organisation	Details
1	January 21, 2003	Fazal Wahab	Freelance writer	Shot dead by unidentified militants in a roadside shop in Manglawar Bazaar, Mingora, Swat, KPK.
2	February 7, 2005	Amir Nowab	Freelance cameraman for <i>Associated Press Television News</i> and reporter for the <i>Frontier Post</i> newspaper	Killed by unidentified militants returning from Sararogha in Wana, South Waziristan Agency, FATA, after covering the suspected surrender of TTP chief' Baitullah Mehsud. A group called Sipah-e-Islam (Soldiers of Islam) claimed responsibility.
3	February 7, 2005	Allah Noor	Peshawar-based Khyber TV	Killed by unidentified militants returning from Sararogha in Wana, South Waziristan Agency, FATA, after covering the suspected surrender of TTP chief' Baitullah Mehsud. A group called Sipah-e-Islam (Soldiers of Islam) claimed responsibility.
4	June 16, 2006	Hayatullah Khan	Reporter for the Urdu-language daily <i>Ausaf</i>	Body found in Miranshah, North Waziristan Agency, FATA, where he was kidnapped six months earlier on December 5, 2005. He had received numerous prior threats from Pakistani Security Forces, militants and local tribesmen because of his reporting.
5	January 9, 2007	Anwar Saleh	Afghan journalist	Beheaded by unidentified assailants in Hangu, KPK.
6	April 28, 2007	Mehboob Khan	Freelance journalist	Killed in Charsadda, KPK in a suicide bomb attack aimed at Interior Minister Aftab Sherpao.
7	June 2, 2007	Noor Hakim Khan	Correspondent, <i>Daily Pakistan</i> and vice president of the Tribal Union of Journalists	One of five people killed by a roadside bomb in Bajaur Agency, FATA.
8	February 29, 2008	Siraj Uddin	Reporter, <i>The Nation</i>	Killed in a suicide bombing that took the lives of more than 40 people in Mingora, Swat, KPK.
9	May 22, 2008	Mohammed Ibrahim	Reporter for Express TV	Shot by unidentified militants in Khar, Bajaur Agency, FATA, returning from an interview with local TTP 'spokesman' Maulvi Omar.
10	August 29, 2008	Abdul Aziz Shaheen	Local Urdu-language daily <i>Azadi</i>	Killed in an airstrike that hit the lockup of TTP militants where Shaheen was being held captive. He had been earlier kidnapped from the Peuchar area of Swat.

No	Date	Name	Organisation	Details
11	January 4, 2009	Mohammad Imran	Trainee cameraman for Express TV	Killed by a suicide bomber in Dera Ismail Khan, KPK.
12	January 4, 2009	Tahir Awan	Freelance reporter for the local <i>Eitedal</i> and <i>Apna Akhbar</i>	Killed by a suicide bomber in Dera Ismail Khan, KPK.
13	February 18, 2009	Musa Khankhel	Journalist, Geo TV and <i>The News</i>	Killed in Swat, KPK, while covering a peace march led by Muslim cleric Sufi Muhammad, father-in-law of TNSM leader Maulana Fazlullah.
14	August 24, 2009	Janullah Hashimzada,	Afghanistan's Shamshad TV	Shot by three unidentified militants while travelling on a public minibus in Jamrud, Khyber Agency, FATA.
15	April 17, 2010	Azamat Ali Bangash	Cameraman and correspondent, Samaa TV	Killed in a suicide bombing while covering food distribution at the IDP camp in Kohat, KPK.
16	September 14, 2010	Misri Khan Orakzai	Reporter and head of the local journalists association	Shot dead as he entered the Press Club in Hangu, KPK. TTP claimed responsibility.
17	December 6, 2010	Pervez Khan Mohmand	Journalist with Waqt TV	Among 50 people killed in a double-suicide bomb attack on a jirga being held outside the office of the assistant political agent of Mohmand Agency at Ghalanai.
18	May 10, 2011	Nasrullah Khan Afridi	Journalist, Khyber News Agency	Killed when his car blew up in Peshawar. Police said Lashkar-I-Islam 'chief' Mangal Bagh, had threatened Afridi in Khyber. In May 2006, unidentified assailants had lobbed two hand grenades at Afridi's house in Bara, the main town of Khyber Agency in FATA.
19	June 11, 2011	Asfandyar Khan	Reporter, <i>Akhbar-e-Khyber</i>	Died in a double bombing in Peshawar that took the lives of more than three dozen people.
20	June 17, 2011	Shafiullah Khan	Trainee reporter, <i>The News</i>	Died six days after suffering extensive burns in a June 11 double bombing in Peshawar.
21	January 17, 2012	Mukarram Khan Atif	Correspondent for Washington-based Pashto language Deewa Radio and a reporter for a private TV channel	Shot dead by two unidentified assailants in Shabqadar, Charsadda, KPK.
22	September 22, 2012	Amir Zeb,	Driver of an ARY news van	Killed by gunfire, allegedly by the police, during protests in Peshawar.
23	February 27, 2013	Malik Mumtaz Khan	Freelancer	Shot dead in Miranshah town of North Waziristan Agency.
24	April 16, 2013	Tariq Aslam	Sub-editor, Urdu-language <i>Daily Pakistan</i>	Killed in a suicide blast at a rally of the Awami National Party in Peshawar. The banned TTP claimed responsibility for the blast in Peshawar.
25	October 11, 2013	Ayub Khan Khattak	Reporter, <i>Karak Times</i>	Shot by unidentified assailants in Warana village, KPK.
26	January 29, 2014	Bakht Taj Yousafzai	Mardan District Newspaper.	Killed by unidentified militants in Bakhshali Mardan, KPK.

**KASHMIR, INDIA:
The Unquiet Valley**

The Indian-administered Kashmir Valley has been reeling under trouble for almost three decades. In late 1989, the armed rebellion that broke out has consumed thousands of human lives so far.

Over the past 25 years, media in Jammu and Kashmir has walked on a razor's edge. It has been a battle of survival for the journalists working in the state that has seen an armed insurgency and intense militarisation as well as indiscriminate application of the draconian Armed Forces (Special Powers) Act and other public order laws. With the warring parties training their guns on the media it has been difficult to find a middle path, balance the news and stay safe. The media has suffered in the form of direct attacks, intimidation, threats both visible and invisible and pressures from various quarters. At least 14 journalists have been deliberately killed during the period of conflict. Though the situation seems to have eased the inherent problems that a conflict throws up continue to cast a shadow. Nevertheless

It has been a battle of survival for the journalists working in the state that has seen an armed insurgency and intense militarisation as well as indiscriminate application of the draconian Armed Forces (Special Powers) Act & other public order laws.

the media has emerged as a vibrant sector in Kashmir giving voice to the people.

Looming threats

The past few years have seen recurrent threats to media in Kashmir. There has been a significant decline in the visible pressure from armed groups but 2008-2010 have been the worst years for the media in Kashmir as far as the government is concerned. Those expressing dissent, including the media, were severely suppressed. Public unrest was at its peak first after the row over the allotment of land to the Hindu shrine at Amarnath that resulted in the deaths of 60 people; the alleged double rape and murder of two women in Shopian in 2009 followed by the unprecedented agitation of 2010 in which 120 people were killed at the hands of police and paramilitary forces.

The brunt of this suppression of dissent was faced by the media as well as the common people. Newspapers were forced to suspend the publication for several weeks in 2008 and 2010 and scores of journalists/photo-journalists were either arrested or beaten while performing their professional duties. In the words of a senior editor "the year 2010 was the year of press emergency in Kashmir". During the recent parliamentary and assembly elections in 2014, many journalists were either beaten or stopped from discharging their duties by the police and paramilitary forces.

On April 3, 2014 journalists organised a sit-in in Srinagar to press for accreditation passes for all those journalists who were supposed to cover elections. Many of the journalists were denied these passes by the authorities.



Kashmiri journalists hold a protest in Srinagar seeking action against police personnel involved in the thrashing of two photojournalists in 2011. Credit: Shujaat Bukhari

Sheikh Inayet, a local correspondent for Times Now TV, and Zahoor Ahmad Bhat, a reporter for the *Sharherbeen Times*, were covering a local party's election meeting in Bandipora on April 19, 2014, when they were attacked and badly injured by members of the elite Special Operations Group (SOG), as well as police officers.

Javed Dar, a photo-journalist working for Xinhua News, was injured after being attacked by police in the town of Kulgam on April 24, 2014, while the windows of the car belonging to Farooq Javed Khan, the journalist accompanying him, were smashed. The other journalists who got injured in police action were identified as Naseer Ganai from *Mail Today*, Fayaz Wani, Faisal Yaseen, *Rising Kashmir* reporter Manzoor-ul-Hassan, Associated Press (AP) photographer Mukhtiyar Khan, and AFP Photographer Touseef Mustafa.

Shabnam Fayaz of Munsif TV and Aadil Umar Shah of Voice TV had to be hospitalised after being beaten by the police while covering protests in Pulwama, a town to the west of Srinagar, on April 24, 2014. Since police was deployed to quell a demonstration they did not like the presence of journalists in the area.

The house of Sheikh Saleem, a journalist working with *Rising Kashmir* was attacked by unknown people on August 3, 2014. His house was damaged but he escaped unhurt. He believes that some of his stories might not have gone down well with certain people in the area. He lodged a complaint with police.

Natural disasters have also taken their toll. A photo journalist Shafat Siddique working for Hindi *Dainik Jagran* was washed away in the devastating floods in the Kashmir Valley in September 2014 while discharging his professional duty. A vigorous campaign by Srinagar-based professional groups such as the Kashmir Press Photographers' Association forced *Dainik Jagran* to pay INR 900,000 (USD 15,000) as *ex gratia* relief to the family.

Still a militarised zone

Even as the shadow of militancy remains, for the last several years, the threat from non-state actors has declined. Invisible pressures continue to exist but direct threats have reduced. Since the conflict continues in Jammu and Kashmir, there are several professional hazards for journalists in what has been described as "the most militarised zone in India". The work environment is not secure as the chances of crossfire, land mine blasts and bomb blasts have not decreased and journalists are working in a risky atmosphere. Even today, journalists are stopped at various points occurs on a regular basis, severely affecting their mobility. Only on March 26, 2015, a senior journalist Khurshid Qureshi working with a local daily was beaten by the security guards at a local hospital in Srinagar. "Democratic" governments have been in power but the risks have not disappeared.

Reporting from areas close to Line of Control (LOC) that divides the state of Jammu and Kashmir in two parts between India and Pakistan is hazardous. Ashutosh Sharma, a freelance journalist who has worked extensively in these areas with a focus on people's problems due to mining says that it was not easy to get access. "While reporting

from these areas, I've felt that local civil and military administration in particular and government in general want the reporter to write in a certain way. The reporter is always denied access to the worst affected areas and people—sandwiched between land mines and huge walls of concertina wire", he says.

Job insecurity

Job insecurity has been haunting journalists in Kashmir for decades, as has the lack of insurance cover. For those working in national and international media, this is a matter of concern because Kashmir's conflict is no longer at a peak, and therefore the focus has shifted to other hot spots. Some organisations have wound up their bureaus, leaving many jobless. In local newspapers too, problems exist, as government advertising remains the only source of revenue for them. In case there is a conflict of interest the government cracks the whip and the result is a financial crisis. In 2010 several newspaper offices laid off journalists. "We have no such agencies either at government or non-government level that could provide or advocate the cause of security or insurance cover for the scribes," says Rashid Maqbool editor of a local Urdu daily *Buland Kashmir*.

Over the last 25 years, the government has not taken a single case of killings, arrests or attacks on journalists to the logical end. No case has even been properly investigated. Under the garb of fighting militancy these cases are ignored.

Culture of impunity

Over the last 25 years, the government has not taken a single case of killings, arrests or attacks on journalists to the logical end. No case has even been properly investigated. Under the garb of fighting militancy these cases are ignored. Jammu and Kashmir also have draconian laws such as the Armed Forces (Special Powers) Act that give unbridled powers to security forces. Likewise, the Public Safety Act, termed by Amnesty International as a "Lawless Law" continues to be used in arbitrary ways to harass journalists. The latest victim of this Act was Maqbool Sahil, working for Urdu daily (then weekly) *Chattan*, who was booked in 2005 and released after four years. There are other laws, such as Unlawful Activities Act and Official Secrets Act, which are being used against newspapers in case the government does not like something that is published. These cases are booked under sections pertaining to law and order. There is no mechanism for redressal of grievances in the state.

Lack of security for women journalists

There are only few women journalists working in Kashmir. Due to social taboos, late working hours and the overall security environment, women find it difficult to work as full-time reporters. But the trend is changing and they are

slowly moving toward assuming a more significant role in the media in Kashmir. Apprehensions remain, however. “It will take time for a conducive atmosphere to be put in place. Lack of security is an issue. Job security is also an issue. But things are slowly changing” said Rahiba Parveen who works as a political reporter for *Rising Kashmir* daily.

Need for unity

Some journalist bodies that have been formed over the years in Kashmir are too fragile to influence the state and/or non-state actors as pressure groups. One of the main reasons for the lack of emergence of journalist bodies during the conflict was the need that journalists felt to maintain a low profile. There were apprehensions about

being identified in public and coming under scrutiny. Lack of trust and confidence among journalists has also been a factor, given the fact that many competing forces in the conflict tend to infiltrate and manipulate such bodies for their own interests. That is the reason why Srinagar is perhaps the only city in South Asia that does not have a Press Club. There is no place for journalists to sit, chat, share information and contacts and simply relax. But things may improve in the years to come. “The government has just announced a Press Club for Srinagar in the recent budget. Let us hope that it works and we can have a place where we can sit with dignity,” said Peerzada Ashiq, who works for the *Hindustan Times*.

Media workers killed in Kashmir since 1990

No.	Date	Name	Organisation	Details
1	February 13, 1990	Lassa Koul	Director of Doordarshan Kendra (Government owned TV station)	Shot by insurgents
2	March 1, 1990	P N Handoo	Assistant Director, Information Department, Government of Jammu & Kashmir	Shot by insurgents
3	Early 1990	Mohammad Sidiq Sholori	Calligrapher	Last seen in early 1990 in custody of paramilitary Central Reserve Police Force. Presumed dead.
4	April 23 1991	Mohammad Shaban 'Vakil '	Editor, <i>Al Safa</i> , a local Urdu daily	Killed by insurgents in his office
5	September, 29, 1992	Ghulam Nabi Mahajan	Calligrapher	Killed alongside his son by security forces in Srinagar
6	October 16, 1992	Syed Ghulam Nabi	Joint Director, Information Department	Killed by unknown gunmen in Srinagar
7	August 29, 1994	Ghulam Muhammad Lone	Freelancer	Killed along with son by security forces in Kangan
8	September 10, 1995	Mushtaq Ali	Journalist with Agence France-Presse and Asian News International	Killed by a parcel bomb at the BBC office in Srinagar
9	April 10, 1996	Ghulam Rasool Sheikh	Editor of Urdu-language daily <i>Rehnuma-e-Kashmir</i> and English-language weekly <i>Saffron Times</i> .	Kidnapped and found dead in Kashmir's Jhelum River
10	January 1, 1997	Altaf Ahmed Faktoo	Newscaster with Doordarshan TV	Killed by insurgents in Srinagar
11	March 16, 1997	Mohammad Saidan Shafi	Special Correspondent with Doordarshan TV	Killed as insurgents fired at his car in Srinagar
12	August 10, 2000	Pradeep Bhatia	Photographer with <i>The Hindustan Times</i>	Killed by a mine blast in Srinagar
13	January 31, 2003	Parvaz Muhammad Sultan	Chief Editor of News and Feature Alliance	Shot dead in his office by unidentified gunmen.
14	April 20, 2004	Asiya Jeelani	Freelancer	Killed in a landmine blast
15	May 9, 2004	Abdul Majid Bhat	Senior reporter with Information Department	Killed in a blast in Doda town

No.	Date	Name	Organisation	Details
16	August 29, 2004	Javed Shah	Editor of <i>Watan</i>	Killed by insurgents in his office in Srinagar
17	September 14, 2006	Shabir Ahmad Dar	Freelance Photographer	Unidentified gunmen abducted him in Samboora, Pulwama. He was later slaughtered and his body found in two parts.
18	May 11, 2008	Ashok Sodhi	<i>Daily Excelsior</i>	Killed while covering a gunfight between militants and security forces in Samba
19	August 13, 2008	Javed Ahmed Mir	Channel 9 cameraman	Shot by security forces in Srinagar

NORTHERN PROVINCE SRI LANKA: Legacy of Conflict

The Northern Province, one of the nine provinces of Sri Lanka, was temporarily merged with the Eastern Province between 1988 and 2006. The North Eastern province was a theatre of war between the Government of Sri Lanka and the rebel Liberation Tigers of Tamil Eelam (LTTE), which controlled large swathes of this territory. The province was recaptured by the army in 2009. Jaffna, the administrative headquarters of the province located on the eponymous peninsula, is a city still limping back to normalcy, attempting to recover from the ravages of three decades of war.

Valuable heritage

Jaffna has a rich tradition of critical newspaper journalism dating back to the nineteenth century. *Morning Star*, the first Tamil newspaper in the world was published in Jaffna way back in 1841 with Henry Martin as its editor. Other newspapers published in Jaffna in those days, were the *Patriot*, *Jaffna Freeman* and *Literary Mirror*. The *Catholic Guardian* and *Hindu Organ* were launched in 1876. Jaffna publications were also widely read by Tamil speakers outside Sri Lanka. *Eelakesari* a Tamil weekly published in Jaffna between 1931-1956 had subscribers in India, Malaysia, South Africa, Fiji and Mauritius. *Eelanadu*, the first provincial daily was launched in Jaffna in 1956.

The *Saturday Review*, an English language weekly launched in 1982 was shut down by the government on July 1, 1983, around the time of the anti-Tamil pogrom in Sri Lanka. The recently passed *Emergency (Miscellaneous Provisions and Powers) Regulations 1983* were used to seal the paper's offices and the editor S. Sivanayagam had to flee to Tamil Nadu, India, soon after. The ban on the *Saturday Review* and another paper, the *Suthanthiran*, were lifted in January 1984 but the papers were subject to strict censorship by the government. Despite attempts to revive it around 1988, the paper was permanently shut down.

Uthayan (which means dawn) was launched in Jaffna in 1985 and is the only paper in the Northern Province that did not cease publication during the civil war. Over the years, its courageous journalism has been celebrated not only in Sri Lanka but overseas, with the newspaper winning coveted awards of excellence. *Uthayan* received the Sepala Gunasena Award for Defending Press Freedom in Sri Lanka

in 2009, the year in which the island's protracted war came to an end and journalism in Jaffna faced its toughest time.

Uthayan (which means dawn) was launched in Jaffna in 1985 and is the only paper in the Northern Province that did not cease publication during the civil war.

Currently, four newspapers are published from Jaffna: One is a provincial newspaper and the other three being provincial (Jaffna) editions of the national papers. These four papers function with a staff of about 55-65 media workers and 40-60 area reporters. 20-25 journalists from Jaffna contribute to internet based media. Two television channels and one radio station operate from Jaffna. There are no journalists' trade unions in Jaffna mainly due to the fact that media organisations are privately owned and trade unions are discouraged, in some cases, even restricted. Jaffna Press Club is the leading journalists' association in Jaffna while another association, North Sri Lanka Journalists Association which was once active, is now defunct. With the nationalist discourse being dominant, at present there is no discourse on rights of journalists among Jaffna journalists.

Caught in the crossfire

The media in Jaffna was a regular victim of hostilities during the armed conflict that lasted for 30 years. For instance, the *Uthayan* office faced aerial bomb attacks due to which the printing of the paper had to be temporarily halted. Media personnel were harassed by both the government forces and the LTTE and journalists were killed, threatened and abducted. Since the armed conflict in Sri Lanka ended in 2009, Jaffna media has been free of the risk of being caught in cross fire or bomb blasts.

However attacks against the media in Jaffna continue and journalists are being subjected to intimidation and harassment. During the last year there were several instances when the police interrogated and attempted to control Jaffna media: On July 28, 2014, Omanthai Police called several journalists who protested against military intimidation for questioning. Senior journalist and media activist Thayaraparan Ratnam was interrogated by the



Sri Lankan police stand outside the *Uthayan* printing press in Jaffna on April 13, 2013, after gunmen opened fire and torched the office of the Tamil newspaper in northern Sri Lanka. *Credit: Str/AFP*

Criminal Investigation Division (CID) on October 3; and recently a freelance Tamil journalist from Jaffna was called in for an investigation regarding his coverage of the assault of a school girl by Sri Lankan police officers and later detained. On April 7, 2015, three Tamil journalists were harassed and threatened by police officers in Jaffna, as they were leaving a protest. The police officers who appeared to be intoxicated chased the journalists while brandishing knives.

The military was also a source of harassment of the Jaffna media during the last year. Military officers reportedly visited printing presses in Jaffna, harassed newspaper agents and instructed printer owners to alert the military before printing the papers.

Journalists in Jaffna also faced threats and attacks from unidentified groups. In September 2014, Sinnarasa Siventhiran, an area correspondent for *Uthayan*, escaped a murder attempt. Though the perpetrators introduced themselves as officers from the Criminal Investigation Division, they are still unidentified. On December 6, 2014, senior journalist and Jaffna Press Club Advisor, R. Dayabaran, was threatened over the telephone when he was travelling to Colombo to participate in a media protest against the suppression of media during the Rajapakse regime.

Censorship is another major obstacle to realising freedom of expression in Jaffna. There were instances when media was not allowed to cover certain incidents. In July 2014, journalists who went to report the pre-emptive surveying of private land by Sri Lankan Navy were threatened and journalists covering a case of rape, allegedly committed by Navy personnel, were forcibly removed from Jaffna Courthouse by persons in civilian clothing and were warned not to publish any news on the proceedings. Screening of a film was disrupted in Jaffna and in November 2014,

intelligence personnel threatened Jaffna Press Club demanding that the Club should not provide space for an event being conducted by the political party Janatha Vimukthi Peramuna (JVP). Along with the censorship by the government and armed forces a culture of impunity has led to self-censorship in the media.

To address the need of safety training, first, an environment where journalists can freely attend media trainings needs to be created.

Legal restrictions

While most restrictions on freedom of expression are extralegal, there are legal restrictions as well. Many laws in Sri Lanka ranging from constitutional provisions to penal laws restrict expression. Though Sri Lanka's armed conflict has ended, the Prevention of Terrorism Act which violates human rights norms is still in force. The Act makes serious incursions in to freedom of expression and the media by requiring in certain circumstances governmental approval for printing, publishing and distributing publications and newspapers.

Lack of safety

Among the other issues currently faced by journalists in Jaffna is job insecurity. Many media workers, especially provincial journalists work without a valid contract of employment. Lack of insurance cover and lack of safety training remain areas of concern. Though safety trainings were provided a few years ago by organisations such as INSI, Inter News and IFJ, there have been no follow ups due to lack of funding and restrictions on international organisations have been a barrier to conducting trainings in recent times.

Further, an environment hostile to media trainings seems to be emerging in the country. In July 2014, 11 journalists from Jaffna who were travelling to a media workshop in Colombo were stopped and interrogated by Government armed forces. Another workshop was cancelled in November 2014 due to threats and intimidation by armed forces. To address the need of safety training, first, an environment where journalists can freely attend media trainings needs to be created. Likewise, there is also a need to build professionalism. Another challenge in the way of pressing for safe journalism is the lack of unity among journalists. In Sri Lanka, journalists are divided on the lines of political ideologies and ethnicities, and there is a disconnect between journalists from the South and those from North.

The social context which continues to be sharply polarised on ethnic and political lines, has an impact on the practice of ethical journalism. It is noteworthy that several media organisations in Jaffna have strong political affiliations; for example, both *Uthayan* and *Thinamurusu* dailies are owned by members of parliament.

While Jaffna journalists face many challenges, the culture of impunity is the worst enemy of freedom of expression in Sri Lanka. *Uthayan* has faced over thirty attacks during and after the war and to date no perpetrator has been brought to justice. No person has so far been convicted in the judicial proceedings on the assassination of journalist Mylvaganam Nimalrajan in Jaffna 15 years ago. No person has been convicted of the attempt to murder Sinnarasa Siventhiran, the progress of the investigation is unknown and those who threatened Dayabaran still roam free. There is no progress in the investigation in to the disappearance of journalist Subramaniam Ramachandran who went missing eight years ago after he was arrested by the Sri Lankan military.

Today, when Sri Lanka is moving towards constitutional and political reform, it is important to end the culture of impunity and take action against individuals and groups responsible for violations of media freedom. As part of the reform process, it is essential that full and open investigations are held into all these cases.

EASTERN PROVINCE, SRI LANKA: Significant Shift

The Eastern Province is one of the nine provinces of Sri Lanka, with its capital at Trincomalee. The province got legal status in 1987 following the 13th Amendment to the Constitution which established provincial councils. However, from 1988 until 2006, it was merged with the Northern Province to form the North Eastern Province. Large swathes of this province were under the control of the LTTE during the civil war, and the entire territory was captured by the Sri Lankan army in 2007.

During the prolonged ethnic conflict and war, the media in the Eastern Province was caught between the LTTE and the government authorities. Armed groups owing allegiance to the Sri Lankan army added to the volatile situation in which the media had to operate. Even though no major incidents threatening media freedom were reported from the province from May 2014-2015, the consensus is that there

was a perceptible shift in the working environment for media personnel since the regime change in January 2015. Journalists recall that incidents of being followed by security forces and restrictions imposed by them in accessing information created an atmosphere of intimidation which has reduced to a great extent.

While most national-level publications enjoy circulation in the region, only one, *Vaarauraikkal*, in Tamil, is published specifically for that province. There are an estimated 200 media workers in the East, the majority concentrated in the Ampara District.

When contrasted with the period before the end of the war, when journalists were assailed by both the State and the LTTE, the situation is considered to have improved still further. However, while certain incidents of telephone threats by displeased regional politicians were reported, media associations acted in concert in those cases to express condemnation. The police is also said to have been responsive in recording the complaints of those affected, as well as advising the perpetrators against repetition. In these incidents, the victims did not seek to pursue action in court.

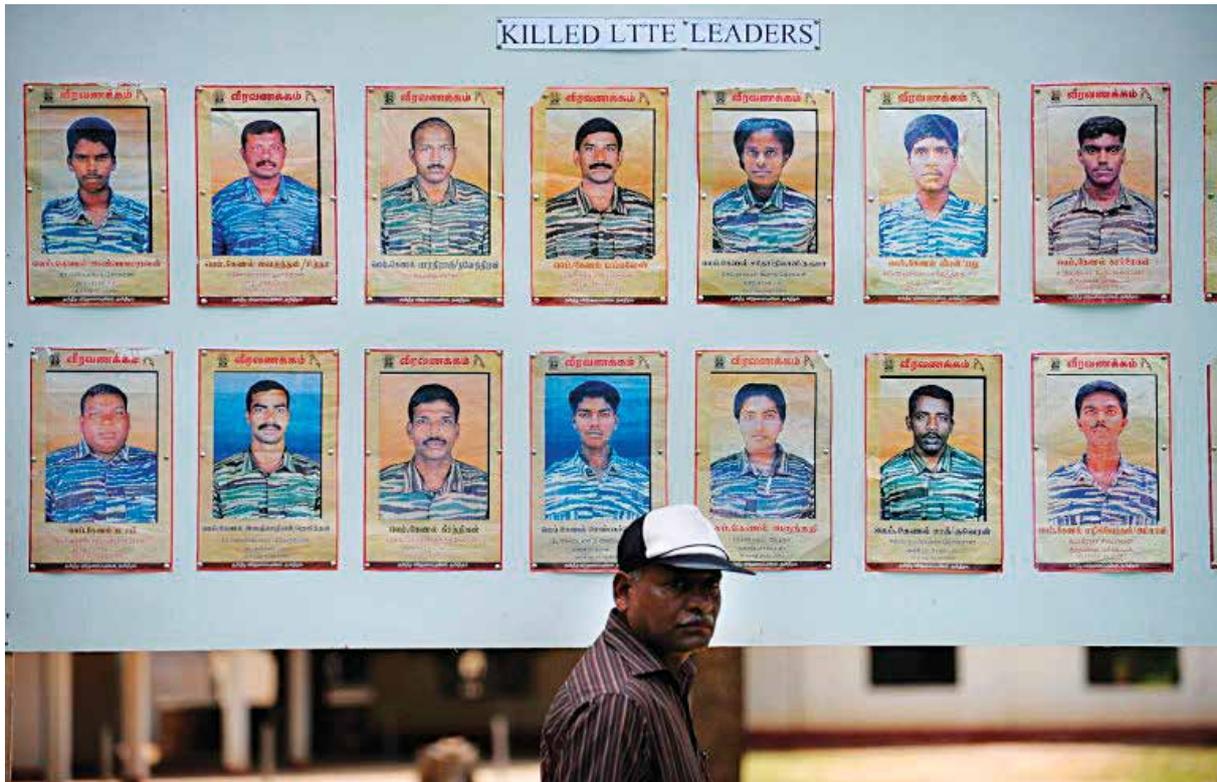
When contrasted with the period before the end of the war, when journalists were assailed by both the State and the LTTE, the situation is considered to have improved still further.

A significant demographic characteristic of the Province is its diverse population, even as the Tamil and Muslim communities make up the political majority, a fact reflected in the issues faced by media workers there. It is reported that in some instances, law enforcement officials were indifferent and showed a lack of interest in pursuing complaints made by media personnel, particularly if the complainants were Tamil or Muslim.

In 2014, before the regime change, some workshops organised for journalists were either threatened with disruption or were disrupted by the security forces. In this regard, a workshop organised by an NGO for Tamil journalists on the topic of effective implementation of the recommendations of the Lessons Learnt and Reconciliation Commission (LLRC) was disrupted by the security forces, who reportedly surrounded the workshop venue. Interestingly, the Sinhala phase of the workshop that preceded the Tamil event had concluded without difficulty, despite participants receiving information of it possibly being blocked by authorities.

Restricted access

The centralisation of access to government information resulted in a general administrative reluctance to part with information, as well as a significant amount of red tape, which in turn contributed to the indirect censoring of the media. For instance, provincial institutes, particularly during the previous regime, refused to divulge information



A Sri Lankan journalist passes by a board featuring images of Liberation Tigers of Tamil Eelam (LTTE) leaders killed by the Sri Lankan army during a visit of journalists to Kilinochchi on April 24, 2009. Credit: Pedro Ugarte/AFP

of state affairs, persistently referring journalists to media spokespersons operating from the central government. However, their lack of awareness of and access to the relevant information outlets at the central government imposed unnecessary obstacles on journalists. That these outlets and spokespersons are based in Colombo also had its adverse impact on the news-gathering ability of East-based journalists.

The lack of a standardisation of recruitment criteria, coupled with the culture of political patronage, has contributed to the declining quality of journalistic output in the region.

Another significant issue reported to impact media freedom in the East is the covert affiliations of some journalists with politicians. These affiliations are said to affect the impartiality of the media in the East and, by extension, its credibility. This is further exacerbated by the reliance of journalists on political patronage to advance their careers, particularly within, though not limited to, the state media. The lack of a standardisation of recruitment criteria, coupled with the culture of political patronage, has contributed to the declining quality of journalistic output in the region. Furthermore, the media in the region is also

adversely affected by the culture of divisiveness within the industry, which is contributed to by both political partisanship as well as commercial competitiveness.

In terms of women in journalism, all estimates indicate drastically low participation, the most generous one counting less than ten women in the Eastern Province engaged in journalism. The general atmosphere is one adverse to women working in the media, both in terms of cultural factors and security factors, although the two tend, sometimes, to feed off each other. The need for male escorts particularly at night, especially where there is limited access or transport to certain areas imposes further restrictions on the mobility of women journalists.

Media workers in the Eastern Province are organised, and several bodies are active. Some, such as the Coastal Area Media Organisation, are divided along ethnic lines, comprising Tamils and Muslims only, while other organisations are multi-ethnic. In all, there are six organisations reported to be in operation in the province: Coastal Area Media Organisation; Trincomalee Journalists' Association; Kathankudy Media Forum; Ampara District Media Association; Trincomalee District Media Association and Batticaloa District Media Association. The Digamadulla Media Association is reportedly no longer in operation. With the new regime, there is hope that these organisations can work towards making the environment safe for the practice of ethical journalism.

List of media workers from the North-eastern province killed since 1989

No	Date	Name	Organisation	Details
1	November 6, 1989	I. Shanmugalingam	Staff Reporter, <i>Eelanaadu & Eelamurasu</i>	Claimed to have been shot dead by LTTE
2	May 11, 1989	T Mahaligam	Point Pedro correspondent of the Sun and Colombo based daily <i>Island</i>	Gunned down by a suspected LTTE gunman
3	1989 (Date not confirmed)	M. Amirthalingam	Owner of the Jaffna based <i>Murasoli</i> newspaper	He was found shot to death, LTTE is suspected to be responsible.
4	1989	M. Navarathman	Local correspondent, <i>Eelaurasu</i> and <i>Murasoli</i>	Gunned down during the Indian Peace Keeping Force involvement in Jaffna
5	Sept 16, 1990	Kumaraguru Kuhamurthi	Reporter on human rights for <i>Saturday Review</i> weekly; employee of SL broadcasting corporation	Abduction and forced disappearance is credited to an armed group that worked for the government. Presumed murdered though his body was never found.
6	1997	Thiagarajah Selvanithy	Founder editor, <i>Tholi</i>	She was abducted and later killed by the LTTE
7	1999	Anbutharajah Nadarajah	Editor, <i>Thinamurusu</i> newspaper published by EPDP	Shot dead in his vehicle in Wellawatta, Colombo. Initially considered a killing by LTTE, later suspected to be inside job
8	October 19, 2000	Mylvaganam Nimalarajan	Reporter, BBC	Reportedly shot by the Eelam People's Democratic Party (EPDP) a pro-government paramilitary organisation
9	May 31, 2004	Aiyathurai G Nadesan	Reporter, <i>Virakesari</i>	Shot to death in Batticaloa, reportedly by the Tamil Makkal Viduthalai Pulikal (TMVP or 'Karuna Group')
10	August 16, 2004	Balanadarajah Iyer	Founder and editor, <i>Thinamurasu</i> newspaper	Shot to death in Colombo. LTTE suspected for the killing.
11	April 28, 2005	Dharmeratnam Sivaram 'Taraki'	Editor, Tamilnet	Kidnapped by four unidentified men in a white van in Colombo. His body was found the next day near the parliament, beaten and shot in the head.
12	January 26, 2006	Subramaniam Sugirdharajan	Correspondent, <i>Sudar Oli</i>	Shot by unknown gunmen in Trincomalee
13	May 3, 2006	Rajaratnam Ranjith Kumar	Journalist, <i>Uthayan</i>	Shot in the Jaffna office of <i>Uthayan</i> reportedly by the EPDP
14	May 3, 2006	Bastian George Suresh	Journalist, <i>Uthayan</i>	Shot in the Jaffna office of <i>Uthayan</i> reportedly by the EPDP
15	August 20, 2006	Sinnathambi Sivamaharaja	Owner, <i>Namathu Eelanadu</i> newspaper	Shot dead in his house. LTTE is suspected
16	February 15, 2007	Subramaniam Ramachandran	Reporter for <i>Yal Kural</i> and <i>Valampuri</i> , published from Jaffna	Abducted and suspected to have been killed by SL security forces
17	April 16, 2007	Subhash Chandrabose Suthaharan	Editor, <i>Nilam</i> magazine	Shot in Vavuniya District by unidentified gunmen
18	November 17, 2007	Vadivel Nimalarajah	Proof reader, <i>Uthayan</i>	Abducted by armed men; presumed murdered
19	November 27, 2007	Isaivis Semoian	'Voice of the Tigers' radio	Killed in an air raid by the Sri Lankan military
20	November 27, 2007	Suresh Limbiyo	'Voice of the Tigers' radio	Killed in an air raid by the Sri Lankan military
21	November 27, 2007	T. Tharmalingam	'Voice of the Tigers' radio	Killed in an air raid by the Sri Lankan military
22	April 29, 2007	Selvarasah Rajeev Varnam	Reporter, <i>Uthayan</i>	Shot in Jaffna by unidentified gunmen
23	May 28, 2008	Paranirupasingham Devakumar	Jaffna correspondent, Sirasa, Shakthi and MTV Television Network	Hacked to death in Navanthurei on his way home from Jaffna town

GENDER & MEDIA

Carving out their space

A multitude of geographies, religious, ethnic and racial identities, histories, languages and sub-cultures marks the South Asian region. A binding thread, crossing boundaries and borders, mountains and seas, is an unfortunate misogyny, an underlying patriarchal order that relegates women to secondary status. This is reflected both in the representation of women in South Asian media and their participation in it.

