STATES OF CONTROL: COVID, CUTS AND IMPUNITY
SOUTH ASIA PRESS FREEDOM REPORT 2019-2020
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Cover Photo: AFP photographer Sajjad Hussain works near India Gate during a government-imposed nationwide lockdown as a preventive measure against the spread of the Covid-19 in New Delhi on April 9, 2020. The Indian government’s response to Covid-19 has led to controls on media and journalists being denied access to public interest information.

Contents Photo: Journalists in Kashmir use a cramped, makeshift media centre during the internet shutdown to file stories.

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SOUTH ASIA

South Asia has always been a challenging place for journalists. This year it got even tougher. As the world and its media comes to grips with and responds to the immediate global health crisis consuming it in every sense, the flow-on impacts socially, politically and economically just keep coming.

For South Asia’s media, this “great confinement” is also challenging freedom of expression in ways never seen before in one of the world’s most populous regions. It has put journalists in the thick of an invisible viral war as essential workers for truth and freedom of expression, reporting on a crisis with impacts and unfolding dimensions unseen in our collective lifetime.

But during this time, we’ve also seen media do what they do best: inform, hold governments to account, educate, and shine a light for broader society to defend democracy. And all this in the face of states grabbing every opportunity to expand authoritarian controls and increase state and corporate surveillance.

This pandemic has not only exposed media workers to physical vulnerabilities, it has also put them in the firing line of government-imposed controls on reporting and movement. The contagion of economic fallout, has also decimated an already battered media sector, with many companies reducing hours, holding back salaries or simply sacking their media staff outright.

This 18th annual review of journalism in the region, States of Control: Covid, cuts and impunity traverses the complex experience of this region’s media – already confronted with religious extremism, authoritarian governments, digital disruptions and communication controls. It documents the challenges as well as some of the triumphs. It mentors the attacks, detentions and killings and the ongoing battle against impunity where journalists continue to campaign for justice.

In the period under review, the IFJ and its affiliates documented 219 violations against the media. This includes 50 publications or detentions, 19 threats to the lives of journalists, 65 non-fatal attacks, 82 threats against media institutions, 8 gender-based attacks and 82 threats or attacks on rural, regional or minority journalists.

In India and Bangladesh, journalists came under fire while covering civil disturbances and protests. In Sri Lanka and Afghanistan, the fight for safe access to information continued amid tumultuous elections. In Nepal and Pakistan, the battle against a heavy legislative hand was waged. While in Bhutan and the Maldives, the challenge for survival of a small but critical media was never so great.

Plummeting media revenues saw the mass shedding of more than 3,000 journalist jobs in Pakistan too, while harsh online controls saw Kashmir take the mantle for the world’s longest communication shutdown in a democracy.

But, as this report also shows, amid Covid-19, cuts and controls, South Asia’s media and the unions and networks that defend it persevered, standing together in solidarity to disrupt authoritarian narratives. In this war against them and truth, they have continued to push back, defend media rights and stand up against states of control.

Jane Worthington
Director, IFJ Asia-Pacific

A
s the novel coronavirus made a deadly sweep across the globe from the beginning of 2020, governments in South Asia tightened their iron grip over the media and democratic institutions. Even as the viral spread was declared a pandemic, the region saw an equally dangerous spread of fake news, increasing digital controls by governments, restricted access to information, Islamophobia, police high-handedness, armed up surveillance, cuffs on movement and detentions.

Fundamental freedoms were curbed in the name of a public health crisis, and authoritarian measures implemented, including a clampdown on citizens’ rights during a police-enforced lockdown in India and an official ‘police curfew’ in Sri Lanka.

The media had the task of reporting the growing humanitarian crisis, working in difficult circumstances and amid unprecedented physical curbs due to lockdowns and restrictions, particularly in containment zones. The Covid-19 crisis has exacerbated existing fault lines in the precarious freedoms that the South Asian media has fought for and the most vulnerable are now taking the first beating.

The lack of safety for journalists, highlighted by poor working conditions – many media houses took days and even weeks to procure personal protective equipment (PPEs) for their staff in the midst of layoffs, salary cuts and forced leave without pay.

South Asia’s moniker, “the most dangerous place” for journalists continues to be the unfortunate reality. Sixteen media workers lost their lives and a total of 219 violations were recorded, including targeted attacks, threats and legal cases.

REGIONAL TREND

POLLS AND POLARISATION

In the past year, hyper-nationalist strongmen were reinstalled in India and Sri Lanka. Electoral victories precipitated on religious and ethnic polarisation and promises of national security saw the hardening of divisions among communities on religious lines, which spilled over into the media with vicious consequences.

In India, a storm of protests against the controversial Citizenship Amendment Act – seen to be violating the secular constitution – across the country, polarised religious communities in unprecedented ways. In the run up to the assembly elections in Delhi, the capital witnessed violence along communal lines, with sections of the media in the forefront of fanning the flames and others attempting to douse violent Islamophobia, with journalists from minority communities themselves facing intimidation and attacks.

In Sri Lanka, growing militarisation and a hardened national security discourse once again wielded immense influence over civil society. Despite some gains made in recent years, the Sinhala-Buddhist supremacist ideology continued to have a vice-like grip on the media, which remains in too many cases vehemently pro-government, with only a few notable exceptions. The months leading up to the presidential election as well as the period following it saw a spate of arrests, intimidation and harassment along cleavages already sharpened by the ethnic polarisation following the Easter Sunday bombings.

Polarisation of the media, particularly the private media and the biased election reporting became a highly contentious issue during the presidential election. Muslim journalists became victims of discrimination, hate speech and heightened surveillance. Anti-minority rhetoric continued to dominate all discussions on the Covid-19 pandemic.

As the UN Special Rapporteur on Freedom of Religion or Belief in his report on Sri Lanka to the 43rd session of the UNHRC noted, “The culture of impunity in Sri Lanka has been repeatedly pointed out as one of the main reasons for which religious extremism and hate speech thrive in the country, undermining the rule of law and human rights.”
The presidential election in Afghanistan, which ended in a fractured outcome was marked by deep divisions and questions about the legitimacy of the Afghan government. The media, with competing vested interests from the government to the Taliban, faces a crisis of credibility among the public and a critical survival instinct that leads to wide-ranging self-censorship. High levels of threats, intimidation and attacks on media personnel and media houses by the Taliban during and following the protracted peace talks strongly marked the period under review in Afghanistan with some media choosing to quit their jobs than face ongoing serious threats.

**MANUFACTURING CONSENT**

Intolerance to dissent marked the year in India, with two draconian laws made even more repressive. Amendments to the Unlawful Activities (Prevention) Amendment Act, 2019 (UAPA) and the National Investigation Agency Act (NIA) have direct implications for the media and can impinge upon freedom of speech and expression. Applied indiscriminately across the country and most recently against two Kashmiri journalists, these strengthened counter-terror legislations in addition to existing public security laws with sweeping powers, contribute to self-censorship and control. Besides these, other criminal laws, including defamation suits were slapped on journalists whose stories displeased those in power. The ironic misuse of the International Covenant on Civil and Political Rights (ICCPR) Act in Sri Lanka intended to prohibit incitement of discrimination, hostility or violence on religious grounds was another attack on free speech.

**DIGITAL DISRUPTION AND WEB CONTROL**

South Asia’s thriving digital news media has been spurred as much by increasingly accessible and cheaper technology as well as the ongoing dismantling of legacy media. Newsgathering and dissemination have undergone a massive transformation driven by technology as well as changes in readership and revenue. Even as the digital news media scrimp to retain basic tenets of journalism in the emerging scenario, governments resort to newer ways of control. Surveillance, censorship and control over the digital space in South Asia certainly predicted the pandemics, and the countries across the region were given more rope to tighten existing regulations. The ghastly Easter Sunday attacks in April 2019 in Sri Lanka resulted in the blockage of access to social media to prevent incitement of communal violence, and a month later, dissemination of ‘fake news’ that could affect communal harmony or state security was criminalised. In Pakistan, the government’s move to control the vibrant social media by enacting the Citizenship Protection (Against Online Harmful Rules) met with outright rejection from social media companies who threatened to pack up and leave rather than succumb to government control.

In Bangladesh, under fire for social media for its dealings with the coronavirus pandemic, the government arrested critics under the draconian Digital Security Act. Widespread criticism over a government move to monitor television channels for “rumours” and “propaganda” regarding Covid-19 resulted in the circular being hastily withdrawn.

In Nepal, where journalists face arrest and detention on flimsy pretexts, the legal environment was in threat of further deterioration with the drafting of two controversial bills, the Information Technology Management Bill which could curb free expression online and the Media Council Bill which proposes “licensing” for journalists and heavy fines for “breaches” of a code of conduct. Both these provisions were dropped after prolonged protests by the FNJ, Nepal Press Union and other civil society organisations.

**ECONOMIC SIEGE**

Already in the grip of a slowdown, South Asia, like the rest of the world is soon going to be in worst crisis since the Great Depression of the 1930s. Governments in South Asia, already reeling under a financial crisis exacerbated by the Covid-19 pandemic, have shown little inclination to shore up the collapsing media industry.

Whether it is tiny Bhutan, where dire straits have forced several newspapers to shut down in 2019, or a mammoth country like India where the media is in frightening freefall, the media in South Asia walks the edge, trying to maintain the fine balance between financial sustainability and unfettered truth telling. Shored up by government advertisers and corporate revenue, few media houses can afford to dispense governments or corporate houses. A fallout of the dependence on government funds is the troubling trend of self-censorship in both state-owned and private media organisations in Sri Lanka. The domino effect of non-payment of dues was a severe financial crunch which was passed on to journalists and media staff now burdened by mass layoffs, salary delays and cuts. Undermined by the death of media workers due to stress and hopelessness and the deteriorating working conditions, media workers prompted an IFJ mission to the country in an effort to bring both national and international attention to the plight. A resolution adopted during the mission emphasised job security and decent wages for working journalists as priorities.

The Indian media is passing through one of the most pressing times in its history, with financial instability borning by those at the lowest rung. The mass retrenchments came at a time when labour laws have been systematically weakened through successive amendments and no safety net exists for laid-off media workers. A petition filed by journalists’ unions was admitted to the Supreme Court.

**TINY DENTS IN IMPUNITY**

The lack of accountability for murders and attacks on journalists across the region is one of the reasons why these assaults are ongoing.

In Sri Lanka, several landmark cases of murder, disappearance and assault of journalists and human rights defenders between 2009 to 2015 are pending at various stages of investigation or trial. In a small step forward, in November, indictments were filed against seven army intelligence officers in connection with the abduction of journalist Prageeth Eknaligoda back in 2009. Another breakthrough was in the case of attempted murder of former editor Upali Tennakoon. Nearly ten years on, an army officer was found to have been involved in the attack.

In Pakistan, the death sentence of British-born Ahmad Omar Saeed Sheikh, who had been convicted by an anti-terrorism court for kidnapping and murdering US journalist Daniel Pearl in 2002 was reversed. The Sindhi provincial government promptly filed an appeal in the Supreme Court of Pakistan against the downgrading of Sheikh’s punishment from death to life term and from life-term to acquittal of Sheikh’s co-accused Salaman Saqib and Fahad Nazim. Two days later, the High Court re-arrested the accused pending filing of the appeal against the acquittal. In the 37 cases of murders and disappearances in Nepal since 1997, mostly during the Maoist insurgency, only in five cases of murder has justice been delivered. The long arms of the law finally reached back to the 2007 murder of journalist Ritendra Sah and a former Maoist cadre was arrested for his involvement in the murder.

In the Maldives, President Solih’s promise to end impunity, bring perpetrators to book, and introduce safety mechanisms seemed to be borne out by not a single murder, disappearance, abduction or physical assault in his year and a half in office. The government-appointed presidential commission to probe the disappearance of journalist Ahmed Rihan Abdulla in 2014 and the 2017 murder of blogger and digital activist Yameen Rasheed found nothing to suggest that previous president Abdulla Yameen and his deputy Ahmed Adeeb attempted to stifle the investigation. Even as the probe drags on and political charges are traded, the affected families await closure and hope for justice. Another milestone was the eventual acquittal of police Inspector Fahad Nasim. Two days later, the High Court re-arrested the accuses pending filing of the appeal against the acquittal.

**ELECTORAL VICTORIES PREDICATED ON RELIGIOUS AND ETHNIC POLARISATION AND PROMISES OF NATIONAL SECURITY SAW THE HARDENING OF DIVISIONS AMONG COMMUNITIES ON RELIGIOUS LINES, WHICH SPILLED OVER INTO THE MEDIA WITH VIOLENT CONSEQUENCES.**

The dubious distinction of the longest running internet shutdowns in the world continues to be the 2019-20 Indian government’s decision to cut internet access on the island of Jammu and Kashmir. The move, which was justified as a means to prevent incitement of communal violence, cut off the only means of communication for millions of people. The shutdown eventually lasted 200 days, with the affected families awaiting closure and justice. The Indian government’s move to control the vibrant social media by enacting the Citizenship Protection (Against Online Harmful Rules) met with outright rejection from social media companies who threatened to pack up and leave rather than succumb to government control.

The irony of the International Covenant on Civil and Political Rights (ICCPR) Act in Sri Lanka intended to prohibit incitement of discrimination, hostility or violence on religious grounds was another attack on free speech.

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On November 14, 2019 journalist Dilrukshi Handunnetti reflects at the site in Colombo where her colleague Lasantha Wijesinghe was murdered in 2009. No memorial marks where the Sri Lankan newspaper editor was murdered, one of dozens of vigilantes of “Sri Lanka” allegedly linked to a线条organisation in the country’s November 16, 2019, presidential election CREDIT SIMON STURDEE / AFP

IN SRI LANKA, SEVERAL LANDMARK CASES OF MURDER, DISAPPEARANCE AND ASSAULT OF JOURNALISTS AND HUMAN RIGHTS DEFENDERS BETWEEN 2009 TO 2015 ARE PENDING AT VARIOUS STAGES OF INVESTIGATION OR TRIAL.

ACCESS TO INFORMATION
Attempts to shape the narrative characterised all governments in the region. Lack of access to information was particularly shrewd in Afghanistan, where media outlets united to urge the government to ensure free flow of information, in a scenario where the Taliban too attempted to control the narrative, sometimes in violent ways. In defiance and frustration at the false promises of real access to information, Afghanistan’s media held a protest on February 8 criticising the obstruction of the free flow of information and demanding the government to direct its officials cooperate in information sharing with media.

India’s strong Right to Information law witnessed a dilution which will have repercussions on access to information in the years to come. Courts in India however, came out in support of the right to know, albeit with riders, when the Supreme Court denied the government’s call for prior censorship of news related to the pandemic but did direct the media to “refer and publish official version of developments”.

PROMOTING ETHICS, BRIDGING DIVIDES
Women were at the forefront of the profession in many countries in South Asia – in Bhutan, most newsmen are staffed by women, and Indian women journalists have won accolades for their coverage of issues ranging from communal riots to corruption. Yet, there is a long way to go. A study in 2019 India partnered with UN Women found skewed gender representation in leadership positions. Sexual harassment and domestic violence continue to impede women’s entry and rise in the profession.

In Afghanistan, the space for women in media remains extremely challenging to the point that social customs and ongoing threats by anti-government elements have ensured that no women journalists now work in at least 12 provinces. The gapping ‘information’ divide between trendy urban centres and growing poverty and deprivation in rural South Asia is growing, with the media catering to advertisers geared to urban audiences and removed from rural realities. While some niche alternate media focus on the forgotten villages of South Asia, mainstreaming these concerns has been Bhutan’s unique response, with awards, grants and workshops for rural communities to promote rural journalism have been concrete actions towards bridging the chasm.

Significant steps forward to strengthen ethical journalism were taken by unions and press freedom organisations in Sri Lanka, by adopting a ‘Social Media Declaration’, pledging their commitment to fight any kind of discrimination and avoid content inciting hate or violence. The adoption of a ‘Rights and Responsibilities Charter’ encompassing labour rights, the right to association and organisation and the right to know engender hope that together we can be the change.

While the media in South Asia grapples with the challenges of reporting on the unprecedented lockdowns that threaten to have a devastating and irreversible impact on the economy, politics and social relations, civil liberties must not be bypassed. It is precisely in times of crisis that democratic rights must be protected, fundamental freedoms valued and press freedom promoted. Questioning, dissent and a robust independent media are vital to check that governments do not use the pandemic to encroach upon hard won freedoms and to ensure that our communities come out of the lockdown with their rights intact.