Women journalists in South Asia are still a minority, struggling to find space. Yet they are increasingly visible and vocal, determined to articulate their perceptions of their societies. Their presence poses a challenge to established norms and cultural boundaries.

When Aditi N. returns home after the 2am night shift at a newspaper in Noida on the outskirts of India's capital city Delhi, the neighbours look askance. In Lahore, Pakistan, Jehan Ara faces the same kind of censure. For Fawzia in Kabul, Afghanistan, working at night is taboo; she braves enough dangers at dusk on the journey home from work. These young women are first-generation entrants into the world of journalism and social and family acceptance for their unconventional profession is still a struggle.

Most countries in South Asia have experienced rapid growth in media including newspapers, television, radio and online journalism in the past two decades. More women have entered the media space in this period than ever before. Television in particular has made media women highly visible. Their presence signifies change but poses accompanying challenges to largely conservative societies where traditionally women may be neither seen nor heard in the public sphere. While some women media professionals may be accepted, welcomed, even feted in the metro cities and capitals of South Asian countries, in smaller towns and rural areas the attitudes to women journalists are less positive. Besides discrimination at the workplace, female journalists in small towns who enter

While some women media professionals may be accepted, welcomed, even feted in the metro cities and capitals of South Asian countries, in smaller towns and rural areas the attitudes to women journalists are less positive.



Women journalists continue to face multiple challenges in Afghanistan. Credit: Flickr/Resolute Support Media CC

traditionally male spaces, such as markets, offices, courts and police stations, in pursuit of stories, often face hostility and sometimes danger.

Despite the hurdles that they encounter, women in the region are busy carving out spaces for themselves in various media. Some of those who entered journalism two or three decades ago are today close to the top of their profession, while the majority comprises mid-career or young professionals.

In several other countries too civil strife and ethnic, religious and political conflict have had adverse consequences for media – and women’s participation in it. Bangladesh has its share of ‘religious’ conservatives who want to ban women from journalism. In Afghanistan, Bangladesh, Pakistan and India, women journalists are often subjected to a dress code at work. In Pakistan’s conservative regions bordering Afghanistan insecurity dogs the lives of most journalists and the few women journalists become ready targets of conservative and feudal elements. In Nepal, the continuing political instability and lack of rule of law has consequences for journalists, especially women. In Sri Lanka prolonged ethnic conflict and the consequent imposition of censorship has taken its toll, particularly on Tamil media in the north. Pakistan, Afghanistan and Sri Lanka continue to be among the most dangerous places for journalists, especially women. The Maldives too is riven with civil strife which leaves journalists open to attacks.

Gender in media is now a priority area for journalist unions and associations. In 2013, the South Asia Media Solidarity Network (SAMSAN) under the aegis of the International Federation of Journalists (IFJ), organised a series of roundtables, “The stories women journalists tell”, on gender equity, media rights and safety in Afghanistan, Bangladesh, India, Nepal, Pakistan and Sri Lanka. The roundtables culminated in the SAMSAN gender networking conference in Kathmandu, Nepal and the adoption of a Gender Charter.

Taking forward this work, in an attempt to build evidence through research about gender and the media, the “Research Study on Media and Gender in Asia-Pacific” was undertaken in 2014 by the IFJ and supported by



Sana Mirza, of Pakistan, and Nadia Sharmeen, of Bangladesh, were among the women journalists discussing life on the media frontline at the South Asia Gender Networking meeting in Kathmandu in July 2014. Credit: IFJ

UNESCO in partnership with UN Women. The research which comprised a survey, interviews and case studies of best practices was conducted in partnership with national stakeholders in seven countries in the Asia-Pacific region (South Asia, Southeast Asia and the Pacific): Cambodia, India, Malaysia, Nepal, Pakistan, Sri Lanka and Vanuatu.

In South Asia the survey findings, interviews and workshops highlighted clear country level variations but also great similarities. In India the print media is well established in English and multiple regional languages and women have played a role in it for several decades. The opening up of television and radio to private players since the 1990s has encouraged more women to enter journalism. Similarly Pakistan’s 2002 policy of liberalisation has led to rapid growth of private electronic media like TV and FM radio and an influx of young women into the profession. The opening up of media spaces usually leads to the flowering of media and democracy and encourages women to enter the media.

The survey attempted to trace the patterns of employment and examine the working conditions of journalists in the region, addressing issues such as career opportunities and choices, regular/contract employment, wages, benefits, provision of crèches, training, trade union rights, sexual harassment at work, security at the workplace, in the field and while commuting to work, transport after night shifts and other issues besides the portrayal of women in the media. The majority of those surveyed were women but a smaller group of male journalists and a tiny number of those who identified as ‘other’ were also surveyed to discover the similarities and differences in their status in the profession.

What the gender survey found

In every country in the region there are several prominent women journalists in diverse media and a few of them have reached the heights of the profession. There are well-known female editors and popular anchors who wield considerable influence in the public arena. However, as the survey suggests, the picture for the majority of women journalists is not as rosy.

What does the average woman journalist in South Asia look like? The woman journalist can now be found in every type of media, in newspapers, magazines and journals, television, radio and online media, covering subjects ranging from politics, economics and business to entertainment and lifestyle and even sports news. The IFJ survey found the following:

Profile of Respondents

- The majority of women respondents had postgraduate qualifications, ranging from 75 percent in Pakistan to 46 percent in Nepal. In addition many women had graduate degrees and diplomas in journalism or mass communications.
- Across South Asia the primary motivation for joining the profession was ‘love of journalism’.
- There has been an influx of young women into the profession in Pakistan, Sri Lanka and Nepal, particularly since the last three years, with new female entrants

clearly outnumbering male entrants. In Nepal there were nearly four times more women than men entering journalism.

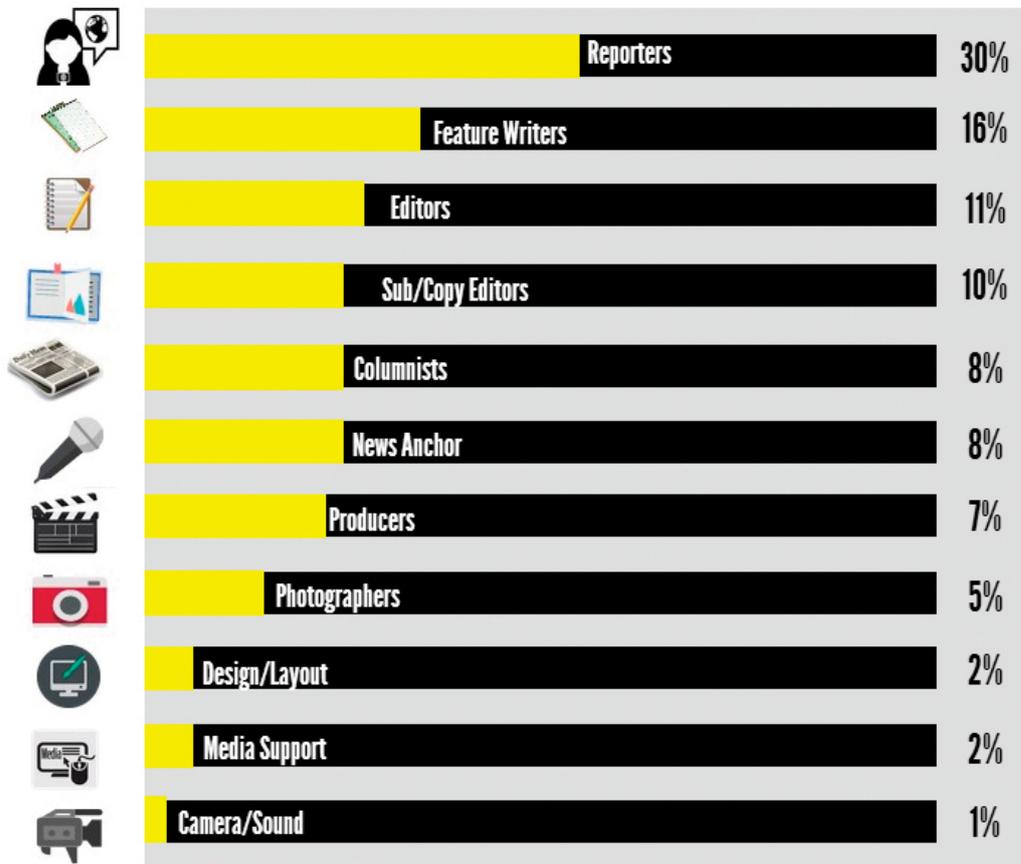
- Journalists worked in multiple media but those working in newspapers were the largest group in three out of four countries surveyed.
- In Sri Lanka after newspapers the most popular media was online/digital. This popularity was gained during the prolonged ethnic conflict when mainstream media was forced to bow to censorship; digital media migrants sought the alternative media as a safer space.
- In Pakistan’s conservative areas many women preferred to work in the relative anonymity and safety of radio rather than television.

“It’s my job to think differently: on war, on politics, on crime and everything else that is covered by the paper I edit. I am here to provide diversity, to celebrate difference. Women are not here to be limited to a topic or an issue. We are here and we are the difference.” – Arifa Noor, Resident Editor, Dawn, Islamabad

Jobs and roles

- Clearly, regular, full-time work is difficult to find throughout the region. In India 56 percent had full time work, in Pakistan 58 percent had full time jobs. In Sri Lanka only 48 percent had fulltime jobs. In Nepal however, 70 percent were engaged in full-time regular work, with more women in contract jobs than men.
- Fewer women were in full time jobs. In Pakistan for instance 72 percent of men had regular full time work compared to 47 percent of women. In Sri Lanka 30 percent of the respondents were freelancers and women comprised 70 percent of them.
- Across the region the majority of journalists surveyed were reporters. In India and Sri Lanka more women than men were reporters. In Nepal there were an equal number of men and women in this role. In Pakistan however, among the 66 percent reporters, there were fewer women (61 percent) than men (72 percent).
- In all four countries the most significant gender role difference was in the category of ‘feature writer’. In India 43 percent of women but only 18 percent of men

JOBS WOMEN IN THE MEDIA DO



Based on research study findings in the IFJ Gender and Media in the Asia-Pacific, supported by UNESCO and UN Women, in Cambodia, India, Malaysia, Nepal, Pakistan, Sri Lanka and Vanuatu, 2014.

were feature writers. In Sri Lanka too women dominated feature writing (64 percent) while men were likely to be columnists (30 percent). Women seem to be stereotyped as better suited to magazine journalism and feature writing – identified as ‘soft’ news.

- There was a clear gender divide in choice/assignment of beats in all the countries. The first choice for women (from a long list of beats) was ‘gender issues’ but few men covered these issues. In Pakistan, for women the most popular beats were gender issues, human rights, education, child rights and arts/culture. For men, the most popular beats were politics, human rights, investigative journalism and education.
- In Nepal the beats with the largest gender gap were ‘gender issues’ with 58 percent of women covering this area compared to 21 percent of men; and politics which was covered by 46 percent of men compared to 32 percent of women.

“Photojournalism is very much a male preserve. I am always in the midst of men, doing what many consider a man’s job...I look through my lens but I clearly see differently. There is essentially a perspective that is female. Sadly, there are no women photojournalists in the north. In Sri Lanka, women journalists still prefer to walk behind their male colleagues and that’s self-defeating.”
– Dushiyanthini Kanagasabapathipillai, Sri Lankan photojournalist

Diversity and inclusion

- In India and Pakistan the media was dominated by majority groups, with little space for those from ethnic, religious or linguistic minorities.
- In India, despite its plural democracy, the overwhelming majority of journalists surveyed (86 percent) did not belong to an ethnic/religious minority. Significantly, the sample included only one person from a Dalit community – the country’s large disadvantaged and oppressed social group.
- In Pakistan less than one tenth (9 percent) said they were from an ethnic or religious minority.
- In Sri Lanka, long torn by ethnic/religious conflict, nearly half of respondents belonged to religious and/or ethnic minorities.
- In Nepal, where a commitment to inclusion and diversity has emerged as a result of the insurgency and democratic struggle following the war, almost a fifth (19 percent) said they belonged to an ethnic/religious minority. More than a third (35 percent each) said they belonged to an ethnic minority or indigenous community.

“It is not easy for a woman to simultaneously be a daughter or daughter-in-law at home and a journalist at the office. Most women have to devote considerable time to household work. That ultimately hampers their capacity to generate quality output at work.” – Woman journalist from Nepal

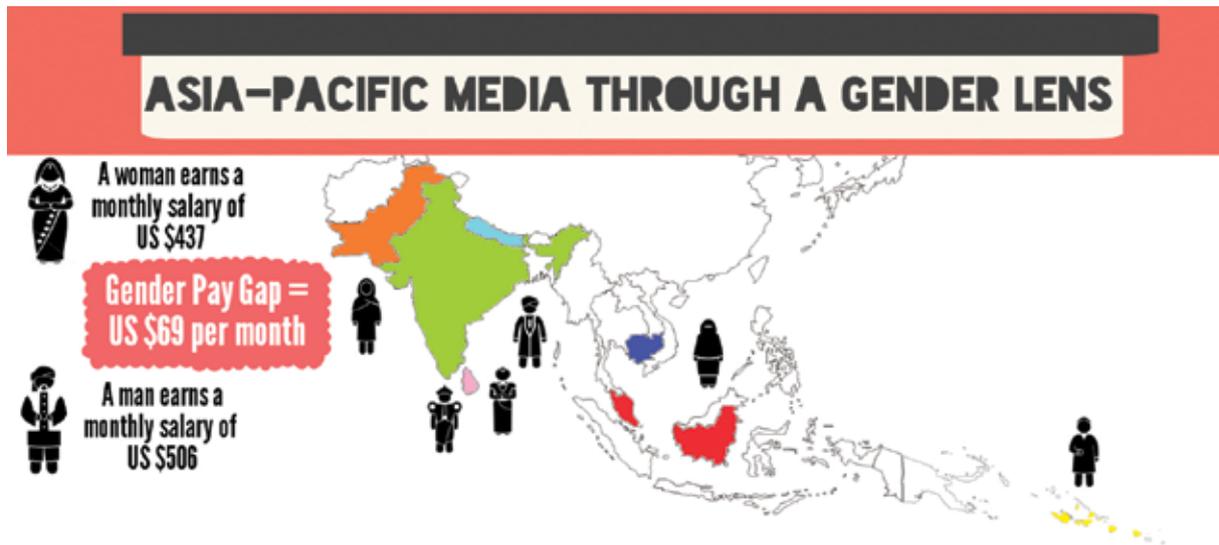
Gender equity

- Men dominate management positions, with the largest number of respondents in every country reporting that women made up less than 10 percent of top management positions such as board members, chief executives, chief financial officers and general managers.
- The largest group of respondents in all countries also said women comprised less than ten percent of senior editorial employees such as director, editor-in-chief, managing editor, executive producer, bureau chief, photographic editor, digital editor.
- Across the region women are more likely to be found in middle-level editorial positions such as senior editor, chief of correspondents, design director, feature editor and foreign editor.

“We have had many young women walk into conflict zones to work on stories that were difficult. Sometimes, crisis can offer you the greatest opportunity.” – M.V. Kaanamylnathan, Editor, Uthayan Tamil daily, Sri Lanka

Working conditions

- Wages in South Asia were low and women were overrepresented in the lowest pay bracket and underrepresented in the highest pay bracket.
- Perceptions regarding equal wages varied by gender. In Pakistan 58 percent of men felt wages were the same but 40 percent of women said they were unequal. In Nepal 77 percent of the men said wages were equal compared to just 43 percent of women.
- Journalists in the survey were the best paid in India where an equal proportion of men and women (38 percent) earned up to USD 400. But in the highest bracket, a divide became obvious with only 21 percent of women earning over USD 800, compared to 38 percent of men.
- Less than 40 percent of journalists in the region received an annual pay increase. Even fewer got annual bonus, employee provident fund, travel allowance, medical benefits, life insurance, accident insurance and other benefits.
- The contract system was used for arbitrary terminations and denial of various benefits including gratuity.
- The majority did not get earned leave, sick leave or casual leave. Denial of leave when due was frequent.
- Some TV news journalists complained that they were on call 24/7, not allowed to switch off their mobiles and were called in when on leave.
- In India only 33 percent of women were entitled to maternity leave and the situation was no better in the other countries. Leave and re-entry after childbirth varied from organisation to organisation, with some women being fired when they got pregnant.
- The least available workplace provision was childcare. India had the highest response, with just 2.16 percent saying they had access to childcare facilities at work.



The average male and female journalists in the Asia-Pacific region - how they compare



Based on research study findings in the IFJ Gender and Media in the Asia-Pacific, supported by UNESCO and UN Women, in Cambodia, India, Malaysia, Nepal, Pakistan, Sri Lanka and Vanuatu, 2014.

Most respondents mentioned 'separate toilets' as the primary facility available at work, followed by canteens. In Pakistan a 'prayer room' was among the facilities available to many employees.

- A few organisations valued job training and offered in-service training. The majority offered no training and even refused leave for availing of training through NGOs or unions.
- The majority of respondents had not received any form of safety training, even in risk-prone countries.

"Arriving at the scene (of a bomb blast in Peshawar) within ten minutes of the incident, I found the walls and floor of the church covered with human blood. Human body parts were scattered across the premises – men, women, the elderly and children were among the victims. I was lined up by my TV channel to broadcast live.... I spoke to the wounded, the families of victims, officials and community representatives. The live transmission continued for almost six hours. It was a difficult situation." – Nadia Sabohi, Pakistani journalist

Organising and unions

- In most of the region trade union membership is low, particularly among women.
- In Sri Lanka 39 percent held membership with a workers' union in the media organisation they worked at but only 22 percent of these were women.
- In India only 17 percent were members of a trade union at their workplace. More men (28 percent) were members of workers unions than women (13 percent) and more men (55 percent) were members of national unions or media associations than women (49 percent). Some 31 percent of respondents said no union existed in their organisation.
- In Pakistan 39 percent were members of a workplace union and women made up 41 percent of them. More than half of all respondents (55 percent) were members of a national union or media/journalism association outside their media organisation. Less than half the women (46 percent) were members of a national union, compared to 70 percent of men.

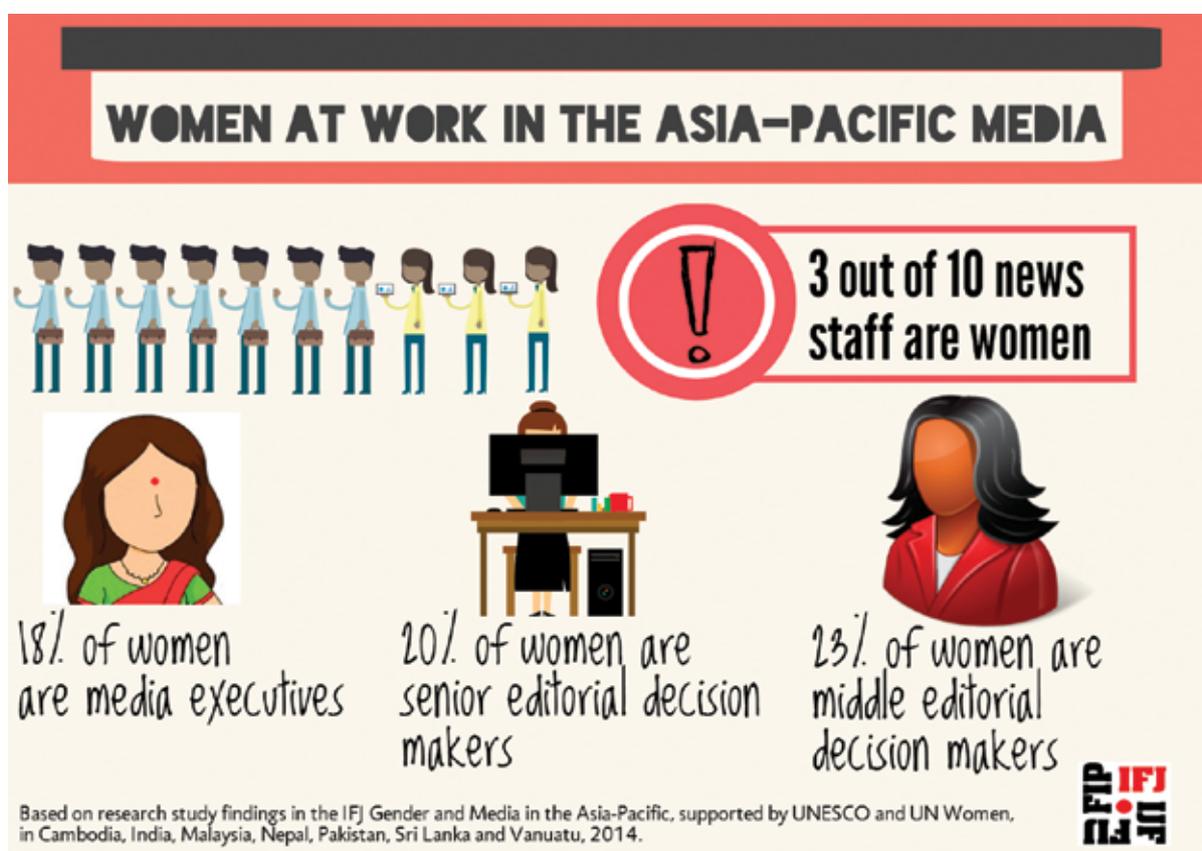
- In Nepal only 37 percent of respondents were members of workplace unions in their media organisation. Between the genders, 32 percent of women were union members compared to 50 percent of men. However three quarters (75 percent) of the respondents were members of national unions or associations - 72 percent of women and 82 percent of men surveyed.
- In the region as a whole, women were a minority as office bearers both in local and national level unions.
- Only in Nepal more than half the women (51 percent) said they were officials or office bearers of a local or national union. Elsewhere, more men (78 percent) said they were officials or office bearers at local or national level.
- The majority of respondents said that women did not have enough visibility or representation in unions. Many supported quotas for women in unions and/or proportional representation in union leadership.
- Only a minority across the region felt that unions and journalism organisations 'already promote gender diversity and equity' in their country.

"The press club is considered a male-dominated space. In fact, the atmosphere in press clubs is such that women are not comfortable there; they do not feel respected as colleagues by male journalists. Often, male journalists are drunk and harass the women." – Sheher Bano, Pakistani journalist

Sexual harassment at work

- Across the region almost 18 percent of women had experienced workplace sexual harassment. The perpetrators were generally superiors at work or colleagues.
- Far more women than men said they had witnessed sexual harassment.
- In India the majority of those who had experienced sexual harassment had confided to friends or colleagues/superiors. Only 6 percent complained to a gender or sexual harassment committee and 11 percent to their unions. In Nepal no woman had complained to a gender committee, union or police.
- Those who kept quiet gave various reasons for their silence, including shame/embarrassment or anxiety about the impact on their job or other negative repercussions.
- The majority said there was no complaints committee in their organisation.
- Opinion on strategies to effectively combat sexual harassment was divided with some preferring 'stronger laws', others suggesting 'awareness-raising among women' or 'effective complaints mechanism'.

"It is as if all the professional growth I have achieved means nothing, after I delivered a baby. I get back to work and find the employer looking at me as if I am unemployable." – Sudhira Piyatissa, Sri Lankan journalist



Promoting gender equity

- Most respondents agreed that a gender equity policy would ‘contribute to gender equity’ in their organisation.
- The most popular strategies suggested for promoting gender equity in media workplaces seemed to be: ‘having more women in the media at every level’ and ‘having more women in decision-making roles’.
- Most respondents said ‘unions and journalism organisations should work more with employees on joint strategies for gender equity’ and that they ‘need to improve their work on gender equity’.

“Radio allows one to use one’s intellect. The audience is quite sharp, you cannot get away with being pretty; you need to have a brain and be able to speak well because your voice and what you say are your only connections to the listeners.” – Kiran Naz, Pakistani journalist

Gender equality is not a women’s issue, it is a fundamental human right for all – men and women, as well as those who identify as transgender. There is no one single approach, but the approach must start with a strong commitment to the issue from governments, media and trade unions – and importantly, journalists themselves. The recommendations from the research, aimed at bringing about real change, are aimed at all the stakeholders in the media.

Dangerous profession

For women everywhere but particularly for women journalists in South Asia, many of whom have to work in public spaces that are traditionally male dominated, or have to work night shifts, safety is a special concern. Deeply ingrained feudal and patriarchal attitudes circumscribe their lives and have to be challenged at every step, within the family, at the workplace and in society. Ethnic, religious and political conflicts, including armed conflicts, exacerbate the problems they face on a daily basis. In several countries women journalists have faced violent physical attacks. For women journalists the ‘freedom of the press’ has a deeply personal meaning as it must include the freedom to move and work freely.

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Across the region, we hear the stories of women dealing with the gender pressures. One Sri Lankan woman who received phone calls at night and suggestive messages from a senior at work was told by her department head to withdraw her complaint and advised by many colleagues to do so. In India the silence on the issue was broken in 2013 when a reporter accused *Tehelka* editor and media celebrity Tarun Tejpal of rape. The case against Tejpal, registered under the amended law that expands the definition of rape, is pending in the court.

In Delhi in 2014 an anchor of the television channel, India TV, swallowed poison in a suicide bid at the office, allegedly

because she was pressured by her bosses to go out with some influential men and fired when she refused. After some initial reports all TV channels kept silent on the matter – such blackouts are common in the news media where employer solidarity is very strong. Her employers filed a defamation suit against her and two websites that publicised the case.

In another 2014 case, the Chief Operating Officer (COO) of Sun TV was arrested after a woman journalist filed a sexual harassment complaint against him and two other officials. She filed the case five months after resigning from her job, when the COO withheld all her dues. The COO was booked under various sections of the Indian Penal Code and the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013. Earlier in 2014 a Sun TV news editor was arrested on a similar complaint lodged by an anchor of the Tamil channel.



Journalist Palwasha Tokhi Miranzai was stabbed to death in her home in September 2014. She had just returned to the country after completing her masters in Thailand. *Credit: AIJA*

It is clear that institutional policies and mechanisms for tackling sexual harassment at the workplace need to be developed by media companies in all South Asian countries.

In Afghanistan there have been several attacks on women journalists. In September 2014 Palwasha Tokhi Miranzai, a young journalist who worked for Mazar-i-Sharif’s Bayan radio and had recently returned to Afghanistan after completing her Master’s Degree in Thailand was brutally murdered. Miranzai was stabbed to death in her home in Balkh by an intruder who disguised himself as a disabled beggar.

Three female journalists Shakiba Sanaga Amaj, Nazifa Zaki and Shaima Rezayee have been killed in the past seven years in Afghanistan and dozens have been forced to stop working. While both Afghan women and men journalists face threats from the Taliban, corrupt authorities, warlords and even the government, women are more vulnerable. Many women journalists cover themselves from head to toe in the chador in order to keep working safely. Not only do women journalists face family opposition, they deal with abuse and harassment on the streets and face economic exploitation and sexual harassment at workplaces. Insecure

working conditions leave them vulnerable to sexual harassment by media owners and managers – a problem they dare not disclose to their families lest they are prevented from retaining their jobs.

The Afghan Women Journalists' Association has members in five provinces of the country and is organising them to fight for their rights and the rights of all women. Afghan journalists, particularly women, have had considerable support from international organisations in their struggles to find space in a challenging profession and use their positions to voice the issues and concerns of ordinary Afghan women.

Braving all odds, Afghan media women have carved out significant spaces, in print media, radio and television to discuss women's situation in a deeply patriarchal culture. Some women also use the internet and social media to blog and tweet their ideas and connect with other women. However the culture of social media – such as 'selfies', personal statuses and photo sharing – pose problems for them, given the social taboos and restrictions they contend with. Women journalists rarely give out their correct mobile

numbers, to prevent harassment over the phone, but this also makes it hard for genuine news sources to reach them.

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In Pakistan's provinces that border Afghanistan cultural restrictions on women and the threat of the Taliban and corrupt local landlords and provincial officials are similar. Few women journalists work in these violence prone areas, but some brave women work as reporters even in frontline cities like Peshawar which has been racked by bomb attacks for the past decade. One reporter said, "For a female TV journalist, it is like being in a battlefield with enemies on all sides." In the Federally Administered Tribal Areas (FATA) a woman who went to a local press club to ask for membership was told not to come again as her visit had endangered the lives of club members.

WHO IS TELLING THE REAL STORY ON SEXUAL HARASSMENT?

18% OF WOMEN JOURNALISTS IN THE ASIA-PACIFIC REGION HAVE EXPERIENCED SEXUAL HARASSMENT AT WORK

42% of the perpetrators are work superiors

37% of the perpetrators are colleagues

Who sees it?
35% of media workers have witnessed sexual harassment of a colleague

"ZERO TOLERANCE FOR SEXUAL HARASSMENT IN OUR MEDIA"
 - International Federation of Journalists (IFJ)

Based on research study findings in the IFJ Gender and Media in the Asia-Pacific, supported by UNESCO and UN Women, in Cambodia, India, Malaysia, Nepal, Pakistan, Sri Lanka and Vanuatu, 2014.

In Bangladesh women journalists work in all media but are a small minority. Many women and their families consider journalism to be hazardous, assuming it involves outdoor assignments covering political riots, natural disasters etc. The odd hours and late shifts also discourage them. Employers too feel arranging transport for women at night is an additional cost, so they prefer men who can do without it. However there are some intrepid reporters in the country. Among the well known cases is that of Nadia Sharmeen of Ekushey TV who went to cover a rally in Dhaka in April 2013 and was attacked by a mob of the fundamentalist Hifazat-e-Islam which believes all women must live in purdah. Sharmeen had to spend months recovering in hospital and was even fired from her job.

In India in September 2014 in the newly formed state of Telangana, journalists –many of them women– were arrested and their equipment attacked by police during a protest against the banning of two TV channels. The channels were banned for being ‘anti-Telangana’ and tarnishing the image of the community.

In January 2015 in Mumbai, India Shirin Dalvi, the Mumbai based editor of Urdu daily *Awadhnama*, was arrested for reprinting the Charlie Hebdo ‘anti-Islam’ cartoon on the front page of the paper. She was arrested under section 295A of the Indian Penal Code which prohibits “malicious and deliberate acts intending to outrage religious feelings”. She apologised after the publication but has been forced to go into hiding and start wearing a hijab due to receiving threats from fundamentalists.

In April 2015 a demonstration was held by the right-wing Shiv Sena political party outside the Mumbai home of journalist and writer Shobha De for ‘defaming’ the people of Maharashtra. These attacks reflect the growing climate of intolerance and the rising attacks on writers, bloggers and journalists in the country. Women journalists are particularly vulnerable to online attacks. According to



Mumbai-based editor of Urdu daily *Awadhnama*, Shirin Dalvi, was arrested for republishing a Charlie Hebdo cartoon on the front page deemed as ‘anti-Islam’.
Credit: *The Quint Soundcloud*

Dunja Mijatovic Representative on the Freedom of the Media at the Organization for Security and Co-operation in Europe, online abuse against women journalists is “a global phenomenon growing at a very rapid pace”. Online abuse is targeted at women journalists and bloggers, and is often violent, sexual and intimidating.

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In Sri Lanka journalists have lived for many years with civil strife, censorship, frequent attacks on journalists and a culture of impunity with perpetrators of violence invariably going unpunished. At least two prominent women editors continue to live in exile. Tamil journalists, including women are particularly vulnerable. In the north, in Tamil media, many women prefer desk jobs given the hazards of field reporting. However a few intrepid women have taken risks while reporting from conflict zones.

Bright spots

The research also highlighted positive developments from which we can draw strong lessons. These gender equity leaders in trade unions, trailblazing media outfits and individual journalists demonstrate the pivotal role they play in bringing parity into the workplace and in breaking free of the stereotypes and discrimination that limit women’s power at work.

Women journalists and many of their progressive colleagues have found different ways to organise, foster solidarity with each other and build institutional support mechanisms ranging from unions to networks, clubs and alternative media spaces. A few publications have also led the way in ensuring more gender equity by hiring more women; giving them senior positions; taking swift action against sexual harassment and providing better training and mentoring to women employees. Some of these best practices from the region are featured below.

Afghanistan

In Afghanistan several media outlets play a positive role in speaking up for women’s rights in a country where patriarchy reigns supreme. For instance, ‘Mask’, a one-hour programme on Channel 1, regularly discusses domestic family violence and crimes against women in Afghanistan. It also covers the situation of women living in security shelters to escape family violence. The media also highlight the issues and demands that Afghan women activists raise, such as participation in decision making in leadership, partaking in higher education and a presence in the justice system of Afghanistan.

In August 2014 the first all-female union, the Association of Female Journalists in Afghanistan, pledging to fight for women’s rights in the region, was formed in northern Jawzjan.

India

In India the Delhi Union of Journalists consciously promotes women’s participation and leadership. Its current President is a woman as are several executive members. DUJ has



Afghan television program *Niqab* (*mask*) is a new show providing its female subjects with anonymity by covering their faces with a half-blue, half-white mask. The blue side represents the *chadari* or burqa, while the white represents innocence. It regularly discusses domestic violence and crimes against women. Credit: *Niqab*/BBC

a tradition of inclusive politics. It has a Gender Equity Council and organizes seminars and meetings on issues of concern to women journalists. It promotes unionisation among women and takes up cases of discrimination against them. It believes women and men must work jointly to ensure better working conditions for journalists and other newspaper employees and to promote progressive views in the media and society.

The Delhi-based Women's Feature Service (WFS) provides coverage of development news and issues from a women's perspective, offering in depth articles to mainstream media in order to create space in the media for such neglected topics as maternal mortality and rural healthcare.

The Indian Women's Press Corps (IWPC), a club for women journalists in Delhi, provides both a place for rest and relaxation for reporters waiting for their next interview or breaking story as well as a venue for press conferences and interactions with the capital's politicians, bureaucrats and other newsmakers.

The Network for Women and Media (NWMI) is a 12-year-old forum for women media professionals to share information and resources, exchange ideas, uphold media standards and ethics, and promote gender equality within the media as well as society. The informal collective emerged through a long, slow process of network building. Local networks organize occasional events such as film screenings and seminars. Annual gatherings attract members from different parts of the country.

Nepal

In Nepal the Federation of Nepali Journalists (FNJ) has consciously worked toward 33 percent women's participation in its programs and has made its working committee more inclusive, with a woman vice president and several women on the working committee.

In the alternative space Nepal's *Asmita* a pioneering women's magazine that started in 1988 introduced a feminist approach at a time when educated Nepali women were used to Indian women's magazines which portrayed women in a more conventional manner. The idea that politics, economics, law and other aspects of life and society were equally relevant to women was revealed and validated by the magazine. After 20 years of existence, in the absence of financial support, *Asmita* suspended publication in 2008 but has been re-launched with fresh vigour in 2014, as a bi-monthly.

In Nepal, the Federation of Nepali Journalists (FNJ) has consciously worked toward 33 percent women's participation in its programs.

Sancharika Samuha (the women communicators' forum) is an association of women journalists and communicators in Nepal, established in 1996 with the objective of promoting a healthier and more gender-sensitive media environment. It has been engaged in media advocacy on gender equality and gender-based violence, as well as other violations of human rights. It produces weekly radio and television programmes, publishes a monthly feature service has a news portal. Sancharika also deals with issues women journalists face in their work places, providing support for problems such as sexual harassment.

Pakistan

In Pakistan a nationwide consultative process on the formulation of a voluntary, gender-sensitive Code of Ethics (CoE) for the print media was initiated in 2002 by Uks. The draft code was developed with inputs from the media, civil society organisations and rights activists and adopted a



The Federation of Nepali Journalists (FNJ) has consciously worked toward 33 percent participation in its programs. FNJ Vice-president, Anita Bindu, makes a presentation on the IFJ gender research during the International Media Mission to Nepal in April 2015. *Credit: Shaligram Tiwari/Kantipur*

year later. In 2013, the code was reviewed and expanded for the electronic as well as print media. The objective of this revised code is to ensure gender-sensitive and non-discriminatory treatment of women’s issues in the media and includes guidelines and disciplinary measures to check the invasion of privacy and sensationalised reporting on cases of violence against women and girls and gender-based violence.

Pakistan’s Geo TV has been among the pioneers in setting up a gender sensitivity committee in 2004 to look at sexual harassment and issues such as separate washrooms, transport and security. Until a law prohibiting sexual harassment was passed in 2010, Geo followed a code of conduct evolved by the Alliance Against Sexual Harassment (AASHA). Training on how to deal with sexual harassment is an ongoing practice at Geo, with seniors as well as newcomers required to go through such training. A zero-tolerance-for-sexual-harassment policy is in place.

A positive trend Geo set was employing women as frontline reporters – not only in cities like Karachi and Lahore, but

also in Peshawar and other smaller places. From being restricted to ‘soft beats’ like social and cultural events, women began reporting on politics and conflict.

The leading daily *Dawn* has several women in top editorial positions and an internal policy on sexual harassment with complaints going to a three-person committee.

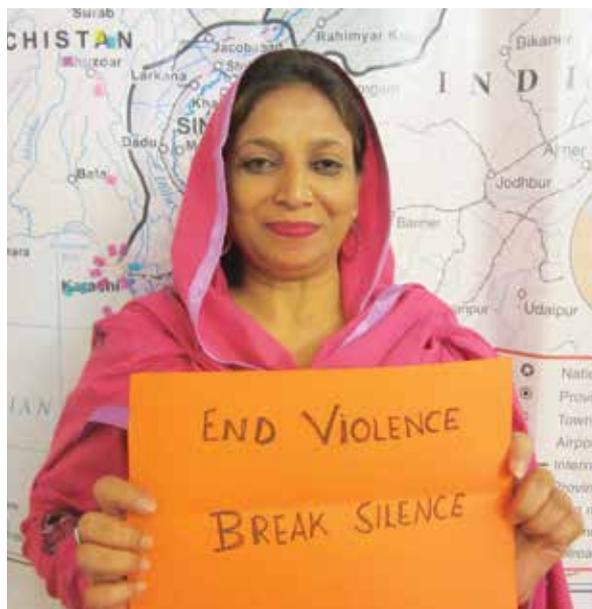
Media portrayal of women, strategies for women’s empowerment through the media and the formulation and implementation of a national code of conduct for the media are on the agenda.

In 2012 the Alliance for Gender-Just Media brought together media professionals, policy planners, civil society organisations, non-governmental organisations and women activists for a dialogue on issues concerning women and the media. Media portrayal of women, strategies for women’s empowerment through the media and the formulation and implementation of a national code of conduct for the media are on the agenda.

In 2014 for the first time in its year history the Pakistani daily *The News* elected a female president to head the News Employees Union. Two other women were also elected to decision-making positions: a vice president and a managing committee member. Media unions in Pakistan are increasingly opening up to women. In 2013 the Karachi Union of Journalists for the first time had three women contesting and winning elections, one was elected as senior joint secretary and two as members of the executive council. The Pakistan Federal Union of Journalists (PFUJ)



Maria Memon, of GEO News, was attacked while covering a political rally in Faisalabad. “Such incidents will not make women stay home in fear” she said.



Sheher Bano, the president of the News Employees Union, Karachi, gives her message on gender equity and safety. *Credit: Jane Worthington/IFJ*

presently has few women on its executive committee but hopes to increase the numbers in the next election.

Sri Lanka

In Sri Lanka, the concept of building the capacities of individual journalists as well as the entire team of journalists was a key focus of *The Sunday Leader*, founded by the late Lasantha Wickrematunge, one of the region's best known journalists who was murdered in January 2009 en route to work. Wickrematunge insisted that the editorial space be made pleasant and safe for women by banning smoking and drinking on the newspaper premises and ensuring safe transport for women working late. It was at this time that two senior women editors launched the concept of 'Active mentoring' by passing on their knowledge and expertise to younger women journalists. Women were encouraged to view their career goals with more professionalism, to work as a team to achieve journalistic objectives rather than as individuals and to discuss career-related concerns as a group. This included working conditions and safety concerns, topics women felt less inclined to discuss with their male counterparts.

The daily *Ceylon Today* consciously encouraged women desk heads, reporters, feature writers and sub editors, to ensure newsroom diversity and equity. Dedicated space was created for women by mainstreaming rights and feminism,

introducing gender sensitive language and avoiding gender stereotypes. Efforts were also made to maintain ethical standards by drafting and following a code of conduct and a gender policy.

Five media organisations, Sri Lanka Working Journalists' Association (SLWJA), Free Media Movement (FMM), Sri Lanka Tamil Media Alliance (SLTMA), Sri Lanka Muslim Media Forum (SLMMF) and the Federation of Media Employees' Trade Unions (FMETU) had jointly agreed to a Charter for Gender Equality for Media and Journalism in 2006. This was adopted by the South Asian Media Solidarity Network (SAMSN) as a regional charter in July 2014.

Conclusion

In South Asia while a section of relatively privileged women, with advantages of class, caste, higher education and/or family/political connections, as well as ability and ambition, has been able to climb up to the top rungs of the profession, the majority are concentrated on the middle and lower rungs.

The average woman journalist faces poor working conditions, low wages, insecure employment under the contract system, hazards of working in late shifts and nights shifts often with no transport provided, denial of leave including maternity leave, lack of medical benefits and insurance. Many of these are problems common with their colleagues. While both men and women require better facilities at work, women additionally require gender sensitive policies and complaints committees against sexual harassment to be put in place in all media enterprises.

Trade unions are working to improve working conditions but face handicaps. In many companies employers are hostile and oppose the formation of unions. Trade union efforts require to be backed up by better labour laws and enforcement of labour laws which are frequently flouted by employers. In several countries where few women are members, trade unions are actively trying to recruit women members and work on issues of gender equity. These efforts need to be scaled up.

In several countries journalists are also organising through state and national level unions and press clubs. Women in some places are setting up alternative all-female networks to foster solidarity and struggle for rights.

These initiatives are contributing to the growth of the struggle for more democratic societies that genuinely reflect the plurality and diversity of peoples, languages, religions and cultures in South Asia.

AFGHANISTAN

Precarious profession

Afghanistan remains a dangerous place for journalists and media workers and unfortunately, the situation has not changed much over the past year. Seven media persons, including two foreign reporters were killed since the beginning of 2014 and more than 130 cases of violations and attacks on journalists and media workers were registered with the Afghan Independent Journalists' Association (AIJA).

The withdrawal of NATO forces, and the UN Security Council's International Security Assistance Force (ISAF) from Afghanistan in 2014 increased concerns among journalists and media persons in terms of security and safety issues. The majority of local radio stations and some print media who were partly sponsored and protected by ISAF's Provincial Reconstruction Teams (PRT's) are in a state of collapse. The withdrawal has affected the overall security situation in the country and media workers are not feeling safe in far provinces and districts. Reporting from outside major cities is becoming harder for journalists.

A majority of instances of violence against media persons belong to the period of election coverage from April to June 2014. The presidential election in 2014 was one of the longest in the history of the country and the prolonged process, opposition and conflict over results during both

rounds kept the media busy and also created stress and anxiety among the people. Journalists had a responsibility to report the situation professionally with fairness and balance. This aim was achieved despite threats, assault, intimidation and pressure.

New threat

After the election results were announced and the new government was yet to be properly established, there was a new threat from the Islamic State (IS), known in Afghanistan by its Arabic acronym 'Daesh'. With active operations in some parts of the country, the situation is set to get worse. Recent security reports show that 20 provinces out of 34 are becoming red zones for governmental officials, media persons and civil society members, stopping them from free movement.

Around 15 provinces of south western, eastern and south eastern Afghanistan were insecure places for journalists and media persons in the past 14 years, but now nine provinces of northern Afghanistan are becoming more dangerous and insecure places for media workers, tourists and foreigners. Beside this, many illegal armed groups, local militias, and regional leaders, former mujahidin commanders known as warlords are still engaged in threats, attacks and other criminal activities against journalists and media persons.



President Ashraf Ghani arrives for a press conference for international media at the presidential palace in Kabul on March 21, 2015. Credit: Wakil Kohsar/AFP



Zubair Hatami, a Mitra TV journalist and cameraman spent ten days in a coma after he was injured in a suicide bomb attack. He died from his injuries. *Credit: AIJA*

Attacks on journalists

Data compiled by media rights organisations show an average of 11 incidents of press freedom violations every month in the country. The threats and attacks not only come from armed groups, warlords, jihadists and the Taliban but also from the government and security forces.

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In July 12, 2014, Khalid Agah Yaqubi, a radio producer and presenter with Lahza FM was killed when an intruder barged into his house. He was shot in the head and died instantly. He leaves behind a wife and two children.

In September 16, 2014 Palwasha Tokhi Miranzai, was stabbed to death by an intruder who disguised himself as a beggar with no arms. This young female journalist had recently returned to Afghanistan after completing her Master's Degree in Thailand. Her killer is still at large.

On December 20, 2014 Mitra TV journalist and cameraman Zubair Hatami spent ten days in a coma as a result of a suicide bombing at a theatre show at Estiqlal High School and later succumbed to his injuries.

In January 16, 2015 Aqil Mohammad Waqar, a 20-year-old radio journalist was gunned down at a wedding in

Nangarhar by an unknown gunman. Waqar had recently been promoted to reporter with the radio station Sepeenghar Radio, after hosting, 'People and the Official, a political and social radio show' for 18 months.

Besides targeted killings, journalists also lost their lives in generalised violence. In February 15, 2015, Angiza Shenwari a senior woman journalist of eastern Nangragar province and member of provincial council died a week after she was injured in a magnetic bomb attack by unknown groups.

Violence, intimidation and illegal arrest are issues that further plague the journalism profession in Afghanistan. Syed Rahman Bekore, a member of the AIJA and a local reporter stationed at Kunar province for the *Waqt News Agency* was arrested on April 27 along with a Deutsche Welle reporter Abdullah Nezami and another local in Jalalabad without a warrant. While the other two were released after a matter of hours, the National Directorate of Security (NDS) kept Bekore in custody, charging him with collaborating with enemy countries and terrorists. The AIJA said the arrest was a result of Bekore's criticism of Afghan political personalities on social media.

On June 17, US-based Afghan journalist Khalid Hadi Haidari was arrested on his arrival to Kandahar Airport, in southern Afghanistan, on his way to visit friends in Kabul. Haidari, a well-known journalist has previously worked for CNN during the Taliban government and is currently the editor-in-chief of Benawa.com. According to reports, Haidari was arrested for the coverage that was critical of Kandahar's governor, alleging illegal activities.

On July 27, police officials in the North Eastern province of Takhar intimidated a journalist while he was reporting on assignment. The same week, Ali Mohammad Nazari, a reporter from the South Eastern province of Paktika, working for Pajhwok News Agency, left his job after receiving repeated threats from the Taliban.

On August 2, the head of police in Nangrahar province of eastern Afghanistan threatened a TV reporter for asking critical questions. The official also deleted recordings of the interview from the camera of a reporter from Ariana TV. The same night, two unidentified men fired shots at Azizullah Hamdard, a reporter with Pajhwok News agency, injuring his arm.

Increased pressure on foreign journalists

Following on from 2013, risks were still high for foreign journalists working in Afghanistan with pressure put on reporters for their writing and in attempts to control who they talked to.

Karachi-based ARY News reporter and Pakistani national Faizullah Kahn was released in September 2014 on orders from the Nangrahar High Court. This followed his earlier sentencing in July 2014 for illegally entering Afghanistan and communicating with militant sources. Khan had been in Afghanistan on assignment to interview a Taliban leader on the Pakistan-Afghan border. At the time of his arrest, Khan was also charged with espionage; however those charges were dropped by a local court in Jalalabad. His release came as a result of international pressure on the case and, ultimately, on orders from President Hamid Karzai.

At the time of his release, Khan expressed his gratitude to the Pakistan Foreign Office, the IFJ and other local and international organisations for protesting his detention and campaigning for his freedom.

In August, 2014, Kabul-based *New York Times* journalist Matthew Rosenberg was expelled from Afghanistan after Rosenberg refused to identify sources for an article about a plan by unnamed officials to seize power if the political crisis in Afghanistan continued. At the time, Afghanistan President Hamid Karzai said in a statement that Rosenberg's article was a sign of "meddling and interference of foreigners for destabilizing Afghanistan". Rosenberg has denied any such motive. His expulsion was the first of a Western journalist since Karzai took office after the fall of the Taliban government in late 2001.

A splinter group of the Taliban, Mahaz-e-Fadaiyan is believed to be responsible for the kidnapping of *New York Times* journalist David Rohde in 2008. Rohde was kidnapped while going to interview a Taliban commander, for a story on Afghanistan and Pakistan. He escaped in 2009 after seven months in captivity.

Women in the media

The precarious situation for women journalists in Afghanistan continues. Making up only 1500 of Afghanistan's 10,000 journalists, aspiring women journalists are all too often confronted with strong social and cultural restrictions alongside the terror of warlords.

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On September 16, female journalist Palwasha Tokhi Miranzai was brutally murdered in her home by an unidentified man in Mazar-e-Sharif, in Balkh province of northern Afghanistan. Miranzai, who worked for the Bayan-e-Shamal news network from 2008 to 2012, had recently returned from completing her master's degree in Thailand.

Women journalists must often fight to be sent out on assignments and the demand for sexual favours in return, is ever present. The airing of workplace sexual harassment only lays blame on the women, adding to further stigmatisation and deterrent to women pursuing their passion and profession.

The scars of what Afghanistan had experienced in terms of violence were visible when 25 Afghan journalists shared their experiences of violence and conflict at a gender safety workshop in Kabul in November 2014. The journalists reflected on how such conditioning trickled into newsrooms and influenced media content, women identified the prevalence of sexual harassment as a key reason for women's reluctance to enter the field of journalism. They also felt strongly about the absence of in-house policies and mechanisms that could make women more comfortable in their workplaces.

Arguably, one of the largest obstacles to aspiring female journalists is from their own families. In 2007, Sanga Amach, a young news presenter of a private TV network was murdered in her own home in Kabul. Police said it appeared as an 'honour killing'. Since 2003, Afghanistan has lost at least five female journalists; however there are no



Angiza Shenwari, a senior journalist and member of the Nangragar Provincial Council, died a week after she was injured in a magnetic bomb attack. Credit: AJIA

case files, nor police investigation and follow-up from the judiciary on these cases.

Fragile industry

Attacks and threats have serious consequences on the fledgling media industry in Afghanistan. The media saw tremendous growth in the post-Taliban phase. However, of the approximately 800-1000 publications in 2008, nearly half of them have collapsed because of lack of financial resources. In 2014 some old newspapers in Kabul and the provinces stopped publishing because of no funding. Interestingly, a few publications were newly launched by powerful individuals and some with neighbouring countries' support.

More than 190 FM radios are in operation across the country and the majority of these are not even able to meet their operational costs. After NATO, ISAF withdrawals more than 60 radio stations lost their operation costs in terms of funding or support from local Provincial Reconstruct Teams (PRTs) and International Collation forces.

Around 60 private TV channels are surviving more or less on the personal funds of powerful individuals and politicians. More than half of these television channels belong to former Jihadi leaders, warlords and parliamentarians. Entertainment programs are translated from Turkish and Indian television dramas.

Culture of impunity

Impunity is still a major issue for media workers and associations. Of the journalists murdered over the past 14 years, except in three cases, their killers have not been prosecuted. In all 33 journalists have been killed in Afghanistan since 2002, according to IFJ and AIJA figures.

Like other South Asian countries the culture of impunity is a serious threat to the press freedom and freedom of expression and journalists' safety. Media laws are not properly implemented and commissions to monitor violations are not strong enough to protect journalists' rights.

The Media Violation Investigation Commission (MVIC) was established in 2005 and tasked with the investigation of alleged violations of Afghan media law. The 2009 Mass Media Law stipulated that the MVIC be dissolved and replaced with a Mass Media Commission (MMC), which was to be composed of experienced journalists and be charged with investigating complaints brought by the media. But the MMC was never formed, and the MVIC continued to function without representation from journalists and civil society.

In 2013, Minister of Information and Culture Sayed Makhdoom Raheen introduced amendments to the 2009 law to establish a new Media Complaints Commission (MCC). Most of the amendments were adopted by both houses of parliament, but the upper house rejected the proposal designating the information minister as chair.

Also launched in 2013, the Media Election Commission was charged with monitoring the reporting on and fair broadcasting of the electoral campaigns and violations and

offences committed by the media within the regulatory framework applying to media coverage during the electoral process. Members of the commission are nominated by the board of the country's Independent Election Commission (IEC).

But it is important to note that these commissions investigate complaints against journalists, rather than take up cases of violation of journalists' rights. In effect, these commissions have not been able to help media workers on impunity issues but may in fact be used to punish and censor those who speak out against government and policies. Members of the commission are selected with the direct approval of the information minister and the majority of them are government supporters and media do not have a fair representation in this commission.

Commissions have not been able to help media workers on impunity issues but may in fact be used to punish and censor those who speak out against government and policies.

In spite of this an increasing number of journalists and unions are taking on a more active role in drawing attention to restrictions and violations against the media.

The only steps forward in the year under review came in the cases of international journalists. The first was the murder of the Pulitzer Prize winning AP photographer Anja Niedringhaus, who along with reporter Kathy Gannon, was shot as they prepared to cover the first round of the 2014 presidential elections on April 4. On July 21, six judges of the Kabul District Court convicted and sentenced the Niedringhaus' killer, former Afghan police commander Naqibullah, to death on charges of murder and treason.

On January 30, 2015, the Afghan security agency also arrested the commander of the terrorist organization, Mahaz-e-Fadaiyan in connection with the murder of Swedish radio journalist Nils Horner. Horner, a 51-year-old Hong Kong-based journalist working for Sveriges Radio, was killed in a rare daylight attack in Kabul, only a few days after he arrived in Afghanistan in 2014. Two weeks after the attack, Mahaz-e-Fadaiyan claimed responsibility, accusing Horner of being an MI6 spy.

Another small development was the new commitment from leaders of the National Unity government (Ashraf Ghani the president and Abdullah Abdullah the CEO) during their election campaign and after establishing the government. Both leaders met senior journalists and media support organisations in November 2013 and assured them of their government's commitment to end impunity.

Censorship

The attempt to silence the media continued from various quarters. Religious intolerance seemed to be the motive behind several of the attacks. In October, in Baghlan province north eastern Afghanistan, a police official attacked and blocked a local radio broadcasting for what

it said the channel has insulted religious clerics on the last day of Eid. Raz Muhammad Rahimi the head of the station and 10 employees of the radio station were arrested and kept in detention for few days. Six employees were released on second day and the station was closed for some time to decrease the additional attacks from religious groups. The provincial police head told media that these media persons were moved to the provincial capital for their own safety and to decrease the likelihood of additional attacks from religious groups.

In Baghlan province north eastern Afghanistan, a police official attacked and blocked a local radio broadcasting for what it said the channel has insulted religious clerics on the last day of Eid.

The reality however was different. The radio channel was investigated and guarantees were extracted from them agreeing not broadcast such programs. Needless to say, the offending program had nothing to do with religion at all.

In October in Kabul the *Afghanistan Express Daily* faced serious criticism from religious groups and threats of attacks, following the publication of an article entitled 'Islam of Taliban and ISIS'. Wide-spread demonstrations were held across Kabul calling for the arrest of its owners and the banning of the publication. The *Daily* released an apology noting a technical error as the reason for the publication of the article.

Beside these two examples there were many other cases where senior officials filed cases against journalists for their writings and reports. One of these cases was filed by the information minister himself against the daily *Etlat-e-Roz* daily and the reporter was summoned to the attorney general's office for investigations.

Many weblog writers, social media activists and website owners were threatened by senior officials and some by security agencies for their writings and posts.



AIJA president, Samandar Khan, held a press conference with Integrity Watch on the Access to Information Law in December 2014. *Credit: AIJA*

Legal developments

Some provisions of the Mass Media Law were amended and passed in National Assembly. Originally drafted in 2012, journalists and media unions were expressly concerned at the growing governmental control the bill proposed. The law stated the High Media Council, chaired by the minister for information and culture, would set editorial policy.

A significant development over the past year was the approval of the Access to Information Act, signed by President Mohamad Ashraf Ghani in December 2014.

Although the media law is having many problems compared to laws regulating the media in other developed and developing countries, the approval by parliament and the president was a major development. AIJA senior leadership and technical committee found 17 major problems, missing parts, problematic descriptions, censorship, illegal procedures in the Afghan access to the information law and has raised this issue with president office, media and civil society organisations.

Beside the Access to Information Act, the Copyright Law was also approved by parliament and Afghan government with some problems.

Restricting the media

The major restriction of the year was by the Afghan National Security Council (NSC), chaired by President Ghani, on the free flow of information through police and other security departments. The NSC issued directions to the local security agencies to not share information with journalists soon after incidents without its permission.

The increase in centralisation and control affected normal access to the information in provinces where journalists were able to communicate directly with security officials in the past. Beside this, other directions were also issued to some media organisations to not cover some issues or cover them differently.

Picture from the provinces

Journalists in remote areas and provinces are facing many problems. Lack of security and safety during reporting is by far the biggest challenge they face. Dealing on a daily basis with threats to their lives from different sides and unknown armed groups has become even more difficult after the increasing influence of the IS in Afghanistan. As restrictions from government officials increase, the balancing act between armed militants and the government only makes the job of journalists in the regions that much harder.

Job safety is also at peril, with many journalists having lost their jobs after the decrease in international funding and support. Unfair contracts and lack of proper working conditions in media houses is another issue that is almost universal. On top of this, the dearth of professional training poses a challenge for a community that is keen to build professionalism and practice ethical journalism. The lack of funding for media monitor programs and local capacity building programs means is difficult to overcome in an overall scenario of declining funds for the media industry.

BANGLADESH

No middle ground

Bangladesh, a sharply polarised country was shaken by two cold-blooded murders of bloggers within the first three months of 2015. The killings were carried out by Islamist extremists, who did not approve of their secular opinions and writings. These brutal killings are symptomatic of the troubles of a country in political turmoil struggling to fight religious and political extremism.

In January 2015, Bangladesh saw a series of violent demonstrations called by an alliance led by the Bangladesh Nationalist Party (BNP) during the ongoing crisis between the two main political parties - the Awami League (AL) led by Prime Minister Sheikh Hasina and the BNP led by former PM Khaleda Zia. The BNP and its alliance had boycotted parliamentary elections held on January 5, 2014 and demanded early elections under a neutral caretaker government. With its demands unmet, the BNP declared nationwide protests and halt of all transport services in January to mark the anniversary of the elections.

The protests turned violent with arson and attacks, in which scores of people lost their lives. Following the violence, a Dhaka court issued arrest warrants for 23 BNP leaders and later a special Court issued a warrant to arrest Zia on graft

cases. Since both political parties do not seem to be backing off, it looks the political churning will continue, thus putting media freedom and freedom of expression at risk.

The execution of a second Jamaat-e-Islami leader, Muhammad Kamaruzzaman, on April 11, 2015 for the war crimes committed during the 1971 Liberation War of Bangladesh saw further unrest. Jamaat-e-Islami is a pro-Islam party which opposed separation from Pakistan in 1971 had supported Zia and the BNP to remain in power until 2006. Earlier in February, another leader Abdus Subhan was sentenced to death for war crimes. The execution enraged the Jamaat supporters who have called the executions "politically motivated". As such, the security situation in Bangladesh remains fragile.

Reign of Intolerance

On February 26, 2015, Bangladeshi-American blogger Avijit Roy was brutally murdered in Dhaka. Roy, the founder of the path breaking blog Mukto-Mona (Free-mind), columnist, and author of two books on liberal secularism, was hacked to death by two unidentified assailants and his wife, blogger Rafida Ahmed Bonya, was also seriously injured in the attack. The US-based couple on a visit to Bangladesh, was attacked near Dhaka University as they returned from the



Violent demonstrations erupted in Bangladesh when an alliance led by the Bangladesh Nationalist Party (BNP) boycotted parliamentary elections on January 5.
Credit: Munir Uz Zaman/AFP



Bangladeshi American blogger Avijit Roy was brutally murdered in a machete attack while visiting the country to launch a new book. Following his death, hundreds protested on the streets of Dhaka and held candle-lit vigils to mourn his death. *Credit: Munir Uz Zaman*

book fair. They were dragged from the rickshaw they were travelling in and bludgeoned with a machete. The police have so far failed to identify the killers.

They were dragged from the rickshaw they were travelling in and bludgeoned with a machete.

Five weeks later, another blogger Md Oyasiqur Rahman Babu was hacked to death. On March 30, three assailants attacked Oyasiqur, 27, while he was on his way to work in central Dhaka. Oyasiqur was a well-known blogger who wrote on popular blogs under various pseudonyms. He was also known for opposing irrational religious beliefs, superstitions and radical Islamists on his Facebook profile. Locals nabbed two of the attackers and the police has charged four people for the murder of the blogger. Rahman and Roy were murdered a year after the murder of another blogger Ahmed Rajib Haider in February 2014. These murders expose the dangers under which opinions are expressed in Bangladesh.

On August 17, 2014, Naeem Nizam, the editor of news daily *Pratidin*, received a death threat through Facebook, after the daily published articles written by exiled feminist writer, Taslima Nasreen. Shafiur Rahman Farabi or 'Extremist Farabi', who sent the threat, is a known extremist.

The year in review, May 2014 to April 2015, also saw two other murders of journalists. Maulana Nurul Islam Farooqi, who hosted two programs, *Shantir Pothe* and *Kafela*, on Channel i' television, was slaughtered at his residence on August 27. Half-a-dozen youths entered his house and tied up all members of his family before killing Farooqi in his bedroom. The motive behind the murder is yet to be established, but Farooqi had reportedly received death threats for opposing militancy in Bangladesh.

On May 21, Sadrul Alam Nipul, 35, a staff reporter of the popular local newspaper *Daily Mathabhanga*, was found



Maulana Nurul Islam Farooqi, the host of two shows on 'i' television, was killed when a group of youths entered his house under false pretences, tying up his family and murdering Farooqi. *Credit: BMSF*

dead a day after he left his house for work after receiving a call. His mutilated body was discovered near the railway tracks. Despite police stating that his death might have been the result of a rail accident, Nipul's family believe that he was killed for his work.

On August 2, journalist Nasrul Anwar, a staff reporter for the Bangla-language daily *Kaler Kantho*, survived a murder attempt at his home in Dhaka. An unidentified man entered his residence early in the morning and hit Nasrul with a harpoon causing serious injury to his right arm. He was rushed to hospital in a critical condition. He later said that the attack was a result of his reporting on corruption by influential people.

With the government dragging its feet in providing justice to victims, scores of journalists and their families remain in limbo.

The impunity of perpetrators of attacks and murders of journalists adds to the climate of fear. With the government dragging its feet in providing justice to victims, scores of journalists and their families remain in limbo, despite repeated assurances by top government officials. Journalists' professional bodies have regularly organised protest rallies and petitioned the government authorities to end impunity of the perpetrators. Frustration among the media community has only increased when justice has not been delivered.

Attacked for journalism

Bangladesh is still a country where journalism is a risky profession. Journalists invite trouble if they practice independent journalism and strictly abide by the ethics of journalism. During the reviewed year, there was a series of attacks on journalists – by the police, religious extremists, political student organisations and criminal groups.

On February 1, 2015, the police assaulted Nazmul Huda Suman, the Dhaka University correspondent of the English daily *New Age*, and his friend for taking photographs of a policeman riding as a passenger on a motorcycle even though the authorities had recently banned pillion riding on motorbikes in the wake of arson and crude bomb attacks. A group of policemen led by Sub-Inspector Mehedi Hasan Suman attacked the journalist producing his press identity card. The police beat Suman and his friend on the street, in the police car and, later, at the Ramna police station. He sustained injuries on his head and other parts of his body.

On October 25, 2014 Shah Bayejid Ahmed, Rangpur district correspondent and cameraman Shaheen Alam of Ekattor Television (Channel 71), and cameraman Dalim of RTV channel were attacked and confined in a room in the state-run Rangpur Medical College Hospital until the local journalists rescued them. It was the second such incident where journalists were locked up for their reporting by hospital staff. On May 13, Shishir Morol was on assignment, investigating corruption at the Women's Medical College Hospital when he was held captive for two hours and



Journalists across Bangladesh held protests in May 2014 condemning attacks on the media by criminal groups, political student organisations and the police. *Credit: BMSF*

beaten by Dr Shafiul Azam. Morol went to the hospital seeking comment from Dr Azam, who was at the centre of his investigation. Morol was later rescued by the police.

On October 23, 2014, the Jubo League, a youth front of the ruling Awami League, vandalised the Chuadanga Press Club, in south-west Bangladesh injuring four journalists. A week earlier, the pro-ruling party student group Bangladesh Chhatra League (BCL) activists stabbed Abdullah Al Noman, Sylhet Staff Correspondent of banglanews24.com.

Pulack Chatterjee, the 44-year-old bureau chief of *Daily Samakal* and secretary of Barisal Press Club, was attacked with sharp weapons by three attackers as he returned home from work at midnight of August 18, 2014. Chatterjee sustained injuries to his head and body and had to be rushed to hospital.

On July 14, 2014 BCL activists also assaulted eight journalists during a football match on the Dhaka University campus. The BCL students attacked the journalists with machetes and iron rods. The students have been expelled and three were handed over to the police.

Land of hurt sentiments

Freedom of the press in Bangladesh was bypassed when the authorities implemented a new draconian law on Information and Communication Technology (ICT) (Amendment) Ordinance, 2013 which empowers law enforcers to arrest any person without warrant, and charge them with crimes carrying a punishment of up to 14 years imprisonment.

The 'black law' as it was dubbed has taken a severe toll on journalists, online news portals, bloggers, human rights defenders and even social media activists, especially Facebook users. Daily newspapers and news portals are also dragged into the net of draconian ICT law. Not surprisingly, cases against online offenders are in the realm of 'blasphemy', though Bangladesh does not have specific laws relating to blasphemy.

Freedom of the press in Bangladesh was bypassed when the authorities implemented a new draconian law on Information and Communication Technology (ICT)

Under Section 295A of Bangladesh's Penal Code (1860), any person who has a 'deliberate' or 'malicious' intention of 'hurting religious sentiments' is liable to imprisonment.

Under clauses 99(a), (b), (c), (d), (e), and (f) of the Code of Criminal Procedure (CrPC), 'the government may confiscate all copies of a newspaper if it publishes anything subversive of the state or provoking an uprising or anything that creates enmity and hatred among the citizens or denigrates religious beliefs. The magistrate can send police with a warrant to the place where these newspapers are found. The aggrieved person can take the matter to the notice of the high court.' Under clause 108, 'a magistrate can ask for an undertaking from a person who has made an attempt to express anything seditious or create class-conflict.' Clause 144 allows a magistrate to forbid a journalist from going to his or her place of work.

In the recent past, pro-opposition newspaper *Amar Desh* acting editor Mahmudur Rahman, human rights defender Odhikar's secretary Adilur Rahman, bloggers Asif Mohiuddin, Mashiur Rahman Biplob, Subrata Adhikari Shuvo and Rasel Parvez have been arrested in cases filed under the ICT Act.

Islamists and pro-right groups have been demanding the adoption of blasphemy laws to punish 'heretics' such as members of the Ahmadiyya sect; Sufis who make their living practising mystic songs, and now bloggers who have been dubbed as atheist and anti-Islam. Despite a nation created on the principles of democracy and secularism, democratic diversity and dissent is not tolerated in Bangladesh.



Freedom of the press and freedom of expression took a hit in 2014 when the Bangladesh National Party called nationwide protests. In response, the government brought in communication tolls and online media was taken offline. Credit: BMSF

Legal harassment

The announcement of nationwide protests and demonstrations by the BNP to mark the anniversary of the ‘boycotted’ parliamentary elections saw the government jumping into action to minimise the impact by all means possible. This took a toll on the freedom of the press and freedom of expression.

The Bangladesh Telecommunication Regulatory Commission ordered an arbitrary block of internet-based voice and messaging services in January 2015. The Internet Service Providers and mobile phone operators were ordered to block access to services such as WhatsApp and Line, with Viber and Tango under an extended blockage. According to the state, these services were blocked in an attempt to stifle the increased escalation of violence in the ongoing nationwide demonstrations.

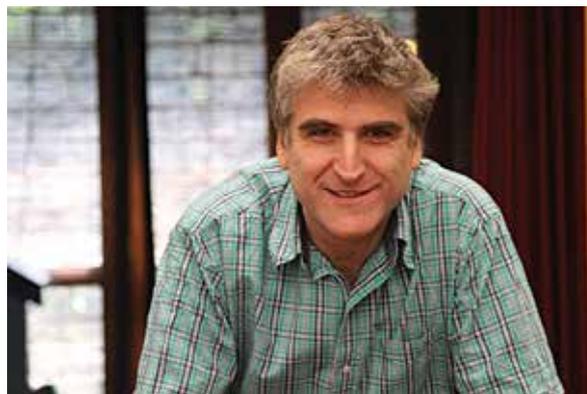
The Bangladesh Telecommunication Regulatory Commission ordered an arbitrary block of internet-based voice and messaging services in January 2015.