The Pandemic and the Press

On April 27, India’s Supreme Court admitted a writ petition filed by the National Alliance of Journalists (NAL), the Delhi Union of Journalists (DUJ) and the Birhannumbhi Union of Journalists (BUJ) demanding an end to job losses and salary cuts in the media industry. Notice was issued to the two apex industry organisations – the Indian Newspapers Society (INS) and the News Broadcasters’ Association (NBA) – asking for a response on specific points about job losses and salary cuts. India’s newspaper industry continues to be under stress as a consequence of the nationwide shutdown, the news industry found itself cut adrift, without any means of negotiating choppier waters. Negotiating the current crisis will involve reversing the course set some three decades back, when the pursuit of profit through maximising advertisement yield became the priority.

The obvious solution is to aggressively start pricing online content. Yet, with several local governments decreeing a ban on printed newspaper distribution through the health crisis, this strategy could potentially mean that newspaper titles could drop off audience radars. Several have nonetheless retreated behind paywalls, or announced such intention, while providing free content ostensibly as a public service through the days of lockdown.

The Indian Newspaper Society meanwhile has submitted a memorandum to the Indian government, demanding a number of fresh concessions including import duty exemption for newspaper, a two-year exemption from taxation, and an increase of 50 per cent in the rates paid for government advertisements. Journalists’ unions have underlined that the industry should not be allowed to default on its primary responsibility of safeguarding job security and ensuring regular payment wages through the crisis. In Pakistan however, the digital media led the way in converting what is a media production and operation crisis into an opportunity. One way they did that would be to examine any innovation around what they are doing that often are not, specifically in the context of Covid-19. Mainstream print establishments (facing distribution problems) and even current affairs TV channels which could not generate pre-outbreak levels of field-based content rapidly beefed up their digital operations, reworking their websites and social media accounts to focus on Covid-19 coverage.
LOCKDOWN OF RIGHTS

India awoke late to the Covid-19 threat, but then went the maximum distance. The public mood was already fearful and the markets had begun to shed value. Following a day-long nationwide “voluntary” curfew on March 22, the Indian Prime Minister addressed the nation on March 24, to announce a complete lockdown all across the country starting within four hours, at the stroke of midnight.

India’s lockdown was the strictest in scope, amounting to a complete paralysis of normal life. Yet India’s economic stimulus package to deal with the adverse consequences of economic paralysis was among the least proportionate, less than one per cent of GDP against 3 per cent or above in most countries threatened by the pandemic. Some of these countries had even enjoined the media to take into account the official version of events in their reporting.

In Sri Lanka, the anti-minority rhetoric whipped up by the Sinhala nationalist media and social media users blaming a particular community for the Ministry of Health and Indigenous Medical Services to issue guidelines for the reporting of Covidi-19. The president banned rhetoric or religion of infected persons or of those who die of it; not to publish photographs or show videos of infected persons without their permission and not to report in a manner that causes harm among people.

LITTLE PROTECTION

As elsewhere, access to the frontlines against the pandemic is one of the challenges facing media personnel in South Asia where widespread lockdowns, stay-home orders and containment zones restrict physical access. Secure access is another category of problem, since personal protective equipment (PPE) has been in short supply across much of the region. With the scarcity situation dictating that available supplies be reserved for medical care professionals and medical personnel, the media houses had to improvise necessary safeguards, and journalists in several cities in India contracted the virus. Most of these were in large media houses in Mumbai over the pandemic, 53 of them Covid-19 positive. Many of these were reported asymptomatic.

At the end, even small-scale advertisers, including lifelines from the government, have dried up, adversely affecting routine operations due to logistical challenges (transport, etc) and workspace safety issues – at least a dozen journalists and media workers have tested positive, including eight at the ARY TV channel bureau office in Islamabad. Senior journalist Zafar Rashid Bhatti died on April 26, 2020 after testing Coronavirus-positive. While most media houses embraced the necessary social distancing, a significant part of the media stayed home but feared being branded redundant and preferred to risk themselves in the workplace and the field.

Given the looming threat of infection, the All Pakistan Newspaper and Publishers Federation (APNEP) wrote to the Federal’s government to distribute safety kits and ensure medical treatment for media workers. By early April, the Pakistan Federal Union of Journalists (PFUJ) negotiated with the Punjab provincial government to extend a package for media persons affected by Covid-19, from monthly pensions to compensation for families of journalists. Masks and protective gear was also to be provided to hawkers. All this was in addition to tax exemptions to media houses to get through the crisis.

In Nepal, the Federation of Nepali Journalists (FNJ) issued guidelines on the ‘Dos and don’ts’ of reporting the pandemic, based on WHO guidelines, adapted to the local context. A Coordination committee headed by the FNJ President monitored the situation in media houses and a Situation Report found that precautionary measures taken by media houses were more than sufficient; even in the office, the required distance was not maintained and journalists in some of the media houses were working without masks. And even if the local government in Delhi had issued an advisory against large public gatherings on March 14, the police which is controlled by the government in Delhi had failed to enforce the rule.

These details were lost in the tide of media outrage that followed, which identified India’s largest religious minority as the source of maximum discretion of social ostracism and even criminal sanction. In the days that followed, localities that public health authorities sought to access to carry out their screening and quarantine 80 cases witnessed unrest and the occasional riot, fanned by rumours and fake news circulated on WhatsApp. With social trust at a low ebb, the effort to rein in the lethal pandemic too often came too late.

In Sri Lanka, the anti-minority rhetoric whipped up by the Sinhala nationalist media and social media users blaming a particular community for the spread of the virus, the ministry of health and indigenous medical services issued guidelines for the reporting of covid-19 which sharpened the already tense equation between the complicity of enforcement and the task of extracting and reporting news from beneath the security lockdown. The notice to media organisations issued by the Sri Lanka Police threatening legal action against those who ‘criticise’, point out ‘minor shortcomings/failures’ or ‘cold/chastise’ state officials performing their duties does not bode well for critical reporting.

VIRAL MISINFORMATION

Countries in South Asia faced problems though differently manifest according to internet penetration, literacy deficits and relative levels of poverty. India with its proliferation of “smart phones”, faces a potential overload of spurious information, especially since the number of confirmed cases was relatively lower, and until the end of the lockdown may have created a sense of complacency. Governments across South Asia have issued directives against fake news about Covid-19 and followed up with specific efforts to control the flow of information. India’s first positive case in the southern Indian state of Kerala, was reported “uncooperative” in providing travel details. Contract tracing was done by accessing the individual’s cell phone records. Though the final outcome may have been benign, there are persistent fears about privacy violations and increased surveillance of citizens, especially under regimes that do not set much store by public trust. The use of “electronic lenses” and stipulations that quarantined individuals should provide real-time compliance reports by regularly posting “selfies”, has engendered new fears about privacy invasions.

Across South Asia, fake news proliferated about the viral spread and possible remedies. In Sri Lanka, a Facebook post claiming that hot water and sunlight would kill the virus went viral, in Pakistan, the photograph of a Chinese worker at a hydroelectric project who visited a hospital with a stomach complaint was shared as a Covid-19 case, and in Bangladesh, a man was arrested for spreading fake news on the virus. In India, a monastery in the southern state claimed that two individuals were lurely killing the virus was widely circulated, and varieties of “natural” cures forwarded on WhatsApp groups.

In Nepal, the media houses have downplayed these. For mainstream media, Covid-19 has meant less content, and often content that may not necessarily be useful for the people in a time of enhanced need for reliable information. Such as clerics proliferating prime time TV talk shows and news bulletins being thin on “news you can use” formats, especially since the government did not want criticism of its relatively poor Covid-19 response performance. The overall impact has been a diminishing in the quality and quantity of media.

The other grave concern was the denial of information, thanks to censorship restrictions on communities in conflict. Despite several recommendations to India’s Supreme Court, internet restrictions continued in Kashmir, with a renewed ban on high-speed mobile internet. In Bangladesh, an internet blackout and phone restrictions that block the access to the work of humanitarian groups tackling the Covid-19 threat. This hit nearly 900,000 refugees in Cox’s Bazar and the Bangladeshi host communities. The restriction of mobile phone access hampers emergency health services and rapidly coordinate essential preventive measures were severely hampered.

In Nepal, the media were on entirely different attack with: the Chinese embassy issuing a statement against Anup Keha, the then editor-in-chief of The Kathmandu Post, for alleged insensitive bias. The statement issued unspecified threats against the paper for a column reprinted from The Korea Herald by former a US diplomat that was critical of China’s response to the Covid-19 situation.

There were also damaging fake news reports that mimicked government notifications, excluding a supposed press release dated 18 April, or an email, originating from the Prime Minister’s Office (PMO) of India, that restricted entry of Malaysians. Another was the news on the creation of an official WhatsApp group moderator liable for messages written or forwarded on their groups.

On March 20, India’s Ministry of Electronics and Information Technology (MeITY) issued an advisory to all social media platforms, that they were intermediaries under the Information Technology Act, 2000, and needed to take down any content potentially violative of public order.

Non-profit organisations, civil society groups, lawyers, public health advocates, human rights activists, social activists, entrepreneurs, and citizens of India, expressed concern over what they called the “unwarranted, excessive, collection and pooling of personal data of individuals” by the central and state governments. “Although this is an extraordinary situation”, the statement warned, “care should be taken to ensure that the citizens’ information is protected and with due care respecting their rights”. With minor qualifications, these apprehensions were shared by media and human rights organisations across South Asia.
DIGITAL CONTROL

PATCHY CONNECTIVITY
By March 2020, the total number of internet users in the Asia region was estimated at 2.3 billion, which represents around 56 per cent of the world's internet population, covering 55 per cent of the world's total population.

While the figure may seem encouraging, a deep dive into the statistics shows uneven spread, with low penetration and broadband speeds, expensive and unaffordable to a majority of digital have-nots in almost all the countries of South Asia.

The rankings for the four countries of South Asia that feature in the 2019 US-based think tank Freedom House’s Freedom on the Net report of internet and digital media freedom around the world are dismal. The report ranks Bangladesh, India and Sri Lanka as ‘partly free’ and Pakistan as ‘not free’.

In the rest of South Asia, internet access is uneven, and barely 19 per cent in Afghanistan, given the long years of war and conflict. For the 22 million active mobile subscribers, internet access is highly priced and provided by a government company and four private companies.

Internet penetration for the other countries fares better, with Bhutan at 48 per cent, Nepal at 54 per cent and Maldives at a high of 81 per cent.

For those who do have digital access, the stranglehold of draconian digital laws further compounds the precarious state of internet freedom. In all of South Asia, there is widespread censorship, takedowns and blocking of content, persecution of journalists and bloggers, the hoarding and arrests of citizens who voice opinions on social media platforms and prolonged internet shutdowns in conflict areas or in times of conflict.

India, the largest country of South Asia, is also one of the internet shutdown capital of the world (see page 16). Across South Asia, repressive measures are receiving legal and even social sanction as governments enact more and more stringent laws and regulate online content in the name of tackling fake news, protecting national security or, most recently, public health as in the ongoing corona virus pandemic.

CENSORSHIP AND REGULATORY CONTROLS
In India, internet freedom is marred by repeated internet shutdowns, censorship, surveillance and arrests for social media posts.
The Indian government has continued to lead in taking down of content on social media websites and internet sites. In January, video-sharing site TikTok released its first transparency report and said that India’s takedown requests surpassed those of the United States. Likewise, Facebook’s transparency report said there was a sharp spike in “Emergency Requests For User Information” by the Indian government in 2019. Twitter and Google reported similar data for user information.
The Indian government has also sought to change its intermediary guidelines, to bring online media under the purview of the Registration of Press and Periodicals Bill (2019) and create a regulatory authority for online media sites. It is also set to end such heightened surveillance and access to citizens’ data on grounds of national security, and more recently for public health concerns. India has sought traceability of end-to-end encryption of WhatsApp messages, ostensibly to track fake news, but internet freedom advocates believe it will further aid the government to crack down on dissent.

The Personal Data Protection Bill, 2019 with the concomitant Act will profoundly affect investigative journalism.

The act has sweeping provisions, mostly non-bailable offences and very little or no clear definitions for crimes such as ‘engaging in propaganda’ or ‘campaining against the spirit of the liberation war’ the ‘father of the nation’ or publication or broadcast of any information that ‘hurts religious values or sentiments.’

A writ petition filed by nine persons, including profession of Dhaka University and journalists, is now challenging the Act. In February 2020, the Dhaka High Court issued notice to the government asking why sections 25 and 31 of the Digital Security Act (2018) should not be declared unconstitutional. Bangladesh’s government has installed technology which can enable the government to block any online content, including Facebook pages or an account in just three minutes. The system was installed under the Cyber Threat Detection and Response project of the department of telecommunications launched in July 2017. So far, the government has blocked around 22,000 sites, mostly containing porn and those facilitating gambling.

In Pakistan, internet shutdowns and surveillance are constant. Telecom operators use a Web Monitoring System (WMS) to monitor social media, while over 800,000 websites and web pages were blocked for a range of reasons, including for hosting content that was allegedly pornographic, blasphemous or expressing sentiments against the state and military.

Censorship on Facebook was rampant, resulting in the removal of 14,296 URLs from Facebook in the first half of 2019. According to reports, Facebook removed more than 12,000 of them. Half of the websites were said to be in violation of Facebook’s rules, the other half violated “local laws.” The government cracked down on dissenters, including political parties. It was only after objections were lodged before the Election Commission of Pakistan and the Islamabad High Court that the website of the Awami Workers Party’s website, was restored in November 2019 after being temporarily blocked in the lead-up to the 2018 general elections.

In July, the hashtag #ArrestAntiPakjournalists called for the arrest of journalists in Pakistan, some of whom regularly feature prominent journalists and TV anchors, some of whom regularly criticise the governing Pakistan Tehreek-e-Insaf (PTI) party.
Pakistan enacted the Citizen Protection (Against Online Harm) Rules (2020) ostensibly to monitor content on social media related to “terrorism, extremism, hate speech, fake news, incitement to violence and national security.”

The rules, enacted without consultation with stakeholders, give regulators the power to demand the takedown of a wide range of content without time limits. In response, big internet companies like Google, Facebook and Twitter banded together as the Asia Internet Coalition (AIC) wrote to the Pakistan Press Minister threatening to withdraw completely from the country.

This tightening of control has implications not only for freedom of expression, but also the digital economy. In its submission, the AIC expressed “sincere concern” that unless revoked, the rules had the potential to “severely cripple the growth potential of Pakistan’s internet economy.” As no other country has announced such a sweeping set of rules, Pakistan risks becoming a global outlier, needlessly isolating and depriving itself of the growth potential of the internet economy.

Sri Lanka also witnessed a surge in surveillance, online threats and harassment particularly in the run up to the election of President Gotabaya Rajapaksa in November 2019. The same month, police searched the newsroom of the website Newshub.lk on the suspicion that it published hate-speech.

Meanwhile, even as the government formulates a new cyber security law to tackle cybercrimes, including defamatory posts that can hurt ethnic or religious sentiments, a civil society initiative of over 16 organisations came together in June 2019 to sign a social media declaration to develop a code of conduct for responsible social media use, in an attempt to “recognise the irreducible importance of the freedom of expression on social media, yet at the same time, encourage and strengthen the ethical, progressive, democratic and proportional use of social media.”

Under an “unhealthy level of emergency” since mid-March due to the novel coronavirus pandemic, the Ministry of Health and Indigenous Medical Services issued guide lines for reporting Covid-19, requiring that “no frame from mentioning the race or religion of positive individuals, refrain from publishing photographs without consent, and not to report in a manner that “causes hatred among people”.

Concerns about control are now heightened, and the Alliance of Independent Professionals said that “the government has now taken full control of media, including private media, to popularise the political agenda of the government and strategic direction of a Sinhala Buddhist state. The calculated move is visible through an organised social media strategy of the government politicians as well as control of the dissemination of information.”

In Afghanistan, tensions ran high, given the imminent withdrawal of troops from Afghanistan and the return of the Taliban. The press and internet users are subject to censorship and attacks from three principal agencies: the government, the Taliban and the United Nations Assistance Mission in Afghanistan (UNAMA).

In February, the Taliban accused the Khurshid of espionage and intending to “comprehend our people’s mind” and “propaganda by foreign mercenaries”. Continued intimidation led to most of the staff quitting their jobs.

In November 2019, the UNAMA deleted from its social media platforms ten posts deemed to be offensive, a charge that Facebook account holders contested.

Denial of access to information by official sources was a major problem, prompting over 30 media outlets to issue a statement on February 4 blaming the ‘carelessness’ of the government for endangering media freedom in recent years.