However, a volatile political atmosphere was not the only justification to clamp down. On December 28, 2014, the police in riot gear stormed the pro-opposition English daily *New Age* office without stating any reason. Police officer claimed that they had ‘serious information’ about something for which they needed to search the premises.

Earlier on December 3, 2014, the administration ordered a private music and entertainment television station Channel 16 off the air, a year after it was given permission for a test run. The Ministry of Information and Broadcasting said the permission to telecast had not been renewed. The government ordered the channel to stop the satellite broadcasts.

On August 19, 2014, journalist Rabiullah Robi was subjected to a midnight raid at the offices of the *Inqilab*, a Bangla-language daily. Robi was arrested and remanded in police custody for five days over allegations that the paper was “hurting religious sentiments, attempting to create disorder in the administration” and thus violating the ICT Act.

In August 2014, the Bangladesh government introduced the new broadcast policy for the country’s media. Some provisions of the National Broadcast Policy 2014 are potentially restrictive to media freedom in Bangladesh. The Policy was the result of demands put forth by journalist unions in Bangladesh to regulate the state and private television networks; to ensure freedom of speech, the free flow of information and to encourage a strong, independent and responsible media. A 16-member committee drafted the policy in September 2013, which was reviewed by the Parliamentary Standing Committee of the Information Ministry. Cabinet approved the draft on August 4, 2014. The draft calls for restrictions on the broadcast of programs said to “satire national ideals and objectives, undermine people, harm unity and solidarity of Bangladesh as an independent



Dhaka-based British journalist David Bergman was convicted of contempt of court by a special war crimes court on December 2. Bergman was found guilty with the court handing down the verdict that his articles and blog “hurt the feelings of the nation”. *Credit: BMSF*

nation”. It also has provisions to ban any broadcast that “demeans” the armed forces or law enforcement agencies.

Contempt of court

David Bergman, a Dhaka-based British journalist, was convicted of contempt of court for citing published research on killings during the Bangladesh Liberation War of 1971. A special war crimes court, the International Crimes Tribunal, on December 2 ruled that a blog and two other articles written by Bergman, 49, “hurt the feelings of the nation” and fined him USD 65 or a week’s imprisonment.

Bergman, the editor of special reports at local English-language daily *New Age*, in his personal blog posts written between 2011 and 2013 called for evidence-based data about the heinous crimes committed during the Liberation War of Bangladesh in 1971. A Supreme Court lawyer filed the contempt petition on February 18, alleging that Bergman, in his three blog posts, had written against the court. In April 17, the Tribunal decided to initiate the trial. Bergman had argued that his blog posts were “accurate, fair, and logical” and his comments about the court “fell well within the permitted limits of fair criticism”.

Bergman’s conviction does not meet international standards of emerging jurisprudence around contempt of court. Journalists must have the liberty to question and fairly criticise the court’s rulings to ensure justice is delivered and its mandate followed.

The Tribunal, a domestic war crimes tribunal in Bangladesh set up in 2009 to investigate and prosecute suspects for the genocide committed in 1971 by the Pakistan Army and their local collaborators in 1971, has been criticised in some quarters for being used to target political opponents of the ruling the Awami League and that proceedings relating to the war crimes trials have been blemished by poor standards of due process. Many believe that the death toll of war is magnified for political gain, and these voices must also be allowed to be heard.

The conviction has had a chilling effect on the media and is a serious set-back to Bangladesh’s commitment to free speech and independent scholarship. In a move that further threatens people’s right to dissent, the Court has



BMSF marked International Women's Day by holding protests in Dhaka to raise awareness of the role of women journalists. A recent study in Bangladesh found that women account for 0.03 percent of all bylines. *Credit: BMSF*

initiated contempt proceedings against the 49 individuals in Bangladesh who signed a petition in support of Bergman.

Braving all odds

In March 2015, Nadia Sharmeen, one of the few women reporters in Bangladesh, was recognised by the US State Department with the prestigious International Women of Courage Award. This recognition is sorely needed in a country where women work in all media but are a small minority. Sharmeen was attacked by a mob while covering a rally in Dhaka in 2013. Many women and their families consider journalism to be hazardous, as it involves outdoor assignments covering political riots, and natural disasters. They also have to contend with religious extremist groups such as the Hifazat-e-Islam, which believes all women, must stay home in purdah. The Bangladesh Nari Progati Sangha (BNPS) revealed that women account for only 0.03 percent of all bylines in the media in its study published in December 2014, "Women and Rural Areas in Bangladesh News: Ensuring Fair Representation".

The Bangladesh Nari Progati Sangha (BNPS) revealed that women account for only 0.03 percent of all bylines in the media.

The study also found that out of 3,361 news items studied over a two-month period, only 16 percent of newspaper stories, 14 percent of television news items, and 20 percent of radio news items considered women as subjects or interviewed them. Fewer than eight percent of all the stories had women as the central focus. Of the few women

who actually made an appearance on the television screen, 97 percent were news presenters, while just three percent were reporters. Women journalists in Bangladesh have a long way to go, but from the looks of it, they are ready and able to do so.

Building capacity for the future

The International Federation of Journalists (IFJ) organised the Media Rights Monitoring and Advocacy training at the Press Institute of Bangladesh in Dhaka in June 2014 under the aegis of the 'South Asia Media Freedom for Democracy' project sponsored by the UN Democracy Fund and LO-TCO.

The training, hosted by the Bangladesh Manobodhikar Sambadhik Forum (BMSF), was attended by 29 journalists, including 15 women, from various districts of Bangladesh. The training covered issues such as rights of journalists; violations of media rights; importance of monitoring; monitoring skills; reporting violations in keeping with international standards of reporting; use of digital platforms; campaigning and advocacy skills. It is hoped that such capacity building will equip journalists in Bangladesh to face future challenges.

Bangladeshi society today is deeply divided and social turmoil does not seem set to end any time soon. In such a volatile political situation, impunity for attacks against journalists; hate spewed by religious extremists and the government's short shrift to media freedom and democratic norms pose serious challenges.

Journalist unions and associations must take forward the agenda of journalists' safety and security and continue to campaign to end impunity, in the hope that small dents can one day bring major change.

BHUTAN

Braving financial instability

The tiny kingdom of Bhutan boasts an impressive fleet of 10 newspapers, six radio stations (including Sherubtse Radio, a community radio started by the Sherubtse College in eastern Bhutan), a national television broadcaster (two channels), one online newspaper and several magazines. However, the situation of the media in Bhutan is far from robust. Private media continues to battle poor financial health, which has had a ripple effect on the quality of journalism. The extent of the decline is such that the quality of journalism has dropped to worrying levels, thanks partly to the exodus of trained and senior journalists from the industry. Additionally, most private media houses are confined to larger urban centres close to the capital, Thimphu, thus affecting rural reach and coverage.

The sustainability of private media houses is by far the most pressing issue in Bhutan. With many almost bankrupt, most privately owned media houses are on the verge of closure. Significantly, despite the humungous challenge of keeping the media enterprise afloat, not a single media house closed shop in 2014.

Bad business has also forced newspapers to cut down their print runs. According to the circulation audit last done in the year 2013, *Kuensel* is the highest circulated newspaper with an average daily circulation of 7,159 followed by *The*

Bhutanese with circulation of 1,712. *Kuensel's* Dzongkha language edition has a circulation of 1,306 followed by *The Journalist* with 1,300. *Bhutan Today's* circulation stood at 1,291 and *Business Bhutan's* at 848. Other newspapers could not be audited due to lack of proper records.

The sustainability of private media houses is by far the most pressing issue in Bhutan.

In light of the on-going financial problems, private newspapers have lost out to state owned media, namely *Kuensel* and Bhutan Broadcasting Service (BBS - Radio and TV), both in terms of business and quality of journalism. The government completely funds BBS and owns 51 percent stake in *Kuensel*. In fact, the conditions are such that the media situation has regressed almost back to the pre-democracy era. After the initial euphoria that lasted until 2010, private newspapers like *Bhutan Times* that made a tremendous impact, generating huge public debates, have fizzled out.

In fact, at one point of time, private newspapers were trailblazers in uncovering major government related corruption. Now most of these private newspapers barely have three to five reporters, most of them young and



The situation of the media in Bhutan is far from robust, which continues to have a rippling effect on the quality of journalism in the country. Credit: Twitter @DRUKgyalkhab



JAB Program Officers Tshering Duba participating in the IFJ and DUJ Media Rights Monitoring Workshop in India. *Credit Sunil and DUJ*

inexperienced. Therefore, the dominant media players are the two government media outlets. The lack of competition has also slackened their enthusiasm, evident in the content they produce.

Slump in advertising revenue

In the absence of alternate revenue streams, private media houses continue to depend heavily on government advertising for sustenance. According to the report 'Private Newspapers in Bhutan: Proposed Strategy to Overcome the Crisis' commissioned by the Department of Information and Media in 2014, government advertising comprises 85 to 90 percent of the total revenue of newspapers, going as high as 95 percent in cases of a few less diversified newspapers. The study highlighted that the survival of private newspapers depended on how successfully they could attract government advertising.

The government's advertising budget was estimated at Nu 64.56 million (USD 1.05 million) for 2012-13 fiscal year, which was slashed to Nu 54 million (USD 880,000) in 2013-14 fiscal year. Of that, Nu. 43.8 million (USD 710,000) was actually spent on advertising according to the 2014 report commissioned by the Department of Information and Media, Ministry of Information and Communications, *Newspapers in Bhutan: Proposed Strategy to Overcome the Crisis*. The cutback in the government's advertising revenue, due to financial problems triggered by Indian rupee deficit in early 2011, negatively affected the business of media houses in Bhutan. To address the rupee deficit fuelled by excessive imports from India, resulting in negative trade balance, the government introduced several austerity measures cutting across different sectors.

The study further pointed out that the private companies in Bhutan do not have a strong need to advertise because

of the predominant nature of private business – which is business-to-business and not business-to-consumer. To make matters worse, Bhutan's private sector is small and the culture of advertising is yet to gain traction.

If the financial crisis continues, there could come a time when there will be no private newspapers left in Bhutan. This could have multiple ramifications on the representation of diverse views, media pluralism, and the democratic process launched in 2008. The weak financial position of the private media also renders it vulnerable to external control and manipulation by commercial and political interest groups. Such a possibility could seriously undermine the credibility and independence of media in Bhutan.

Many journalists who are currently working in the private media are paid very low salaries and are often not paid on time.

Journalism: a lost cause?

The exodus of top talent from the industry is symptomatic of Bhutan's sick media. Because of lack of financial incentives, attractive financial remuneration, and a conducive working environment, seasoned and more experienced journalists continue to leave the profession for greener pastures. Many of them have taken up well-paying jobs in international organisations while some have started their own business enterprises. And those who have remained in the industry continue to work under difficult circumstances. Many journalists who are currently working in the private media are paid very low salaries and are often not paid on time. The need for journalists' unity has never been so pressing.



The tiny Kingdom of Bhutan boasts 10 newspapers, six radio stations, a national television broadcaster, one online newspaper and several magazines. *Credit: Bhutan News Service*

The Journalists' Association of Bhutan (JAB), an independent civil society organisation for media rights and advocacy, has a total of 205 registered members till date. Membership to the association is open to reporters, editors, producers and freelance journalists. Ironically however, a large majority of JAB's members are former journalists, who have left the media industry – a trend that has resulted in the loss of top talent from the industry in the past few years. As the financial crisis confronting the media refuses to improve, it is likely that more journalists will be forced to leave the profession.

According to the study 'Situation Assessment of Journalists in Bhutan' conducted by the JAB in May 2013, a staggering 71 percent of journalists who responded to the survey said

journalism had become unattractive. Low salary packages, professional hazards and lack of public recognition of the profession were the main reasons reported for the lack of appeal. The study revealed that 55 percent of journalists working in the private media earn less than Nu 10,000 (USD 164) and 40 percent of them reported that they did not get salaries on time.

The private media newspapers had played a critical role in 2008, covering Bhutan's first democratic election.

The immediate fallout of the mass exodus of senior journalists, most of them editors, has been on the standard of journalism. The quality of content produced by most private newspapers has dwindled to embarrassing levels. Adding to this dismal picture is the fact that most of them cover stories from urban centres, ignoring the vast majority of rural population in other parts of the country. Such trends in the media have led to wilful neglect of information needs of rural communities and absence of a rural voice in mainstream news. As such, the media has also failed in representing the voice and views of citizens further away from the capital. The coverage of state-owned media is slightly better.

The private media newspapers had played a critical role in 2008, covering Bhutan's first democratic election. By 2013, most private newspapers had shrunk in size and operation, barely able to send reporters to cover the election in other parts of country.



Journalists at a code of ethics forum hosted by JAB in September 2014. The overwhelming support from within the journalist community enabled JAB to finalise and endorse its code. *Credit: JAB*

In this bleak situation, a little solace has come in the form of content grants promoting rural journalism. The Bhutan Center for Media and Democracy, a civil society organisation, the Bhutan Media Foundation, one of the leading media development agencies in Bhutan, and JAB have started offering content grants (from the Swiss Agency for Development and Cooperation) to encourage reporters to write rural-based stories. While these grants are useful in the short term, there is a need for a more sustainable approach to promote rural journalism and media content that is more inclusive and diverse, representing a cross section of Bhutanese society.

Bhutan's press freedom ranking dropped 12 places, from 92 in 2013 to 104 in 2014, according to Reporters Without Borders' annual press freedom index. This is a troubling trend, given that this is the third consecutive year in which Bhutan's press freedom ranking has dropped.

There are possibly many reasons for the fall in the rankings, the most pertinent being the on-going financial crisis confronting the private media and its subsequent implications on quality of journalism, reach, and coverage. The JAB report 2013 also revealed that 50 percent of working journalists and 45 percent of former journalists feel there is no freedom of the press. About 77 percent of working journalists feel access to information is difficult. Although there is no reported case of harassment or abuse so far, about 58 percent of working and 62 percent of former journalists felt 'unsafe' to cover critical stories.

Indeed, Bhutan's ranking is still the best among eight countries in South Asia. Bhutan is also the only country whose 'abuse score' is zero. The abuse score measures the level of violence and harassment faced by journalists.

Female representation in journalism is fairly balanced, with a few newsrooms in the private newspapers dominated by female journalists. However, the top management and executive positions are still male dominated. That said, many female journalists have risen to the position of editors, notably in the BBS - the country's only television station, in *Kuensel* and a few privately owned newspapers.

Pending media policies

The new government, formed by the People's Democratic Party after winning the second parliamentary elections in 2013, as promised in its manifesto, tabled and passed the Right to Information Bill in the National Assembly, the lower house of Bhutan's bicameral parliament. However, due to a procedural misunderstanding among the National Council - the upper house, National Assembly, and the Ministry of Information and Communications, the RTI bill was not tabled for deliberation in the National Council. The RTI Bill will most probably be a dead bill, which can be introduced in the parliament only after a year.

The Department of Information and Media also issued a draft media policy, government advertising guidelines, and social media policy through broad-based consultations with key stakeholders. These policies are yet to be approved since they must go through the Gross National Happiness (GNH) screening test. Only those policies that

are GNH friendly can be submitted to the cabinet for approval.

The Bhutan Information, Communication and Media Act 2006 was also reviewed but amendments are not likely to take place any time soon. Since the Act is a converged one, dealing with ICT and media, the amendment exercise intended to clear the grey areas, remove obsolete clauses and include new provisions particularly relating to broadcasting, cross media ownership, cyber security, data security and privacy issues, among others. A proposal to establish a Media Council has been in the pipeline but without the Media Act being amended, this too will remain pending. Meanwhile, JAB developed and endorsed the Code of Ethics of Journalists in July 2014. The community of journalists in Bhutan also committed to adhere to the Code of Ethics while discharging its journalistic responsibilities.

Media development efforts

The Swiss Agency for Development and Cooperation (SDC) has made significant contributions toward media development under its Democratic Governance Program. The three-year program looks at four broad areas: creating conducive legal and institutional frameworks; improving quality of reporting and professional standards; increasing rural reach, and improving financial independence of key private media.

Under this program component, efforts have gone into supporting the establishment of the Journalists' Association of Bhutan and development and review of media related policies. A series of capacity building trainings have been conducted for journalists. A feasibility study to establish community radio has been completed and it is likely that in the next year or two, Bhutan will have four to five community radio stations. A content grant program has also been launched to encourage journalists to cover rural areas and issues.

The Department of Information and Media has also developed a scheme to facilitate sharing of infrastructure among electronic media. This could encourage private radio stations to go nation-wide.

The way forward

Since financial sustainability of private media is the biggest and the most immediate concern, efforts must be channelled into creating an enabling market environment for the survival of a diverse, plural and independent media by streamlining the government advertising system and budget.

Another possible way to salvage the private media is through merger of media outlets. Given the limited carrying capacity of the market, it will be wise for newspapers to merge. This will reduce the number of unsustainable ventures while and enable the media houses with combined resources at their disposal to become viable.

Media has been recognised as an important democratic institution. All key stakeholders – the government, media owners, media development agencies, journalists' unions and journalists – need to work together to strengthen the media in Bhutan.

INDIA

Virtual woes and victories

In a year of multiple challenges, the cause of free speech in India had one moment of triumph. That victory in the online domain may have a ripple effect on journalism, though uncertainties in the application of the law remain to be ironed out. After what now seem unrealistically ambitious plans of expansion implemented through the first decade of the century, the shakeout in the media industry continued, though with less disastrous effect on the jobs scenario than the earlier year. Commercial pressures continued to threaten basic journalistic values. And the stalemate on the collective bargaining front persisted despite the fairly unequivocal triumph of February 2014, when the Supreme Court upheld the most recent wage award for journalists and other newspaper employees as legally and constitutionally sound.

A very significant moment for the cause of free speech came on March 24, 2015, when the Supreme Court of India delivered judgment on a batch of writ petitions filed by activist groups and individuals challenging the constitutional validity of the controversial Section 66A of India's

Information Technology (IT) Act. The IT Act was passed in 2000, principally as a measure to facilitate the potential of e-commerce through India's burgeoning IT services industry. Sections 66A, 69A and a number of others were added on in 2008 in response to the growth of the social media.

Victory in the online domain may have a ripple effect on journalism, though uncertainties in the application of the law remain to be ironed out.

Section 66A was flawed at the moment of its birth by a certain looseness of language, almost inviting rampant abuse. Curiously, it was adopted in parliament along with other amendments after the merest formality of a debate. It may have been a knee-jerk reaction to the wave of public outrage generated by the 60-hour terrorist siege of Mumbai in November 2008. The two principal sections introduced by amendment – 66A and 69A – were different in that the



Cartoonist Aseem Trivedi was arrested under section 66A of the IT Act in 2012 for drawing a cartoon of the Indian parliament. Credit: Strdel/AFP

former was couched in phraseology that was broad and ill-defined, while the latter clung closely to the grounds listed in the provision of the Indian Constitution, Article 19(2), that provides for certain “reasonable restrictions” on the right to free speech. This may have saved 69A in judicial review, though it remains a clause prone to frequent and arbitrary use.

Section 66A was added as a sub-clause to a legal provision that dealt with the offence of hacking. Though “hacking” was defined with a fair degree of precision, 66A added a considerable burden of ambiguity, making it a punishable offence to post online any “information that is grossly offensive or has a menacing character”. Alternately, anything posted in the knowledge that it is false, for the “purpose of causing annoyance, inconvenience, danger, obstruction, insult, injury, criminal intimidation, enmity, hatred or ill will”, to “deceive or to mislead”, would be liable to criminal prosecution. Section 69A was more precisely worded, augmenting the powers of intercepting or ordering the decryption of coded information, with the authority to block websites or order offensive information removed from online circulation.

Online curbs

Since its passage, Section 66A has been the basis for the arrest of two college students who questioned the shutdown of the commercial metropolis of Mumbai for a politician’s funeral, a university teacher who posted a caricature of the chief minister of the state of West Bengal and cartoonist Aseem Trivedi who depicted the Indian parliament building in what was deemed an offensive fashion. There were a number of other cases where arrests were effected and prosecution launched on matters of equal or greater triviality.

It was the arrest of the two college students from a town near Mumbai in November 2012 and the similar fate of a businessman in the southern city of Puducherry after he posted a comment about the son of the finance minister at the time, that led to a petition before the Supreme Court invoking the writ jurisdiction of the higher judiciary in defending the fundamental rights. As the petition was admitted for hearing, the Chief Justice of India wondered aloud in open court about how the clause had evaded judicial scrutiny for quite that long.

In defence of what seemed a lost cause, the government just hours before the petition came up in the Supreme Court, notified a number of procedural changes in the manner Section 66A was applied. For one thing, it was made mandatory for a police officer of a certain rank to sign off on every arrest made under the law. In every such instance, moreover, the matter was to be heard before a judicial official of an appropriate rank within a defined period of time.

As arguments proceeded in the matter, listed as *Shreya Singhal versus the Union of India*, the misuse continued. When the Supreme Court delivered its verdict on the matter, it was almost like a conclusion foregone. Section 66A was by virtue of its vague phraseology, its attempt to

create offences that were not recognised within Indian penal law and evidence of its abuse, just awaiting judicial execution. Government counsel sought to retrieve it by reading provisions of existing criminal law into the intent of the section. This effort failed on account of its inherent illogic. The offence of defamation was clearly defined under the Indian Penal Code and its maximum sentence, even where it was a cognisable offence, was considerably less than provided under Section 66A. Moreover, it had a specific clause requiring that an individual prove “damage to reputation” to ensure that it stuck. No such requirement was invested in Section 66A which could be triggered when some undefined threshold of “annoyance” was crossed.

Efforts to bring an element of consistency between the application of Section 66A and legal provisions dealing with “contempt of court” and other such restraints permitted under the Constitution were similarly dealt with. Finally, the rationale used was simply that “a section which creates an offence and which is vague must be struck down as being arbitrary and unreasonable”. “Sufficient definiteness (was) needed,” India’s Supreme Court held, “to define penal law”. And this was clearly not the case with Section 66A, which tended to “arbitrarily, excessively and disproportionately invade the right of free speech and upset the balance between such rights and the reasonable restrictions that maybe imposed on such right”. Reiterating a finding from an earlier case, the Supreme Court observed: “The law should not be used in a manner that has chilling effects on the freedom of speech and expression”.

“It was the arrest of the two college students from a town near Mumbai . . . that led to a petition before the Supreme Court invoking the writ jurisdiction of the higher judiciary in defending the fundamental rights.”

Importantly, the Supreme Court firmly rejected the notion – advanced in a number of assurances by government counsel – that a bad law could be used in a benign manner. Such assurances would have no value, it observed, in a situation where “governments may come and governments may go, but Section 66A goes on forever”. Such a commitment to use the law with extreme circumspection “even if carried out, would not bind any successor government”.

As final recourse, government counsel advanced a notion of “severability”: that the clause could be retained to the extent that it was consistent with other parts of the Constitution, including its fundamental rights guarantees. This was termed as a “vague” proposition since it did not specify any part of 66A that could be saved. Neither was it consistent with settled law in India on the fundamental rights. The upshot finally was simple: Section 66A did not “fall within any of the subject matters contained in Article 19(2)”. Its possible application for purposes outside those subject matters was clear. And there could be no escape



A young Indian woman protests against Section 66A of the IT Act. In early 2015, India's Supreme Court struck out the controversial act. Credit: Strdel/AFP

from the firm judicial inference that “no part of 66A is severable and the provision as a whole must be declared unconstitutional”.

The petitioners also asked for a definitive pronouncement that held any ruling made under Section 66A to be discriminatory, in violation of Article 14 or the equality provision of the Indian Constitution. It was not acceptable practice that internet users should be subject to a different regime of laws than other media users and consumers. The Supreme Court seemed disinclined to hear this plea: “The intelligible *differentia* is clear – the internet gives any individual a platform which requires very little or no payment through which to air his views”. It was seemingly solely on the grounds of its wider accessibility that the court ruled in favour of a different framework of law for the internet. In view of this “intelligible *differentia* between speech on the internet and other mediums (sic) of communication”, it observed, “separate offences can certainly be created (for the latter) by legislation”.

With these preliminaries indicating its philosophical outlook, the Supreme Court proceeded to uphold Section 69A as a legitimate legal provision, consistent with fundamental rights. In this, an altogether rather brief section of its judgment, the court seems to have put its

faith almost entirely in the procedural rules prescribed. Yet it was a procedural anomaly that the petitioners had sought to highlight. Unlike in the criminal procedure code, which allows stakeholders in a newspaper threatened with forfeiture to appeal the decision at the level of the High Court, Section 69A provides no such safeguard. Anybody seeking redress for a perceived wrong would for this reason have to invoke the writ jurisdiction of the higher judiciary. This entire range of problems was dismissed by the court as trivial. The procedure prescribed before an order to block a website or take down specific bits of information, it ruled, had sufficient internal checks to prevent abuse.

Yet as Apar Gupta, a lawyer who represented one of the litigants in the matter wrote, the safeguards that the court pinned great faith in, are never “evidenced in practice”. There has not been a single instance of a hearing being afforded to the affected parties before blocking orders are issued. The rules themselves provide the privilege of “confidentiality to any complaints and actions taken by the government to block websites”. Applications made under the right to information law that have sought disclosure of the rationale for specific blocking orders, have “till date, been unsuccessful or (have) at best provided incomplete information”.

“The legislature’s tendency to view the internet as an inherently dangerous medium, one that deserves greater regulation with decreased safeguards for civil rights.”

The safeguards prescribed in the criminal procedure code are read in the Shreya Singhal judgment as specific to the print medium, with little utility in the online domain. This is in line with the court’s reading that regulatory rules and regimes specific to the internet – and not to other media – would not offend against the principle of equality before the law. But as Gupta points out, in setting what could conceivably be a lower standard of protection for online speech, the court seemingly endorses “the legislature’s tendency to view the internet as an inherently dangerous medium, one that deserves greater regulation with decreased safeguards for civil rights”. This, says Gupta, “is a cause for worry”.

The transparency regime could be strengthened if a panel recently appointed by the Union Government to review the decades old Official Secrets Act (OSA) takes into account the range of public opinion on the matter. The OSA was passed in 1923 and inherited from the colonial regime. There have been persistent calls, particularly since the Right to Information (RTI) Act was adopted in 2005, that it is a relic of a less enlightened time that deserves to be scrapped. In 2002, senior journalist Iftikhar Gilani, then working for *Kashmir Times* in Delhi, was arrested under the OSA although the documents that he was caught in possession of, were freely circulating on the internet. In 2011, photojournalist Tarakand Dwivedi, *alias* ‘Akela’, was

arrested by the railway police force for allegedly entering a restricted area in Mumbai's main railway terminus and recording images of security equipment being kept in a state of considerable disrepair. India's journalists believe that the OSA has long since outlived its time and should be repealed in entirety since it is inconsistent with the new imperatives of transparency and serves only as a weapon to be deployed against critical reporting. However, the Central Information Commission, which is the body empowered under the RTI law to enforce transparency and respond to citizen requests for information, remained headless at the moment of writing.

Indefensible ban

The documentary film *India's Daughter*, scheduled for nationwide telecast in March 2015, was the focus of a long and contentious public debate in India. The film dealt with the gang-rape and evisceration of a young woman in Delhi in December 2012 that led to her death. Promos for the documentary, produced and directed by British filmmaker Leslee Udwin, began appearing on social media sites of news broadcaster NDTV 24x7 on March 1. These publicised an interview with one of the accused, Mukesh Singh, since convicted and sentenced to death, which testified to his moral certitude and complete lack of remorse.

A competing channel was not about to let the opportunity go and went quickly on air with elaborately simulated indignation. Issues of aesthetics and factual veracity – and there were several raised about the film – were quickly buried as agitated minds turned their attention obsessively to Mukesh Singh's unrepentant attitude. Lawyers who represented the lost cause of the rapists emerged as loutish, misogynist and ill-informed, mirroring all the

perversities of the criminals they were appointed to defend. A group of feminists and civil liberties activists, all highly respected in diverse ways, denounced the locutions of the rape convict as "hate speech" which threatened public order. Others fumed that a convict had been afforded a bully pulpit. Members of the ruling party fretted over the defamation of the nation. And still others worried about a possible decline in tourist arrivals. Following a debate in parliament, which was by no means in favour of summary action, the Union Home Ministry moved a court in Delhi to secure an injunction against the film's broadcast.

When gender-insensitivity had become rampant in the tone and content of media coverage in a highly commercialised environment, "it (was) hypocritical to think that such documentaries (would) damage the prestige of the country abroad".

In a March 7, 2015 statement, IFJ affiliate and SAMSUN member, the Indian Journalists' Union (IJU) demanded that the ban be revoked. The government's argument, that the film "glorified the comments" of one of the accused had no substance in it. Far from that being the case, the film "brought to the fore the deep prejudices harboured in the minds of a section of the people of the country", the IJU commented. When gender-insensitivity had become rampant in the tone and content of media coverage in a



NDTV held a silent protest over the banning of the documentary *India's Daughter*, broadcasting a blank screen with the documentary's title for one hour. Credit: Twitter

highly commercialised environment, “it (was) hypocritical to think that such documentaries (would) damage the prestige of the country abroad”.

The Ministry of Information and Broadcasting made a request to the Press Council of India (PCI) that an advisory be sent out to all newspapers not to publish any of the content of the documentary. PCI Chairman C.K. Prasad, a former judge of the Supreme Court, however, declined to do so until the matter was discussed in a meeting of the council.

There was considerable initial confusion over the provision of law under which the purported ban was imposed. The status in law it soon emerged, was rather complex, as set down by India’s Supreme Court in 2004, in a case involving another rape and murder convict. Denied permission by prison authorities, renowned filmmaker M.S. Sathyu approached the Supreme Court and won the right to interview the convict on camera, conditional on his informed consent. In the words of the court: “The media has the right to every criminal. Likewise, every criminal has the right to every media”. There was a caveat attached: the interview could not be broadcast or disseminated in any way till the prisoner’s appeal was finally heard and the inevitable mercy petition disposed of.

The convict was executed once his mercy petition was rejected in 2004, ending an undeclared moratorium of seven years on capital punishment in India. Yet Sathyu’s film, an hour-long voyage into the moral repugnance of capital punishment, did not secure a screening till 2012.

The formal language of the Indian Constitution allows for restrictions on free speech to safeguard against contempt of court. The ruling in the Sathyu petition seemingly added the administration of justice as another criterion under which speech could be restrained. There was also an implicit acknowledgment that judges could be influenced by the tone and content of media coverage of matters they were hearing.

In the case of *India’s Daughter*, there was seemingly no effort to establish informed consent on the part of the convict or ensure that the media production that came out of the interview did not threaten the judicial appeals process. Prison authorities seemingly only reserved to themselves the right to finally approve of the manner in which recordings were used. When faced with a copious volume of footage, their judgment and nerve seemed to fail. Rather than deal with interminable delay, the filmmaker then made a unilateral decision. In the bargain, ethical questions on the administration of justice were thrown overboard.

Taking up a petition by the aggrieved news channel, a bench of the Delhi High Court declined to order an immediate reversal of the ban on *India’s Daughter*. One of the remarks from the bench, that “judges did not descend from outer space”, suggested that the integrity of the judicial appeals process was among the concerns engaging the judges’ minds. On April 15, 2015, the Delhi High Court again heard a plea for reversing the ban and declined yet again to order any immediate relief. The Information and Broadcasting Ministry, the two-judge bench observed, had opposed telecast as it could “encourage and incite violence against women and thus compromise (their) safety”. The petitioners had argued that the documentary provided a “look into the mindset of one of the convicted rapists”. Government counsel contested this perception, arguing that the few extracts from the documentary available online clearly showed that the programme “provided a platform for the convict to...further his own case”, especially since his appeal against the conviction was due to be heard. Referring to an affidavit filed by the ministry in court, government counsel argued that the telecast of the documentary, judging by the excerpts available, would “provide encouragement to anti-social elements who indulge in violent acts compromising law and order”.

Clearly, India is yet to shed the rather heavy burden of the “public order” argument for restraining media freedom,



Assam journalists held a silent protest during a press conference against the arrest of local journalist, Brahma. He was arrested on charges of providing information to extremist organisations about the movement of security forces in the sensitive Bodoland region. Credit: IJU

despite years of evolving jurisprudence on the matter. This has some observers worrying that even with the salutary impact of the judgment quashing Section 66A of the IT Act, the residual ambiguity could prove difficult to dispel, particularly in relation to blocking regulations and the continuing tendency of courts to give latitude to governmental pleas on grounds of public order.

Ambiguous “public order”

Anomalies in India’s media freedom regime are evident in the number of journalists who have been arrested and charged over the years under provisions of the law dealing with sedition and “waging war against the state”. And this has occurred despite a categorical ruling by the Supreme Court that the sedition clause in Indian penal law is violative of the fundamental rights provisions save in a situation of imminent violence. The year gone by brought one such instance, with television journalist Jaikhleng Brahma being arrested on September 2, 2014 in Kokrajhar in the north-eastern Indian state of Assam.

Assam and indeed the entire north-eastern region, is extremely challenging terrain for journalism, with among the worst records of violence against the profession anywhere in the world. Multiple ethnic insurgencies and a heavily militarised response by official agencies create an unpredictable environment in which the threats to fair and fearless reporting could come from any quarter. Journalists are sometimes required and often compelled to open lines of communication with underground insurgent organisations. These often elicit suspicion though frequently, official security agencies are known to seek tactical advantage through exploiting these contacts.

Brahma, who works for a private news channel News Live based in Assam’s main city of Guwahati, was arrested on charges of providing information to extremist organisations about the movement of security forces in the sensitive Bodoland region, a cluster of four northern districts of Assam under a nominally autonomous form of administration. A faction of a militant group fighting

for an ethnic homeland, the National Democratic Front of Bodoland (NDFB), has for years been resisting an invitation to open negotiations and engaging in violent attacks and reprisal killings on civilians and security forces. After a week in detention, Brahma was remanded under the National Security Act (NSA) which allows for up to twelve months imprisonment without charges being filed.

Brahma, who works for a private news channel News Live based in Assam’s main city of Guwahati, was arrested on charges of providing information to extremist organisations.

The Journalists Union of Assam (JUA), a constituent unit of the SAMS member and IFJ affiliate, the IJU sharply criticised Brahma’s arrest, calling the allegations against him “totally false”. The immediate provocation for the arrest, they suspect, may have been an interview that Brahma conducted with a factional leader of the NDFB, who has been resisting the peace process. At roughly the same time that Brahma was arrested, police also raided the home of Rinai Rasumatari, Kokrajhar-based correspondent of the NewsTime TV Channel and issued a warrant of arrest against him.

Brahma was released on bail ordered by the High Court in Guwahati in December 2014, after three months in detention. Charges against him have not been dropped and he cannot leave Kokrajhar without permission of the local magistrate. He is also required to appear before the police officer investigating his case twice a week. Clearly, Brahma’s case conforms to several other recent instances where journalists have been put through a legal process that is itself a punishment, which eliminates their professional autonomy and ability to pursue important stories in the public interest.



Awadhnama ceased publication of its Urdu-language version after the republication of a *Charlie Hebdo* cartoon. Credit: Newslaundry

The ripple effects of the murder of twelve persons – including seven journalists – at the French satirical magazine *Charlie Hebdo* on January 7, 2015, were felt in India when Shirin Dalvi, the Mumbai-based editor of the Urdu weekly *Awadhnama*, was arrested three weeks later. Her alleged crime was to reprint the cover cartoon published by *Charlie Hebdo* when it relaunched with a seven million print run, against the customary 60,000. Dalvi claimed to have a *bonafide* intent in reprinting the cartoon, which was to inform her readers of the basis of the persisting controversy over free speech and its limits. Though she apologised the day after her magazine appeared, she was arrested on complaints lodged by local religious leaders over hurt sensibilities. Dalvi's employers refused to share responsibility for her actions or offer her a legal defence and shut down the publication of their Mumbai edition. Dalvi was released on bail and soon afterwards went into hiding, fearing for her security.

Dalvi claimed to have a bonafide intent in reprinting the cartoon, which was to inform her readers of the basis of the persisting controversy over free speech and its limits.

The Delhi Union of Journalists (DUJ) a constituent unit the IJU and counterparts in Mumbai, the Brihan-Mumbai Union of Journalists (BUJ) condemned Dalvi's arrest. The BUJ urged that "self-regulatory mechanisms" within the media profession that can be availed of by any citizen, could have been applied. The DUJ criticised the "religious intolerance" that had led to the attack on press freedom. While religious sentiments and sensitivities needed "to be respected, these must be balanced against the secular rights and media freedoms that guard India's democracy," the DUJ said.

Corporate power to harass and intimidate was in evidence in the legal notice sent on August 5, 2014 environmental journalist Keya Acharya by Hyderabad based Karuturi Global Ltd (KGL). A major player in the global floriculture market, KGL has been the focus of much attention in recent years for its operations in the African continent, where it has bought large tracts of land, potentially endangering the livelihoods of local farmers and threatening dire environmental consequences. Acharya's article, published by the news agency Inter Press Service (IPS), focused on these as well as the legal problems that KGL had encountered in its operations in Kenya and Ethiopia. She was served a legal notice under India's outdated defamation laws, claiming damages of a billion Indian rupees (USD 16.4 million) by Ramakrishna Karuturi, KGL managing director, on grounds of defamation. The IJU condemned the claim and called for strong public strictures against the practice of "strategic lawsuits...from large corporations to journalists intended to intimidate and silence criticism and dissent".

Another variety of entanglement with corporate interests was in evidence in February when documents filed in court as part of a public interest petition involving the energy and mining conglomerate Essar, revealed a systematic

project of influence peddling involving senior journalists. The case highlighted the erosion of ethical standards in the harshly competitive world of the Indian media. Two senior journalists with the daily newspapers *Mail Today* and *Hindustan Times* resigned at the first hint that their names were on record seeking favours from the Essar group. A third, from the news channel Times Now was put on notice pending a full inquiry, but resigned within days. The incident revived memories of the "Radia tapes", a sequence of tapped conversations involving a public relations consultant and senior journalists in which a fairly clear trail of corporate influence peddling through strategically planted stories was exposed. Public anxieties were deepened when the journalist from the *Hindustan Times* revealed that she had often worked under explicit directions from her corporate management, seeking among other things, Essar's sponsorship for high-profile public events organised by the newspaper group as a distinct revenue source. IFJ's affiliated unions underlined the fact that growing job insecurity among journalists – particularly among those on contract – was playing havoc with standards.

Deaths in the line of duty

M.V.N. Shankar, a senior reporter with the widely circulated Telugu language daily *Andhra Prabha* was brutally murdered in the town of Guntur in the southern Indian state of Andhra Pradesh on November 26, 2014. Reports indicated that he was waylaid and attacked with iron rods and sticks by three assailants just outside his home. The Andhra Pradesh Union of Working Journalists (APUWJ), a constituent unit of the IJU, condemned the murder and linked it directly to Shankar's work as a journalist. According to the APUWJ, Shankar, who was honorary president of the



M. V. N. Shankar, a senior reporter with the widely circulated Telugu language daily *Andhra Prabha* was brutally murdered in the town of Guntur, southern India on November 26. Prior to his death, Shankar has written a series of stories about the public distribution system for food. *Credit: IJU*

local press club, had written a series of stories exposing major irregularities in the public distribution system for food and other essential supplies. He had reportedly also published a list of local traders involved in the racket of diverting subsidised supplies to the black market.

Shankar, who was honorary president of the local press club, had written a series of stories exposing major irregularities in the public distribution system for food and other essential supplies.

Shafat Siddique, a photojournalist with the nationally circulated Hindi language daily *Dainik Jagran* went missing on September 7, 2014 in Srinagar while covering the floods that devastated the Kashmir region over an entire week. His body was recovered five days later. Siddique had worked nine years with *Dainik Jagran* and a total of twenty years in photojournalism. He is survived by his wife, a two-year old son, his aging parents and two sisters. While expressing grief over his death, IFJ affiliate and SAMS member, the All-India Newspaper Employees Federation (AINEF) and the IJU called on Siddique's employers and the government in the state of Jammu and Kashmir to ensure that his family was given due compensation for their loss. Following a campaign by Srinagar-based professional groups such as the Kashmir Press Photographers' Association, *Dainik Jagran* in December handed over an amount of nine hundred thousand rupees (USD 15,000) as *ex gratia* relief to the family. Local press groups lauded the move by the newspaper management and called for the practice to be made an industry-wide standard. Urgent interventions by IFJ affiliates and SAMS partners, led to the release of assistance to the extent of € 2000 to Siddique's family from the IFJ Safety Fund.

Nagaraju Koppula a reporter based in the newly formed-southern state of Telangana with the *New Indian Express*, died on April 12, a month-and-a-half short of his thirty-fifth birthday. Born in the Madiga caste, which is listed as a *dalit* or excluded community in the traditional caste hierarchy, Nagaraju as the Delhi Union of Journalists (DUJ) put it in a tribute, wrote with a "keen sense of social justice... on a variety of subjects, especially on the plight of the marginalised in society". This, says the DUJ, made him a "valuable asset for any media organisation and brought much needed plurality in the newsroom". Nagaraju was born in Khammam district, now part of Telangana and lost his father at the age of four. He finished school and worked as a construction labourer, and various other trades while pursuing a masters in history and a diploma in journalism. A scholarship awarded by *Tehelka* enabled him to spend some months in Delhi and following an internship with *The Hindu* in Chennai he got a job with the *New Indian Express* in Hyderabad.

Nagaraju began suffering from serious lung impairment in 2012. His condition was initially misdiagnosed as a strain

of tuberculosis. His employers refused his request for leave, compelling him to take five months of unpaid leave. His condition was later identified as cancer, probably a consequence of long years spent in his native village in close proximity to a cigarette factory owned by a multinational tobacco company. In cynicism and stealth, his employers then removed his name from the rolls without following due procedure or even intimating him. He was given no support for his medical treatment, nor allowed to draw from his provident fund account, despite frequent visits made to his office in a rapidly deteriorating physical condition.

Reacting to Nagaraju's death, the DUJ said: "We condemn this behaviour of the *New Indian Express* and demand that justice be done to Nagaraju, who was the sole earning member of his family. We demand that the newspaper group pay compensation to his mother for pushing him to death, his salary backlog be paid and medical reimbursements made. We demand that *dalit* journalists, who are anyway so few in number, be protected against discriminatory behaviour in media organisations".

Restrictions and risks

With the media having grown rapidly and not always with due observance of professional ethics, bruising encounters with the political establishment and other interest groups continue to recur. V.K. Singh, a former chief of staff of the Indian army in the rank of general, who has since entered politics and now serves as the junior minister in the foreign office, had one such encounter after his protocol-mandated attendance at an official reception at the Pakistan High Commission in Delhi. The news channel Times Now ran a provocative talk show on primetime the same day, claiming that army morale had been seriously damaged by this observance of inter-governmental protocol.

Later, after he supervised a mass evacuation of Indian civilians from war-torn Yemen, V.K. Singh took to twitter to critique what he called "presstitutes" for their inattention to one of the biggest humanitarian operations undertaken in recent times. Fake controversies involving Pakistan, he suggested, were a higher priority for the Indian media. Later, he accused sections of the media of seeking to discredit him at the bidding of powerful arms lobbies he had confronted right through his tenure in the Indian army.

In measures that seemed to reflect the new kinds of suspicion about media motivations, the West Bengal state government was reported in December to have issued directives that journalists found at any spot other than the media corner in Kolkata's secretariat building should be detained. An effort by the Press Council of India in April to inquire into the veracity of this report was at the time of writing, still to elicit a response from the state government. In February, the newly elected government in the National Capital Territory of Delhi – headed by a party that claimed to restore the element of popular participation in governance – issued directions that journalists' movements in secretariat premises should be restricted. The government in the state of Telangana, newly carved out



More than 40 female journalists in Hyderabad, Telangana, in South India were arrested on Tuesday September 9 for protesting against the banning of two Telugu TV channels, TV9 and ABN Andhra Jyothi. The channels were banned for allegedly airing 'anti-Telangana' programs. Credit: Twitter

of Andhra Pradesh, followed suit with a similar directive the same month.

Since the state was constituted, Telangana authorities set a confrontational tone in their approach towards the media. In June 2014, the state government pressured cable operators to discontinue access to two channels, TV9 and ABN Andhra Jyoti, which it accused of opposing the movement for state autonomy and propagating "anti-Telangana sentiments". Telangana's chief minister K. Chandrasekhar Rao reportedly threatened the media in terms that were little short of dire: "If the media crosses its limits, the government will not only ban but take other courses of action as well. If you cannot respect others and if you cannot become part of our Telangana culture, you have no place here". Despite interventions from various quarters, the ban remained in place. In September 2014, when a number of journalists' organisations took to the streets in protest, strong-arm police tactics of crowd control were implemented, resulting in injuries to a number of the protestors. IFJ affiliate and SAMS member the National Union of Journalists (India), NUJ(I), demanded a judicial inquiry which was not granted. On the IUJ's request, the Press Council of India sent a team to ascertain facts on the ground and turned in a report adverse to the state government. It was only in November 2014 that the ban was partially lifted and the channels allowed back on the menu of subscribers in Telangana.

Telangana's chief minister K. Chandrasekhar Rao reportedly threatened the media in terms that were little short of dire.

On November 18, a number of media persons covering the stand-off between police in the state of Haryana and the followers of a religious sect in Hissar town, were injured in an unprovoked attack by the police. Cameras and equipment of photojournalists were damaged in the attack. Several journalists had set themselves up outside the premises of the religious sect run by an individual, Rampal, who was ordered arrested by the High Court on serious criminal charges. But as the stalemate between the police forces sent to effect the arrest and Rampal's followers dragged on, police personnel reportedly turned their fury on the media contingent. The PCI strongly condemned the attack and formed a fact-finding committee to report on the incident.

Targeted attacks on journalists were also reported from the three north-eastern states of Manipur, Tripura and Assam. In Manipur, two staffers of a local broadcaster, Impact TV were injured in attacks by uniformed personnel of the Assam Rifles in February. A female journalist Mridushmita Bhuyan and her cameraperson colleague were attacked

by policemen in a neighbourhood of Guwahati city in January when they went to report on allegations of illegal detentions in a police station.

Since 2006, the IFJ has engaged partners in the northeastern states of India, Kashmir and Chhattisgarh where insurgent movements and Maoist rebels have created a situation of unpredictable hazard for journalism. A two-day workshop on Media Rights Monitoring and advocacy was held at Delhi on November 6-7, 2014. The workshop involved journalists from several of India's conflict prone regions, where the IFJ has been working to build an effective network for monitoring events and occurrences with a bearing on media freedom and campaigning for redress when required.

Labour rights slide

Over a year-and-a-half since the Supreme Court upheld the legal and constitutional validity of the most recent wage board award for journalists and other newspaper employees, implementation of the new pay scales remains patchy and sporadic. Certain large newspaper groups such as *The Hindu* and *Malayala Manorama* in the southern Indian cities of Chennai and Kottayam, and Assam Tribune in Guwahati, have implemented the new scales, but often at the cost of curtailing other benefits. *The Hindu* for instance, cut back severely on the annual bonus paid during the October-November festive season.

In June 2014, a number of the employees of *Dainik Jagran* based in Noida, adjoining Delhi, filed contempt proceedings in the Supreme Court against the management, on grounds of a failure to implement statutory wage scales. *Dainik Jagran* is a Hindi daily which claims to be the most widely circulated newspaper in the world. With editions spread across state capitals and district towns in the Hindi belt,

it enjoys enormous political clout and has leveraged that in consistently evading basic norms of fair wages and employment terms. The management of the newspaper claimed that it had concluded in-house agreements in 2011, the very year in which the wage board award was finalised, under which most employees agreed to settle for internally negotiated scales of pay. With a number of other professional organisations likely to join the *Dainik Jagran* employees in their petition, the will of the higher judiciary to follow up its salutary decisions with concrete moves to ensure their implementation, is likely to be tested.

It was a year of a pronounced deterioration in industrial relations climate, following a significant political change at the national level and various states in May 2014. The change in the political climate was heralded by the government of the state of Rajasthan, which in June 2014 introduced major changes to the Industrial Disputes Act of 1947, the Factories Act of 1948 and the Contract Labour Act of 1971. Among other things, the changes as the DUJ put it, made "it easier for the private companies to hire and fire employees". In August 2014, the thread was picked up by the Union Government, with changes proposed in the entire gamut of laws dealing with job security and decent wages. The IJU urged that rather than the proposed changes which were detrimental to worker interest, what was really needed was "a national debate on real labour reforms to regulate the wages and other benefits of the workers, guarantee their job security and codify their terms and conditions of service and work, including post-retirement benefits".

In August 2014, 40 journalists and other workers at the Guwahati-based TV broadcaster, Focus NE, were dismissed from their jobs in what was described as a



Journalists from across India, including Kashmir, the North East and Chhattisgarh attended a two-day Media Rights Monitoring and Advocacy workshop in New Delhi in November, 2014. Credit: Sunil

“cost cutting exercise”. While strongly protesting against such termination of the services of employees who have rendered years of dedicated service to the organisation, the IJU called upon the TV channel to immediately reinstate these employees without precipitating the matters any further and to comply with labour laws and not arbitrarily terminate journalists’ services for cutting costs.

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In July 2014, the Assam Tribune group of Publications, a leading group of newspaper in Guwahati, illegally sacked the President of the Journalists Union of Assam and Secretary of IJU, Geetartha Pathak, on frivolous and baseless charges. Pathak has twice been member of the Press Council of India, and of the Central Press Accreditation Committee. Condemning the sacking, the IJU noted that Pathak had become the victim of a witch-hunt primarily because he had been taking a keen interest in the affairs of the employees’ union.

One significant moment of triumph though, came in November 2014, when the Delhi High Court upheld the 2012 decision of an Industrial Tribunal, terming the dismissal of 272 workers by the Hindustan Times group illegal and ordering their reinstatement with full payment of wages owed. The High Court order stated: “Reinstatement with full back wages is the proper relief to which the workmen are entitled, especially when their termination from services nine years back was based on a fictitious/sham transaction.” It noted that 13 media workers had passed away while fighting for their rights and further added: “In case the relief of back wages is denied to the workmen, it would tantamount to placing a premium on the fraudulent conduct of the management which by its order of dismissal has virtually deprived hundreds of workmen of right to life and livelihood”. The *Hindustan Times* group had resorted to the mass dismissals alleging serious breaches of industrial discipline. The retrenchments came soon after the business group floated an “initial public offering” of shares and was widely seen as an effort to appease global private equity players that had responded to the share flotation. Though the newspaper management is likely to take the matter to the Supreme Court, the decision by the Delhi High Court has had a salutary impact on the morale of workers who were unfairly victimised.

Default in media regulation

In August 2014, the Telecommunications Regulatory Authority of India (TRAI), working on a mandate from the Ministry of Information and Broadcasting, published a report after wide consultations, proposing certain changes in the media regulatory environment, with special focus on preventing the concentration of ownership. With a case

study of a number of markets, segmented by language and nature of medium, the Telecom Regulatory Authority of India (TRAI) established that there was a very real threat of concentration beyond an acceptable threshold. It proposed that laws be introduced to compel disinvestment by corporate entities and individuals when their ownership across media – print and broadcast notably – exceeded a certain specified level.

SAMSN partners and IFJ affiliates have since joined the debate, though no substantive steps towards advancing the legislative agenda have been taken. The IJU and other SAMSN partners have urged the Government to hold wide-ranging and thorough discussions with all the stake holders in the media and civil society on recommendations relating to media ownership and monopoly. Anxieties that the government was far from curbing media monopolies, in fact probably embarked upon the opposite course, were accentuated when James Murdoch, the chief operating officer of U.S.-based 21st Century Fox and son of the global media baron Rupert Murdoch, met India’s Prime Minister, Narendra Modi, in March 2015. Not much has been revealed about the agenda of the meeting, though the Murdoch-owned Star TV network is a big player in the Indian market, with widely publicised plans for major expansions.

Issues in media ownership clearly call out for urgent attention at this juncture. The year just past saw Sahara group boss Subroto Roy, an operator from Lucknow in the northern Indian state of Uttar Pradesh, who leveraged financial favours to the political establishment into a vast business empire, including various media holdings, continuing to languish in prison on charges of money-laundering and fraud. T. Venkatram Reddy, chairman of the *Deccan Chronicle* media group based in Hyderabad, was arrested along with his brother, also a senior executive in the company, in February. The Reddy brothers face charges of massive loan defaults, amounting to INR 40 billion (USD 640 million).

As the year drew to a close, the issue of net neutrality was propelled to the foreground by a TRAI report that seemed to be somewhat equivocal in its commitment to the principle of equal internet access for all users. In the public debate that ensued, several little-known features of the internet ecosystem came to light. It was found for instance that Google had entered into an agreement with the Indian telecom services provider Airtel, to provide users with up to a gigabyte of free access to mail, social networking and search services. A similar deal was uncovered between Facebook and Reliance Communications. Airtel it was believed, had also commenced negotiations as part of a consortium of telecom service companies, with a number of internet-based retailers and news portals, for quicker and potentially free access for their customers. The matter soon escalated into a major public debate and TRAI was inundated with urgent demands from internet users that it should not permit any manner of deviation from the principle of net neutrality. Clearly, the debate on media freedom is shifting to a new frontier in India, even as various issues in the old remain to be settled.

THE MALDIVES

Staying afloat

The media in the tiny atoll nation in the Indian Ocean experienced one of its worst years in recent times.

The ongoing political wrangling after the bitterly contested presidential elections of 2014, ongoing Islamist extremism and a violent gang culture continued to threaten free media and press freedom in the tiny country. But the small, yet vibrant community of journalists carried out their duties with courage despite the intense pressure.

The most saddening incident of the year that highlighted the country's dark underbelly on press freedom was the disappearance of Ahmed Rilwan Abdulla. The 28-year-old journalist disappeared on August 8, 2014, on his return via the ferry that connect the capital Malé and his hometown of Hulhumalé. His movements were last recorded by the ferry terminal's CCTV and his last tweet was sent at 1:02am.

Rilwan, who used the Twitter handle Moyameehaa, was a hugely popular and outspoken journalist writing for the independent news website Minivan News (minivan means 'independent' or 'free' in Dhivehi, the local language). He was known for his scathing reports highlighting corrupt politics, Islamic extremism and the destructive gang culture in the country. He had written about the death threats made to more than a dozen local journalists, as well as

investigative stories about Maldivian militants going off to fight in Syria. It is little surprise that he upset people and received threats himself from those who wanted him silenced.

The most saddening incident of the year that highlighted the country's dark underbelly on press freedom was the disappearance of Ahmed Rilwan Abdulla.

The CCTV footage recorded at the ferry terminal showed some people following him. Eyewitnesses said that at around 2am, a man fitting his description was forced at knifepoint into a vehicle. Police found a knife on the ground. Four men were detained and then released. His family and colleagues firmly believe that Rilwan's disappearance is related to his journalistic work and that he was abducted by those who wanted to silence him. In the months that followed his disappearance, the journalist community ran numerous campaigns and international organisations made calls to the Maldivian authorities to trace him. However, the police to date have failed to offer any substantial clue about his disappearance.



One hundred divers protested underwater in Malé in April 2015 calling for the release of jailed ex president Mohamed Nasheed. Credit: Photos Ismail Humaam Hamid and Mohamed 'Sindhi' Seeneen; Minivan News

A huge social media campaign was initiated to sustain pressure on the authorities who have been criticised for doing too little, too late. On September 4, a petition containing 5,000 signatures was presented to the country's parliament pressing for action – a phenomenal response for such a small media industry. The police claimed that they had questioned 318 individuals, interrogated 111, searched 139 locations in Malé's suburb island of Hulhumalé and searched 267,197.5 square meters of ocean.

At time of publication, Ahmed Rilwan Abdulla has still not been found. A gaping hole has been left in the industry – both by a journalist who was loved and the uncertainty his disappearance has created. Last November Home Minister Umar Naseer said “the only way for authorities to be sure of what happened to Minivan News’ Rilwan is to question him ‘when he’s found.’”

High-voltage politics

The Maldives Democracy Network (MDN) contracted a Glasgow-based private investigation firm to probe Rilwan's disappearance. The report stated that it was most likely that Rilwan's disappearance was a case of organised kidnapping, carried out by gang members, with the help of corrupt government and police officials.

The Home Minister, the police and many others in power criticised the report for being politically motivated. However, some believe that the police themselves have become politicised: that they are turning a blind eye on Islamic extremism for political reasons.

The presidential election in late 2013 was intensely fought after the resignation of President Mohammad Nasheed



Abdulla Yameen was elected the new President of the Maldives on November 16, 2014, after a close election race where he won 51 percent of the vote. Credit: Lakruwan Wanniarachchi / AFP

in February 2012. The Supreme Court annulled the result of the initial voting on September 7 and the poll was held again on November 9. As no candidate achieved a majority, a run-off was held on November 16, postponed by five days by the Court. Abdulla Yameen, the current president, received 51 percent of votes to Nasheed's 48 percent and was declared victorious. Yameen's narrow win was believed to be because of the support of Islamist extremists; and thus the opposition had always blamed the government for having a soft corner for extremists.

The decline of press freedom surrounding the recent descent into political chaos is noteworthy from what had been a promising environment for democracy in the preceding years. In 2008, Mohamed Nasheed became the first democratically elected president of the Maldives. For



A massive social and public media campaign was critical of the police investigation following the disappearance of Minivan News journalist Ahmed Rilwan Abdulla, known under the Twitter handle Moyameehaa. Credit: Minivan News



On March 31, former Maldivian president Mohamed Nasheed was sentenced to 13 years in jail under the Anti-Terrorism Act of the Maldives. *Credit: Adam Sireil/AFP*

a country of roughly 350,000 people, Nasheed achieved a high profile on the global stage by speaking about the risks climate change posed to eventually drowning his country's islands below sea level. His election replaced 30 years of dictatorship by Maumoon Abdul Gayoom. Interestingly, it was Gayoom's half-brother, Abdulla Yameen, who ousted Nasheed in the 2013 elections.

By February 2015, Nasheed was arrested and ordered to stand on trial for his decision to arrest Criminal Court Justice Abdulla Mohamed in 2012. On March 13, 2015, Nasheed was sentenced to 13 years in prison under the Anti-Terrorism Act of Maldives after a controversial trial that saw 10 hearings in 23 days. The arrest and charging of Nasheed took place amidst opposition rallies and protests during which the media was targeted for doing its job of covering current affairs.

Clampdown on reporters

The Criminal Court, which heard Nasheed's case, banned pro-opposition Raajje TV journalists from attending the hearings for news coverage on March 8, 2015. The decision of the court came after journalist Ahmed Ibrahim and cameraman Adam Zareer were briefly detained a day earlier while filming a meeting of a judge and a prosecutor in a café. The court said: "Raajje TV has been barred from attending hearings because they are spreading lies about judges, meddling in judges' personal affairs and engaging in actions that may harm judges."

A few days later, the court denied entry to other journalists to the hearings involving former president Nasheed. Misbah

Abbas of CNM (an online news website), Mohamed Afzal of MBC (the only public service broadcaster in the country) and Muiz Ibrahim of Vagutu (an online news website) were denied entry to the court on March 13.

The court said Raajje TV has been barred from attending hearings because they are spreading lies about judges.

During the opposition demonstration following Nasheed's conviction in March 2015, three journalists were arrested, presented to the Criminal Court handcuffed and five days later released on bail. They may still face charges.

The police had arrested Adam Zareer and Mohammad Wisam of Raajje TV on March 25; and Mohamed Niyaz of Channel One was held on March 24 for "obstructing police business". The police accused cameramen Zareer and Niyaz of obstructing police duties by aiming the camera light directly towards the police officers, and Wisam for obstructing the police during Zareer's arrest. They were taken to the Dhoonidhoo detention centre and strip-searched. Raajje TV said that the arrest was "an obstruction of rights guaranteed under the Constitution including the rights to freedom of information and freedom of the press".

After his release Mohamed Wisam said: "We are not criminals or dangers to society. However, we report about such people and when we were put in the same cell block as them, it was quite frightening for us."



Adam Zareer and Mohammad Wisam of Raajje TV were arrested on March 25 for 'obstructing police business' as they covered opposition demonstrations after the conviction of former President Mohamed Nasheed. Raajje TV was also banned from attending Nasheed's court hearings. *Credit: Raajje TV*

Ganging up against the media

On February 15, 2015, one of the senior journalists of Raajje TV received death threats via a phone call and text message. The journalist received a call from Abdulla Yameen, a member of the Maldives parliament – who won the seat while a member of the Maldivian Democratic Party (MDP) and later switched to the Progressive Party of Maldives (PPM) – who is believed to be establishing his own television station. Yameen requested that a former Raajje TV employee be allowed into the building to collect his belongings. The journalist said that the belongings would need to be first verified by security personnel. Following the phone call, the journalist received a call from an unknown number, which said that if "Raajje TV did not do as Yameen said, would be killed within the next hour and the station would be vandalised".

On September 25, 2014, the office of *Minivan News* in the capital Malé came under attack. *Minivan News* was founded by members of the Maldivian Democratic Party in 2005, taking its name from the first public political 'Minivan' (meaning 'independent') debates in the country's history. In the attack, the blade of a machete was lodged in the door of their office building in the afternoon shortly after a notorious gangster removed a CCTV camera from outside the building. The Maldives Journalists Association (MJA) termed the attack "a clear attempt to threaten and intimidate journalists in the Maldives".

On August 2, 2014, 15 journalists received death threats via text messages, warning them against reporting on gangs in the wake of street violence, which had seen at least one dead and nine people injured. Those receiving death threats were journalists from *Haveeru*, Raajje TVM, Maldives Broadcasting Corporation (MBC), VTV, *Sun Online*, and *Vaguthu*. "[We] will kill you if you keep writing inappropriate articles about gangs in the media," the text message from an unlisted number read.

According to the MJA, threats against journalists are becoming tools to silence them. In all these cases of the intimidation, police were notified and security in media offices was increased, but no one was held accountable or prosecuted in this connection.

Speedy gender justice

Adam Haleem, the former editor of Vnews online, was arrested on November 11 for attacking a female colleague. Haleem was caught on CCTV allegedly entering a stair hall on November 9 and grabbing a female employee, causing her to fall on a flight of stairs before another employee intervened. The publisher of Vnews, the Vmedia terminated Haleem's employment in connection with the assault. The motive was ascertained to be personal matters. Haleem was arrested after the CCTV footage was widely circulated on social media and a court issued an arrest warrant.

The struggle ahead

The Maldives is politically polarised, and those holding political power are using every means at their disposal to silence opposition – be it political leaders or the media. In such a scenario, the situation for journalists is not conducive and enjoying complete freedom of press and freedom of expression is a challenge.

In a meeting between all editors of major Maldives media outlets in late March, all noted increasing fear amongst journalists and self-censorship with regards to reporting on violent gang activity in the Maldives. Many journalists attribute this to the police reluctance to arrest gangsters who attack journalists, investigate Rilwan's disappearance and the judiciary's failure to penalize threats and intimidation on gang connections with the government.

Worse still, many allege the current government pays gangsters to attack and harass journalists, especially those who report on opposition activities. Well known gangsters, with previous criminal records of murder, have been seen on the frontlines of numerous ruling party rallies or at ruling party gatherings.

The continuous threats from the state authorities and gangs seem to be a challenge to media freedom, currently ranked low at 103 in the Reporters Without Borders' Press Freedom Index.

The whereabouts of Rilwan remain a mystery, engendering a sense of fear among journalists. With Rilwan's critical voice removed, and without anybody involved in his disappearance being charged, the culture of impunity reigns. With most attacks and threats to the media going unpunished, journalists in the Maldives are surmounting immense hurdles to continue their job of truth telling.



On September 25, 2014, a notorious gangster removed a CCTV camera from outside the office of *Minivan News* in capital Malé. The blade of a machete was lodged in the door of its office building. *Credit: MJA*

NEPAL

Shaky transition

Nepal continues to be in a fluid state of post-conflict transition even after almost a decade following the end of the Maoist insurgency in 2006. The second Constituent Assembly elected on November 2013, missed the self-set deadline of January 22, 2015 to promulgate the new constitution. The country's unstable political scene continues with a fragile government struggling to survive amidst rising public frustration.

After the disagreement between the ruling coalition comprising of the Nepali Congress and Communist Party of Nepal (United Marxist-Leninist), and the opposition coalition of 30 fringe parties led by United Communist Party of Nepal (Maoist), the intra-party conflicts within the major parties and differences related to governance and federalism, has led to a situation where the new constitution still looks elusive. This transitional phase means that the primary focus of the country is the consensus for the new constitution, and at this juncture, other important issues such as press freedom and widespread impunity for crimes against journalists remain largely ignored.

From May 2014 to April 2015, the media sector in Nepal was confronted with the same problems it has faced in the years since 2006 after the signing of the Comprehensive Peace Accord between the Maoists and the government. Entrenched impunity for crimes against journalists contributed to continuing attacks on and harassment of the media. Although the murders and attacks have

Entrenched impunity for crimes against journalists contributed to continuing attacks on and harassment of the media.

decreased substantially over the last few years, the security of journalists is still a major concern. This, in turn, has contributed to self-censorship of sensitive news about critical issues. Professional security, such as job security, appointment letters and minimum wages for journalists, remains a challenge along with the sustainability of the media.



Chaos erupted in Nepal's parliament on January 22 as the country's second Constituent Assembly faced the reality it would miss the self-set deadline to promulgate a new post-war constitution. Credit: Prakash Mathema/AFP

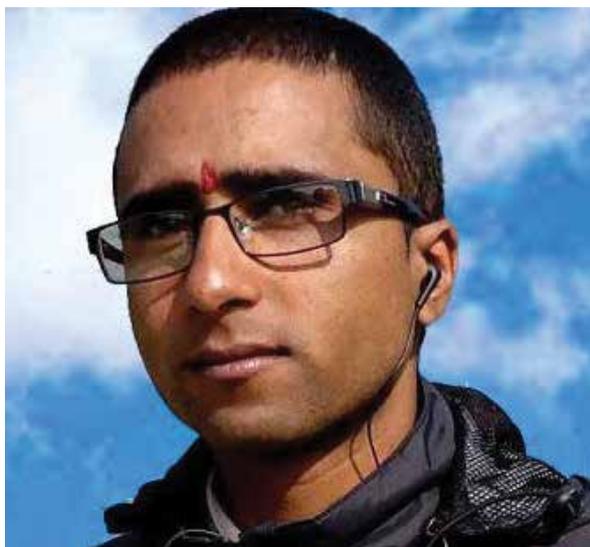
The growth of the online media in recent years is encouraging, but since Nepal lacks policies and laws to facilitate its evolution, it could introduce more problems for journalists. Issues of professional standards, job security and decent wages are likely to surface, given that journalists in the digital media are operating almost in a policy void.

There have been some positive developments that challenge impunity – most importantly the verdict to punish the murderers of journalists Yadav Poudel and the rapist of a woman journalist in Syanja district, western Nepal. The draft of the new media policy; the initiative of the Press Council of Nepal to amend the Code of Journalistic Ethics; and the government's initiative to convert state media into public broadcasting services have been among the welcomed developments in the media scene. The initiative by the Federation of Nepali Journalists (FNJ) to establish a mass communication training academy on its premises with the government support is another positive step taken in the year under review.

There have been some positive developments that challenge impunity – most importantly the verdict to punish the murderers of journalists Yadav Poudel and the rapist of a woman journalist.

One murder, many attacks

On March 25, 2015, the police found a dead body with visible head injuries on the side of the Koshi Highway. Four days later the body was identified as that of Ram Prasad Bhattarai 'Sachin', a 26-year-old assistant editor of the weekly *Baruwa Times* in Udayaput district who also contributed to the *Ujyaalopatra* daily of Biratnagar and the *Aaujar* daily of Dharan. He was on a trip to Eastern Nepal



The body of young journalist Ram Prasad Bhattarai was found on the side of the Koshi Highway by police officers on March 25, 2015. The 26-year-old journalist suffered head injuries and was identified four days later. Credit: *dainiknepal.com*

where he was found dead. Although the case is still under investigation, the FNJ and his colleagues believe that it was a murder, though the exact cause is yet to be established.

It was saddening news in the year under review that saw numerous attacks and harassment of the media – from the state parties, public servants, political leaders and criminal gangs – that created an atmosphere of intimidation and insecurity.

On May 21, 2014, police beat up assistant editor of *Prabhat Ghosana* daily Bhagat Ram Tharu and Sunil Regmi of *Madhyapachim Sandesh* daily in Nepalgunj, western Nepal. When Mountain TV correspondent Chhatranath Devkota attempted to stop the police during the incident, they handcuffed and took him into custody. In a case of intimidation, Ramesh Rawal, correspondent of *Karobar* daily in Kalikot district, was forced to leave the district after he received threats from various sides for his investigative news stories. He moved to Kathmandu in July 2014, and later returned after an FNJ team met with district officials to ensure his safety.

In the latter part of the year, on October 18, 2014, journalist Kali Bahadur Malla was publicly beaten by two hotel entrepreneurs for writing news about illegal activities taking place in the hotels in Kalikot district. A day later, about dozen people attacked journalist Rejina Gautam Rodan, a correspondent of local *Arjunhara* daily and executive editor of *Jana Andolan* weekly along with Khemraj Gautam, office staff of FNJ's local chapter in Jhapa, eastern Nepal when they were returning home from office. On November 20, 2014, Narayan Prasad Adhikari, a correspondent of state-owned National News Agency and a journalist at local Hamro FM radio in Chitwan, central Nepal, was attacked with a sharp weapon by unidentified persons, reportedly for his news reports. In Biratnagar, Eastern Nepal, employees of the Sunsari Morang Irrigation Project on December 24, 2014 beat up journalist Brahma Dev Yadav, the guest editor of *Biratnagar* weekly, for writing news about corruption in the project. He had to be hospitalised.

Lawmaker Agni Sapkota, who was formerly the minister for information and communication in the government led by the Unified Communist Party of Nepal, threatened Tanka Panta, editor of the *Nepal Samacharpatra* daily, at the Constituent Assembly building for the news coverage of his party on January 23, 2015. He later apologized to the journalist. On August 27, 2014, editor of *Drishiti* weekly Shambhu Shrestha and editor of *Dainik Nepal* Ganesh Pandey were threatened over the phone over news coverage in Kathmandu.

On January 20, 2015, several incidents of attacks on journalists and media workers were reported during the general strike called by opposition political parties led by the United Communist Party of Nepal (Maoist). Newspaper vehicles were vandalised, journalists were assaulted, equipment damaged, and journalists threatened.