Barely 12 days later, complaints were lodged against at least 40 social media users before the Attorney General. The complaints were lodged by Afghanistan Green Trend (AGT), a social and youth empowerment organisation led by Amrullah Saleh, the former director general of the National Directorate of Security (NDS) and the first running mate to President Ashraf Ghani, for allegedly “using insulting and abusive language” against Saleh. Journalists and media rights organisations said that the complaints should have been lodged with the Media Offence and Complaints Commission.

In Bhutan, the growth of social media users (around 50 per cent of the population) has been at the cost of official ‘legacy’ media and the resultant loss of professional journalism, fear members of the media community. The strengthening of online presence of the print media was a way forward, along with Government support in the form of online advertising revenue as well as increasing public media.

However, there is clearly discomfort with unrestricted freedom of expression due to an explosion of social media usage. With more than 185,000 members on social media, experts believe there is much more circulation of fake news and unverified information. The Journalist Association of Bhutan (JAB) has recommended strengthening the provisions of the Information, Communication and Media Act (2018), including on sexually explicit content.

The Maldives has witnessed intense political turmoil, the horrifying and killing of bloggers, the disappearance of a prominent journalist and the Anti-Defamation and Freedom of Expression Act (2016) that sought to criminalise freedom of expression. In September 2019, a presidential commission set up to inquire into the disappearance of Ahmed Rilwan Abdullah, concluded the prominent blogger and journalist was abducted and killed five years ago by a local extremist group linked to al-Qaeda. The fuelling of hate online was cited as a major factor.

In a press conference, the chair of the commission Husni Suuood said that “the roots of Rilwan’s abduction – as well as the attempted murder of blogger Ismail Khiath Rashid in June 2012, the assassination of lawmaker Dr Aftahseem Ali in October 2012 and the murder of blogger Tameen Rasheed in April 2017, were all ‘connected’ and carried out by the same extremist group – could be traced to an ‘ideological dispute’ that started between Maldivian freethinkers and extremists on social media in 2010.”

Nepal, which boasts of 60 per cent internet penetration and 100 per cent mobile penetration, added at least 250 new internet users every hour and government reports say that it comes second only to Bhutan in social media penetration in South Asia. However, Nepal’s Electronic Transactions Act (2006), has been used to censor online content and many of its provisions, including Section 47, prohibits publication of a range of material which may be contrary to the public morality or decent behaviour or any types of materials which may spread hate or jealousy against anyone or which may jeopardise the harmonious relations subsisting among the peoples of various castes, tribes and communities.

Other laws are equally restrictive. The Criminal Code, which came into effect from August 2018, makes it illegal to record and listen to conversations between two or more people without the consent of the persons involved and bans photojournalists from photographing persons “outside of a public space without consent”, restricting their work and hampering investigative journalism.

The latest attack on Nepal’s online media was the March 22 decision of the Press Council Nepal to write to the government to restrict access to five online portals for allegedly spreading fake news on Covid-19. The council, which is a media regulatory authority, in a move that could promote censorship, also wrote to the Nepal Telecommunication Authority about two more online portals for publishing fake news. Journalists also bore the brunt of the misuse of the ETA. Journalist Gaurav Khadan, sub-editor of onlineauj.com, was accused of cybercrime for allegedly publishing fake news in association with a website with a similar name.

The world over, history has shown that governments have not lost any opportunity during situations of conflict and social turmoil, to put in place repressive measures to regulate and control people, including online freedom of expression. Constant vigilance and checks and balance on government overreach that impedes citizens’ digital freedoms is a vital need, especially in times of the global pandemic.
Internet shutdowns have become a preferred weapon for authorities to control communication or content—the most notorious shutdown of all is in India-administered Kashmir which has now witnessed the world’s longest communication shutdown in a democracy. The Indian government imposed the internet shutdown on August 4, 2019, a day before revoking Article 370 of the Constitution of India. The shutdown, though somewhat eased, still continues to stifle life and the work of journalists currently battling the Covid-19 pandemic. In a testament to the fact that internet shutdowns are a disproportionate deprivation of freedom of expression, the direct impact of which is felt by the media, the parties which approached the Supreme Court to challenge the communications shutdown in Kashmir were principally all media houses such as the Kashmir Times or journalists unions such as the Indian Journalists’ Union (IJU) which impleaded in the case. Ironically, the Press Council of India, the body mandated to protect freedom of the press, seeking to intervene in the same case, backed the internet ban citing “national interest and sovereignty” of the country, but later changed its stand after severe criticism. India also imposed another long internet shutdown in Kargil district of Ladakh in Jammu and Kashmir. According to the Software Freedom Law Center (SFLC India), Kargil faced a shutdown of 145 days which was imposed from August 4 until December 27.

India’s Supreme Court ordered the government to review all restrictions in Kashmir within a week in January 2020, saying the indefinite suspension of people’s rights amounted to an abuse of power. While some communications have been gradually restored, the block on high speed mobile 4G internet in the Kashmir Valley still remains intact. India also imposed internet shutdowns during protests across the country against the controversial Citizenship Amendment Act (CAA). In December, almost 20 districts in Uttar Pradesh, India’s most populous state, witnessed prolonged shutdowns. Around the same time, Delhi, and the North-eastern states of Assam, Tripura and Meghalaya also faced internet shutdowns purportedly to contain violent protests against the CAA. The southern Indian state of Karnataka saw its first-ever internet shutdown in December when a complete ban on the internet was imposed in two districts following violence during protests against the CAA. India is not the only country in the region shutting down the internet, as Pakistan, Bangladesh and Sri Lanka have also implemented internet shutdowns. The NGO Bytes for All in Pakistan recorded at least seven incidents of internet shutdowns since May 2019, whereas Bangladesh recorded at least three and Sri Lanka recorded at least two incidents.

Pakistan shuts networks during religious holidays especially those where a large number of people are likely to gather and also during protest demonstrations. Sri Lanka shut down social media to control spread of disinformation and hate speech that could have incited violence after the Easter Sunday attacks in April 2019. And, the country had another two incidents of shutdowns in May 2019 for total of five days but has not resorted to internet shutdowns since then.

Bangladesh downgraded mobile internet services in refugee camps in Cox’s Bazar district and peninsula adjoining the Naf River where Rohingya people who fled Myanmar have taken shelter.

Despite international calls to lift internet shutdowns at the time of Covid-19 crisis to ensure access to vital information and crisis communication by general citizens and journalists, India and Bangladesh have persisted with shutdowns in Kashmir and Rohingya refugee camps respectively.

Internet shutdowns impede the work of journalists in critical ways. When the internet is shutdown or slowed, or when social media access is blocked, a valuable tool of journalism is lost, and research, verification and essential communication is impeded. Internet shutdowns prevent journalists from freely accessing information and disseminating news, and also stop citizens from accessing and sharing information. Shutdowns pose a threat to human rights and block the public’s right to know and have emerged as a significant tool of censorship by governments which are increasingly utilising shutdowns in the guise of maintaining security.

Internet shutdowns are being flagged as a major issue in the region and freedom of expression is the casualty. There is an urgent need for journalists, journalist unions and media rights organisations in South Asia to join the growing advocacy against internet shutdowns in order to defend the rights of journalists and protect freedom of expression.
KASHMIR: ACCESS DENIED

On August 4, 2019, rumours flew thick and fast in the state of Jammu and Kashmir (J&K) triggering widespread anxiety and speculation, ranging from possibilities of war to an offensive against militants in the conflict-torn Indian-administered Kashmir Valley. As midnight struck, an ominous silence descended. The next day, the Indian parliament abrogated Section 370 of the Constitution of India that had given special status and semi-autonomy to Jammu and Kashmir, and also downgraded the state into two union territories. Anticipating an uproar in long volatile J&K, the government imposed a complete communications ban, shutting down landlines, mobile phones, radio and television, broadband and mobile Internet.

From August 5 onwards, thousands of armed forces clashing assault rifles patrolled the streets of Srinagar, crossed with barricades and razor wires. Shops were shuttered, markets were closed and transport was off the roads, except for armoured vehicles cruising round the clock. Newspapers were empty, bereft of reporters and editors as stringent restrictions prevented them from venturing out. A few who were able to reach their offices watched news channels and listened to the radio and transcribed the bulletins for the next day's truncated editions of just four pages. Many newspapers did not publish and the shutdown took digital portals several years back. Finances, revenue, advertisements and audiences have taken a beating, as have search engine rankings.

The ban dealt a crippling blow to the entire media community as there was no access to information, news gathering, verifying, research or communicating. The heavy deployment of troops, mass arrests of more than 5,000 civilians including three former chief ministers and dozens of legislators, politicians and lawyers caused a sense of foreboding among journalists. This was the beginning of the clampdown on the media by denying access to ground reporting. Mobile Internet was banned in Jammu, Kashmir and Ladakh, and was restored in phases. Mobile phone 2G internet was restored in five districts of Jammu on January 25, and five districts on January 18. Also, mobile internet was restored in two Kashmir districts, Kupwara and Bandipora on January 18. Subsequently, the internet was restored in Kashmir and Ladakh, and was restored on January 18. Also, mobile internet was restored in two Kashmir districts, Kupwara and Bandipora on January 18. Subsequently, the internet was restored in Kashmir and Ladakh, and was restored on January 18.

When the Media Facilitation Centre was established, it was largely meant to facilitate reporters who had come from outside the Valley, moving in and around Srinagar in hired cabs, largely reporting the official narrative of “normalcy.” In both summer and winter, as well as in freezing sub-zero temperatures, through rain and snow, journalists had to rush to the media centre to check email questions and messages from their respective organisations. About 200 journalists waited for hours to access five computers with internet access in a crowded hall under surveillance.

The Supreme Court of India took five long months to decide on a petition filed on August 10, 2019, by Kashmir Times executive editor Anuradha Bhaskar on the internet ban and restrictions hampering journalists in the Kashmir Valley. Following the Supreme Court order, broadband internet to tourist and travel agencies, hospitals, banks, government offices was restored, but with restrictions, and no social media access was permitted. Further, four days after the Supreme Court decision, the J&K government restored limited 2G mobile internet in five districts of Jammu and broadband for essential services such as hospitals, banks and government offices. Initially, the government “whitelisted” only 153 websites for access and gradually extended it to 4,400 sites till internet was restored on March 4, 2020.

Media organisations and journalists were not included in the priority list for allowing internet access. Later, they were made to sign an undertaking agreeing to six points: there will be no social networking, proxies, VPNs and Wi-Fi from the permitted IP; no encrypted file containing any sort of video/photo will be uploaded; MAC binding in place to restrict Internet access to registered devices through single PC; all USB ports will be disabled; and the company will sign an undertaking agreeing to six points: there will be no social networking, proxies, VPNs and Wi-Fi from the permitted IP; no encrypted file containing any sort of video/photo will be uploaded; MAC binding in place to restrict Internet access to registered devices through single PC; all USB ports will be disabled; and the company will provide complete access to all its content and infrastructure as and when requested by the security agencies.

The restoration of broadband internet notwithstanding, challenges and risks for the media continue. Journalists are organizing and pushing to get a resistance despite the pressures and are continuing to campaign for the restoration of high-speed mobile internet as a basic professional right. The IFJ-SAMSN campaign “Postcards from Kashmir” was supported by MSSF.

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VOICES OF COURAGE

The IFJ and SAMSN launched a campaign called ‘Postcards from Kashmir’ to highlight the difficulties faced by journalists in Kashmir in their professional work and daily lives. These are some of the voices of courage from Kashmir, telling the story in the face of immense difficulties.

ANURADHA BHASKAR, EXECUTIVE EDITOR, KASHMIR TIMES

We have faced internet, mobile phone and SMS bans earlier, but this time it has been a complete blackout. A majority of population has been pushed behind iron walls. The communication blockade has put the media in a state of freeze as it has had no access to information. It neither had access to officials, nor could it hear the voices of ordinary people. Its only job was reduced to that of publishing official handouts.

HILAL MIR, SENIOR JOURNALIST, PATHNEWS

In Kashmir did a remarkable job of getting stories when it was near impossible to figure out what was happening even as far away. They would traverse the besieged valley, amid an atmosphere of fear, to hunt for stories and then send these stories to the world through USB drives that were personally ferried to news outlets in New Delhi. This was the biggest daunt of an authoritarian state that was flexing its muscles on a hapless population. The state wanted that no word should go out, and the journalists ensured that nothing remained hidden from the world.

JEHANGIR AZIZ BHAT, SENIOR VIDEO JOURNALIST

There were restrictions on our professional work. We were not allowed to take shots of Srinagar’s historic Jamia Manish, which the government had closed for more than four months. From curfew passes were issued first to journalists brought from New Delhi after August 5 but not to local journalists. Journalists accredited by the J&K government too were issued passes only after a week. I had to stay in my office for 10 days and once my brother visited me at night to see if I was okay.

ALI SIREN, SENIOR JOURNALIST, PHOTOGRAFI

I have covered Kashmir’s biggest news since 2016 and was summoned for their stories and lost jobs during these months.
AFGHANISTAN NO PEACE FOR THE MEDIA

Since the launch of peace talks between the Taliban and the United States in Doha in October 2018 and the subsequent collapse of negotiations in September 2019, the media and journalists in Afghanistan have continued to come under increasing pressure. With it, there has been a rise in threats and intimidation emanating not just from the emboldened Taliban or the Afghan government, but also from other terrorist groups, powerbrokers and warlords.

The Taliban, well-known for their disdain of press freedom, has attempted to control the country’s media even in times of apparent peace. Besieged media houses and reporters have been given clear warnings, as the Taliban openly intimidated journalists. In June 2019, the Taliban threatened Afghan media organisations, warning them to stop spreading “anti-jihad and Taliban sentiments” or be targeted as enemies.

Afghanistan remains one of the world's most deadly countries for media workers, leading the IFJ's global death tally with 16 killings in 2018. In 2019, while the numbers killed dropped to five, the country remained in second place on the global death toll, equally with Syria and Tanzania.

Heightened violence against journalists has severely eroded any gains in press freedom. Media workers and advocates fear that safeguards to protect media freedoms are falling through the cracks of Afghanistan’s fragile peace process and its fractured leadership.

A series of threats to the country’s independent media, the Taliban issued an official statement against the media portal khabarial.com signed by the spokesperson Zabihullah Mujahed on February 9. “For a while now a web-based paged named Khabaral has launched propaganda against known leaders of Islamic Emirate. The webpage is trying to blur public’s opinion about the leaders….We consider these actions of the webpage personal attacks, an intelligence agency project and against all journalistic values and principles. We assure all our compatriots that the propaganda by the webpage is not true.”

After the Taliban’s statement, 80 per cent of khabarial.com staff quit their jobs because of ongoing threats. The portal is known for publishing inside news from the Taliban, with several news stories and information carried on the site later referenced by Afghanistan’s president, Ashraf Ghani, in his speeches. As a result, staff at the media portal found themselves even more of a target.

As has been well documented, the Taliban are unforgiving in their treatment of journalists. First they launch a negative social media campaign against a media outlet or reporter. A fatwa or religious decree is then issued, followed by a harshly worded statement. The final step may even be the death of a reporter or a violent attack on a media outlet.

The presidential election in September 2019 was marked by deep divisions and questions about the legitimacy of the Afghan government. In February 2020, incumbent president Ashraf Ghani, was declared winner with just over 50 per cent of the vote, almost five months after voting initially took place. But between the curbs instigated by the Taliban and control by the authorities, freedom of expression in Afghanistan hangs precariously in the balance. Afghanistan has a vibrant and varied media landscape, with dozens of TV networks, over 100 radio stations and a multitude of privately-owned newspapers.

A man walks past a wall painted with an image of US Special Representative for Afghanistan Reconciliation Zalmay Khalilzad and Taliban co-founder Mullah Abdul Ghani Baradar in Kabul on April 5, 2020. PHOTO BY STR VIA AFP

IN JUNE 2019, THE TALIBAN THREATENED AFGHAN MEDIA ORGANISATIONS, WARNING THEM TO STOP SPREADING “ANTI-JIHAD AND TALIBAN SENTIMENTS” OR BE TARGETED AS ENEMIES.

The increased availability of mobile phones, the internet and social media has exposed Afghans to diverse news. Despite positive developments in media freedom, Freedom House’s 2019 study of political rights and civil liberties worldwide, still ranks Afghanistan “not free” in its global freedom scores. “Journalists face the threat of harassment and attack by the Islamic State (IS) militant group, the Taliban, and government-related figures attempting to influence how they are covered in the news. Restrictions on freedom of expression have been justified in the name of avoiding incitement to or support of terrorism,” said its report.

Zia Rumiy, head of the South Asian Free Media Association (SAFMA) in Afghanistan, says the Taliban has taken advantage of disunity to keep the Afghan media under pressure. He also believes that the Afghan government is not truly committed to freedom of the press and imposes laws that threaten or restrict freedom of expression and access to information. The government seems intent on controlling media, for example instructing agencies not to share information with reporters without confirmation from the central government, he said.

Self-censorship is ongoing in what Human Rights Watch has referred to as a ‘survival issue’ for most reporters. The survival instinct is particularly acute for journalists working in remote areas where they are cautious reporting on issues of corruption, land grabbing or violence against women, in fear of retribution.

Sheha Shaq, deputy director of broadcasting in the Ministry of Information and Culture, said that the media would remain free, and that he would not allow anyone to hinder the freedom of the press.
of the press. “If the Taliban or anyone within the government is obstructing the freedom of the media, I will stand against them, and I will support the media of any restrictions,” he said.

However, the government does not speak in one voice, and other government officials do not necessarily agree with Shahq. Attempts to censor the hugely popular satirical television programs continued in the year under review. Letters requesting media outlets not to produce satirical programs were sent to a number of television stations by the Ministry of Information and Culture. Hard-hitting satire about government officials and policies was discouraged. Though the government’s request was addressed to officials in the television channels, the confidential advisory became public and was sharply condemned.

In early 2020, it seemed that some government officials consciously tried to exert pressure on the media, most often by restricting or withholding information meant to reach the public. Responding to these restrictions, Afghan media outlets at a protest meeting on February 8, blamed the government for obstructing the free flow of information. Media outlets issued a signed statement urging the government to allow media access to information and requested the government to direct its spokespeople and officials to cooperate in sharing information.

Mujeeb Khalid, executive director of Nai-Supporting Open Media in Afghanistan, said that not sharing information poses a severe threat to the media in Afghanistan, and impacts the independence of the media. According to Nai data, during the six days in the second week of March, there were ten complaints filed about state officials who had not shared information with journalists, and there were also some cases where journalists were disrespected.

Citizens of Afghanistan consider the country’s media one of the most significant achievements of democracy in the last two decades. But now it is feared that freedom of expression is in grave danger and there is a growing view that the media is biased, focusing only on war and unwilling to take up issues of governance and corruption that affect daily lives.

SHAPING THE NARRATIVE

In a display of irony, the Taliban too deny that they impose restrictions on the media. Sohail Shaheen, a spokesman for the Taliban’s political office in Qatar, said that the Taliban does not want to impose restrictions on the media, but if the media is broadcasting “inappropriate” material, it has to “change the direction” of its broadcasts.

“We ask the media to spread the truth instead of rumours. We will try to reform the media that broadcasts based on the projects (implementing other countries’ policy),” said Shaheem, who moots the idea of creating a framework within which the media must work.

It seems as though the Afghan government also agrees with Shaheen in this regard. The officials say that the media is the fourth pillar of the government, with full freedom, and they do not want the media to be restricted. But officials also say that in some exceptional cases, it would be better for the media to change its stance.

A spokesman for the Afghan president, Dawa Khan Minapal, said that the president and the current system is committed to media freedom and that they would not allow anyone to impose restrictions on the media. To illustrate his point, he referred to social media users in Kabul who are critics of the government but continue to live freely without any government interference.

However, this “freedom” may be because the government is not monitoring social media platforms and is therefore in no position to control them. In some cases a number of local commanders, militants and other officials including governo issue threats and arrest social media users because of what they share. Most Afghan officials use social media for propaganda purposes. They also largely tolerate no criticism so any user making negative comments against them can face the prospect of being beaten or jailed.

A case in point was the first vice-president of Afghanistan Amrullah Saleh who filed a case on February 23 against 39 Facebook users who criticised him during the election campaign in 2019. Journalists and media rights organisations said that proper procedure was not followed and the complaints should have been lodged with the Media Offence and Complaints Commission.

VIOLENCE AND ECONOMIC CONDITIONS

Despite the claims of media freedom, Hujatullah Mujadidi, executive member of IFJ affiliate Afghan Independent Journalist Association (AIJA), noted that there were more than a hundred incidents of violence against journalists in 2019 alone, including 10 deaths. Of these, six were directly related to an individual’s role as a journalist. There were also 10 beatings, 10 arrests, three assault cases, three kidnappings involving eight journalists, one rape case and 34 instances of threats against media workers.

Data collected by Nai and the Afghanistan Journalists Center, also found 119 cases of violence against journalists reported from April 2019 to March 2020.

In addition to killing and injuring journalists and media employees, there were attacks on media offices, abductions, beatings, death threats, imprisonment, psychological pressure, threats and lack of access to information. According to Nai-Supporting Open Media in Afghanistan, six journalists were abducted, five were beaten, and five others were detained by armed Taliban and other terrorist groups in 2019. Ten complaints of lack of access to information were reported. Two media centres were attacked, and two media centres were also closed due to financial problems. Three journalists were summoned by government officials. The equipment of three journalists was stolen, and the reporters were pressured while on duty. Some other reporters and social media workers were summoned to the Attorney Office for criticising senior government officials.

The IFJ’s Journalists and Media Staff Killed in 2019 report noted that Afghanistan remained the Asia Pacific’s most deadly country for media again in 2019. The journalists killed in the year to March 2020 include female journalist and former television anchor Mina Mangal, who was shot dead in broad daylight in Kabul in May 2019, and editor-in-chief of Radio Gardere Ghag, Nader Shah Salehizadeh whose body was found a day after he had disappeared after leaving his home in Gardiz city to visit a friend.

Also, Sakhi Baloch, a technical assistant of the National Radio Television in Zabul province, was abducted by unknown people in June, while on his way home from the office. He was found dead the next day in Qalat city and Abdul Hamid Hotaki, a Hewad Radio and Television reporter in Kandahar, was killed on September 25 in Kandahar City. Safar Mohammad Atal was mysteriously killed in Lashkar Gah of Helmand province on January 2, 2020.

The most recent case of violence against journalists in Afghanistan was reported on March 8, 2020, when Noor Rahim Atif, the editor-in-chief of Kahan Radio in Kunduz province, along with his friends were kidnapped nearly 10 km far from the city by the Taliban. One friend who tried to escape was shot dead.

Although there has been a significant reduction in cases of journalist killings in 2019 over 2018, which was considered the deadliest year for Afghan journalists worldwide, other violations have not decreased.

Multiple media violations against journalists were recorded during the fourth round of Afghanistan’s presidential elections in September 2019. The IFJ and its affiliate AIJA, condemned the attacks on at
There are among the factors that have negatively impacted the traditions, media financial problems, and sexual harassment. Afghan Women Journalists (CPAWJ), says; insecurity, social threats and intimidation. Insecurity, psychological been arrested in the course of investigating the killings of military convoy on November 30, 2019.

The Taliban and ISIS are responsible for most of these violations. Also, high-ranking government officials, police, powerbrokers, arbitrary commanders and warlords have also been among the perpetrators of media violations.

Sayed Shah Saqim, the Independent Local Government Bureau spokesman, said it was working to deal effectively with the problems of journalists in the provinces, adding that governors, deputy governors and district governors had been instructed to respond to journalists’ questions in a timely manner and handle their problems at monthly journalist committee meetings.

According to the Attorney General’s Office, 38 people have been arrested in 12 provinces of Afghanistan - Kunar, Logar, Paktika, Paktya, Helmand, Nuristan, Zabul, Khost, Uruzgan, Nimroz, Maidan Wardak and Panjshir - and social customs have ensured that no female journalist is working anymore in the media in these provinces,” she said.

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The Taliban and ISIS are responsible for most of these violations. Also, high-ranking government officials, police, powerbrokers, arbitrary commanders and warlords have also been among the perpetrators of media violations.

Sayed Shah Saqim, the Independent Local Government Bureau spokesman, said it was working to deal effectively with the problems of journalists in the provinces, adding that governors, deputy governors and district governors had been instructed to respond to journalists’ questions in a timely manner and handle their problems at monthly journalist committee meetings.

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BANGLADESH
BETWEEN A ROCK AND A HARD PLACE

The fragility of the right to freedom of expression in Bangladesh can be well illustrated through the case of Shahjalal Islam Kajol, a photographer and editor of the Bangla daily Pakbibol, who has been missing since March 10, 2020. Kajol is feared to be another name to a growing list of enforced disappearances in the country. Journalists, along with his friends and family in Dhaka went on to stage a series of demonstrations demanding information on his whereabouts and action for an investigation. Kajol’s disappearance came just a day after ruling party lawmaker Safuzzaman Shikhor filed a case against him, along with Matinur Rahman Chowdhury, editor-in-chief of daily Manab Zamin, and 30 others under the draconian Digital Security Act on charges of publishing “false information” and circulating it on social media. On March 21, Amnesty International shared CCTV footage recorded the last day Shafiqul was last seen that showed unidentified people approaching his motorbike and appearing to tamper with it. Another Bangladeshi journalist, Ihab Ibn Reza Fagun, was also killed in the period under review. Local human rights organisation Ain O Salish Kendra recorded a total of 140 cases of harassment against journalists in the ten months from May 2019 to February 2020. Many of the incidents of torture, harassment and threat were committed by ruling party members and law enforcement agencies. The rights body also recorded 18 cases of death threats by government officials, drug dealers, terrorists and anonymous persons over the phone. Additionally, seven journalists became victims of attacks and violence during the Dhaka City Corporation election.

ENFORCED DISAPPEARANCE

Despite the Bangladesh government’s ongoing denial of allegations of enforced disappearances, human rights organisations have repeatedly raised concerns about the practice of unacknowledged detention and enforced disappearances. Last year, local human rights organisation Odhikar documented at least 34 incidents of suspected enforced disappearance. Eight of those “disappeared” were later found dead, 17 were shown as being arrested while the fate and whereabouts of the other nine remains unknown. The security forces are suspected to have forcibly disappeared over 550 people including many rights activists over the past decade, Odhikar says.

Journalists in Dhaka were alarmed when Mustangur Rahman, a reporter of private television channel Mohona TV, went missing on August 3, two weeks after filing a complaint with Pallabi police station in Dhaka over a death threat. Three days later, Mustangur was seen in the early hours of the morning, running and crying out for help along the Sylhet-Sunamganj highway near Govindpur village. Mustangur later said he was abducted when he was returning to his Mirpur residence by bus. He said some people sprayed a liquid on his face, rendering him unconscious. Whereafter, he was beaten by his abductors. At one point, they also threatened to shoot him. The identity of the abductors as well as the motive for the abduction remain unknown.

MURDER AND IMPUNITY

The body of online journalist Ihab Ibn Reza Fagun was found near the railway track in Jamalpur on May 22, 2019. Fagun, 22, worked with the online portal priyo.com as a sub-editor in the English section and was set to join another news portal near the railway track in Jamalpur on May 22, 2019. Fagun later said he was abducted when he was returning to his Mirpur residence by bus. He said some people sprayed a liquid on his face, rendering him unconscious. Whereafter, he was beaten by his abductors. At one point, they also threatened to shoot him. The identity of the abductors as well as the motive for the abduction remain unknown.

One of the more prominent cases is the Sagar Sarwar and Meherun Rumi murders, which never got beyond the investigation stage. The court has postponed the date to submit the investigation report into the murder of the journalist couple more than 66 times. While the names of Sarwar Sasgor and Meherun Rumi are today the subject of common household talk in the country, few know that Syed Farroque Ahmed of Sreemangal suffered a similar fate. Farroque Ahmed, the editor of Pulabi Barta - a local publication in Sreemangal – went missing in June 2002. On August 3, 2002, his mutilated body was found on the road tracks. His case, like too many others, died along with the journalist. For some media killings, the trials are ongoing year after year, while others are lost at court and pushed aside. Some of their names are known from recent memory, but the further back the case, the fainter is the recollection.

In 1996, Mohammad Quamrul Islam, a journalist based in Nilphamari was shot dead by security officers while covering a crackdown on protestors of the opposition party. Few know that his case represents a stark example of impunity in Bangladesh; no charge-sheet was prepared, no trial ever took place. Nor does it ever seem likely.

Cases in which investigations were completed still wait for decades for justice to be done. The trial of the murder of Sufil Alam Mukul, editor of the Jashore-based Daily Ranar, has now been dragging on for 21 years. In terms of outcomes, there were a few in the period under review. On September 23, 2019, three men were sentenced to life imprisonment for killing journalist Junaid Ahmad in Nalaganj in July 2012.

DESPITE THE BANGLADESH GOVERNMENT’S ONGOING DENIAL OF ALLEGATIONS OF ENFORCED DISAPPEARANCES, HUMAN RIGHTS ORGANISATIONS HAVE REPEATEDLY RAISED CONCERNS ABOUT THE PRACTICE OF UNACKNOWLEDGED DETENTION AND ENFORCED DISAPPEARANCES.
Then on January 30, 2020, the High Court upheld the life imprisonment of five convicts and acquitted four others in the 2004 Samakal case. On November 17, 2005, Gautam Das, then bureau chief of the Bangla daily Samakal, was killed by assailants in his office in Faridpur district. The Das verdict is only the third verdict delivered since November 30, 2016, when a tribunal sentenced nine men to life imprisonment for the killing of journalist Manik Saha in Khulna in 2004.

It is worth noting that in some cases, the accused were killed in so-called ‘crossfire’ with law enforcement agencies, and the truth of their involvement in the crime will never come to light. No bloggers were killed in the year under review, as a large number of atheist bloggers have fled Bangladesh, seeking asylum abroad. Others remain in hiding in the country and remain active on social media and blogs using pseudonyms. Secular bloggers and critics of Islam face risks from all quarters including government and militants, as well as by the society.

Journalists sued under the law include daily Manab Zamin editor Matiur Rahman Chowdhury and two reporters of the daily, Daily Sangram editor Abul Asad and Independent Television’s senior reporter Mahbub Alam Lavlu. As many as 29 people including journalist Shahequl Islam Kajol were implicated in the case, as they shared the Manab Zamin story on Facebook and made allegedly derogatory comments against the lawmaker and other influential persons. On December 13, police arrested Asad after Daily Sangram, the de facto mouthpiece of Jamaat-e-Islami Bangladesh party, published an article calling Abdul Quader Molla, a leader of the party executed in 2013 for war crimes, a “martyr.” Asad was arrested as protesters ransacked the offices of the Daily Sangram over the article, destroying televisions, computers, and furniture. On December 14 he was shown arrested in a case filed under the DSA. The case under the DSA was filed against Independent Television’s senior reporter Mahbub Alam Lavlu by a private citizen on March 12, 2020, on the allegation of spreading false and defamatory news through his YouTube channel.

A second case filed against missing journalist Shahequl Islam Kajol has become a source of mystery, as it was previously unknown. Three weeks after the journalist went missing, his family learned on March 31 that a second case had been filed against him under DSA on March 10, the same day he went missing. The case was shown to have been filed with Hazaribagh Police Station at around 10:10 pm, about three hours after he was alleged to have gone missing. In a move that could have significant implications for freedom of expression, the High Court on February 24, 2020, issued an order asking the government to explain why sections 25 and 31 of the Digital Security Act 2018 should not be declared unconstitutional.

According to section 25 (1) of the Act “If any person using

a website or any digital device (a) deliberately or knowingly distributes any information or data that is attacking or intimidating in nature; or if a person publishes or distributes any information despite knowing that it is false to irritate, humiliate, defame or embarrass or to discredit a person. (b) Damages the image and reputation of the State or spreads confusion or with the same purpose publishes or distributes fully or partially distorted information or data despite knowing that it is false, and if any one assists in such actions then all such actions of the individual will be considered a crime”.

According to Section 31 “If a person deliberately publishes or broadcasts via a website or any digital platform anything that creates enmity, hatred or acrimony among different classes or communities, or upsets communal harmony, or creates unrest or causes, or begins to cause deterioration in law and order, then that activity of the said person will be considered a crime”.