Similarly, during an opposition demonstration on March 29 in Pokhara, Western Nepal, police attacked Indra Paudel, Kantipur TV correspondent, for recording footage of them hitting the protesters. On March 31, 2015, Radio Naya



Nepalese journalists showed their solidarity in the way of the Charlie Hebdo attacks in January 2015. Credit: FNJ/Nepal Press Club.

Karnali journalist Ramesh Bogati was attacked at the gate of his office, reportedly for his news on the radio.

On April 3, 2015, police locked up half-a-dozen journalists covering a clash of police and locals in Gaur, Rautahat district. Several teargas shells were fired nearby, causing breathing difficulties to journalists detained in the lock-up – some of whom required medical treatment. The beleaguered journalists were under attack from all sides, and on April 4, 2015, demonstrators at Gaur assaulted several journalists for what they perceived to be poor coverage of the demonstration.

Harassment through laws

A significant form of harassment of journalists occurred on March 1, 2015 when the police filed a case against two journalists in Nepalgunj, western Nepal – Tilak Gaunle of Sagarmatha TV and Chhatranath Devkota of Mountain TV – for not providing news footage as demanded by the police. The duo filmed a policeman accepting a bribe, and refused to provide the footage to the police when it was demanded. The case, filed under the Public Offences Act, was later dropped by the district attorney’s office after media rights organisations intervened.

The police misused the Electronic Transaction Act’s (ETA) to suppress freedom of expression. Mohammad Abdul Rahman, a citizen, was arrested in June, 2014 from Saptari district over his comment on a Facebook page stating that the police are corrupt. He was charged with violation of Clause 47 of ETA that restricts publication of ‘offensive’ materials online. But the definition of restricted material

is vague, allowing for broad interpretations. Although no journalists were charged with the ETA as in previous years, the Act continues to pose a threat to freedom of expression on the Internet.

The police misused the Electronic Transaction Act’s (ETA) to suppress freedom of expression.

On June 9, 2014, the Ministry of Law, Justice, Constituent Assembly and Parliamentary Affairs moved a controversial Contempt of Court bill in the Parliament. The Bill was registered immediately after the appointment of eight permanent judges to the Supreme Court, some of who were heavily criticised by the media for being corrupt and unethical. The Bill defines contempt of court as actions that “obstruct the implementation of justice delivery, influence a sub judicial matter, insult the judgment of a court and record the activities within a courtroom without judges’ permission”. The Bill also defines insulting a staff or judge of the court as contempt of the court and proposes discretionary powers for judges to initiate a case with the punishment ranging from fine up to Rs. 10,000 (USD 125) or a jail-term up to a year or both.

Media rights and human rights organisations took a strong stand against the Bill on the grounds that it contained provisions that violated press freedom and freedom of expression; and that some of the provisions of the proposed Bill could endanger citizens’ rights to opinion and expression. The vehement protests forced the speaker

of the Legislature Parliament to open the Bill up for public discussion.

Justice delayed

On July 20, 2014, a joint bench of Justices Udaya Prakash Chapagain and Gunaraj Dhungel at the Appellate Court handed down life imprisonment to Yubaraj Giri, Somnath Dhakal and his wife Manju Dhakal for murdering journalist Yadav Poudel. The court also sentenced Madan Rai to six months in jail for his involvement in the 2012 murder of Poudel. On April 4, 2012, Poudel had been pushed off the roof of the hotel owned by the Dhakal couple. Poudel was in talks with Giri to begin publication of a local daily newspaper when the incident occurred. The Appellate Court upheld the initial verdict by the Jhapa District Court handed down in February 2013.



Yadav Poudel was brutally murdered in 2012 after publishing reports alleging local hotels were involved in prostitution. His two killers were sentenced to life in prison in 2014. *Credit: IFJ*

Similarly, the Supreme Court delivered another landmark verdict on December 18, 2014. The Court ordered imprisonment of Yadav Ghimire, who raped a female journalist in 2008. The Court sentenced Ghimire, a section officer of state-owned Nepal Telecom, to five years in prison and ordered him to pay a NRs. 150,000 (USD 1,500) fine as compensation. On January 1, 2008, Ghimire had lured the 22-year-old female journalist of Syanja district, western Nepal to a hotel room in Pokhara on the pretext of giving her a better job and had then proceeded to rape her. Although a district court found him guilty and sentenced him in 2009 to a six year jail term, an appellate

court reversed the decision. Ghimire remained behind bars for less than a year before he was acquitted in 2010. The journalist took the case to the Supreme Court in a long fight for justice. At the end of the trial the survivor said, "In these seven years, I had to quit my profession. I was threatened several times. I was forced to leave the country for almost 15 months. I went through mental trauma. However, I never gave up hope for justice."

In another significant verdict, the Dailekh District Court on December 7, 2014 convicted five on the case of 2004 murder of journalist Dekendra Thapa. They were imprisoned for periods between 18 to 24 months for their involvement in the murder. Lakshiram Gharti Magar and Bir Bhaadur KC were sentenced to 18-month jail terms, and Nirak Bahadur Gharti, Harilal Pun and Jaya Bahadur Shahi were sentenced for two years. Four other accused are still at large. But the court had decided to keep on hold the charge sheets against them.

The lack of accountability has given rise to self-censorship to such an extent that most media rights organisations have started classifying it as their main challenge.

Thapa was hung upside down and tortured for a few days before he was buried while still breathing. In 2012, police arrested some of the accused and presented them to the court, before Maoist prime minister Baburam Bhattarai had ordered the police to discontinue investigation into the case. Although the sentence terms were light, it is a landmark verdict as this was one of the murders perpetrated by Maoists during wartime.

The delivery of justice even in heinous crimes like rape and murder is often delayed due to the various levels of appeal, and in such a situation, the hope for justice in cases of attack and harassment of journalists is low. In many cases of attacks on journalists, the FNJ formed a mission team to exert pressure on security and state agencies to investigate cases to punish the culprits. In most cases, no one has been arrested.

Despite these two positive verdicts, impunity continues to be rife. The lack of accountability has given rise to self-censorship to such an extent that most media rights organisations have started classifying it as their main challenge.

Since 2001, 34 journalists in Nepal have been murdered and four others remain missing. In most of these cases, no justice had been delivered. When perpetrators of attacks on media are not punished, and the state is reluctant to investigate such cases, the lack of physical safety and impunity gives way to self-censorship and the media then refrains from reporting critical issues. In order to press for accountability, media rights organisations such as IFJ affiliates FNJ and Nepal Press Union (NPU) has been demanding a judicial commission to investigate these cases.



Since 2001, 34 journalists in Nepal have been murdered and four others remain missing. In most cases, no justice has been delivered. A lack of impunity has created a culture of self-censorship in Nepal. Credit: Ujjwal Acharya.

Virtually unregulated

On January 11, 2015, the CEO of the company that had ran NepalNews.com, a well-known news portal running since 1999, posted a note on the website stating that it was ceasing its operation with immediate effect. No explanation was given for the closure and 18 journalists, some of whom had worked with the news portal since its inception, were asked to leave. However, the journalists remained in the office for two weeks protesting the decision, urging media rights organisations including FNJ and NPU to intervene. In this case, the management was forced to provide them compensation based on the duration of their contracts.

Online media which has mushroomed over the last few years operates beyond the traditional framework of the media industry. There has been some recognition for online media with the government providing limited press accreditation cards, but overall there is no government mechanism to facilitate its development and oversee the implementation of the Working Journalists Act and similar media regulations. There have been no studies regarding working conditions, minimum wages or ethical standards of online media.

The Press Council of Nepal has begun voluntary listing of online media, which currently stands at more than 150, and the Ministry of Information and Communication (MoIC) had received recommendations from the Online News Portal Operation Management Recommendation Committee led by Borna Bahadur Karki, the chairman of

the Press Council of Nepal. The Committee was comprised of the Director General of Department of Information, FNJ Chairman, a representative of online media and an under-secretary of the Ministry. The report was widely criticised for its recommendations of restrictive provisions. The recommendations included radio/television style licensing for online news portals.

Two decades of the Working Journalists Act

The sorely-needed Working Journalists Act came into effect on March 13, 1993 and was amended in 2006, 2007 and 2010. But more than two decades after it was passed, the Act has not been completely implemented. For example, the provisions regarding contracts, appointment and minimum wage are not followed by the media houses and the government has not been able to monitor these violations. The FNJ, on February 3, 2015, issued a statement criticising the government and media houses for their unwillingness to implement it and had started a campaign to put pressure for its implementation.

An internal assessment by the FNJ found that even the major media houses based in the capital have not fully followed the law with regard to appointments and other legal requirements. The report assessed that there are problems with almost all media – including state-owned media – and has formed four committees headed by FNJ office bearers to follow up with media houses for complete implementation of the Act. The FNJ delegation had also met with the Prime Minister and the Minister for Information and Communication to draw their attention towards the issue and push for its implementation.

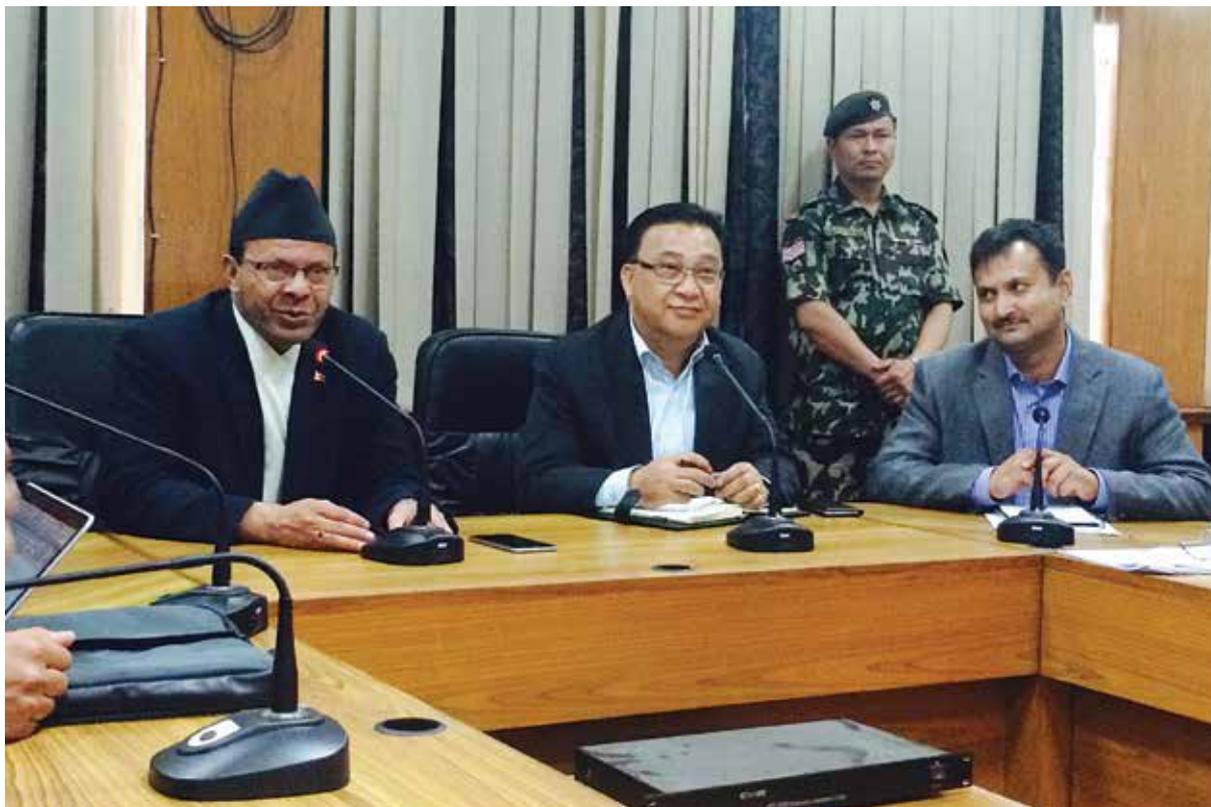
An integral part of the Act is the minimum wage, under which the Minimum Wage Fixation Committee was first formed in August 2007. The minimum wage has since been reviewed several times. The current minimum monthly wage for journalists is fixed at Rs. 10,008 (approximately USD 100). Many of the media houses, especially medium and small media and those outside Kathmandu Valley, have not adhered to even this meagre amount.

The timely payment of salary is another problem faced by journalists in Nepal. Apart from a few of big media houses, state-owned media and some small media, most the media houses have delayed payment of salary to the situation that FNJ President Mahendra Bista issued a press statement on the eve of Dashain, Nepal's biggest festival in September, making a humanitarian appeal to media houses to pay the journalists their salary in view of the festive season.

The struggle ahead

Nepal has constitutional guarantees of freedom of expression and press freedom; legal provisions of democratic nature yet the media continues to face difficulties. Media rights organisations, media, journalists and other stakeholders in Nepal still have a long struggle ahead to ensure a free, fair and secure media environment.

The implementation of laws, especially the Working Journalists Act, in provisions related to contract, appointment and minimum wage, remains a major challenge. The media rights organisations are under



FNJ leaders met with Minendra Rijal, Nepal's minister of information and communications under Sushil Koirala-led government, to discuss the poor implementation of the Working Journalists Act (1995).

pressure to launch a major campaign for implementation of the Act to ensure the professional security of journalists.

The general public's perception of media and journalists is still negative thus most of the attacks and harassments go unpunished.

The lack of physical safety continues to be a barrier for journalism across the country. As the past year showed the attacks continued – from all quarters – on the media and journalists. The general public's perception of media and journalists is still negative thus most of the attacks and harassments go unpunished. There is a need to

change public perception in order to establish journalism as a respectable profession and an important pillar of democracy.

Impunity remains a major challenge in Nepal, especially for the murder of journalists during the Maoist conflict era (1997–2006). The verdict on the murder of Dekendra Thapa has opened up the possibility of investigation and punishment of perpetrators of conflict-era murders. The verdict could prove to be a milestone in combating impunity against those accused – both state and rebel parties, however, there is need for a long and tireless campaign to secure convictions. The attempts to restrict media rights will continue from the state, and the media, unions and civil society in Nepal need to remain vigilant to fight such attempts.

PAKISTAN

Surviving a violent year

The period under review has been bad for media in Pakistan. Between May 2014 and April 2015, the media in the country continued to face pressures from a variety of sources in line with the patterns from the preceding two years: from both State and non-State sources. However, media houses and media practitioners reported escalating levels of intimidation from the State. The escalation included pressures on the country's largest media group – the Jang Group, reportedly the single largest employer of journalists in Pakistan. These measures included censorship; punishment and fines for alleged treason and blasphemy; heavy restrictions on broadcast through cable networks, and amending current laws or bringing news laws to restrict freedom of speech and access to information.

The media in the country continued to face pressures from a variety of sources in line with the patterns from the preceding two years: from both State and non-State sources.

Working journalists also continued face attacks, including killings, physical assaults and threats from a variety of sources including government and opposition political parties, and religious, militant and banned armed groups. At least four journalists were killed in the period under

review and another five arrested by the authorities or kidnapped by militants. At least one journalist mysteriously went missing from the troubled Balochistan province in November 2014 and remained missing at the time this report went to print. The silver lining for Pakistan this year included conviction and sentencing of one of the accused in the murder of journalist Wali Khan Babar. This was the first time the killer of one of the over 100 journalists and media workers killed in Pakistan over the past decade had been not only identified but also tried, convicted and arrested. This marked a small but important step in combating entrenched impunity against journalists in the country.

Free press besieged

Media workers were once again subjected to attacks, some of which resulted in serious injury and even death. Three staff members lost their lives in the attack on the ARY News channel in strife torn Balochistan in August 2014. Two months later, Punjab too witnessed the deaths of two journalists in Hafizabad who were shot dead in separate incidents. Gambhat Khurha town in Sindh province too witnessed the violent death of a journalist when a group of people opened fire on him when he was enroute to his office.

The Jang Group was subjected to intense pressure in the aftermath of the assassination attempt on Hamid Mir, senior journalist with the Group, who blamed intelligence agencies for the attempt. The attack on Zafar Aheer,



During political protests in Lahore in December 2014, Geo presenter Sana Mirza was physically attacked by protesters during a live broadcast and hit in the head with a flying water bottle. Credit: Youtube



Nadeem Hyder and Yaqoob Shehzad were killed within days of each other in Hafizabad in October, 2014. Hyder, a correspondent with *Dunya* was shot dead by unidentified assailants and Shehzad who worked with *Express News* was shot dead. Credit: PFUJ

resident editor of *Daily Jang* in Multan, Punjab, is seen as linked to the pattern of attacks on the Jang Group.

Other media houses were not spared, however. In July, the home of Jamshed Baghwan, the bureau chief of *Express News* TV channel in Peshawar was bombed. A couple of months later, the home of senior journalist and union leader Rana Azeem was fired upon twice in one week by unidentified assailants. This was part of a continued intimidation against him over the preceding year.

Journalists covering political rallies and demonstrations routinely came under attack not only by the police using

disproportionate force, but even protesters turned on the media. A group of people threw fire crackers targeting the DSNG of *Dunya News*, *Dawn News* and *Abb Tak News* channels after the conclusion of a political rally at Faizabad Interchange in Islamabad.

Simply carrying out their jobs of truth-telling put many journalists in the country at risk.

In September, hundreds of political protesters stormed the building of state-owned broadcaster Pakistan Television (PTV), holding a number of staff hostage, damaging property and injuring staff. The management was forced to shut down the transmission of PTV News and PTV World channels. The attacks were blamed on workers of Imran Khan-led Pakistan Tehrik-e-Insaf party and Tahirul Qadri-led Pakistan Awami Tehrik party who had been seeking to overthrow the government of Prime Minister Nawaz Sharif and his Pakistan Muslim League-N party.

Simply carrying out their jobs of truth-telling put many journalists in the country at risk. This was more so in the volatile Tribal Areas. In October, senior journalist and blogger, Shehryar Mehsud was arrested on orders of the political administration in Waziristan for allegedly exposing the 'corruption of political agents' in development projects. Likewise, tribal journalist Umar Daraz Wazir, working for *Mashaal Radio*, went missing from cantonment area in Bannu district in northwestern Khyber Pakhtunkhwa province. He had been detained by military authorities



In December 2014, SAMSAN wrote to PTI leader, Imran Khan, saying accusations against the Jang Group at PTI rallies "can only further escalate the violence against journalists and whip up aggressive sentiment". Credit: Asif Hassan/AFP

who had concerns about his reporting and information sources. Rasool Dawar working for *Geo News* TV channel in its Peshawar bureau was similarly picked up by soldiers and interrogated about his sources.

The strategy of targeting the family members of journalists in order to silence them, continued. Authorities in Kurram tribal region arrested the father and family relatives of tribal journalist Anwar Shah after his articles exposing corruption in government departments appeared in local media. They were released after warnings that Shah should be “careful” in his reporting about the authorities.

Raids on journalists’ houses were another source of harassment in the year under review. Paramilitary force Rangers raided the house of Karachi Resident Editor of Urdu daily *Nawa-e-Waqt* Saeed Khawar, ostensibly the raid was conducted on suspicion of Khawar allegedly having an illegal water connection for his house but the journalist indicated the authorities were not happy with the reporting of his newspaper about activities of the security forces.

Growing intolerance regarding religious minorities had an effect on the press. In February this year, a little known group ‘Shura-e-Fidayeen Islam’ or ‘Council of Suicide Bombers of Islam,’ sent Quetta Press Club a threatening letter demanding that the club expel its four Christian journalist members for allegedly “preaching Christianity” or “be ready to face dire consequences.” A month later, Ab Tak News TV channel in Karachi said it received a “parcel filled with live bullets” with threats from anonymous sources for allegedly “misinforming the public” about religious activists.

What is alarming in this climate of intolerance is the threat to journalists’ right to mobilise and lobby for their rights. In February 2015, the political administration in Mohmand tribal district served a warning notice on Mohmand Press Club for allowing political meeting-cum-press conferences on the premises of club.

Tightening PEMRA

The state machinery targeted media through selective enforcement of Pakistan Electronic Media Regulatory Authority (PEMRA) and other criminal laws against media houses, journalists and anchorpersons of current affairs shows on television. Suspension of the licenses of *Geo News* TV and *ARY News* TV licenses on charges of alleged treason and blasphemy and punitive actions against their CEOs/anchorpersons are examples of selective enforcement of laws against certain media houses. Similarly, non-state actors including political parties – such as Imran Khan’s *Tehrik-e-Insaf* party’s open hostilities against *Geo News* TV – also severely intimidated the media. This period can, therefore, be termed as one of the most violent times for media since the airwaves in Pakistan were opened for private ownership in 2002.

Extraneous events impinging on media were another cause of concern. An audacious attack by the Taliban on a school in Peshawar on December 16, 2014, in which over 150 students and teachers were massacred, effected massive changes in government policy towards media.

The National Action Plan (NAP), which emerged after this incident to counter terrorism and extremism in the country, contains specific guidelines for print, electronic and online media. According to the NAP, action will be taken “against literature, newspapers and magazines that are spreading hate, [ideas of] beheading people, sectarianism, extremism and intolerance.” It states, “There will be a complete ban on airing the views of terrorists and terrorist organizations in the print and electronic media.” The NAP also mentions that “Immediate steps are being taken to stop the spread of terrorism on the Internet and social media.”

An audacious attack by the Taliban on a school in Peshawar on December 16, 2014, in which over 150 students and teachers were massacred, effected massive changes in government policy towards media.

The government assigned committees to translate NAP into legislative and administrative action. One of the committees – the National Assembly Standing Committee on Information, Broadcast and National Heritage – held its meetings on December 24 and 30, 2014 and recommended strict adherence of existing media related laws by media houses and journalists. It also recommended amendments in the Press Council of Pakistan Ordinance, 2002, and the PEMRA Rules, 2009, in order to make them more stringent and restrict freedom of expression and access to information. The Committee also issued guidelines for media on coverage of incidents and issues of terrorism and militancy in the country. It also made strong recommendations on monitoring and surveillance of social media. In January 2015, as a follow-up of the committee meetings, the government prepared a bill to amend the PEMRA law and expedite the process of finalising draft bill on cybercrimes, raising concerns about media freedoms and journalists’ and citizens’ freedom of expression and right to information.

The proposed PEMRA Amendment Bill, 2015, requires all Pakistani TV channels to shift their satellite uplinks to the national satellite system. Under the proposed bill, PEMRA chairman will be authorised to direct satellite operators and distribution service operators to ban transmission of any channel. Similarly, TV channels will not be allowed to broadcast anything deemed to create conflict or misunderstanding between various state institutions. The Bill also suggests enhancing penalty for contravention of the provision of PEMRA laws. It proposes jail terms of five years and fines of up to USD 250,000 for certain kinds of violations.

Furthermore, the government also expedited the process of enacting a law to govern the cyber space and drafted the Prevention of Electronic Crimes Bill, 2015, which was approved by the National Assembly Standing Committee on IT on April 17, 2015. The civil society had rejected the bill and termed it against the fundamental rights. Section



On December 16, 2014 the Taliban opened fire on a Peshawar school, killing over 150 students and teachers. The attack effected massive changes in government policy towards the media, and saw the development of specific guidelines for print, electronic and online media. *Credit: Jordi BernabeuFarrús / Flickr*

31 of the bill allows the government to block access to any website “in the interest of the glory of Islam or the integrity, security or defence of Pakistan or any part thereof, friendly relations with foreign states, public order, decency or morality.” The Bill prescribes imprisonment and fines for those using laptops, computers, smartphones or any other gadget, who share information that the government deems inappropriate, vulgar, or against religion. Media and rights activists say the Bill is vague in definition of alleged violations but specifically threatening as an instrument that can be used to censor, harass, and punish citizens and journalists at the behest of intelligence agencies, political or government functionaries, or anyone with a grudge against an individual or organisation. The Bill is expected to be tabled in May 2015 in the National Assembly.

On other fronts, YouTube remained officially banned for the third straight year in Pakistan in 2015. However, the Islamabad High Court through an interim order declared the Inter-Ministerial Committee for the Evaluation of Website (IMCEW) – a body mandated to decide about blocking online content in Pakistan. The Committee consisted of secretary of IT and nominees of Ministry of Information and Broadcasting, Ministry of Interior, Cabinet Division, telecom expert from Ministry of IT, and intelligence agency ISI. The Committee was mandated to evaluate the websites and direct Pakistan Telecommunication Authority (PTA) to block the content. Responding to this decision, the government disbanded the Committee. However, the Prime Minister through an executive order authorised the PTA, which was previously a mere agency to implement the decision of

the IMCEW, to evaluate and block access of ‘undesired’ websites.

Section 31 of the bill allows the government to block access to any website “in the interest of the glory of Islam or the integrity, security or defence of Pakistan or any part thereof, friendly relations with foreign states, public order, decency or morality.”

Taking sides

The period under review saw a rapid deterioration in media ethics after the assassination attempt on Hamid Mir. The attack triggered hitherto latent business rivalries among media groups and TV channels into nasty catcalling and charges and counter-charges of treason, setting off a divisive media battle that only became uglier as the months passed. Competing channels used the opportunity to batter the market leader Geo News TV and question Mir’s motives—one station even suggested that he had engineered the shooting as a publicity stunt. His brother, Amir, himself a journalist, accused the ISI and its chief of orchestrating the shooting in an emotional denunciation that was broadcast for several hours live on Geo TV, often against a backdrop of a photo of ISI chief General

Zaheerul Islam. Geo News’ entertainment channel Geo Entertainment soon found itself embroiled in another controversy. Its popular morning show was blemished by accusations of blasphemy. Both channels were ultimately banned for a while and slapped with fines. This was a first in Pakistan’s media history. The security establishment covertly made sure that the two channels suffered for their actions by being the official petitioner against them with private broadcast sector regulator PEMRA.

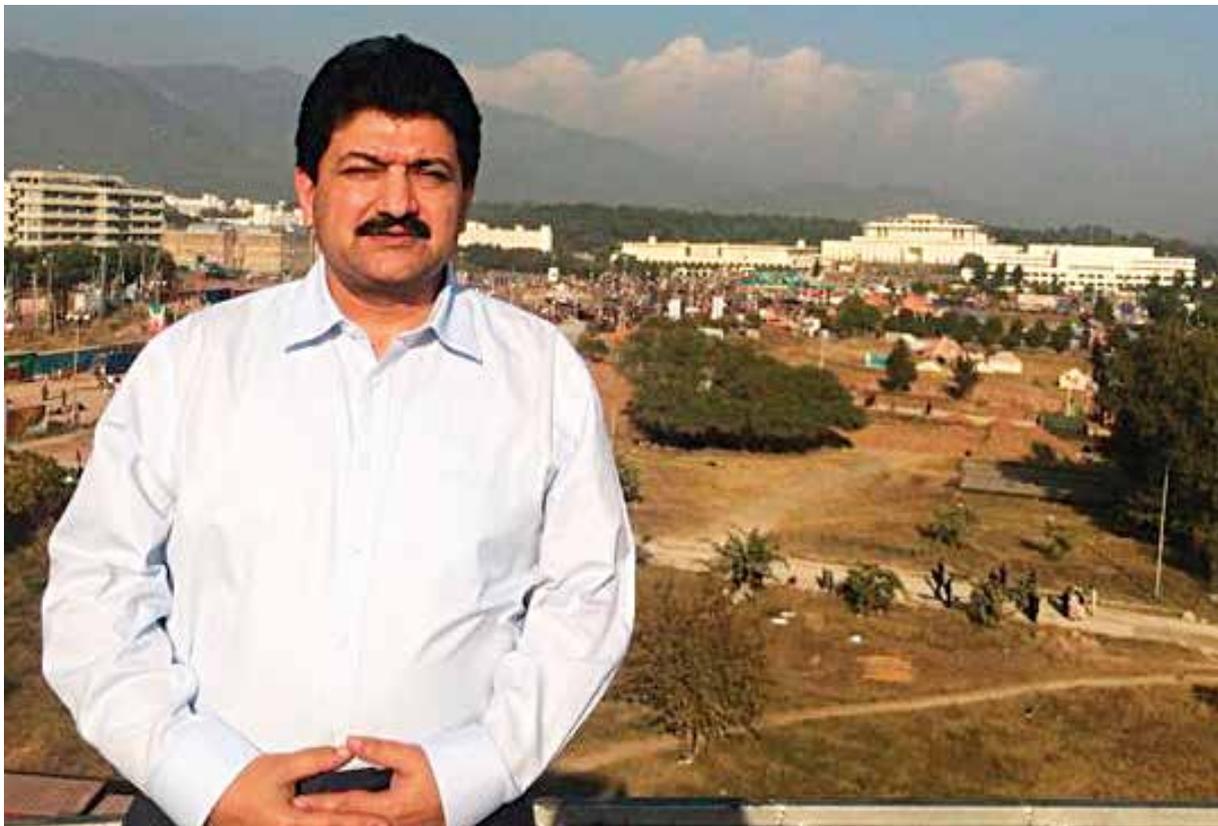
Competing channels used the opportunity to batter the market leader Geo News TV and question Mir’s motives—one station even suggested that he had engineered the shooting as a publicity stunt.

In November 2014 came another bombshell from Neha Ansari, a researcher and former staffer of English language newspaper the *Express Tribune*. She wrote an article in the Foreign Policy magazine alleging the collusion of Pakistan’s powerful military and the nation’s media outlets. She said the military was using the media to add muscle and might to the anti-government movement led by Tehrik-e-Insaf party chief Imran Khan in an attempt to cut Prime Minister Nawaz Sharif down to size. She further wrote that “media groups in Pakistan are family-owned and make

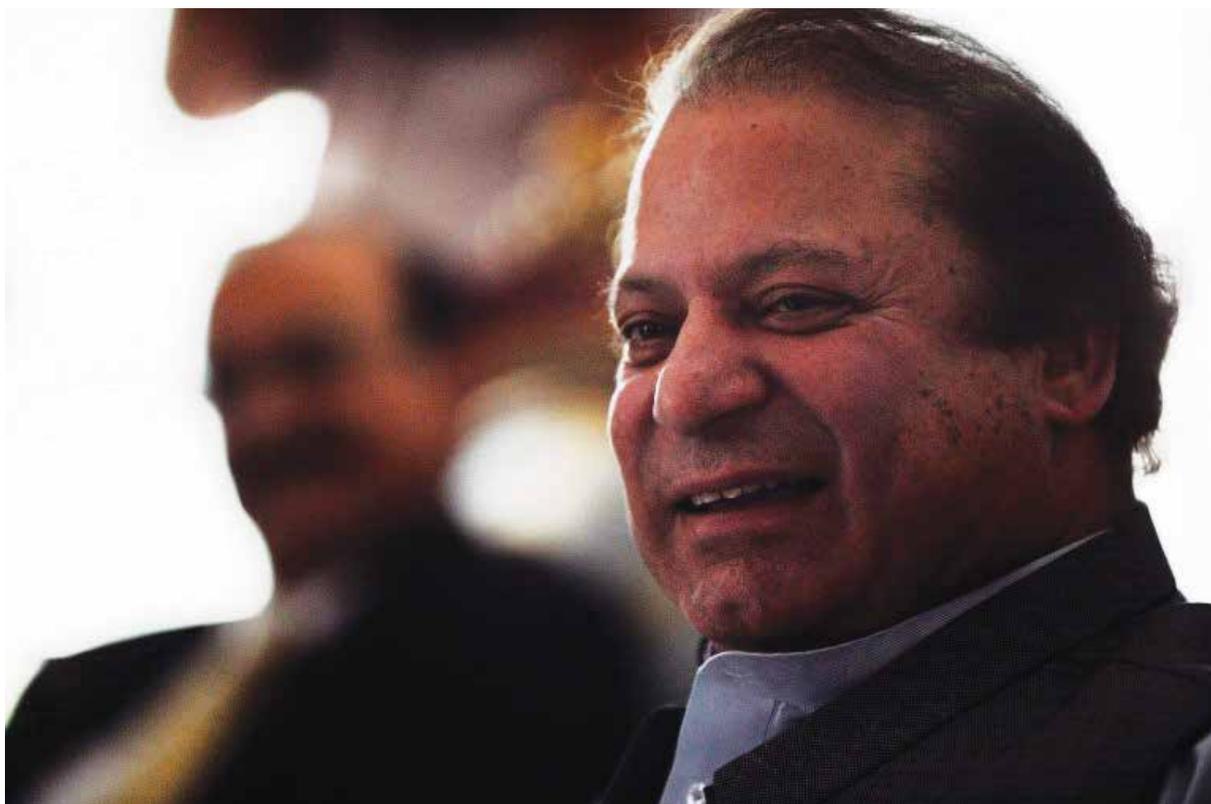
all decisions unilaterally — regardless of whether they concern marketing and finance or editorial content and policy — advancing their personal agendas through the influential mainstream outlets at their disposal. A majority of the CEOs and media house owners are businessmen, with no background (or interest) in the ethics of journalism. The owners and publishers make it very clear to their newsrooms and staff — including the editor — that any tilt or gloss they proscribe is non-negotiable.”

Both material and anecdotal evidence indicates that there is some truth in Ansari’s allegations, because the notorious ‘press advice’ of yesteryears is still prevalent in different hues. But if completely true, it shows the extent to which even the next day’s news leads are still decided not in newsrooms. Some senior journalists say that they are still reminded, though politely, that they should not be overcritical of the security establishment.

The long anti-government protests in Islamabad that broke out in August 2014 brought to the fore more ethical dilemmas for the media. Imran Khan’s Tehrik-e-Insaf and Tahirul Qadri’s Pakistan Awami Tehrik parties’ long protest sit-ins in Islamabad and their coverage exposed the media’s political inclinations. Observing the virtually round-the-clock live coverage for months on end, one could easily draw the conclusion which channel was supporting which political party. Channel owners were calling the shots and the role of professional editors and journalists diminished due to their inability to take a stand against the owners.



Senior Jang Group journalist Hamid Mir survived a failed assassination attempt in April 2014. The Jang Group came under increased pressure when Mir blamed intelligence agencies for the attack. Credit: Twitter @HamidMirGEO



Pakistan Prime Minister, Nawaz Sharif, faced months of intense opposition with the anti-government movement led by Tehrik-e-Insaf party chief Imran Khan. *Credit: Roberto Schmidt/AFP*

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In the latter half of 2014, TV news widened public debate on several key issues and exposed abuses by authorities and other interest groups, but it also faced sharp criticism for its patently shoddy reporting more often than not. Most TV channels and current affairs anchors were set to become agenda-setters of various vested interests instead of public interest advocates. On August 31, 2014 when supporters of Khan and Qadri had stormed the Parliament's gates, Mubasher Lucman, an anchor for ARY News TV channel saluted the army during a live broadcast and invited the military to take over "and save the protesters and the country." Earlier on August 25, 2014 he was seemingly endorsing military rule when he welcomed the "sound of boots" as he had "no sympathy for corrupt politicians who have looted the country." This was a blatant violation of media ethics.

But not all was wrong with the Pakistani media in the period under review. A small but significant step came from *Dawn* newspaper which in keeping with the internationally recognised practice of ethical journalism, in August decided to have its own internal complaints mechanism to be called Dawn Readers' Editor (DRE). Before this, only the *Express*

Tribune newspaper had made an effort to address readers' concerns through an ombudsman.