### Physical Attacks

Several journalists were attacked, threatened, or had equipment snatched while covering elections in two city corporations in capital Dhaka on February 1, 2020. In an ominous sign that doesn’t bode well for press freedom or democracy, the government tried its best to keep people, especially journalists, away from the city’s polling centres. Activists and supporters of the ruling Awami League guarded most of the polling stations and booths and also threatened and attacked journalists in many places. It appeared almost as though police were assigned to help protect the ruling party cadre. Even though journalists were attacked in the presence of the police, no one was arrested. Indeed, display of the special identity cards issued by the Election Commission for journalists, to be used during the
 election-day, became increasingly dangerous. Some journalists invited extra risks by showing their ID cards and were asked to leave the polling stations in many places. Ruling party cadres ensured that no-one could take photos or videos at polling booths. Presence of voters in the election centres was very thin and the opposition party did not show up. Journalists with apprehensions about possible consequences, preferred to stay away. Those who ignored the call of the ruling party men not to record anything, were harassed either verbally or physically.

Mostafizur Rahman Suman, a young reporter was stabbed in the head, suffering severe injuries. A police complaint was filed by an attacker against three reporters, who sustained injuries. Others were attacked or barred from reporting. These included Sheikh Hasan, chief photographer for Bangla daily Kaler Kantha, Ziauddin Hakim, a correspondent of the Press Bangla Agency, Faisal Ahmed, a reporter with the Daily Star, Mahabub Montajj, a staff reporter at the Bangla daily Bangladesh Pratidin, and Nurul Amin, a reporter for the newspaper The Business Standard. Hasnayan Tanvir, a reporter for Maasranga Television, and Saiful Islam, a camera operator for Maasranga Television. Hasnayan Tanvir, a reporter for Maasranga Television, and Saiful Islam, a camera operator for Maasranga Television. These reporters were threatened to say nothing, but they stood their ground.

Journalists receive human rights defenders training in Dhaka with Bangladesh Manobadhikar Sangskritik Forum (BMSF). Formed in 1991, BMSF works to mobilise Bangladesh’s journalist community national, local print & electronic media. CREDIT: BMSF

In retaliation, journalists in Dhaka staged a series of demonstrations condemning the attacks, demanding the arrest of the perpetrators. Bangladesh Chittagong League, the student wing of the ruling party, suspended one of the attackers named Riyad from the post of vice-president (Dhaka South Unit). He was later arrested.

Deputy Commissioner (DC) of Kutimgram Sultana Pervin, who ordered formation of the mobile court. It is understood that the DC was displeased with Arif after he wrote several reports on alleged irregularities by the district administration.

On January 17, 2020, a court in Dhaka issued an arrest warrant for Motior Rahman, editor of the daily Prothom Alo, considered to be an outspoken champion of freedom of expression. He and nine others were charged with causing death by negligence after a 14-year-old boy was fatally electrocuted in November at an event organised by a magazine published by Prothom Alo’s owner. Anuul Hopaque, a leading novelist and associate editor of the Bengali-language newspaper was among those charged. The High Court granted them bail after a few days. Rahman, 76, already faces at least 55 cases for defamation and hurting religious sentiments but this was the first time he was issued an arrest warrant.

Part of a larger, organised assault on independent media in Bangladesh, has seen major advertisers including multinational companies allegedly ordered by a security agency not to place advertisements in Prothom Alo, resulting in major revenue losses of up to tens of millions of dollars.

OVERREACH OF LAW

In an unprecedented incident, a mobile court under a taskforce of Kutimgram district administration ordered the raid on the home of journalist Aftul Islam at midnight on March 14, 2020. Ordered by Magistrate Nazim Uddin, the members of Arsaa, a para-police force, allegedly blindfolded him and tied up his hands and feet before shoving him into a car. They tortured Arif, who is a correspondent with online newspaper Bangladesh Tribune. He was then sent to one-year imprisonment on charges of possessing narcotics and sent to jail around 1.30 am. Narrating his experience, Arif says, “They proceeded to take me to an isolated place and the magistrate kept saying ‘Say your prayers now, you are about to meet your maker.’ I begged them to spare my life.”

The incident triggered outrage on social media with journalists holding demonstrations across Bangladesh, prompting the government to launch an immediate inquiry and the withdrawal of the concerned magistrate and the

Women are represented in just 16 per cent content of news coverage in Bangladeshi media, though females are represented in increasing numbers in the formal workforce, said Dr. Gitia Nasreen, a professor of mass communication and journalism at Dhaka University.

WOMEN ARE REPRESENTED IN JUST 16 PER CENT CONTENT OF NEWS COVERAGE IN BANGLADESHI MEDIA, THOUGH FEMALES ARE REPRESENTED IN INCREASING NUMBERS IN THE formal workforce, said DR. GITIARA NASREEN, A PROFESSOR OF MASS COMMUNICATION AND JOURNALISM AT DHAKA UNIVERSITY.

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to comply with Bangladesh’s Digital Security Act (DSA) and share information with law enforcers, according to the minister, but compliance remains patchy.

After failing to force the global social media giants to set up representative offices or appoint agents in line with VAT laws, the authorities now plan to allow the digital platforms to secure direct VAT registration without opening local offices as part of its move to bring them under the tax net.

VIRAL ARRESTS

The government faced criticism on social media for its lax policy to fight the COVID-19 pandemic, at a time when there were numerous rumours circulating about the virus. In response, the government arrested some of the critics or “wrong propagators” and sued them under DSA. Since mid-March 2020, the authorities have arrested at least a dozen people, including a doctor, opposition activists and students, for their comments about the coronavirus.

On March 23, the government issued a circular assigning 15 officials to monitor each television channel for “rumours” and “propaganda” regarding Covid-19. The next day, the order was withdrawn amidst criticism.

Access to the BenaNews website was blocked after it published a report on a leaked interagency United Nations memo on Bangladesh’s Country Preparedness and Response Plan for COVID-19, which estimates that up to two million people could die from the disease in Bangladesh if immediate steps were not taken to contain the spread of the virus.

CHALLENGES AMID CORONAVIRUS

The novel coronavirus poses new challenges for journalism, as unprotected reporters and photographers come face to face with affected people and continue to report from large gatherings. Few media houses have facilitated even limited personal protective equipment (PPEs).

Internet-based media outlets have now introduced virtual office systems. One mainstream newspaper, the Manab Zamir, has stopped its printed versions and most of the less circulated newspapers have stopped their publications indefinitely. The country’s prominent newspapers are yet to decide whether to continue their printed versions.

The Newspapers Association of Bangladesh (NOAB), the platform of media owners, issued a statement saying “Coronavirus cannot be infected by papers,” a claim which is yet to be proved scientifically. All the newspapers published the NOAB statement, thereby setting a bad example in a bid to keep their circulation intact.

Newspaper hawkers are also in trouble amidst a lockdown situation, with many people not buying papers for fear of getting infected.

Amidst this situation SA TV, terminated 32 journalists on March 22, prompting the journalists to take the additional risk of staging protests in front of its office.

On April 2, the owner of the Bangla language newspaper Akhito Bangladesh also took the coronavirus situation as an opportunity to declare the closure of its outlet without resolving long-pending disputes with its employees. All the journalists and employees of the newspaper gathered in front of the residence of the employee families to demonstrate, defying coronavirus distancing norms.

LIVELIHOODS AT RISK

The main challenge for journalists in Bangladesh in upholding freedom of the press continues to be their livelihoods. Journalists can take risks and face hazards, but the country’s precarious job situation continues to hold them back from independent and brave reporting in the public interest. In Bangladesh, press freedom is translated only as the freedom held by editors and owners. Owners of media outlets continue to have their own special agenda, which will have to be fulfilled, while the journalists remain largely helpless to a system that fails to support true media freedom.

For many journalists in Bangladesh, monthly wages are irregular and professional benefits are seldom provided. Too many journalists live in constant fear that they will find themselves out of a job.

In 2020, the situation deteriorated even further, with many media outlets downwards journalists’ employment to cut costs. At least 25 employees of the country’s leading daily newspaper Prothom Alo, one of the few financially solvent print media houses in Bangladesh, reported getting terminated.

So too, journalists from Daily Janakanta, a decade-old print publication, demonstrated in the streets to demand regular wages.

Channel 9, one of 33 television channels in Bangladesh, decided to stop broadcasting news content and instead turned into an entertainment-based channel. The implementation of the plan left around 200 employees in the news production process unemployed. One of Bangladesh’s oldest satellite television channel ATN Bangla let go 14 journalists and 35 employees. At least 25 employees were forced to quit their jobs at Maazenta Television, run by a leading business group in Bangladesh.

Bangladesh’s media industry is dominated by the private sector, with more than 1,000 newspapers, 23 FM radio stations, 15 television channels, and 25 FM Radio stations. Around 10 television stations are currently waiting to enter the market. But less than 10 per cent of current newspapers maintain the government-declared wage structure in paying their employees.

WOMEN IN MEDIA

In 1987, Bangladesh had 34 women journalists compared to 900 men working in 242 newspapers, according to a survey by Press Institute of Bangladesh (PIB). Leading online newspaper Bhanews24.com reported in July 2018 that the number of male journalists rose to 2,452 while the number of female journalists rose to 310 working in 3,263 media houses in Dhaka. With women still making up only 13 per cent of journalists, the rise appears insignificant and over the last two years.

The situation is almost unchanged in 2020. There are some female reporters in the district levels also but participation of women in the profession is still negligible.

Many women start out in journalism with courage, taking the challenging profession by choice. But not all are able to stay and drop out for various reasons. These include a lack of women-friendly work environments, pressure from family, maternity and childcare issues, gender and wages discrimination, sexual harassment and transport problems.

Women often face the tough choice of choosing between childcare and professional duties.

BD News quotied prominent Ekattor TV reporter Farzana Rupa as saying, “In fact, the character of newswomen is not woman friendly. Especially the day at eight in the morning, worked throughout the day and will go back home at around 1.30 am or 2 am. Under this circumstance day care centre, an arrangement throughout the day and will go back home at around 1.30 am or 2 am. Under this circumstance day care centre, an arrangement

FACING FEAR

Bangladesh is suffering a multidimensional crisis right now. There are a number of intertwined factors that are pushing the country’s media into this state, including both political and economic influences.

In a report, the European Journalism Center said the Bangladesh media industry, especially the television sector, remains tightly controlled. The state organised a clean wash for political parties. This in effect means that the primary objective of Bangladesh’s media is often not to make a profit but rather to show political loyalties or serve a political purpose.

The rise of radicalism in the country also remains a bar to a free press with journalists practicing self-censorship regarding religious issues while propagation of faith has special privilege. The media, however, is less handicapped in criticising faiths other than Islam.

High Court Judge Justice Sheikh Hasan Arif recently questioned whether the media in the country enjoyed full freedom and whether fear was at play among journalists. The judge was partially right when he observed “Journalists report and can report only when there is an outbreak... when it is under control in front of our eyes nakedly.”

However, Bangladesh’s journalists also dare to uncover sensational hidden facts. But his rhetorical questions have a resounding ring of truth. “Then, is there full press freedom in our country? Does it mean fear is at play among journalists? If I do a report I will run into trouble or my editor may face a problem.”

Confronting these truths without fear or favour or loss of livelihood is a true test of press freedom but, at this juncture, the country may fall short of fulfilling these promises.
BHUTAN

INFORMATION DIVIDE

Bhutan’s news media industry is at a crossroads. Other than the Bhutan Broadcasting Service, which is fully subsidised by the government, and Kuensel, where 51 per cent shares are owned by the government, all private entities are struggling to find a firm financial footing.

In 2007, the Bhutanese media has been on the decline. Of the 12 newspapers, five radio stations, and one TV station, most have closed down or are on the verge of doing so. The number of newspapers was down from 12 in 2012 to seven in 2019. Several magazines and radio stations have shut down since then.

The last newspaper to fold in early 2019 was Drak Neytshul, a private Dzongkha language weekly newspaper. In the same year, Gyutsho Sarshog, another private Dzongkha weekly, suspended its publication for several months. “The surviving private newspapers are shadows of their former selves,” Bhutan Media Foundation’s executive director, Nerdup Zango lamented.

Media analysts say that Bhutan has too many media houses for its tiny population. So, the only hope for a vibrant media is the death of more media houses so that the advertising base can support the remaining ones.

Unless this trend is somehow reversed, the impact will be dire for a country that has just begun to experiment with western-style democracy. Specifically, what is at stake is public accountability, transparency, a platform for debate and discourse, and disseminating and sharing knowledge and information.

In 1999, Bhutan introduced the internet. Seven years later, the popularity of internet usage picked up so much that the traditional news media began to lose their market, both in terms of readership and advertising revenue. Social and online media, like in other parts of the world, took over and overnight the very concept of information gathering, processing and dissemination changed.

The role of journalism has been taken over by the concept of information gathering, processing and dissemination. This shows that Bhutan’s media and other attendant problems need to be addressed urgently because the future of Bhutanese democracy itself is at stake. Without an independent, pluralistic and self-sustaining news media, democracy is at risk.

Prior to 2010, when Bhutan’s first democratic government was sworn in with a mere two-member opposition in the 47-member lower house of parliament, the media acted as the key critic of the government. It kept the government and politicians literally on their toes while the people in general were provided ample space to express themselves. This shows that Bhutan’s experiment with democracy can succeed only by reviving or sustaining the news media.

Media analysts also say that the sustainability of the Bhutanese media and other attendant problems need to be addressed urgently because the future of Bhutanese democracy itself is at stake. Without an independent, pluralistic and self-sustaining news media industry, a vital platform for debate and discussion, critical to foster a transparent and accountable society, would perish.

Exodus of Journalists

As media houses were in financial doldrums, the overall quality of journalism suffered. The Bhutanese media has lost some of its finest reporters and editors. To fill the gap, news organisations began hiring inexperienced young university graduates but, as expected, the quality of reporting went downhill as did overall news content. Today, the industry lies in tatters, and no one has any idea how to resuscitate it.

Those who have remained in the industry continue to work under difficult circumstances. The Journalists’ Association of Bhutan (JAB) has been receiving reports and complaints that some private media houses take advantage of the country’s unemployment situation and do not pay them for months.

Journalists who are currently working in the private media earn less than Nu 15,000 (USD 200). Low salary packages, professional hazards and lack of public recognition of professionals are the main reasons for the lack of appeal of journalism as a profession.

An interesting phenomenon in Bhutan today is that most of the private newsrooms are staffed by young women journalists. Of the 26 journalists working in six private newspapers today, as many as 16 are women.

During a time when the number of journalists working for private media has reduced drastically, news organisations are also struggling to find a firm financial footing. One reason is that the Bhutanese government subsidises most of the media houses. For example, the government owns all private media houses, and Kuensel, which is 51 per cent owned by the government. Most of the media houses that the government subsidises are also state-owned enterprises.

After seeing a brief heyday following the privatisation of the media in 2007, the Bhutanese media has been on the decline. Of the 12 newspapers, five radio stations, and one TV station, most have closed down or are on the verge of doing so. The number of newspapers was down from 12 in 2012 to seven in 2019. Several magazines and radio stations have shut down since then.

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An interesting phenomenon in Bhutan today is that most of the private newsrooms are staffed by young women journalists. Of the 26 journalists working in six private newspapers today, as many as 16 are women.
Most rural Bhutanese people are semi-literate and are mostly unreachable by mainstream media and government agencies. The Journalist Association of Bhutan (JAB) conducted a series of community media workshops aimed at enhancing media knowledge for rural people, who comprise 70 per cent of the population. CREDIT: SANGAY CHOKI

The advantage of being a small and close-knit society and Bhutanese journalists having friends and relatives to rely on for tip offs is also backfiring, as ‘authorities’ try to hunt down officials with relatives working in the media.

Another challenge related to sustainability and revenue is the fact that media houses are dependent on the government for up to 80 per cent of their revenue. Meanwhile, journalists lack resources to carry out in-depth reporting and investigative stories and are often caught in the dilemma of being critical of the government at the cost of advertising revenue, forcing a choice between survival and playing a watchdog role.

In 2008, Bhutan adopted a Constitution, which categorically spells out “freedom of print, broadcast and online media” under “Fundamental Rights”. These specific clauses are designed to inspire a healthy growth of the media: freedom of speech, opinion, and expression, freedom of the media, and the right to information.

These clauses, however, would remain unfulfilled if Bhutanese society cannot find ways to build an enabling environment for the growth of a pluralistic, independent and vibrant news media. Members of the public generally think that the media lacks transparency, accountability and efficiency of the government compared to before.

Access to Information

Access to information is still seen as a stumbling block for journalism in Bhutan. It has more to do with political sensitivity, which the bureaucrats handle with care. Journalists find it hard to get public information from the bureaucracy. In doing so, all critical information becomes “off-the-record.”

The government machinery still does not have a robust system of information dissemination. For example, there are information and media officers who do not have the authority to talk to the media even as their bosses remain mostly away. The elected government, however, has been supportive of media development and to ensure that media is effectively involved in governance. The government is committed to give more access to media in its day-to-day activity.

In what was seen as a positive development and the government’s reconﬁrmation of the “media as the fourth estate and its role in a fledgling democracy” was the “meet the press” initiative launched by the first democratically elected government in 2008. Since then the meet-the-press has been an established forum for the media and government as a part of a democratic practice.

It is an unprecedented and unique move, the cabinet of the ruling government makes itself available to the press every month to answer questions and clarify doubts about actions and omissions of the government. Such an interaction goes to show that greater transparency benefits all players involved. The government gets a chance to make itself heard and clarify doubts that might be lingering in the minds of the public and journalists, and journalists and the public, in turn, get a clearer picture of what is going on, resulting in more accurate reporting.

Politicians, including the prime minister, are accessible to almost every journalist through phone, e-mail or any other communication channel. This is one of the reasons why Bhutan ranks high on international press freedom indices. In 2019, Bhutan climbed 14 points on the World Press Freedom Index to 80 from 94 in 2018.

The improvement in ranking should encourage those in the media to continue carrying out their primary duty of informing the people. The improved ranking will also encourage policymakers to appreciate the role, no matter how small, the Bhutanese media is playing and allow its press to function freely and responsibly.

However, although access to information has improved over the years, there is much to be desired to achieve the kind of freedom of press that will shoulder responsibilities without fear and favour for the benefit of the country and its people.

The Bhutanese media still faces some serious challenges when it comes to the free flow of information which is sometimes thwarted by bureaucratic norms. The fear of reprisal from senior bureaucrats or bosses, has caused an excessively tight-lipped culture among Bhutanese bureaucracy.

Government had earlier made an attempt to appoint media focal persons for all ministries and autonomous agencies to make information widely available. This move however was unsuccessful.

The appointment of spokespersons had only proven to be a barricade, making things more difficult for reporters, disallowing them from contacting officials directly.

Journalists were made to submit questions and the response depended on the gravity of the questions. The advantage of being a small and close-knit society and Bhutanese journalists having friends and relatives to rely on for tip offs is also backfiring, as ‘authorities’ try to hunt down officials with relatives working in the media.

Self-Censorship

News media are often accused of self-censorship because they can face serious backlash for controversial or hasty reporting. Besides market pressures, journalists quote various forms of peer and social pressures that force them to exercise self-censorship.

Some working journalists say that it is necessary to exercise self-censorship for the greater social good. They claim a fear of embarrassment or potential career damage as a factor for avoiding newsworthy stories like corruption involving high- proﬁle public ofﬁcials.

With its small population, all these pressures are heightened in Bhutan. The media’s tensions with politicians, senior bureaucrats, and business houses are emerging although, in the context of a young democracy, it might be described as creative tensions.

Opportunities

The government is providing a two-year printing subsidy for private newspapers which meets 50 per cent of the printing cost. This is a temporary measure to support media houses to stay afloat until long-term measures are in place. One long-term measure for sustainability could be transitioning online.

The world of online possibilities is virtually unexplored by the Bhutanese media. While media houses everywhere are adopting or adapting to technologies to stay afloat, Bhutanese media houses are mostly in the traditional mode. Only a few newspapers have a website and take advantage of social media. None of them has any plan to monetise online content.

In order to maximise social media outreach, community media forums set up by JAB used chat platforms for rapid communication from community members to journalists. Training in community radio has also went hand in hand with training on optimising social media tools for effective communication and dissemination.

In terms of institutional set-up, the Bhutanese media is well-placed, with institutions such as the Department of Information and Media, Bhutan Media Foundation, Journalists’ Association of Bhutan, Bhutan Centre for Media and Democracy and the Bhutan Media and Communication Centre. They are all dedicated to the development of the media and if they join forces, collaboration could provide an opportunity for substantial support to help haul the media out of its current precarious state.
The victory of the Bharatiya Janata Party-led National Democratic Alliance (NDA) for a second term with a thumping majority in the May 2019 general election appeared to be a validation of hyper-nationalism that dominated India’s electoral campaign and had serious implications for freedom of expression in the country. A polarising narrative that had begun to take form since the BJP-led government’s first term now solidified. Derogatory terms—‘sickular’, ‘libtard’, ‘newstrader’, ‘presstitute’—for liberal or secular voices, or indeed anyone who questioned the government’s ‘sickular’, ‘libtard’, ‘newstrader’, ‘presstitute’– for liberal or secular

The amendment to the UAPA can be used to infringe upon freedom of speech and expression and has contributed to a high level of self-censorship in the country. On April 18, Kashmiri photojournalist Masrat Zahra and a few days later, journalist and author Gowtham Geelan were dapped with the UAPA for posting work on Facebook, while down south in Telangana state, N Venugopal, a senior journalist and editor of Telugu monthly journal Veekshanam was implicated under the UAPA for his alleged support to the banned Communist Party of India (Maoist) party. Dealing a body blow to an empowering tool for journalists, an amendment was an amendment in July 2019 to the Right to Information Act, 2005. The RTI (Amendment) Bill 2019 dilutes the power and autonomy of the Central Information Commissioner and the State Information Commissioner by amending the salaries and tenures of the information commissioners. Journalists have produced several landmark investigative stories by accessing information under RTI and weakening the Act could directly impact the power of such exposés in future.

A major legal amendment in keeping with the BJP’s political mandate was the scrapping of Article 370 and Article 35A of the Indian Constitution that gave special status to Jammu and Kashmir, and the passing of the Jammu and Kashmir Reorganization Act which split the state of Jammu and Kashmir into two union territories (UT of J&K and UT of Ladakh) and was preceded by a complete communication shutdown. (See page 16) Another controversial piece of legislation passed on December 12, was the Citizenship Amendment Act (CAA) that fast tracks citizenship to persecuted religious minorities from Afghanistan, Bangladesh and Pakistan. The persecuted communities include Hindus, Sikhs, Christians, Parsee and Buddhist, but the Act excludes Muslims. The passage of the CAA unleashed a string of protests by students and common citizens across the country against its violation of the provision of a secular Constitution.

Covering Protests
Hard clamdowns on protests against the CAA left several students injured in Jamia Millia Islamia in Delhi. Over two violent days, ten journalists and photographers covering the student protests were beaten by the police despite identifying themselves as press, and many had their phones and cameras damaged. Shabeen Abdulla, associate creative editor of Delhi-based digital news platform Maktoob was ‘incredibly beaten by a group of ten policemen; he was not spared despite showing his press card. India Today's reporter Dinesh R and video journalist Wasim Sayeed were also assaulted by police for covering the protest. While Sanjay Jha of the Telegraph and SK Pande, a senior journalist; Ayush Tiwari from digital news portal Newslaundry were also assaulted by police.

The brutal violence in North-East Delhi which continued for 72 hours, included arson, loot and attacks which left 53 persons dead and over 200 injured.
two hours before being released by Uttar Pradesh police after his editors intervened. His Kashmiri identity became suspect with the police, who repeatedly asked him where his photograph was. As the Jamat-e-Ahl-e-Hadith Amn Admi Party swept back into power, the polarisation intensified. What has been termed a vicious and polarised campaign between those protesting against the CAA/NRC and those supporting it continued for 72 hours, including arson, loot and attacks which left 53 persons dead and over 200 injured. Journalists reporting and threatened to beat all reporters she was with as "prestistrates", for liberal or secular voices, or indeed anyone who questioned the government began to dominate social media and even mainstream news channels.

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As the mob became aggressive, Sharma narrates ‘they folded demand that the journalists reveal their religious identity. ‘I was locked up, stripped and they unzipped upon right into my mouth,’ Sharma had said. Sharma was subsequently released after several journalists protested at the police station. In Guwahati, Assam police personnel entered the office of a private TV news channel, Prag News, and beat up its staff without provocation. In November, authorities barricaded entry routes toward one of the Valley’s renowned shrines Hazrat Nauqabulab Sahib in Srinagar’s downtown area and denied permission to devotes to offer annual traditional mass prayer (Khojje Digar) there. When journalists reached the location, a police official held freelance photographer Muslim Matioo’s neck and assaulted him. Srinagar-based reporter Anees Zargar and Azam Javaid were roughed up by the police on December 7 when they went to a neighbourhood in Srinagar to cover stone-throwing protests. Police and paramilitary forces were deployed around the protest site and as the reporters were leaving, police snatched their phones and beat them up. The police ordered an inquiry into the assault and the reporters submitted their testimonies, but action is yet to follow. Javaid was berated by senior police officers when he went to collect his phone and was removed from a police WhatsApp group, formed by the police to keep journalists posted as means to deprive him of access to news. On March 4, two video journalists Quayoom Khan and Qaisar Mir were stopped from carrying out their professional duties in south Kashmir’s Pulwama. Their camera and mobile phones were snatched by a police official and returned after five hours. The journalists said work stored on their equipment was erased by the mob. Protest PRats, of Srinagar’s Kashmir Liberation Front, and were asked to reveal the email ID from which they had received the statement. Their phones and laptops were also seized. The principal correspondent with New Indian Express was slapped by a senior police officer for recording an incident of police highhandedness in Bangalore, Karnataka. Attacks on journalists were also perpetuated by local mafia and goons, many of whom were supported by local politicians. Prapat Patra, of Sonny Daily, was attacked by sand mining mafia for covering news on illegal sand mining in Balsora, Odisha. Similarly, Gopal Chatterjee, a correspondent with Samaj, said he was attacked by a group of men chanting “Jai Shree Ram” and “Bharat’s Vijayta Lalwani was summoned by the Jammu and Kashmir Liberation Front, and were asked to reveal the email ID from which they had received the statement. Their phones and laptops were also seized. The principal correspondent with New Indian Express was slapped by a senior police officer for recording an incident of police highhandedness in Bangalore, Karnataka. Attacks on journalists were also perpetuated by local mafia and goons, many of whom were supported by local politicians. Prapat Patra, of Sonny Daily, was attacked by sand mining mafia for covering news on illegal sand mining in Balsora, Odisha. Similarly, Gopal Chatterjee, a correspondent with Samaj, said he was attacked by a group of men chanting “Jai Shree Ram” and “Bharat’s Vijayta Lalwani was summoned by the Jammu and Kashmir Liberation Front, and were asked to reveal the email ID from which they had received the statement. Their phones and laptops were also seized.
two journalists in Tumukur, Karnataka, were attacked and their cameras smashed by employees of a pharmaceutical company for reporting on environmental hazards created by the company in the locality after a boiler burst in the factory leading to sickness among children and elders. Supporters of self-styled god woman, Radhe Maa, kidnapped and attacked local journalist Jitendra Sharma for asking some questions in a press meet he held in Panipat, Haryana. Two journalists from Andhra Pradesh, Nagarnajuna Reddy, Arul Anandhan of Mahaa News and N Dolenada Prasad, editor of Telugu daily Samchar, were attacked in three separate incidents. The attacks were by the members of legislative assembly (MLA) and their supported vigilante groups on one side of the balance of power.

On March 5, M Karthi, a reporter with Tamil magazine Kummakam, was attacked by supporters of the state politicians, against whom the reporter had published reports. The Indian Journalist Union (IU) condemned the assault and said that it “...reveals the growing intolerance by the political establishment against critical reporting”. In Anurag Chadha Pradeh, Tongam Rina, associate editor of the Aunnachal Times, was trolled for an article she wrote on the alleged rise in wildlife hunting in the State during the lockdown. From threats over the telephone to morphed photographs in Facebook, the harassment in April 2020 was unrelenting. Rina earlier faced a murderous attack in 2012, when she was shot in her office by masked gunman. In a step back in the struggle for accountability, files pertaining to the shooting are now in the office by masked gunmen. In a step back in the struggle for accountability, files pertaining to the shooting are now in

In most of the cases, the journalists have filed a First Information Report (FIR), the first step in activating due process of law. In several cases, arrests have been made, especially of attacks by mafia and goons. However, complaints of assault by state machinery and the police has been left to linger with prolonged investigation.

During the year, several journalists met an untimely death, but it has not always been possible to conclusively link their deaths to their profession. In some cases however, it emerges that the deceased journalists paid the ultimate price for journalism. The brutal murder of K Satyanarayana, a journalist based in Andhra Pradesh, was initially made out as an internal feud. However, the history of his reporting work for the last 20 odd years and the threats unleashed by the newly-formed government in the state suggests a direct link to his profession. Six suspects were arrested but were released on bail within the month. The MLA’s name, which was included in the FIR, has been removed by the police. A went to initiate a probe with the Central Bureau of Investigation (CBI) has been filed by Satyanarayana’s brother ‘as he has no faith of a fair investigation’ by the state government. Another journalist from Madhya Pradesh, Chakresh Jain was doused with petrol and killed by local Janpad Panchayat administration official Omans Choudhary and two accomplices. IU condemned the brutal attack and sought a thorough investigation into the killing and justice for the family. Kerala journalist K Mohammd Baishanar died after being accidentally run over by a car driven by a senior police officer in an inebriated condition. As the investigation is still dragging its feet, the suspended IAS officer was reinstated as joint secretary in the health department by the Kerala government.

the journalist was verbally abused and forcefully pushed inside the car. Andhra Jyothi’s political bureau chief, Mendu Smritha, and Mohammed Hussain, a reporter with Susat, faced similar hostility when returning from work during the lockdown.

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The bill also includes registration of publishers of news digital media. It also seeks to constitute an Advisory Council to the Central government and specifically makes it a party, judge and arbitrator, without any checks and balances. Another form of control of independent media houses was to slap them with charges of financial irregularity.

The idea of the ruling dispensation to critical reporting is well demonstrated in the case of the news channel, NDTV 24x7. In the most recent incident, in August 2019 the Central Bureau of Investigation (CBI) charged two senior police officials for allegedly routing foreign funds between 2004 and 2010 rules for allegedly routing foreign funds between 2004 and 2010

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THE RECENT LOCKDOWN PUT IN FORCE FROM MARCH 24 TO TACKLE THE
COVID-19 OUTBREAK IN INDIA HAS HIT MEDIA HOUSES ALREADY
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the request in April 2020 as the matter was settled several years back. However, two days later the Union Finance Minister slapped a fresh notice of tax reassessment under specific clause dealing with foreign assets. The battle against persecution for the chaff's feathery mongrel will be a bit damaged on the way.

Controlling the narrative in the Kashmir Valley preceded the abrogation of Article 370 and the communications blockade. The presence on media was initiated by owners and editors of prominent publications (Fayaz Kaloo, of Greater Kashmir and Kashmir Uzma; Haji Mohammad Hayat Bhat, of Kashmir Reader; and Bashah Makdoom, Ganderbal) were summoned by India’s counter-terror National Investigation Agency (NIA) to its headquarters in New Delhi in July where they were questioned for a week. This was preceded by the arrest on June 24, of the 62-year-old editor of the Urdu daily Aajao, Ghalum Jeelani Qadri, in a midnight raid from his home. Qadri was falsely shown as absconding in a 28-year-old case registered under Terrorist and Disruptive Activities (Prevention) Act. He was granted bail by the court. Likewise, pending cases against editors and owners of publications were excavated post August apparently aimed at sustaining pressure on media.

INTERNATIONAL IMAGE MANAGEMENT

The past year witnessed heavy-handed steps by the government to manage its international image, characterised by breaking no criticism. Aatish Taseer, an Indian born foreign correspondent for Time magazine, was stripped of his Overseas Indian Citizenship (OIC) 90 days after a scathing cover story called Dividend-in-Chief on the Prime Minister. Taseer was stripped of his citizenship for allegedly concealing his father was of Pakistani origin, an allegation denied by Taseer as his father’s Pakistan origin is clearly stated in all his official documents. In a more recent incident, the Ministry of External Affairs (MEA) received a complaint from a private individual asking for the immediate removal. The ministry, headed by foreign secretary Harsh Shringla, referred the matter to the Ministry of Home Affairs for an investigation. However, no action was taken on this request.

In January, Ambassador Ratan and chief executive officer and president, Jeff Bezoz, returned after a three-day visit in India with not a single government official engaging with him. His request for a meeting with the prime minister was turned down. The ‘perceived’ snub was apparently due to the Bezos-owned National Commission for the Protection of the Rights of Women and Children’s (NCPWRC) investigation into the Modi government’s decision policies, especially on the recent developments in Jammu and Kashmir.