The DRE will be the investigating authority to whom all clarifications, contradictions, corrections and complaints will be referred, and it is this body that will take note of any alleged violations of Dawn's code of ethics, which is based on the internationally recognised journalistic values and ethics, and which have always been upheld and guarded by *Dawn's* team of media persons.

Storms in cyberia

Pakistan, like many other countries in the Global South, has seen an incremental increase in internet usage over the past five years. This growth has been accompanied by an alarming rise in censorship and blocking of content online. With the new pro-business government of the Pakistan Muslim League-N led by Prime Minister Nawaz Sharif in place, many in the country were hoping to see new policies for the development of the internet and protection of freedom of internet. But the Sharif administration seemed more inclined to pursue old policies in line with military and civilian law enforcement agencies, restricting information and communications technologies (ICTs) citing 'national security'. Human rights watchdogs have also accused them of strengthening military and police powers, instead of addressing past abuses. The previous regimes in Pakistan preferred a behind-the-scene approach for controlling internet freedom but the Sharif regime in its first two years in office has been vocal in the Parliament and on

media for using strong measures to censor social media in the name of combating terrorism and safeguarding Islam. Online censorship in Pakistan continued in the period under review to reflect political motives in acquiescence of greater pressures of religious extremists.

The controversial blasphemy law also influenced a series of incidents which violated internet user rights. In the province of Punjab, several people faced blasphemy charges based on text or Facebook messages, including one couple in their 40s who were sentenced to death, even though the phone they were accused of using was not in their possession. A lawyer defending another digital blasphemy suspect was lethally shot in his office for accepting the case. The YouTube ban in Pakistan entered its third year in 2015. The video sharing platform has been completely blocked in Pakistan since September 2012, when an anti-Islamic video sparked unrest around the Muslim world, including in Pakistan. Despite claims made by the government from time to time that access to the popular video sharing website would be restored, access to YouTube still remains blocked and there is little optimism that the situation will change anytime soon.

But perhaps what was most alarming in the period under review was the range of technologies being adopted for censorship on the internet and blocking of online content without any legislative framework in place, thus paving the way for suppression of freedom of speech and political dissent. The rhetoric of cultural protectionism and national security has resulted in an alarming rise of internet censorship where websites, social media pages, blogs and accounts have been blocked on religious and 'national security' grounds. Online discussion and tweets have been manipulated by paid commentators spreading misinformation and military propaganda on social media. The issue of manipulating online discussions and political dissent in Pakistan's restive province of Balochistan is severe where apparently paid political propagandists are hijacking political discussions and human rights issues.

In 2014 international think tank Citizen Lab presented solid evidence of surveillance system "Netsweeper" being used on servers of Pakistan Telecom Co Ltd (PTCL) in Pakistan. Later civil society group Digital Rights Foundation presented an investigative evidence-backed report where it was established that Pakistan is the customer of notorious surveillance software Finfisher since 2013. In Pakistan, while the term 'privacy' was used in the legislative process long before more developed countries did, it has become increasingly intrusive of its citizens' private lives online, censoring content on a whim, impacting freedom of expression.

Dent in Impunity

One of the few occurrences to bring cheer was a small dent to the prevailing state of impunity of killers of journalists in Pakistan. Since 2000, the killers of only two journalists have been identified, tried and convicted. These were Omar Shaikh, the convicted killer of US journalist Daniel Pearl, and Faisal Mehmood, one of the convicted killers of high profile

journalist Wali Khan Babar. Shaikh is in jail but has appealed against his conviction and death sentence. However, the absconding Mehmood was tried in absentia sentenced to death in the early part of 2014.

In the period under review, a major stride was made in denting the high levels of impunity when Mehmood was arrested from Karachi on March 11, 2015. Babar was shot dead by Mehmood on January 13, 2011 in the Liaquatabad area of Karachi on his way to home from work. He was murdered after his story on gang violence aired on Geo News TV. During the murder trial, nine witnesses were murdered including policemen and prosecutors and the trial had to be moved several times due to ongoing security threats. On March 1, 2014, Mehmood (also known as Faisal Mota) and Kamran (alias Zeeshan) were convicted *in absentia* and given a death sentence by Pakistan's Anti-Terrorism Court in Kandhkot for the murder of Babar.

The verdict marked only the second time in the history of Pakistan that the murderers of a journalist were brought to justice. The conviction was the result of a massive cooperation between the justice system, police, journalist unions, civil society, media and the government. Also convicted and sentenced were Nafsiyati, Naveed alias Polka, Muhammad Ali Rizvi and Shahruxh alias Mani who were sentenced to life in prison. One accused identified as Shakeel was set free due to lack of evidence. On March 11, 2015, Mehmood and five other criminal suspects were arrested in a raid at the Karachi headquarters of political party Muttahida Qaumi Movement (MQM). It was reported that paramilitary rangers carried out a raid at the MQM headquarters where Mehmood was "in hiding." The PFUJ said: "We welcome the news that the convicted killer of reporter Wali Khan Babar was taken into custody by paramilitary forces during operation on headquarters of a political party in Karachi and hope that now the concerned authority would implement the judgment of the court with no delay."

In another positive development, on March 9, 2015, the Islamabad High Court (IHC) upheld the conviction of Mumtaz Qadri, the killer of publisher of *Daily Times* newspaper Salman Taseer, under Section 302 of the Pakistan Penal Code (PPC). Taseer, who was simultaneously governor of Punjab province at the time, was killed by Qadri, his official guard in Islamabad in January 2010.

In a welcome attempt to institutionalise investigation into past murders of journalists, the government of Balochistan province established two judicial tribunals to investigate six journalists' murders in the troubled province in Pakistan's South West since 2011. According to a statement from the Home Department in Quetta, the provincial capital, the two tribunals will work in Khuzdar and Makran districts to investigate the murder cases of a number of journalists, naming those responsible and recommending measures to prevent such murders of journalists in the future. If this indeed succeeds in bringing the perpetrators to book, it could mark the beginning of a new era of accountability and rule of law.

SRI LANKA

The birth of optimism

The year 2014 in post-war Sri Lanka might go down in history as one of the most dangerous years for the exercise of the right to freedom of expression and dissent. Physical violence, threats, intimidation and ideological pressures including attacks through hate speech, official as well as unofficial censorship, new suppressive laws and restrictions against media prevailed throughout the year.

The end of 2014 was marked by the announcement of the presidential elections to be held two years ahead of scheduled date. The fact that polling was to be held on January 8, 2015, the anniversary of the murder of respected Sri Lankan journalist Lasantha Wickrematunge was not lost on the media.

On January 9, President Mahinda Rajapaksa conceded defeat in an election seen as Sri Lanka's most significant poll for decades. It effectively ended a decade of rule that had become increasingly authoritarian and marked by nepotism and corruption and suppression of press freedom. The new president, Maithripala Sirisena brought with him the promise of a new era of media reform.

The Election Commissioner's announcement in December 2014 was preceded by the surprise announcement by

Rajapaksa's Health Minister, and General Secretary of the Sri Lanka Freedom Party, Maithripala Sirisena, that he would contest the presidential elections as the "Common Opposition Candidate". He contested under the National Democratic Front (NDF), a broad coalition of oppositional forces.

On December 16, 2014 three weeks before the election, the Free Media Movement (FMM) presented its short term proposals for re-establishing the right to freedom of expression in Sri Lanka to the common opposition candidate Maithripala Sirisena.

Two weeks after President Sirisena appointed a new cabinet of ministers the FMM met with the new media minister Gayantha Karunathilaka and presented him with five proposals for immediate consideration:

1. Enact the Right to Information Bill in line with international standards, in consultation with the Sri Lanka Press Institute comprising of media professionals, editors and media organisations.
2. Conduct proper investigations into past attacks on media workers and media houses to bring the perpetrators to justice. Establish a compensation scheme for the families of those killed.



Journalists and trade union activists rally at the Colombo fort railway station in December 2014 over media restrictions ahead of the 2015 Sri Lankan presidential election. Credit: Vikalpa / Flickr

3. Open parliamentary committee meetings to media in order to ensure transparency and accountability in governance.
4. Abolish the Press Council, a state controlled redressal institution and strengthen and expand the Press Complaints Commission, a body established by the media community.
5. Restore state-controlled media as public service media institutions and establish an independent media commission accountable to Parliament to carry out appointments and other relevant matters. Ensure the independence of the state media from political interests and make its code of ethics known to the public.

With several organisations presenting such proposals for the consideration of the new government, there was a reactivation of civil society to push for democratic change. Space also opened up for informed discussions on people's rights. Media groups like the FMM and the Sri Lanka Working Journalists' Association (SLWJA) were able to place the agenda for media freedom at the forefront of the struggle.

The re-alliance of civil and political forces in the anticipation of the election that would usher in a new democratic era set the stage for a keenly contested presidential election that saw the victory of a common opposition candidate who campaigned on a democratic reform campaign. The common opposition comprised of political forces with different ideological persuasions, while prominent minority parties such as the Tamil National Alliance (TNA) and the Sri Lanka Muslim Congress (SLMC) supported Sirisena's candidature on the basis of the 100-day democratic reform programme. The crux of the reform agenda was to abolish

the executive presidency; reintroduce the independent commissions; launch an anti-corruption drive and establish rule of law. The common opposition programme included the introduction of a Right to Information Act; investigation into crimes against the media community including killings of journalists and an end to official and unofficial censorship.

During the election campaign there was widespread abuse of state resources by the incumbent president. The repression of opposition politicians and their supporters, academics, artists, human rights activists, and journalists began from the time the election was announced. The presidential election campaign became the climax of the suppression of freedom of expression that was ongoing during Rajapaksa's presidency.

Rajapaksa regime

One of the hallmarks of the Rajapaksa presidency in Sri Lanka was total control of media for the regime's ends. The first term of his presidency started in November 2005 and the second term in January 2011. The number of killings of journalists, abductions, assaults and attacks of media institutions that took place under his presidency were unprecedented. As documented by the Free Media Movement 34 media workers had been killed in Sri Lanka from April 2004 to March 2009.

During the same period more than 50 journalists were forced to flee the country for their safety. The number of Sri Lankan journalists who fled the county increased steadily under the Rajapaksa regime. Although killings and abductions of journalists ceased under his second term, terrorising the independent media and journalists continued unabated. The fear psychosis created by the



Free Media Movement (FMM) met with Presidential hopeful Maithripala Sirisena to present its short term proposals for re-establishing the right to freedom of expression.
Credit: FMM

above mentioned war time media suppression was used to keep the media under control.

The State controlled media were transformed into a political propaganda machine which acted with total impunity in naming and shaming all shades of dissidents. During the presidential election campaign, hate speech over state radio was employed to instil fear in the minds of voters and to create a climate of hate and prejudice. The government-owned media acted in an arbitrary and haughty manner and paid no attention to even the Election Commissioner's guidelines and warnings and showed callous disregard for accepted journalistic norms and practices and ethical behaviour'.

The number of Sri Lankan journalists who fled the country increased steadily under the Rajapaksa regime.

Under the Rajapaksa regime, media training and collaboration with international journalists' organisations were considered as a 'national security threat'. During the year 2014 alone, four journalist training programmes had to be cancelled in the face violent threats and intimidation of the trainers and trainees. Some of those threats came directly from the military high-ups; in some instances plainclothes security personal joined protesters demanding closure of the training programs. Police openly sided with unruly thugs in disrupting journalists training programmes by denying security to journalists. Visiting journalists and international human rights advocates were harassed, followed, and even deported.

Crushing dissent

The media reforms are sorely needed in a country that witnessed systematic muzzling of democratic dissent in the year preceding the election. In May 2014, military personnel demanded that the owners of *Uthayan* alert the military before printing the paper. A distributor of the paper was also interrogated at a military camp and later assaulted. A senior Tamil journalist and press freedom activist in Jaffna was also subjected to interrogation. An injunction was issued against a strike by railway employees while Trade Union leaders and protesting fisherfolk were attacked physically. A poster was put up discrediting human rights defenders involved in organizing an annual remembrance for disappeared persons, and one of their houses was stoned the night before the event.

July 2014 turned out to be a "Black July" for dissenters. Leaders of the Bar Association and the FMM, a leading political analyst and an outspoken Catholic Bishop were threatened, intimidated and subjected to surveillance, while an exiled peace activist, who is now an Australian citizen, was harassed when he applied for a visa to come for his mother's funeral. Film makers were intimidated, several Tamil journalists were threatened, interrogated and obstructed from carrying out their duties when they were covering issues such as sexual abuse and illegal land



Sri Lankan security forces stopped and interrogated 11 Tamil journalists travelling from Jaffna to a press workshop in Colombo on July 25. Credit: *Tamil Guardian*

occupation allegedly committed by the military. Well-known *Al Jazeera* journalist Dinouk Colombage was also interrogated. Tamil journalists travelling to Colombo were obstructed in middle of the night by the police and army, and the workshop they were travelling to participate in had to be cancelled due to threats from a mob that protested outside the venue where the training was due to be held. A protest rally organised in Jaffna also had to be cancelled after the police obtained a court order against it.

In mid-June, several journalists who were covering the communal violence in Aluthgama and Beruwala were attacked and threatened. The editor of a leading state-controlled newspaper called a Sri Lankan journalist and prominent citizen journalist website as "twitter / social media murderers", for their attempts to expose the facts about the communal violence, in the absence of independent coverage from mainstream newspapers. The Leader of the Opposition accused the Defence Ministry of attempting to censor media institutions.

A training workshop for Tamil journalists organised by Transparency International Sri Lanka (TISL) had to be cancelled for the second time in May due to protests by an unknown group and refusal of the police to provide protection. TISL was attempting to conduct training programs for journalists on investigative reporting against bribery, corruption and good governance for many years on the recommendations made by the Lessons Learnt and Reconciliation Committee (LLRC) to ensure good governance. The programme had already been conducted for Sinhala language journalists. The workshop for Tamil language journalists started at an hotel in Giritale on May 22. Tamil and Muslim journalists from the Northern and Eastern provinces and Colombo were participating. However, during the conference the hotel management informed TISL that the workshop could no longer be conducted as they were following instructions received from the Ministry of Defence. Thereafter, the training was moved to a hotel in Negombo, but this again was disrupted by an organised gang of persons. The protesters accused TISL of supporting terrorists and claimed that the workshop was to train people to give evidence against Sri Lanka in an international investigation. The participating journalists who

Several Tamil journalists were threatened, interrogated and obstructed from carrying out their duties when covering issues such as sexual abuse and illegal land occupation allegedly by the military.

were evacuated and housed in a prominent Colombo hotel for safety were driven out of that hotel by the management allegedly due to threats by the “powerful” group. Senior staff, their family members, resource persons and participants received threatening calls and SMS messages.

Media reports appeared about proposals by the Ministry of External Affairs to control events organised by NGOs, by demanding detailed information in advance and controlling visas for foreign visitors through the Ministry of Defence and other governmental authorities. The military and police also tried to stifle a protest by Tamil politicians and families of disappeared persons in the North in August.

July was also a “Black Month” for NGOs. The NGO Secretariat, functioning under the Ministry of Defence issued a circular that prohibited NGOs from making press releases and organising press conferences and trainings for journalists. The Department of External Resources also issued a public notice about funding for NGOs, and various agencies cooperating with NGOs. USAID was compelled to withdraw funding for voter education programmes after opposition from the Secretary to the Ministry of Defence. The prime minister and state media accused NGOs of being a threat to national security and of having supported terrorism. The government again expressed its opposition to those who cooperate with the UN’s international investigation, with the official government spokesperson threatening appropriate action against Sri Lankans overseas who might give testimony via Skype.

The month of August saw continuing intimidation of journalists and other associations. A Tamil journalist in



Sunil Jayasekara, the convenor of FMM, received death threats prior to FMM holding a press conference to criticise the cancelling of a Tamil journalist workshop in July 2014. *Credit: FMM*

Vavuniya received death threats, and the coordinator of the Jaffna Press Club was interrogated by the police and a Sinhala newspaper accused him of being a part of the LTTE.

In another incident an Indian academic-activist attending an international symposium on post-war developments was also interrogated, and detained when he tried to visit the Eastern Province prior to the symposium. The lecturer at the London School of Economics, Dr Rajesh Venugopal, who was in Sri Lanka on an official visa to attend the conference of Centre for Poverty Analysis (CEPA) was detained and questioned by the Terrorist Investigation Department (TID) on August 29 and 30. He was first stopped on August 28, when he was visiting a village and he was again questioned on August 29 in Batticaloa and then brought to Colombo and questioned until August 30. Police also went to the house of a local activist in Batticaloa who was assisting Venugopal, and questioned him.

There were several reports of Muslim journalists being branded as “anti-Sinhalese and anti-Buddhist Jihadists”. The South Asia correspondent for *The New York Times*, Gardiner Harris, complained that his visa had been put on hold since



Chandana Kuruppachchi, a journalist with Sirasa TV and MTV Sports, was assaulted covering the post-election situation in the UVA provinces. Kuruppachchi was hospitalised for several weeks from his injuries. *Credit: FMM*



Sri Lankan journalists condemned the string of attacks on media in September 2014 with protests in Colombo, calling for an end to the violence. *Credit: FMM*

June. Harris had applied to visit Sri Lanka to report on some local incidents including incidents related to Aluthgama (where anti-Muslim riots took place in June 2014).

In courts, journalists were prevented from covering court hearings when the secretary to the Ministry of Defence was being cross examined. On August 29, police sealed off the Mount Lavinia District court to media personnel when the Secretary to the Ministry of Defence (and brother of the President), Gotabhaya Rajapaksa took the stand. Rajapaksa was under cross examination in a defamation suit filed by Rajapaksa against *The Sunday Leader* over an article that exposed details regarding the controversial purchase of MiG 29 by the Ministry of Defence in 2007. Court proceedings in Sri Lanka are open to the public and media routinely attend courts and cover such hearings.

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When jingoism was at a high, an inquiry was even ordered for singing the national anthem in Tamil at a school in Colombo in August.

In September, Chandana Kuruppurachchi, a journalist with Sirasa TV and MTV Sports, and Palitha Ariyawansa were covering the post-election situation in the Uva province were assaulted, with Kuruppurachchi being hospitalised for several weeks due to serious injuries.

Uthayan journalist Sinnarasa Siventhiran narrowly escaped death on September 22 when two masked men suspected to be members of the security agencies stopped and interrogated him on his way home before then trying to throw him in front of a speeding bus. The attempt to make the death appear as an accident failed when the driver of the approaching vehicle managed to swerve away from Siventhiran lying on the road.

In the same month a Tamil media activist and senior journalist Thayaraparan Ratnam was subjected to continuous questioning, intimidation and harassment in Jaffna by a 'Special Criminal Investigation Division' in Kaangkeasanthurai (KKS). Thayaraparan is understood to have been subjected to ongoing harassment by Sri Lankan Defence Ministry operated 'investigation' units, Terrorist Investigation Division (TID) and the CID after the journalists and media activists started to attend media workshops held in Colombo and other places. However, the timing of the harassment also coincided with alleged attempts by the military to impose a total censorship on Tamil media to stop information that could be used as a "reasonable grounds to believe" standard of proof by the OHCHR panel of Investigation on Sri Lanka. CID investigators questioned Thayaraparan, who is associated with Jaffna Press Club (JPC), on his interactions with international media watchdogs and training programs with journalists from south at Sri Lanka Press Institute (SLPI) in Colombo. Thayaraparan was one of the 15 journalists chased and harassed by military intelligence operatives on their way to attend a workshop on July 25 at the institute.

In a systematic move to deny journalists opportunities to participate in capacity-building activities and speak at public forums, a civil society organised meeting in Trincomalee was also disrupted by withdrawing venues twice and subjecting it to surveillance. An Australian University admitted to de-voicing two prominent Sri Lankan human rights defenders after they had been invited to participate in an international conference, due to pressure from the Sri Lankan Ministry of Defence.

November saw the North of the country under particular threat of crushing freedom of expression. Sri Lanka's private television service providers blocked the common opposition candidate's first television interview on the November 22. Military intelligence personnel tried to threaten the Jaffna Press Club not to provide space for the political party Janatha Vimukthi Peramuna (JVP), which had severely criticised the incumbent government. A Tamil parliamentarian accused the Army of threatening and questioning Tamil journalists in the Northern province and compelling a training workshop for journalists that was scheduled to be held in the Jaffna district to be cancelled. The *Aththa* (Truth), a publication of the Communist Party of Sri Lanka was withdrawn from circulation and the government sealed its office on November 7. It must be remembered that *Aththa* was the only Sinhala-language newspaper to report the burning down of the Jaffna Library in 1981. A photographer from the paper had captured the event. Following the publication of the photograph, the government clamped down on *Aththa* and Communist Party members were arrested.

Sri Lanka's private television providers blocked the common opposition candidate's first television interview on November 22.

The end of the 2014 witnessed the run up to the hotly contested presidential election. Suppression of dissent continued unabated, with the media forbidden from publishing even a hint that Mahinda Rajapaksa might lose. The chief editor of *Ravaya*, K W Janaranjana was called into the Criminal Investigation Division after the publication of a news story in *Ravaya* that indicated that President Sirisena would receive 59 percent of the votes.

Despite all the odds, however, change was ushered in, opening up space for the re-entry and institutionalisation of democratic reform.

First Steps

Within weeks of assuming power, President Sirisena ordered the Telecommunication Regulation Commission (TRC) to lift a ban on all news websites blocked under his predecessor. Some of the sites unblocked – for example tamilnet.com – had been blocked in Sri Lanka for almost a decade. Mass scale surveillance machinery established by the previous regime was dismantled, thus freeing telephone communications from monitoring.

The *Sunday Times* weekly reported how this surveillance was carried out: "All mobile phone operators were

issued written instructions by an official in the Ministry of Defence and Urban Development. They were directed to make available the monthly telephone bills of these persons to an Assistant Superintendent of Police (ASP) in the Terrorism Investigation Division (TID) for reasons of "national security. Every month, police officers would visit different mobile phone providers to collect these monthly bills. Thereafter, the ASP would supervise a team of police officers to examine every bill to determine to whom their targets speak. Under the cover of "national security," the telephone bills were systematically analysed and a report prepared for scrutiny by the higher-ups. The identification of those who are supporters of the present government led to surveillance being mounted on them. There have been instances when some have even been threatened."



In March 2015, the Sri Lanka Solidarity Delegation visited Sri Lanka and engaged in fruitful discussions with the media community and political leaders. *Credit: Jaffna Press Club*

Taking action towards ending impunity, the police spokesman is reported to have stated that the cases relating to the murder of Lasantha Wickrematunge, and disappearance of journalist Prageeth Eknaligoda had been handed over to the CID for further investigation.

Soon after coming to power the new government published a draft Right to Information Act and threw it open for public discussion to debate its pros and cons. The final draft of the Act was presented to the parliament at the end of March 2014. The government has openly invited the journalists who had to flee the country for safety to return. But for various reasons, not many exiled journalists have shown any inclination to do so.

Under the new dispensation, holding training programs and solidarity with international networks is no longer hazardous. In February 2015, the FMM was able to conduct a visit by a Sri Lanka Solidarity Delegation which comprised representatives of IFJ, IFEX and IPI. The delegation visited Jaffna, the capital of the Northern Province and engaged in fruitful discussions with the media community and political leaders. In Colombo the delegation held a number of discussions including a meeting with media minister Gayantha Karunathilaka. The press release issued by the delegation at the end of the visit said, "We welcome the

government's stated commitment to ending the cycle of impunity and violence that has plagued Sri Lankan media over the past 25 years. We also welcome assurances from the government that the editorial independence of both print and broadcast state media will be respected. However, we reiterate our view that the only way to guarantee the independence of the state media in the future is through structural change that transforms state outlets into public service media dedicated to providing fair and balanced information to the Sri Lankan people."

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Agenda for Media Reform

Sri Lanka is at a crucial juncture in its post war-history. As the delegation stated, "We believe that this is a critical moment for journalism in Sri Lanka, and the government has a tremendous opportunity to strengthen press freedom in Sri Lanka for the future and independent of political changes." On March 15, the delegation wrote to President Sirisena calling on him to "entrench" improvements and establish a sustainable media freedom environment.

In order to safeguard media freedom into the future, several critical reform measures were outlined:

- **Passing a Freedom of Information Act** to follow through on the government's promise to pass such an Act within its first 100 days in office. The passage of this Act should be followed by an implementation process to ensure that the right not only of Sri Lankan journalists, but of all Sri Lankan citizens, to access information held by public bodies is respected in practice.
- **Ending the cycle of impunity by investigating past killings and attacks on journalists and prosecuting those responsible.** The Sri Lankan state must meet its obligations to ensure that crimes against the media do not go unpunished. Ending the cycle of impunity would provide much needed closure to the families of murdered journalists and send a clear signal to journalists that the government takes their safety seriously. It would also work to mitigate the fear and self-censorship that have plagued the Sri Lankan media community over the past 25 years. It also called on the government to consider forming a presidential committee specifically to deal with the issue of impunity.
- **Providing structural independence to state-owned media.** While assurances had been made by the

government that the editorial independence of both print and broadcast state media must be respected, structural change is needed to transform state outlets into public service media dedicated to providing fair and balanced information to the Sri Lankan people.

Challenges Ahead

Civil society movements which had been weakened by years of suppression, co-optation and manipulation are still struggling to re-group and forge strategic alliances in the fast changing political situation. A core group of media rights activists who were harassed during the war years is still out of the country and co-optation by the state of the leading figures of media freedom have weakened the broad journalists' alliance once at the forefront of democratic struggle.

The united opposition which defeated the Rajapaksa family-based authoritarianism is starting to show cracks. The first 100 days of the Sirisena government ended on April 24, 2015. The month of April will see the promised amendments to the constitution being finalised, debated and put to vote in the parliament. Only the president has changed, while the parliament remains same, making it difficult to predict how the vote will swing on the reform package.

The media freedom reform programme of the Sirisena government has not encountered major obstacles so far. But one of the main and long standing demands of the media community that has not been included in the reform programme is transforming the huge and influential state broadcasting media into a genuine public services media. Barring a few, the new appointments to the state media have been made based mainly on political criteria. Private media largely remain politically and ethnically partisan and self-regulation of media remains nominal. Collective bargaining power of the journalists' community is nonexistent. Internet based news sites as well as bloggers and social media are playing an increasing role, but the credibility gap is huge.

Notwithstanding these challenges, Sri Lanka has become free from state repression, investigative journalism is breathing fresh air and the media has become the beacon of the anti-corruption drive, providing space for informed discussions.

A general election to elect a new parliament will be held mid-year. Realignment of political forces is already taking place. Democratic journalists and the media community will have another opportunity to flag their demands and create a level playing field for the election campaign. Media rights organisations face the challenge of promoting and strengthening a rights-based democratic agenda to make sure the country will not be dragged back to the dark age of media suppression.

ANNEXURE: LIST OF MEDIA RIGHTS VIOLATIONS, MAY 2014 TO APRIL 2015

AFGHANISTAN

KILLING

July 12, 2014: Balkh

Khalid Agah Yaqubi, a radio producer and presenter with Lahza FM was killed when an unidentified intruder barged into his house. He was shot in the head and died instantly. He leaves behind a wife and two children.

September 16, 2014: Balkh

Palwasha Tokhi Miranzai, a young female journalist who had recently returned to Afghanistan after completing her Master's Degree in Thailand was brutally murdered in her home. Miranzai was stabbed to death by an intruder who disguised himself as a beggar with no arms.

December 20, 2014: Kabul

Mitra TV journalist and cameraman Zubair Hatami spent ten days in a coma as a result of a suicide bombing at a theatre show at Estiqlal High School. He eventually succumbed to severe injuries.

January 16, 2015: Nangarhar

Aqil Mohammad Waqar, a 20-year-old radio journalist was gunned down at a wedding in Nangarhar. Waqar had recently been promoted to reporter with the radio station Sepeenghar Radio, after hosting a radio show, 'People and the Official' for 18 months. An unknown gunman shot and killed Waqar when he entered the wedding and started firing.

ARREST/DETENTION

April 27, 2014: Jalalabad

Syed Rahman Bekore, local reporter for Waqt News Agency, along with a Deutsche Welle reporter and local reporter, were arrested without a warrant. Bekore was held in detention while the other two journalists were released within hours. Bekore was held for two weeks in an undisclosed location and his family and colleagues were not provided with information regarding his whereabouts.

June 17, 2014: Kandahar

Khalid Hadi Haidari, the editor-in-chief of benawa.com, a Pashto language website established in 2004 covering human rights, freedom of speech, civil rights and related issues in Afghanistan, was arrested upon his arrival in Kandahar Airport, southern Afghanistan. His location and detention were not disclosed following his arrest.

July 14, 2014: Nangrahar

Faizullah Khan a Pakistani journalist working for ARY Television channel, was sentenced to four years imprisonment by an Afghan court. He was arrested for traveling to Afghanistan without travel documents and contacting terrorists. The reporter was allowed to appeal

against the conviction in the High Court of Afghanistan. He was later released from jail and deported to Pakistan on orders of the Afghan President.

October 9, 2014: Baghlan

A local radio journalist, Raz Muhammad Rahimi, from Baghlan province was blocked by police officials for allegedly insulting religious clerics on the least day of Eid. Rahimi and 10 other employees were arrested by police and detained for a number of days.

November, 2014: Ghor

Yasin Hazen, head of broadcasting for a local radio television organisation was arrested by Ghor authorities. His case was submitted to the Attorney General's office and later to the provincial court for investigation, yet Hazen was not charged.

ATTACK

May 4, 2014: Bamiyan

Nasir Behzad, a reporter of DW Radio Germany and reporter of *8am* daily was assaulted by vice chancellor of Bamiyan University in Bamiyan.

May 9, 2014: Kabul

Mumtaz Baheer, a freelance journalist was attacked in Kabul by a group of unknown armed men.

May 13, 2014: Helmand

Abdul Aziz Safdari, reporter with 1TV was attacked in Helmand province while on assignment.

June 2, 2014: Kabul

Rafiullah Kabiri, a freelance journalist was beaten by a senior official of Keramuddin Kiram's security guards while covering sports.

June 14, 2014: Afghanistan

During the second round of presidential elections, four journalists were assaulted and beaten. Nasrullah Momenzada with Radio Payame Jawan was assaulted in Ghanzi by supporters of Dr Abdullah. Nooragha Maiwand from Wranga Radio was assaulted in Kandahar by security officers and Shamsuddin Shams from Mitra TV was beaten by a group in Jozjan province. Jamshid Malekzai of Killid radio was beaten in Nangrahar Darahe Noor.

July 14, 2014: Ghazni

Saifullah Mafton a reporter in Ghazni with Pajhwok News Agency, was badly beaten and his equipment was stolen by an unknown group.

July, 2014: Herat

Idres Amini presenter and anchor of Saqi, a local TV station, was badly beaten and assaulted in Herat by an unknown armed group for running critical debates on his program.

August 2, 2014: Khost

Azizullah Hamdard, a reporter with Pajhwok News Agency was shot in the left arm. The two unidentified attackers fled the scene.

August 10, 2014: Kabul

Three reporters Abdurraza Shahir, Abdurrahman Mirzad and Zabihullah Dorandish were assaulted by observers of presidential candidates inside the Election Commission building while covering the vote counting process.

August 16, 2014: Ghor

Halluadin Mohammadi, the director of National Radio Television of Afghanistan, survived an attack by two unidentified gunmen on motorcycles. Though his car was damaged, he escaped unhurt.

September 16, 2014: Kabul

Zia Daud, a reporter of Maiwand TV was badly injured in a suicide bomb attack in front Afghanistan High Court.

September 21, 2014: Ghazni

During an incident with several suicide bomb attacks on major government buildings in Ghazni, three reporters were seriously injured. Asif Husini, Rahim Aria and M Azim were injured in the attack, which saw 70 percent of the equipment destroyed.

October 26, 2014: Nangrahar

Mahbob Shah Mahbob, a reporter of Pajhwok News Agency, survived an explosion near his house. He was not hurt in the attack, with only his house suffering damage.

December 11, 2014: Kabul

Mitra TV journalist Shahid Farhush and cameraman Shakib Muhammadi were injured as a result of a suicide bombing at a theatre show at Estiqlal High School, while covering the theatre show.

December 20, 2014: Kunduz

Najim Rahim of *Rasanye* and Nasir Waqif of *Al Jazeera* were seriously beaten and injured by guards of a senior police officer in Kunduz while reporting a security incident.

HARRASSMENT**July 27, 2014: Takhar**

During the week of July 24, a reporter was intimidated by police while on assignment in Takhar. While Ali Modammad Nazari resigned from his post after continuous threats from the Taliban.

LAW**August 21, 2014: Kabul**

Matthew Rosenberg, a journalist with the *New York Times* was deported from Afghanistan on August 21. The deportation occurred after Rosenberg refused to identify his sources to the Afghanistan government.

THREATS AND INTIMIDATION**October 27, 2014: Kabul**

Following the publication of an article entitled 'Islam of Taliban and ISIS', the *Afghanistan Express Daily* received heavy criticism. Wide-spread demonstrations were held across Kabul calling for the arrest of its owners and the

banning of the publication. The daily released an apology noting a technical error as the reason for the publication of the article.

November 12, 2014: Kabul

Zaki Daryabi was called to the Attorney General's office which was investigating two of his comics and critical writings against the information and culture minister in *Etlaate Roz*.

May 14, 2014: Herat

Atifa Ghafari reporter of Metra TV was threatened by unknown people on election day.

May 20, 2014: Badakhshan

Abdul Basir Haqjo the owner and program manager of Aamo Radio was intimidated and insulted by senior officials. He was critical of the provincial government not paying enough attention to provincial issues.

May 25, 2014: Kandahar

Five reporters, Abdul Manan Arghand of Kabul News, Sidiqullah Alizai of Pajhwok News Agency, Aaluddin of AP, Javid Tanweer of TV 1 and Ahad Lodin of Shamshad TV were all intimidated and badly insulted by staff at the Mirwis governmental hospital, telling them not to report on issues related to the hospital. The group had previously been given permission to enter the hospital to cover a story.

June, 2014: Kabul

Well-known Afghan female journalist, Farida Nekzad fled Afghanistan following continuous threats to her life. At the time, Nekzad was running the Wakht News Agency and was chair of the Media Commission for Afghanistan Election Affairs.

August 2, 2014: Nangrahar

The head of Police in Nangrahar intimidated an Ariana TV reporter following a critical interview. The officer also deleted content from the reporter's camera.

August 2014: Kandahar

Abdul Sami Ghiratmal of *Afser* was detained for one hour and then threatened by Kandahar health director, Qayum Pakhla following critical reports of health services in the province.

November 13, 2014: Ghazni

Rahmatullah Alizada an AFP reporter in Ghazni province was threatened and intimidated by a provincial council member to not file and investigate cases or corruption and misuse of power against him.

BANGLADESH**KILLING****May 21, 2014: Khulna**

Sadrul Alam Nipul, a reporter for the *Daily Mathabhanga*, was killed and his mutilated body was found on railway lines in Khulna, in central Bangladesh. His family is adamant that he was killed for his work.

August 27, 2014: Dhaka

Television presenter Maulana Nurul Islam Farooqi and his

family were confronted in their home by a group of six youths. The attackers tied up all members of the family, and murdered Farooqi in his bedroom. In the lead up to his death, it has been reported that he received numerous death threats.