JOBS LOSSES, PAY CUTS

As new digital media struggles to stay alive amidst government crackdown, several media outlets downsized their shutters for lack of resources and changing readership behaviour. Daily News and Analysis, a 25-year-old newspaper, was forced to close its print edition in Mumbai and Ahmedabad promising to set up its digital venture. Similarly, Deccan Chronicle shut down five editions in Mumbai, Bengaluru, Ahmedabad, Lucknow and Amritsar from January 1, reducing from 108 to less than five – was reportedly not paid for six months. Six months into its existence, Tiranga TV, a channel owned by congress leader Kapil Sibal and his wife closed shop in July. Nearly 200 employees were abandoned without six-months’ worth of salary. Senior journalist, Barkha Dutt has sued the company for the arbitrary closure seeking compensation. Digital news portal Scroll.in, retrenched 16 of its staff soon after the elections in January 2019. Two-months’ pay was offered as severance before seeking their resignations.

On the regional front, Gaonery News closed down in Tamil Nadu in October. No prior intimation was given to the 146 employees. Instead, one month’s salary was promised citing financial difficulties and the promise that the operation would go digital. Sakal Media Group, the leading media group laid off 15 senior employees, mostly from the editorial division. This, despite an order from the Maharashtra government asking employers not to lay off workers or cut their wages during the lockdown. A public interest litigation against the job losses and salary cut was filed in the Supreme Court on April 16 by the National Alliance of Journalists and others.

Another large media house, The Indian Express, sought ‘sacrifices’ from the staff of a ‘temporary’ salary cut of up to 30 per cent. Alongside, predicting enhanced news viewership, The Express wanted its staff to forego 10 per cent of their salary. However, the staff refused to accept the proposal, leading to the company’s temporary closure.

SILENCE AFTER THE STORM

The wave of disclosures of sexual harassment in the media and entertainment industry in India in September and October 2018 was met with fierce push-back from men who had been named. The year saw defamation – both criminal and civil – being used against journalists to silence them. Many of the women who called out their harassers using the hashtag #MeToo were embroiled in lengthy and costly legal cases. The most high-profile was the case of criminal defamation filed by journalist who called out their harassers using the hashtag #MeToo were embroiled in lengthy and costly legal cases. The most high-profile was the case of criminal defamation filed by journalist...
turned politician M Ajbar against Priya Ramani, the first woman journalist to publicly accuse him of predatory behaviour amounting to sexual harassment. The case is ongoing in Delhi, with Ramani having to travel from another city several times in the year to attend court hearings. Post and filmmaker Leena Manimekalai who was slapped with a criminal defamation case by Tamil film director Sasi Ganesan in 2018, was also extensively ‘shamed’ on social media and had her character dragged through the mud. Repeated court hearings have forced her to miss the very first screening of her new documentary. Journalist Surabhi Varya faces a civil defamation of Rs 100 million crore (USD 6.4 million) for her post on social media after she disclosed her identity because of fear of retaliation and further ‘disappeared’ from the online space, in response to legal notices.

Tejvij Surya, contesting as a BJP candidate for Lok Sabha elections from Karnataka’s Bengaluru South, obtained a temporary injunction order barring 49 media outlets including newspapers, television channels and social media platforms from publishing news about alleged sexual harassment that he considered “false or malicious”. The High Court set aside the gag order in April 2019, but the trend continued. In February 2020, several articles about complaints of alleged molestation made against lawyer Soumya Dasgupta, son of BJP MP Swapan Dasgupta and journalist Reshmi Dasgupta ‘disappeared’ from the online space, in response to legal notices. The reluctance of women speaking out about sexual harassment to disclose their identity because of fear of retaliation and further victimisation by powerful perpetrators is not unfounded, since reporting stories of sexual harassment seemed to have once more been trumped by concerns over lawsuits.

The LEGAL BAG

Besides the stress of facing criminal charges and/or huge amounts of money claimed as damages, defamation charges not only distract journalists in dealing with the litigation, they are often filed in a city where the journalist does not reside. Besides little support from the publishers for whom they work, journalists tend to slip into self-censorship.

News channel National Live’s head, Ishika Singh, and editors Aruj Shukla and Anshul Kashik were arrested in June 2019 for airing ‘defamatory content’ against Uttar Pradesh (UP) Chief Minister Yogi Adityanath. The channel broadcast a video of a woman who claimed she wanted to marry the chief minister. In the same context, another freelance journalist Prabhaj Kanodia was arrested a day later for uploading the video on Twitter. The police not only arrested the journalists, but also sealed their office on grounds of illegal operation. Relevant sections for cheating and fraud were slapped against them. Kanodia was arrested from Delhi, from where he was taken to Lucknow in UP. The Nation Live journalists were arrested from Noida, a township more than 500 km from Lucknow.

In another clamping down on investigative reporting, the UP government filed an FIR against Pawan Jaiswal, a journalist with Hindus Jarnail Singh and Jaiswal had shot a video showing children sitting on the floor and eating rotis with salt at a primary government school in Muzaffarpur. After the video blew the lid on the UP government’s mid-day meal scheme, the Block Education Officer filed a complaint against, Pawan, and two others, including a representative of the local village head accusing them of “criminal conspiracy to defame the UP government.”

In similar outrage over the government’s image, police in Udaipur district of Haryana police filed a FIR against Anup Kundu of SWIFTPRESSHINDI News about a letter written to the school principal being thrown at the school’s gates. When police questioned him, the principal expressed regret over the incident. In 2019, the Delhi high court directed the Delhi government to prepare a comprehensive policy to implement the Supreme Court’s direction that ‘no electronic/print media/web portal or any other electronic means’ should be used to publish ‘false, baseless and defamatory news’.

There was a hue and cry from journalists union and the Press Council of India took suo moto notice of it. The order stood intact as the Delhi High Court, which passed the challenged, had sent it back to the PCI to adjudicate. On a similar note, the Rajasthan government also passed a law - Rajasthan Court Fees and Litigation (Amendment) Bill (2020) - by voice vote in March, purportedly to make it affordable to lodge a court for defamation. While members of opposition parties called the law uneven as it would only overburden the courts with cases, journalists feared this could be easily used against them, especially in small towns and rural areas, by local storekeepers and reporters who are likely to self-censor.

One of the most overwhelming impacts of the coronavirus was the plight of migrant workers, who were abandoned by their labour contractors without any support as a 21-day lockdown was announced by the prime minister with a mere four-hour window. This sent everyone in a flurry of shopping and hoarding essentials for three weeks, and trying to reach their homes.

In its submission to a public interest litigation the union government informed the court that the<p>DISASTER MANAGEMENT ACT (2005) that provided for punishment extensible up to one year imprisonment to anyone who circulates false news and imposition of section 188 under Indian Penal Code was alleged to be used against those who disobey the orders of the government.

A day after the court’s order, Uttar Pradesh’s government filed cases under sections 505(2) statements creating or promoting enmity, hatred or illwill between classes) and section 66D (cheating by personation by using computer resource) of the Indian Penal Code against Siddharth Varadarajan, founder editor of news portal The Wire. The objection was to an article published on March 11 which referred to the chief minister holding a religious ceremony despite the call for lockdown. The Editors Guild of India commented that such cases filed against the media are ‘acts of intimidation’. A protest statement signed by more than 3,500 journalists, academics and human rights activists, expressed shock at the action of the UP government and police in filing criminal charges for an “entirely factual narrative”.

Individuals/organizations filing defamation charges against journalists with little support from the publishers for whom they work, and with no support from the media houses, are ‘acts of intimidation’. A protest statement signed by more than 3,500 journalists, academics and human rights activists, expressed shock at the action of the UP government and police in filing criminal charges for an “entirely factual narrative”. Individuals/organizations filing defamation charges against journalists with little support from the publishers for whom they work, and with no support from the media houses, are ‘acts of intimidation’.

The government that came to power after the May 2019 state elections remained in government order (GO) in October. The order empowered the police to file complaint and file defamation cases against publishers and editors. The order notes that it is to deter people print, electronic and social media from ‘tarnishing the image of government and government officials by spreading ‘false, baseless and defamatory news with malafide interest’.

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In its submission to a public interest litigation the union government informed the court that the state government’s flagship mid-day meal scheme, the Block Education Officer filed a complaint against, Pawan, and two others, including a representative of the local village head accusing them of “criminal conspiracy to defame the UP government.”

In similar outrage over the government’s image, police in Udaipur district of Haryana police filed a FIR against Anup Kundu of SWIFTPRESSHINDI News about a letter written to the school principal being thrown at the school’s gates. When police questioned him, the principal expressed regret over the incident. In 2019, the Delhi high court directed the Delhi government to prepare a comprehensive policy to implement the Supreme Court’s direction that ‘no electronic/print media/web portal or any other electronic means’ should be used to publish ‘false, baseless and defamatory news’.
The glittering string of more than a thousand coral islands that dot the Indian Ocean with their unparalleled beauty belies a history of stringent curbs and controls over free expression and association. A country with a population of just 400,000 and having an impressive per capita income of USD 8,049, high-end tourism-reliant Maldives appears as paradise to the world outside. For so long, the undisturbed image of emerald isles had offered a lucid smoke screen for a nation that kept a dark secret: a media industry held under autocratic control of the executive, and a divisive political legacy that is reflected to date with lacerations that run deep.

In November 2018, Maldives ousted the autocratic former president Abdulla Yameen Abdul Gayoom through a humiliating electoral defeat and elected a liberal democrat, Ibrahim Mohamed Solih, as the country’s seventh president. Solih’s Maldivian Democratic Party (MDP)-led joint opposition sought a mandate to strengthen fundamental freedoms by restoring civil liberties through democratic reforms. The April 2019 landslide victory in the parliamentary elections completed the nation’s political transition. In its first year in office, the government took several important steps to restore public faith in a process of democratisation. As many Asian states took a collective nosedive with regard to freedom of expression and assembly, imposing more curbs and controls over traditional media and stifling internet freedom, Solih’s rise to power marked a significant shift from a dictatorship that battered the media into silence to an elected government largely tolerant of dissent. Local and international observers have welcomed the manner in which the Maldives broke away from its repressive past, recording significant progress in the global freedom of expression indices in just a year.

Recognising Maldives’ potential to chart a new course by reinforcing democratic governance and fostering freedom of expression and assembly, on May 3, 2019, the UNESCO in collaboration with the International Federation of Journalists (IFJ), the government of the Maldives, the United Nations (UN), Adhaalath Party (AP), Maldivian Democracy Network (MDN) and Facebook, marked the 2019 World Press Freedom Day in Male’, the nation’s capital.

Following the political changes, several firsts were recorded that augur well for a country that for much of its history had known only a limited version of free expression. A significant step during the Solih administration was the attempt to check police violence, a powerful tool of suppression used against political opponents and dissenting voices during Yameen’s rule. Three days after his election, on November 21, 2018, Solih appointed the Presidential Commission Investigating Murders and Enforced Disappearances to probe the high profile murders of journalist Ahmed Rilwan Abdulla and prolific writer and digital activist Yameen Rasheed. The commission conclusively established that their murders were carried out by a local affiliate of the terror outfit, Al-Qaeda. IFJ PRESS FREEDOM REPORT 2019–2020

Journalist and blogger Ahmed Rilwan Abdulla was last seen on August 6, 2014, the Presidential Commission Investigating Murders and Enforced Disappearances in September 2019 conclusively found his murder was carried out by a local affiliate of the terror outfit, Al-Qaeda.

Despite these positive steps, there is criticism that rights defenders and the use of draconian laws to silence opposition – has not had the opportunity to practice public spirited journalism or adhere to international standards.

Three days after his election, on November 21, 2018, Solih appointed the Presidential Commission Investigating Murders and Enforced Disappearances to probe the high profile murders of journalist Ahmed Rilwan Abdulla and prolific writer and digital activist Yameen Rasheed. The commission conclusively established that their murders were carried out by a local affiliate of the terror outfit, Al-Qaeda, bringing to the fore the reality of increasing radicalisation and Islamic militancy taking root in a country considered to be a liberal Islamic nation.

Despite these positive steps, there is criticism that rights organisations have been barred from attending court proceedings. There is also disenchantment among journalists that besides the defects in the delivery of justice, the state lacked mechanisms to compensate victim families. The media – in terms of both ownership and content – was long kept under the iron fist of founding president Maumoon Abdul Gayoom. Apart from the brief democratic window when Mohamed Nasheed briefly served as president (2008 to 2012), there was once again a significant decline under Abdulla Yameen (2013 to 2018). The Maldivian media – barring a few exceptions – has not had the opportunity to practice public spirited journalism or adhere to international standards.

As a result, for decades, Maldivian media houses have been aligned with political entities and engaged in political agenda-setting. It is no doubt difficult to operate in a landscape that does not always recognise the role and responsibility of the media. The lack of strong media associations and industry best practices are an added challenge.

Though the recent political changes have resulted in substantial democratisation of the country’s media landscape, there are several measures that are necessary to establish a truly independent and professional media.

President Solih now has to make good his promises by ending impunity, bringing perpetrators to book, introducing safety mechanisms, laying strong foundations for media pluralism, transparent and accountable ownership and promoting media literacy and professionalism. To break free from the past in a decisive manner, the government must urgently invest in the industry and demonstrate a genuine commitment to build capacities.

DIFFERENT STEPS, DIFFICULT STEPS

Autocratic regimes have left a lasting legacy of deeply entrenched political divisions, with Yameen’s regime being remembered for unprecedented violence targeting human rights defenders and the use of draconian laws to silence independent voices.

Despite the sense of freedom under the new dispensation and increased engagement and expression of dissent, journalists continue to practice self-censorship and skirt around religion for fear of reprisals from the state and religious fundamentalists. While there is a marked improvement in the media climate, secularism is still an uncomfortable topic for the majority of media practitioners, with the memory of Rilwan and Rasheed serving as powerful reminders of the possible repercussions if they dare to publicly discuss matters of faith.

Additionally, there are still apprehensions of curbs through existing mechanisms such as the Maldives Media Council, the state agency entrusted with the task of guaranteeing the constitutionally guaranteed right to free expression and to monitor restrictions to the enjoyment of such freedom. On January 31, the Peoples’ National Congress urged the Maldives Media Council, to remain accountable and fair in the exercise of authority and termed as “unjust” the removal of two articles of the council.

The 2019 Country Reports on Human Rights Practices by the US Department of State meanwhile, has claimed that the
A SUSTAINED LEGACY OF IMPUNITY

Solih's 15 months in office have not recorded a single murder, abduction or physical assault of human rights defenders while the government appointed a presidential commission to probe the disappearance of journalist Ahmed Rilwan Abdulla in 2014 and the 2017 murder of blogger and digital activist Yameen Rasheed whose deaths represent the darkest era in Maldivian journalism.

In August 2018, just three months before the ousting of Yameen, a criminal court acquitted two suspects charged with the forced disappearance of Ahmed Rilwan, on the purported basis that the police and prosecution had conducted an incomplete investigation. The trial of alleged religious extremists linked to the 2017 murder of Yameen Rasheed was expected to conclude in February. In Rilwan's case, no persons were charged on account of the probe that only identified a local Islamic militant outfit responsible for his abduction and murder.

On July 11, the Maldivian Democracy Network (MDN) urged the Criminal Court of Maldives to uphold its obligation to conduct a fair and transparent hearing in line with the Maldivian Constitution and the International Covenant on Civil and Political Rights (ICCPR). MDN representatives were denied entry as observers at the eighth hearing of Rasheed's case. At the next hearing on July 31, a secret witness for the prosecution informed the court that the plan to kill Rasheed was hatched in November 2016, with the suspects accusing him of "insulting Islam and therefore [he] deserved death." During the hearing, the same witness purportedly identified the three defendants as the men he saw at the crime scene: Ismail Haisham Rasheed and Ahmed Zihan Ismail, the two men who were seen coming out of Rasheed's home while a third person acted as a lookout, perched on a motorbike outside Yameen's house. According to Huunu Al Suood, chairperson of the Commission on Disappearances and Deaths, the commission's nine-month investigation found that then-president Abdulla Yameen tried to "divert the focus" of the police investigation, while his former deputy, Ahmed Adeeb, attempted to obstruct justice. The commission also concluded that the gang had a "hit list" which included other activists and government critics. Despite the probe, there is no closure in sight for the families of the murdered. Rilwan's family has been making repeated calls to punish the criminals, but the probe has not led to charging the culprits.

RELIGION SETS THE AGENDA

Though instances of physical intimidation were absent, promotion of secularism appears to draw extreme responses, from the authorities as well as radical elements. Reports have emerged on how those promoting religious freedom and secularism were being brought under severe pressure, with several human rights defenders receiving death threats online, a form of violence that goes unmonitored in the Maldives.