February 26, 2015: Dhaka

Bangladeshi-American blogger Avijit Roy founder of the path breaking blog Mukto-Mona (Free-mind), columnist, and author of two books on liberal secularism, was hacked to death near Dhaka University by two unidentified assailants. His wife, blogger Rafida Ahmed Bonya, was also seriously injured in the attack.

March 30, 2015: Dhaka

Well-known blogger Md Oyasiqur Rahman Babu was hacked to death by three assailants while he on his way to work in central Dhaka. Oyasiqur was known for opposing irrational religious beliefs, superstitions and radical Islamists on his Facebook profile. Locals nabbed two of the attackers and the police has charged four people for the murder.

ACCIDENTAL DEATH

November 29, 2014: Dhaka

Zaglul Ahmed Chowdhury was getting off a bus, when he was hit by a car and died. He was taken to hospital, where he was declared dead. He was due to make an appearance on a talk show on ATN Bangla at the time of the accident.

ATTACK

May 13, 2014: Dhaka

Shishir Morol was on assignment, investigating corruption at the Women's Medical College Hospital when he was held captive for two hours and beaten by Dr Shafiul Azam who was at the centre of his investigation. Police rescued him and registered a case after receiving information on his whereabouts from his colleagues.

July 14, 2014: Dhaka

Students from the Bangladesh Chhatra League (BCL) allegedly assaulted a group of eight journalists during a football match on the Dhaka University campus. The journalists were interested in joining in but the BCL students left the grounds only to return later and attack the journalists with machetes and iron rods. The journalists, all from various outlets, are in a stable condition. The students have been expelled and three were handed over to the police.

August 2, 2014: Dhaka

Nasrul Anwar was attacked in his home by an assailant wielding a harpoon. Anwar was left in a critical condition. Anwar maintains that the motive behind the attempted murder was the result of his reporting about corruption in the area.

August 18, 2014: Barisal

Three men attacked Pulack Chatterjee with sharp weapons while he was on his way home from work. Chatterjee is the bureau chief of *Daily Samakal* and secretary of the Barisal Press Club.

August 26, 2014: Khulna

Akhil Poddar, special correspondent with ETV and another TV reporter were verbally abused and beaten by police before being taken to the police station and later to the Upazila Health Complex. Kumarkhali Police Chief Lutfar Rahman is said to have apologised on behalf of his colleagues.

October 16, 2014: Sylhet

Pro-ruling party student group BCL activists allegedly stabbed Abdullah Al Noman, Sylhet Staff Correspondent of *banglanews24.com* in front of MC College campus auditorium in Sylhet. The victim is also a third year student of sociology at MC College.

October 23, 2014: Chuadanga

The Jubo League, a youth front of the ruling Awami League vandalised the Chuadanga Press Club, in south-west Bangladesh. At least four journalists were injured. The press club authority filed a case against 36 ruling party youth activists for their involvement in vandalising the press club.

October 25, 2014: Rangpur

Shah Bayejid Ahmed, Rangpur district correspondent and cameraman Shaheen Alam of Ekattor Television (Channel 71); and cameraman Dalim of RTV channel were attacked and confined in a room in the state-run Rangpur Medical College Hospital, north of capital Dhaka. A group of interns and employees of the hospital illegally confined them until they were rescued by local journalists.

December 28, 2014: Dhaka

Police in riot gear stormed the office of the pro-opposition English daily, *New Age* without stating any reason. Police officers claimed that they had 'serious information' regarding which they needed to search the newspaper office, but did not disclose what it was.

ARREST/DETENTION

August 19, 2014: Dhaka

Rabiullah Robi was subjected to a midnight raid at the offices of the newspaper *Inqilab*, a Bangla-language daily. As a result, Robi was arrested and remanded in police custody for five days over accusations that the paper was hurting religious sentiments, attempting to create disorder in the administration and violating the Information and Communication Technology Act, put forth by the Acting Additional Inspector General of Police Pralay Kumar Joardar.

October 21, 2014: Dhaka

Mainul Hossain, 43, a security staff with Bangladesh Cricket Board was arrested by plainclothes detective police on allegation of making 'provocative' statements in social media against Bangladesh Prime Minister Sheikh Hasina, ministers and the ruling party Awami League and police pressed charges under the notorious Information and Communication Technology (ICT) Act.

LAW

May 16, 2014: Dhaka

The *New Age's* special reports editor David Bergman faced

charges for contempt over his personal blog posts. The posts were written during the court proceedings between 2011 and 2013, and call into question the number of deaths during Bangladesh's liberation from Pakistan. The Bangladesh International Crimes Tribunal has given Bergman until mid-June to explain why he shouldn't be punished under the International Crimes (Tribunals) Act 1973 for the 'derogatory comments' in his posts. Bergman maintains that his posts are only "fair criticism".

December 2, 2014: Dhaka

Bangladesh-based British journalist David Bergman was found guilty of contempt of court for his "derogatory" remarks made about the tribunal in a posting in his blog. Bergman, the editor (special reports) of the English daily *New Age*, will have to serve seven days' imprisonment if he fails to pay the fine BDT 5,000.

MEDIA AND REGULATIONS

December 3, 2014: Dhaka

Bangladesh has ordered a private TV station 'Channel 16' off the air, a year after its permission for test run expired on November 30. Ministry of Information and Broadcasting said the permission to telecast the music and entertainment channel has not been renewed. The government order to pull out the channel from the satellite broadcast.

January 21, 2015: Dhaka

The Bangladesh Telecommunication Regulatory Commission ordered an arbitrary block of internet-based voice and messaging services. Internet Service Providers and mobile phone operators were ordered to block access to services such as WhatsApp and Line, with Viber and Tango under an extended blockage. These services were supposedly blocked in an attempt to stifle the increased escalation of violence in nationwide demonstrations. News outlets claim that this is undemocratic and a violation of human rights.

THREAT

August 17, 2014: Dhaka

Noeem Nizam, editor of news daily *Pratidin*, was sent a death threat through Facebook, after the daily published articles written by an exiled feminist writer, Taslima Nasreen. The extremist is known to police as Shafiur Rahman Farabi or 'Extremist Farabi'.

INDIA

KILLING

May 27, 2014: Khallikot, Odisha

Tarun Acharya was riding his motorcycle on his way home when he was attacked by unidentified men, who wielded sharp weapons. It is understood that contract killers were paid after the publication of a report in Odia daily *Sangbad* claimed the use of child laborers in a cashew nut processing factory owned by P Shyam Sundar Prusty. The police arrested Prusty and his accomplice.

November 26, 2014: Guntur, Andhra Pradesh

MVN Shankar, a journalist with *Andhra Prabha* was brutally attacked by assailants armed with iron rods and sticks. He

survived the attack, but passed away due to the extent of his injuries the following day. He was the honorary president of the local press club and was known for exposing scams in the public distribution system and the kerosene oil mafia.

ACCIDENTAL DEATH

April 12, 2015: Hyderabad

Nagaraju Koppula, 34, a dalit reporter based in the southern state of Telangana with the *New Indian Express*, died of cancer probably induced by a tobacco factory adjacent to his childhood home. After he fell ill, his employers removed his name from the rolls without following due procedure or even intimidating him. He was given no support for his medical treatment, nor allowed to draw from his provident fund account, despite frequent visits made to his office in a rapidly deteriorating physical condition.

July 28, 2014: Haryana

Milita Dutta Mandal, producer at Rajya Sabha TV, died when she fell from her eighth floor apartment balcony. Mandal had recently returned from London and her death remains suspicious as the balcony railing was found broken.

September 24, 2014: Jammu and Kashmir

Shafat Siddique, a veteran photojournalist, was found dead while he was covering the floods in Srinagar. Siddique's body was found with his camera still around his neck. He was on assignment for *Dainik Jagran*, a major Hindi daily.

November 20, 2014: Haryana

Shivam Bhatt and his associates were trying to get footage of a high profile arrest when their car was involved in a road accident in Kultaran Village. Bhatt was killed, and the other two passengers were seriously injured.

ARREST/DETENTION

September 5, 2014: Kokrajhar

Jaikhlong Brahma was arrested for allegedly providing information to extremists about movement of security forces and instigating the violent activities of which threatened national security. The Journalists Union of Assam (JUA) believes that Brahma was actually arrested because of an interview he had done with a prominent figure within the banned National Democratic Front of Boroland (NDFB).

September 10, 2014: Hyderabad

More than 40 female journalists were arrested and their equipment attacked by police during a protest against the banning of two TV channels. The channels were banned for being 'anti-Telangana' and tarnishing the image of the community's people.

January 29, 2015: Mumbai

Shirin Dalvi, editor of *Avadhnama*, was arrested for reprinting the *Charlie Hebdo* 'anti-Islam' cartoon on the front page of the January 17 issue. She was arrested under Section 295A of the Indian Penal Code which prohibits "malicious and deliberate acts intending to outrage religious feelings". She apologised after the publication but has since gone into hiding due to receiving threats.

ATTACK

November 18, 2014: Haryana

Police carried out unprovoked attacks on 86 media personnel while they were covering the stand-off between security forces and followers of a controversial sect leader. The journalists' cameras and equipment was damaged during the attack.

HARASSMENT

September 10, 2014: Bangalore

Prominent environmental journalist Keya Acharya was served a legal notice for defamation demanding damages of USD 16.4 million based on a critical article that she wrote about Karuturi Global Limited (KGL). The company's legal, financial, labour and land problems in operations across Kenya and Ethiopia were under scrutiny in Acharya's article.

MALDIVES

ATTACK

September 26, 2014: Male

The offices of *Minivan News* were attacked in the capital Male. The blade of a machete was lodged in the door of the office shortly after CCTV cameras out the front of the offices were removed.

February 26, 2015: Male

Villa TV equipment was vandalized and the station's live feed was cut ahead of a major opposition rally in early February. Meanwhile, on February 27, six gangsters attacked Raajje TV journalists during their coverage of an opposition protest and vandalized their equipment and cut off live feed. The six gangsters were caught on camera. It is not clear if they were arrested or charged.

ARREST

February 26, 2014: Addu

Police arrested a journalist of *Haveeru Daily* while he was photographing a 'search event' held by police on Addu harbour area but was released on the following day.

March 25, 2015: Male

Three journalists were arrested at opposition protests on March 24 and 25. A Channel One journalist was arrested when he refused to shut off strobe lights on their video cameras during protests. Two Raajje TV journalists followed the police behind police barricades as they arrested MP Ahmed Mahloof. The two were carrying press passes which authorize them to cross police barricades. Police have asked the Prosecutor General to press charges.

MISSING

August 8, 2014: Hulhumale Island

Ahmed Rilwan Abdulla was last seen in the early hours on a ferry from the capital Male on his return home from work. After police investigations, four suspects were arrested and subsequently released in October.

LAW

July 12, 2014: Male

The landmark Right to Information Act (RTI) ratified in January came into force. President Yameen Abdulla has also

established the Office of the Information Commissioner as required by the law.

March 9, 2015: Male

On March 9, the Criminal Court barred Rajje TV from attending hearings after a journalist and a cameraman videotaped an alleged meeting between a judge and the prosecutor general amidst the controversial trial of former President Nasheed.

March 13, 2015: Male

Three journalists from state broadcaster TVM, CNM and Avas were barred from attending Criminal Court hearings after they protested the court's decision not to allow them outside the courtroom during a break between two hearings in Nasheed's case. With the intervention of the Maldives Broadcasting Commission, the ban was later lifted.

THREAT

March, 2015: Male

Haveeru Daily was forced to take down a report on the death of a young man, believed to have gang connections, in Syria. The journalist who wrote the article was threatened with death, and Haveeru received information their offices would be attacked.

NEPAL

ATTACK

October 21, 2014: Jhapa

Rejina Gautam Rodan, a correspondent with the local *Arjundhara daily* and executive director of *Jana Andolan* weekly, along with Khemraj Gautam, office staff with FNJ's local chapter were assaulted by a group of 12 people when they were returning home from the office. They were attacked with sharp weapons and sustained serious head injuries and were hospitalised.

November 20, 2014: Chitwan

Two unidentified people attacked Narayan Adhikari, a correspondent with state-owned National News Agency and another local journalist at Hamro FM. They were attacked with sharp weapons and sustained injuries.

January 20, 2015: Nepal

A number of journalists were attacked while covering political protests taking place across the country. In Kathmandu journalists were attacked and equipment damaged while journalists were also threatened. In Southern Nepal a vehicle carrying copies of newspapers from Kantipur Publications was vandalised and in Kathmandu copies of the newspapers were destroyed.

PAKISTAN

KILLING

August 28, 2014: Balochistan

Three staff members of ARY News in Quetta, including Irshad Mustoi, Assignment Editor of ARY NEWS, Bureau Chief of Online News Agency and General Secretary of Balochistan Union of Journalists (BUJ), trainee reporter Muhammad Abdul Rasool and media staffer Muhammad Younas, were killed when assailants entered the office and fired upon them.

October 3, 2014: Hafizabad

A local correspondent in Hafizabad for the daily *Dunya* was shot dead by two unidentified assailants. The men quickly fled the scene and Nadeem Hyder died instantly.

October 5, 2014: Hafizabad

Yaqoob Shehzad, a correspondent for *Express News* was shot dead while visiting a friend in the busy neighbourhood of Sagar Road. He was shot in the head three times and pronounced dead upon arrival at hospital. An office assistant was also injured in the attack.

November 6, 2014: Ghambat Khurha, Sindh

Jewan Arain, a journalist with Dharti TV was killed when a group of people opened fire on him as he made his way to his office. He died at the scene from his injuries.

ARREST/DETENTION**October 28, 2014: Waziristan**

Senior journalist and blogger, Shehryar Mehsud was arrested on orders of the political administration for allegedly exposing the 'corruption of political agents' in development projects. The arrest followed threats to Mehsud after he published a column on the corruption. Mehsud, a columnist with Urdu-daily *Akhbar-e-Khyber* was detained overnight.

January 8, 2015: Bannu

Tribal journalist Umar Daraz Wazir, working for *Mashaal Radio*, went missing from cantonment area in Bannu district in northwestern Khyber Pakhtunkhwa province. He surfaced the next day and reported being detained by military authorities who had concerns about his reporting and information sources.

January 27, 2015: Kurram

Authorities in Kurram tribal region arrested the father and family relatives of tribal journalist Anwar Shah after his articles exposing corruption in government departments appeared in local media. They were released after warnings that Shah should be "careful" in his reporting about the authorities.

January 27, 2015: Khyber

Paramilitary Frontier Corps force arrested tribal journalist Sudhir Afridi from his home in Landikotal town in Khyber tribal district near Peshawar. While the authorities gave him no written reason for his arrest, Afridi says the aim was to pressurize him through humiliation about his reporting.

February 20, 2015: Peshawar

Tribal journalist Rasool Dawar, working for *Geo News* TV channel in its Peshawar bureau, was taken away by intelligence personnel, backed by uniform soldiers at 5.45pm near his office. He was released later that night at 1am after being interrogated about his reporting and information sources.

March 31, 2015: Waziristan

Tribal journalist Nasru Minallah reported being detained at military-run Saidgai checkpoint near North Waziristan. He was on his way to North Waziristan when the soldiers stopped him. While no reason was given for his 2-hour

detention, he was treated roughly despite presenting his journalistic credentials before being allowed on his way.

ATTACK**May 31, 2014: Multan, Punjab**

Zafar Aheer, resident editor of *Daily Jang* was attacked by half a dozen men when he was returning home from his office. The attackers stopped his car and started beating him, tore his clothes and stole his phone at gunpoint. They fled firing bullets into the front of his car.

July 2, 2014: Peshawar

The home of Jamshed Baghwan, the bureau chief of *Express News* in Peshawar was bombed. Attackers placed a bomb in the house, which was damaged as well as a car when it exploded. In March 2013, a bomb was found in his house but defused before it was detonated. A few weeks later his home was damaged by a grenade.

August 30, 2014: Islamabad

During political protests, several media workers from a number of media outlets were attacked trying to cover the protests. Several journalists were injured and police pulled workers from *Digital Satellite News Gathering* (DSNG) vans and beat them. In Islamabad, the offices of GEO News were attacked by protesters.

September 1, 2014: Islamabad

Eight hundred political protesters stormed the PTV building, holding a number of staff hostage and forcing management to shut down the transmission of PTV News and PTV World. Protesters also stole weapons from security guards and damaged a number of PTV vehicles, and roughing up the staff.

September 19, 2014: Lahore

The home of senior journalist and union leader Rana Azeem was fired upon twice in one week by unidentified assailants.

November 30, 2014: Faizabad

A group of people threw fire crackers targeting the DSNG of *Dunya News*, *Dawn News* and *Abb Tak News* channels after the conclusion of a political rally at Faizabad Interchange. The attack left five injured. The crackers were hauled at the parked DSNG vans from a motorcycle. According to reports, the crackers left an eight-inch wide crater at the site and damaged the TV vans.

December 22, 2014: Siaklot

Zeeshan Shamsi and his wife were travelling from Sialkot to Islamabad when they were fired upon by three assailants. Shamsi, a reporter with *NewsOne Television* was unhurt in the attack but his wife suffered two bullet wounds to her chest.

January 16, 2015: Karachi

Agence France Presse (AFP) photojournalist Asif Hassan was attacked while covering an anti-*Charlie Hebdo* demonstration in Karachi. The 38-year-old was shot during the demonstration and recovered in hospital.

February 25, 2015: Karachi

Dunya News TV channel's reporter Munawar Alam was shot at in Karachi's Gulshan-e-Jauhar area by two would-

be assailants riding a motorbike as he sat in his DSNG. The bullets missed him.

March 10, 2015: Peshawar

Female TV journalist Ms Farzana Ali of *Aaj News* TV channel was harassed by police in Peshawar as she covered a protest rally by a political party.

HARASSMENT

January 18, 2015: Karachi

Paramilitary force Rangers raided the house of Karachi Resident Editor of Urdu daily *Nawa-e-Waqt* Saeed Khawar, the Council of Newspaper Editors (CPNE) reported. Ostensibly the raid was conducted on suspicion of Khawar allegedly having an illegal water connection for his house but the journalist indicated the authorities were not happy with the reporting of his newspaper about activities of the security forces.

February 10, 2015: Quetta

Online newspaper *Baloch Hal* formally closed down operations after six years of often-under pressure reporting on issues related to Pakistan's southwestern Balochistan province, its editor Malik Siraj Akbar tweeted. The English-language news website often ran afoul of the security agencies for its reporting of their operations and giving views of political nationalists opposed to the operations. Access within Pakistan to the website was lately prevented through official action making it difficult for ordinary readers to have access to it.

February 26, 2015: Tribal Areas

Political administration in Mohmand tribal district serves a warning notice on Mohmand Press Club for allowing political meeting-cum-press conferences on the premises of club.

March 17, 2015: Mingora

Peshawar High Court registrar met Ghulam Farooq, the editor of *Shamaal* newspaper in Mingora in Swat valley of northwestern Khyber Pakhtunkhwa province, to press him to disclose his source of information about a report on the chief justice of Peshawar High Court.

MEDIA AND REGULATIONS

June 20, 2014 Islamabad

The Pakistan Electronic Media Regulatory Authority (PEMRA) suspended the license and imposed a fine of Rs 10 million (USD 100,000) on ARY TV. PEMRA said that they suspended the license after ARY TV aired 'anti-judiciary programs'. In addition, PEMRA also banned the program *Khara Sach* (Bitter Truth) and its anchorman Mubasher Lucman for 'persistently airing contemptuous and malicious campaigns against the judiciary'.

THREAT

January 23, 2014: Peshawar

The Peshawar-based assistant secretary general, Zia Ul Haq, of the Pakistan Federal Union of Journalists and news bureau chief of ARY News was threatened by the Taliban, saying that he would suffer severe consequences if ARY News and the PFUJ continued to not propagate the Taliban's views.

SRI LANKA

ATTACK

May 1, 2014: Ratnapura

A group of people attempted to abduct provincial correspondent for the News 1st, Mahindra Pushpakumara as he attempted to report on the snatching of an elephant calf from the National Park. Pushpakumara was rescued by local residents and hospitalised following the incident.

June 15, 2014: Western province

Sarath Siriwardana, a journalist attached to the *Sunday Times* (English) and *Lankadeepa* (Sinhala) newspapers was attacked and threatened after he had gone to cover communal violence in Aluthgama on June 15. According to him, "About hundred people, both Sinhala and Muslim, surrounded me and attacked me, they took my camera and smashed it on the floor. I took pictures of members of both communities being violent and suddenly they turned on me," he recounted.

June 16, 2014: Western province

Sandeshaya, a local reporter working for the BBC was attacked and threatened not to cover the communal violence in Aluthgama. On June 16, a crew from a local TV station was obstructed as they were travelling to the area and were almost assaulted. They escaped without injuries, but a camera was damaged. Mobs had also attacked a media team from the *Al Jazeera* network travelling in Mathugama and Aluthgama on June 17, manhandling their cameramen and causing damage to their vehicle.

June 16, 2014: Western province

Journalist, Binoy Suriarachi of the *Sunday Leader* was threatened and his driver was assaulted by a violent mob. He had gone to Aluthgama with two other journalists to cover the communal violence. On their way, they were surrounded by a violent, armed mob. Suriarachi was held hostage by the group for some time before his colleagues managed to negotiate their release. The driver was hospitalised.

September 20, 2014: Uva

Chandana Kuruppurachchi, a journalist with Sirasa TV and MTV Sports and Palitha Ariyawansa, a correspondent of *Lakadeepa* newspaper were assaulted by cadres of the ruling party. During the attack, Kuruppurachchi was seriously injured and Ariyawansa's vehicle was damaged.

September 22, 2014: Jaffna

Two men attempted to kill Sinnarasa Siventhiran, 33, an area correspondent of Jaffna Daily *Uthayan*. Two masked men had stopped Siventhiran, who was returning home on his bicycle. The two men had introduced themselves as officers from the Criminal Investigation Division of the Police and interrogated him for 10 minutes. After attacking the journalist, the masked men threw him in front a speeding bus in an attempt to stage an accident. However, the attempt failed as the driver of the approaching vehicle managed to swerve just in time.

September 23, 2014: Uva

Two Sinhala journalists were assaulted by a pro-government mob led by politicians. Journalists Chandana Kuruppu

Arachchi of MTV and Swarnawahini TV stations and journalist Palith Ariyawansa, Badulla area correspondent of daily *Lankadeepa* newspaper were assaulted by the mob.

December 5, 2014: Anuradhapura

Tirasa Samal Somaratne, the regional correspondent for Hiru TV and *Ada* newspaper was attacked while covering an incident involving a group of street performers. The attackers were supporters of the ruling party and he was hospitalised for his injuries. When he arrived at the hospital he was threatened by a group of men who said, "Leave the hospital or we will kill your parents in front of you."

January 8, 2015: Sri Lanka

Numerous reports of a surge in election-related violence in the build-up to the election also affected journalists. The Centre for Monitoring Election Violence (CMEV) noted 237 'major incidents' and 183 'minor incidents' during the campaigning period, noting dozens of assaults, intimidation and damage to property. There were at least 22 incidents involving a firearm.

ARREST

April 8, 2015: Jaffna

M Logathayalan, a Jaffna based journalist with *Uthayan* was arrested by the police following a report he authored was published about the assault of a schoolgirl by Sri Lankan police officers in Jaffna. Logathayalan was taken into custody and produced before the Point Pedro Court where the Sri Lankan The journalist was subsequently released on April 9 on personal bail. He is due to appear in court on May 29.

ONLINE CURBS

May 12, 2014: Sri Lanka

Access to website srilankamirror.lk was blocked by all the Internet Service Providers in Sri Lanka, claimed its editor Kalum Shivantha in a petition to National Human Rights Commission of Sri Lanka (HRCSL). The petition called for an immediate inquiry regarding the issue as the constitutionally granted freedom of expression as well as the equality before law was violated. Shivantha told media that the local ISP companies verbally informed him that the blocking was done upon recommendation of the Telecommunication Regulatory Commission of Sri Lanka.

HARASSMENT

May 19, 2014: Jaffna

Military forces restricted access to the office of Tamil daily *Uthayan*. Anyone trying to access the office was turned away. According to the military, the blockade was carried out under orders of the 'high command' and no other explanation was given.

May 28, 2014: Northern and Eastern province

A media training course covering corruption organised by Transparency International Sri Lanka (TISL) had to be abandoned due to intimidation by the military. The workshop had been scheduled to commence on May 23, 2014 and the participants were journalists from the Tamil media representing the Northern and Eastern provinces. The hotel management informed the organisers that since a senior officer of the Military Intelligence Corps had

informed them to stop the workshop from taking place, they could not allow the program without the permission of the Security units.

June 7, 2014: Gampaha

A three-day workshop for Tamil-language media was cancelled after a group of miscreants warned they would disrupt it. The workshop was cancelled by security forces.

June 7, 2014: Western province

A training workshop for Tamil journalists by the Transparency International (Sri Lanka) in Negombo was disrupted by an organised group of protesters who had arrived outside the premises. The protesters had accused the TISL of supporting terrorists and claimed that the workshop was to train people to give evidence against Sri Lanka in an international investigation. Superintendent of Police J.K.H. Liyanage who had arrived at the spot told TISL that police protection could be provided only if the workshop was stopped and participants left Negombo.

June 7, 2014: Colombo

Due to the disruption the TISL workshop in Negombo on June 7, TISL had taken the participating journalists to a hotel in Colombo. About an hour after they had checked in, the hotel management had asked the participants to leave the hotel immediately. When TISL had inquired from the hotel management, they had been told that a powerful organisation had forced them to remove the journalists from the hotel, threatening that if they did not comply, "they" would personally come and remove the journalists from the premises.

July 8, 2014: Colombo

Al Jazeera online journalist Dinouk Colombage was interrogated for four hours by the Criminal Investigations Department of the Sri Lanka Police over his reporting during the Aluthgama riots. According to the police, Colombage was questioned regarding the death toll he has published in his news report and tweet during the riots. Colombage said that the police also questioned him about his relationship with the *Al Jazeera* network.

July 13, 2014: Jaffna

Producer of the film 'Maaru Thadam', S. Ramanan told media that the screening of his film on the daily life of people in the North of Sri Lanka was disrupted by the police in Jaffna. The police had entered the hall where the film was being screened and took Ramanan, the film and the projector to the police station. Although he was released on the same day, his equipment was not.

July 26, 2014: Jaffna

A group of Tamil journalists were blocked by the Sri Lanka police, army and intelligence officers as they travelled to Colombo to attend a workshop and discussion on digital security. The workshop was organised by 'Rights Now Collective for Democracy' based in Colombo and the Jaffna Press Club.

July 26, 2014: Colombo

A media workshop for Jaffna journalists at the Sri Lanka Press Institute was abandoned after a group of government

organised ‘mobs’ gathered in front of the Institute and threatened to storm the building if the workshop took place.

September 19, 2014: Kalutara

Military personnel stationed in Aluthgama blocked journalists from *Lanka Irida*, a weekly newspaper on the grounds that the area was under Army rule. In a video posted by the website lankatruth.com, officers from the Military Police told a journalist on camera that without prior permission he could not enter the area because “this is not a civilian controlled area.”

October 25, 2014: Kungchar-kadai, Jaffna

Newspaper sellers in Point Pedro said that they faced repeated harassment for distributing the monthly newspaper, *Ithu-Nam-Theasam*. Similar complaints were registered in Irupaalai and Achchezhu in Jaffna. Sri Lankan military officers also visited printing presses in Jaffna and reportedly told owners to immediately alert them before printing new issues. A number of days later, a newspaper distributor was reportedly attacked at Uruththirapuram in Killinochchi.

February 13, 2015: Colombo

Editor of *The Sunday Leader* Shakuntala Perera resigned after the owner of the newspaper, Asanga Senevirante imposed an internal censorship order over any matters relating to the family of former President, Rajapaksa. In her resignation letter, Perera said, “It is also pertinent to note that with the change of government, we have been trying to engage in journalism, free from state and political influence, as promised by the new government. I am therefore surprised that while any pressure from the previous political regime has ceased, I am being asked by you as the publisher, to curtail from carrying on my duties as the Editor of the newspaper, and engage in practices that go against the principles and ethics I have hitherto exercised.”

March 17, 2015: Colombo

Prime Minister Wickremesinghe criticised *The Daily Mirror*, *The Sunday Leader* and a private television station over its reporting of corruption issues related to Central Bank. Wickremesinghe also questioned the owners of *The Sunday Leader* demanding to know the source of their funds. Wickremesinghe accused a private television station of carrying out a campaign against him and called for the establishment of an independent broadcasting authority to ensure ethical and fair conduct.

LAW

July 7, 2014: Sri Lanka

On July 7, the Sri Lankan government banned civil society non-governmental organisations from having any dealings with the media, including organising and conducting legitimate and necessary media-training activities. The circular directed by the National Secretariat for NGOs, under the Ministry of Defence and Urban Development, prevented NGOs from ‘conducting press conferences, workshops, journalism training and dissemination of press releases’.

July 15, 2014: Sri Lanka

Leader of the opposition, Ranil Wicramasinghe stated that a letter had been sent to every media organisation following the Aluthgama and Beruwala communal violence which took place in June. The letter had allegedly instructed the media organisations to do as told or suffer the consequences such as legal action and the revoking of licenses to electronic media,.

August 24, 2014: Colombo

Gardiner Harris, the South Asia Correspondent for the *New York Times* has his visa put on hold by the External Affairs Ministry. Harris had applied to visit Sri Lanka to undertake a series of special reports.

August 29, 2014: Colombo

Mount Lavinia District Court was sealed off to media personnel during the proceedings of a defamation case against the *Sunday Leader*. The case was filed by Gotabhaya Rajapaksa, brother of the then-President.

October, 2014: Jaffna

Senior journalist and media activist Thayaraparan Ratnam was interrogated by a Special Criminal Investigation Division in Kankasanthurei (KKS) in October. The harassment started after journalists and media activists started to attend media workshops held in Colombo and other places. The CID investigators had been questioning Thayaraparan, who is associated with Jaffna Press Club (JPC), on his interactions with international media watchdogs, training programmes with journalists from South that took place at Sri Lanka Press Institute (SLPI) in Colombo.

December 8, 2014: Colombo

The chief editor of *Ravaya*, KW Janaranjana was called into the Criminal Investigation Division with allegations that a news story published in *Ravaya* indicated that President Sirisena would receive 59 percent of the votes was a personal attack on the former head of Police Intelligence Services Division Chandra Vakista.

January 23, 2014: Colombo

The Sri Lankan Government announced it would reopen the investigation into the murder of founder and editor of the *Sunday Leader*, Lasantha Wickrematunge who was murdered in 2009. The decision by the government comes after a former cabinet minister publicly accused Gotabhaya Rajapaksa, the brother of former president Mahinda Rajapaksa, of ordering the assassination of Wickrematunge.

THREAT

May 28, 2014: Colombo

Police issued a ban to all journalists and media from covering the defamation case filed against former Defence Secretary and brother of the former President, Gotabhaya Rajapaksa. The media was specifically not allowed to report on the cross-examination or film Rajapaksa leaving court.

July 11, 2014: Jaffna

Journalists who went to report on the pre-emptive surveying of private Tamil land were threatened by the Sri

Lankan Navy. Threats were made to the journalists as they attempted to photograph and document the Sri Lankan Navy surveying the land that the government was in the process of appropriating.

July 14, 2014: Mannar

The Terrorist Investigation Division (TID) of the Sri Lanka Police continued to harass Tamil journalist SR Lambart. Lambart had been asked to appear at the TID in Colombo on July 14, 2014 through an instruction written in Sinhala. He was asked to disclose his email password for the second time while claiming they had tapped a news story as originating from his email address. The journalist was first interrogated by the Sri Lankan TID in December 2013. During the first interrogation, Lambart was shown around 40 news stories that the intelligence operatives claimed as reported by Mr Lambart. The TID operatives had also displayed log entries of phone numbers belonging to the people who were in touch with him.

July 18, 2014: Colombo

Two journalists were intimidated and assaulted as they tried to cover the story of three baby elephants being kept illegally. When the journalists visited the temple where the elephants were been kept, they were threatened and attacked by a group at the temple. One of the journalists was hospitalised due to his injuries.

July 25, 2014: Jaffna

Sri Lankan military personnel threatened and evicted journalists from the court room where the inquiry into the gang rape of two Tamil school girls in Karainagar allegedly by Sri Lankan Navy personnel was taking place. Dressed in civilian clothes, the military officers had confiscated cameras and mobiles phones from the journalists, and deleted any photographs that had been taken.

July 26, 2014: Colombo

The leader of a mob that forced the cancellation of a Tamil media workshop warned the Sri Lanka Press Institute that "if this institute allows any such training in the future, don't say we are bad boys". The mob leader also warned that if such workshops were held anywhere in the country they would be there to stop them.

July 29, 2014: Colombo

Sunil Jayasekara, the Convenor of the Free Media Movement (FMM) received a number of death threats from anonymous numbers after the FMM hosted a media conference to condemn the role of government agencies in the cancellation of a workshop on digital media security for journalists in Jaffna.

August 2, 2014: Jaffna

Journalist Navarathinam Kapilanath received death threats via telephone calls, warning him that he and another journalist would be killed. The threats said: "You do not know us. Do you not wish to live after complaining about us to the police."

October 15, 2014: Colombo

Several death threats were issued by a group calling itself 'Patriotic Force' to journalist participants, organisers and their families at an event held on October 15, in Colombo to award certificates of a journalism training programme conducted by Transparency International Sri Lanka (TISL). The threats appeared to come from intelligence officers.

October 15, 2014: Colombo

A group called 'Patriotic Force' threatened to kill senior journalist and former editor Jayasiri Jayasekara and his family. The death threat was issued due to his role in an investigative journalism training course conducted by the Transparency International, Sri Lanka (TISL). 'Patriotic Force' also threatened to kill his wife and children.

October 29, 2014: Jaffna

Newspaper agents at Kungchar-kadai in Point Pedro are reported to have said that they were repeatedly harassed for distributing the monthly paper, *Ithu-Nam-Theasam*. Similar complaints are also reported to have been received from Irupaalai and Achchezhu in Jaffna. Sri Lanka military officers visiting the printing presses in Jaffna are also reported to have instructed the printer owners to immediately alert them first before printing the paper. In the third week of October, a distributor of the paper was reportedly attacked at Uruththirapuram in Killinochchi district

November, 2014: Jaffna

The army in Jaffna threatened a number of journalists who were due to participate in a training workshop in Kankasanthurai. The training was ultimately cancelled.

November 18, 2014: Jaffna

Military Intelligence personnel threatened the Jaffna Press Club against providing space for the KJaanatha Vimukthi Peramuna (JVP) a regional political party.

December 6, 2014: Colombo

Senior journalist and Jaffna Press Club Advisor R. Dayabaran was threatened by calls from unknown phone numbers when he was travelling to Colombo to participate in a media protest against media suppression during the Rajapaksa government.



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The IFJ is a non-governmental, non-profit organisation that promotes coordinated international action to defend press freedom and social justice through the development of strong, free and independent trade unions of journalists. IFJ Asia-Pacific coordinates IFJ activities in the Asia-Pacific region. The IFJ works closely with the United Nations, particularly UNESCO, the United Nations OHCHR, WIPO and the ILO, the International Committee of the Red Cross, the European Union, the Council for Europe and with a range of international trade union and freedom of expression organisations. The IFJ mandate covers both professional and industrial interests of journalists.