In January this year, Maldives Independent, formerly Minivan News suspended operations. The online platform was an influential voice promoting democracy and human rights in the country since 2004. In its wake, Minivan Radio, once anchored from Colombo by exiled journalists, also closed operations from Colombo by exiled journalists, also closed operations. The main purpose of the MMC is to give effect to the constitutionally guaranteed right of free expression. The main purpose of the MMC is to uphold and encourage freedom of the media in the country and to monitor any restrictions placed on this fundamental right.

The Broadcasting Act (2010) upholds freedom of expression and contains provisions about the regulatory aspects of complaints against broadcasters, though how these rights are guaranteed and effectively monitored remain grey areas.

The Communications Authority of Maldives (CAM) functions as the ICT regulator and holds sole authority to regulate online content and is mandated to impose necessary restrictions on internet content on local sites and block access to websites hosted outside of Maldives.

IFJ PRESS FREEDOM REPORT 2019–2020

Communications Authority of Maldives (CAM), the regulatory body with powers to restrict online content “maintained an unpublished black-list of all offending websites.” While it did not actively monitor internet content, it accepted requests from ministers and other government agencies “to block websites that allegedly violated domestic laws on anti-Islamism,” the report stated.

The government is also coming under fresh criticism over the stringent controls applied over the dissemination of information relating to the Covid-19 pandemic. As journalists struggle to cover the global pandemic and convey verified information, there is criticism that the state is willfully suppressing information to cover up its missteps in tackling the local impacts of a global health emergency and to reduce economic impact as the tourism industry is hard hit.

A Maldivian human rights defender speaking on the basis of anonymity said religious extremism was becoming a convenient excuse to explain violence and convince society that voices against Islam won’t be tolerated. “At the risk of commenting on a matter before court, I wish to say that while Rilwan and Yameen may have indeed been murdered by religious fanatics, they [the fanatics] also would have enjoyed political patronage. The links were too strong to not acknowledge, legally. If someone is harmed by fundamentalists for promoting secularism, the incumbent government too would use religion as the excuse; as if the state has no obligation to protect people from coming to harm for their belief in secularism.”

ARCHAIC LEGAL FRAMEWORK

The Constitution of the Republic of Maldives (2008), guarantees freedom of expression, as long as it is exercised in a manner that is “not contrary to any tenet of Islam,” a vague condition that encourages self-censorship in the media.

Set up under the Maldives Media Council Act of 2008, the Maldivian Media Council (MMC) is the main agency tasked to give effect to the constitutionally guaranteed right of free expression. The main purpose of the MMC is to uphold and encourage freedom of the media in the country and to monitor any restrictions placed on this fundamental right.

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The Communications Authority of Maldives (CAM) functions as the ICT regulator and holds sole authority to regulate online content and is mandated to impose necessary restrictions on internet content on local sites and block access to websites hosted outside of Maldives.
Torture (OMCT), wrote an open letter to President Solih, for Human Rights (FIDH) and the World Organisation against from a public book fair for “content that violated principles of the US Department of State in the Country Reports on Human highlighted the unique censorship model that exists in the Maldives. The report noted that the decision was linked to a 2015 report published by the NGO looking at radicalisation in the Maldives. “The new Maldivian government was supposed to be moving with the island nation’s repressive past. The decision to shut down the MDN’s operations, however, shows that time-worn tactics to intimidate human rights defenders and shrive a culture of fear and self-censorship remain a common threat to the Maldivian media.”

ONLINE THREATS Maldives applies stringent controls over reporting on religion while content that is considered anti-Islamic continues to face resistance, a practice continued by the new government. With many new entrants to the field, the country’s media sector’s evolution has largely taken place in the digital space, with the emergence of influential bloggers breaking barriers. Soon after the election of Solih, in June 2019, UN Special Rapporteur on the field of cultural rights, Katrina Bennoune, visited the Maldives and voiced concerns over “extremist positions being advocated, including online and through teachers,”“that’s being promoted and threatened by those motivated by fundamentalist ideology.” She noted that such intimidation shrunk the space for freedom of expression and the community is facing significant challenges. Amidst growing criticism over condoning online violence targeting liberal secularists, President Solih appointed a committee to investigate and respond to threats and death threats against human rights defenders. Coupled with a lack of condemnation by your administration, this impunity emboldens extremists who have little hesitation to turn their words into action.”

On September 1, police arrested a person for criticising the tenets of Islam via his Twitter account, days after receiving death threats for “irreligious” comments via social media. In a separate incident, journalist Aashathn Antoniya received death threats for criticizing the design of a new mosque in the city of Male’. Maldivian police also claimed that journalists had been received and seven had to be abandoned due to lack of evidence.

MISSING THE GLASS CEILING Among the key weaknesses in the Maldivian media sector is the absence of prominent women journalists, mechanisms to mainstream gender or women journalists’ collectives able to advance the gender agenda. While there are more and more women entering journalism in the Maldives, there are hardly any women who lead organisations or hold leadership positions. Most women remain at the entry and mid-level, where they invariably encounter a glass ceiling and fail to advance their careers beyond a point. In 2019, a baseline study on building a gendered perspective in the Maldives by Addu Women’s Association (AaWA), conducted in collaboration with UNESCO and South Asia Women’s Network (SWAN) was released to the public. The study in the Maldives, it identified critical areas that required important interventions. Launched by President Solih at the Maldives on World Press Freedom Day 2019 celebrations, AWA’s co-founder Dr Mariyam Shakeela said: “Very few women occupy decision-making positions in the country’s media as well as advertising agencies, though they carried much weight, especially in mid-level administrative positions, sowing seeds and practices reflected in gender biases and there were institutional and structural disadvantages for women’s ascension in media.” While wage disparities and common entry level concerns were not recorded, the study recognised several constraints for women’s advancement in the industry and to influence content. In recent years, there had been attempts by women journalists to form themselves into a formal association, but going forward, women journalists say that there needs to be an understanding of common issues that impede their growth and an agenda to mainstream women’s voices and help develop their careers. “Key to achieving success as effective networks is institutional safeguards to sustain a media entrepreneurship model that named CEO and chief editor of aff news.aff, the first online news media outlet in the city of Addu. According to her, it is not only a question of women’s voices but the entire sector. “In the Maldives, journalists have to be organized, both men and women. Part of the problem is that we lack the experience of being organized as professional associations, such as a trade unions or collectives that can influence an agenda. This is one of our weakest points and makes it difficult to campaign on issues,” said Ahmed.

THE WAY FORWARD Global attention was drawn to the human rights conditions prevailing in the Maldives by opposition politicians working in collaboration with the international media. Until then, the gross violations of the world’s conscience and brought out the Maldivian reality. Many Maldivian activists and bloggers had gone into exile, mostly in neighbouring countries such as India and Sri Lanka, gathering momentum for a massive campaign to push democratic changes in the Maldives and to demand justice for the slain. A key takeaway from the global movement to overhaul the system and drive systemic change is the power of systematic collaborative campaigning at a global and regional scale. The unprecedented global attention also paved the way for a judicial process that sought to ensure justice for both Rilwan and Rasheed. While the judicial process continues to bring closure to Rasheed’s case and many activists and journalists who had fled the Maldives fearing death and reprisals have now returned home, practitioners feel that, beyond the initial invigoration, there should be a proactive approach to bringing the exiled community back home. For this to be a reality, conditions should be further improved. “As long as we practice self-censorship and avoid publicly saying anything about faith, some won’t be comfortable. It must be possible for people to discuss this in the public interest, especially when religion informs policy and legal systems,” said a Colombo-based exiled activist who preferred to remain anonymous.

An area that still needs considerable work is the prevention of online hate that targets secular activists, who claim they contributed to receive death threats. To prevent repeats, Maldivian human rights defender says that he observed a “defaulting” mechanism that means violations and upholds the constitutionally guaranteed right of free expression and assembly. For this, they say, progressive legal reforms, policies and mechanisms that can amplify the constitutionally guaranteed media freedom are necessary. “One important step is to bring the industry to reflect international best practices,” says Ahmed Nafiz, editor-in-chief of Sun Online and former president of the Maldives Journalists’ Association (MJA). “At the entry level, several other challenges remain. For decades, the Maldivian media has operated in collaboration with the political entities and reflecting those political ideologies. To ensure Sun Online is an independent media outlet and in parallel, standards, both transparency and independence are key.”

In the aftermath of reintroducing democracy to the Maldives, the Maldivian government has taken steps to ensure transparency in ownership, introduce measures to democratise media outlets and to lay long-term plans to foster a truly independent media culture complete with media literacy.
For more than two decades, Nepal’s political arena was in turmoil, and this instability was thought to be the key cause of the precarious state of press freedom and violation of journalist’s rights. In the last two years, as transitional politics seemingly settled, the media community realised that this was not the case, and that their struggle for the fundamental rights of freedom of expression and journalist’s rights is perennial.

In the last two years, the government led by Prime Minister KP Sharma Oli is stable, with a near two-third majority in parliament. Yet, the government has not been up to the mark in upholding principles of democracy in the interests of the media and journalists. The ‘shrinking civic space’ is a term that is increasingly being used after the government introduced bills with provisions restricting civil liberties; made repeated criticism of the press and civil society; and also demonstrated an utter lack of commitment in addressing long standing issues such as impunity for crimes against journalists.

Nepal’s policy-making process can best be described as opaque and non-consultative. Members of parliament most often vote in the interests of their parties rather than on the merits of issues. This makes it easier for the government to introduce bills that include provisions contrary to global standards of press freedom, freedom of expression and freedom of the internet. The Media Council Bill and the Information Technology Management Bill are two such examples of increased state control. The new federal structure means that the provincial as well as local governments are making provincial and local laws, and most of them have restrictive provisions.

From May 2019 to April 2020, available data shows that violations of press freedom continued unabated; there was very little progress in ensuring journalists’ rights. According to the IFJ-affiliate Federation of Nepali Journalists (FNJ), the government did not make sufficient effort to protect the safety and independence of the media and rarely prosecuted individuals who attacked journalists across the country.

There was also little or no progress in addressing long standing issues such as justice for slain journalists, self-censorship, online freedom and the implementation of the Working Journalists Act.

SAFETY OF JOURNALISTS

“The year wasn’t a happy one for the journalism sector,” begins the press statement of the FNJ’s annual review of 2019. The umbrella organisation of journalists noted that although there was a slight decrease in the number of press freedom violations compared to the previous year, the disturbing trend of undermining press freedom and journalists’ rights continued from both state and non-state actors. This resulted in a challenging environment for media and for journalists to freely and fearlessly exercise their constitutionally guaranteed right to press freedom.

Since May 2019, FNJ monitoring recorded 45 verified incidents of press freedom violations. Significant violations included arrests (22 incidents), misconduct towards journalists on duty (18 incidents), attacks (17 incidents) and threats (10 incidents). These incidents led to a situation where journalists had to carry out their professional duties with some level of self-censorship.

An example of the pressure that a journalist in Nepal had to endure for critical reporting is the case of Ajaya Bahu Shiwakoti, the editor of hamarakana.com and the general secretary of Nepal Press Union (NPU). Shiwakoti had to live in fear of his life for weeks after breaking news of allegations of sexual harassment by the then Speaker of the Parliament Krishna Bahadur Mahara. In September 2019, Shiwakoti interviewed the survivor – an employee at the federal parliament – immediately after the alleged rape attempt. The Speaker was forced to resign and spend more than three months in jail before he was released by the district court due to lack of evidence.

The journalist received threats from various unknown numbers and he was informed that some groups were ‘tracking his office and assault him’. Shiwakoti, however, continued his mission to tell truth to power. He was also later involved in reporting a bribery scandal involving Nepal’s minister of communications and information technology in March 2020. Minister Gokul Prasad Baskota, a former journalist who, ironically, as a government spokesperson had criticised critical coverage of the government on various occasions, resigned. However, unidentified people had put the journalist’s residence and his activities under surveillance and he received threats on social media.

An incident of how media and journalists are dvaulted in Nepal involved the Chinese Embassy in Kathmandu after the Kathmandu Post daily on February 18, 2020 published a syndicated column arguing that the Chinese system of governance exacerbated the Covid-19 outbreak with an illustration of a 100 yuan note altered to show communist China’s founder Mao Zedong wearing a face mask. The Chinese
Embassy in Kathmandu issued a press statement not only registering its dissatisfaction over the content but went on to cross the diplomatic line to personally attack the then editor-in-chief Anup Kaphle. The statement added "The Chinese Embassy in Nepal has made solemn representations to the newspaper and himself and reserves the right of further action." This enraged civil society and the media community and editors all stood by Kaphle to condemn the Chinese Embassy's statement.

Journalist Om Hamal, editor of online news portal Janasanchar.com, was arrested on August 23, 2019 from Pokhara for his alleged connection with a political outfit that was declared illegal by the state. On September 4, the Supreme Court ordered his release, but the police re-arrested him outside the gate of the Supreme Court raising questions about the rule of law. Following protests, he was released after a few days in custody.

On December 10, 2019, the police marked International Human Rights Day by baton-charging a journalist who was capturing police brutality on football fans. It was the last day of the South Asia Games 2019 hosted by Nepal, and fans were trying to enter the main stadium for the final match between Nepal and Bhutan when the police beat up some fans while attempting to control the crowd. Soham Chapagain of Nagarik daily who witnessed the incident was taking photographs when he was beaten by the police. He needed a visit to a nearby hospital, and despite the police agreeing to look into the incident following protests from the FNJ-affiliated Nepal Sports Journalists Forum and Photojournalists’ Club, there has been no news of an investigation.

**MANAGEMENT BILL AND THE INFORMATION TECHNOLOGY BILL ARE TWO SUCH EXAMPLES OF INCREASED STATE CONTROL.**

The government of KP Sharma Oli (L) has been criticised for failing to uphold principles of democracy in the interests of the media. Pictured speaking at the ILO International Labour Conference in Geneva on June 10, 2019, CREDIT: FABRICE COFFRINI / AFP

The government of KP Sharma Oli (L) has been criticised for failing to uphold principles of democracy in the interests of the media. Pictured speaking at the ILO International Labour Conference in Geneva on June 10, 2019. CREDIT: FABRICE COFFRINI / AFP

**TINY STEPS TOWARDS ACCOUNTABILITY**

Imprisonment still reigns in Nepal as the cases where victims get justice are rare – especially in the cases of violations of journalists’ rights. The FNJ says in many cases the state has failed to implement legal procedures despite identification of perpetrators involved in killing of journalists, which demonstrates a lack of seriousness to end impunity in crimes against journalists. Nepal has witnessed the murder of 37 journalists and disappearances of five since 1997, mostly during the Maoist insurgency. FNJ records show that in only five cases of murder, justice has been delivered whereas another five cases are still under judicial procedure.

A positive development in 2020 was the arrest of one of the murderers of journalist Birendra Sah 12 years after the crime. Narendra Paudel and Kushand Paudel, a former Maoist cadre was arrested for his involvement in the 2007 murder of Sah. The journalist was kidnapped by an unidentified group on October 7, 2007 and his body was found 14 days later. Among five individuals involved in the murder, one has completed the jail term, another is serving his sentence and two are still at large.

**NEW MEDIA, OLD CONTROLS**

The internet has become a new and powerful avenue of citizen’s voices, and social media is often setting the agenda for mainstream media and ensuring accountability from the government and its agencies. The government has a confusing policy regarding use of social media: while it wants to reach more and more of the public using social media to disseminate information and create a platform for citizens to engage with governments to acquire services, it also wants to control opinions on social media. The government has not only issued notices to the government-employed teachers and civil servants to refrain from criticising the government in social media, but ministers, and also the prime minister, have repeatedly expressed their dissatisfaction with opinions being expressed on social media.

With regard to control, Nepal has blocked pornographic sites, but it has also formulated laws that allows it to block sites and content, without requiring court orders.

**STILL INVISIBLE**

There is still a long road to travel for women journalists in Nepal. A report by Freedom Forum Nepal, which analysed 21 provincial newspapers for inclusion of women in their content from July to September 2019 found that women are almost invisible in the newspapers. The report recorded only five per cent of women have news bylines and only 12 per cent are news sources. Clearly, a lot remains to be done to increase the representation of women in the Nepali media.

The issue of online harassment, especially of women journalists, and trolling to silence critical voices on social media is an emerging issue. Nitu Pandit, the chairperson of Sanchariya Samuh, women journalists’ union, says, “On the internet, negative personal comments are overshadowing opinions on gender, especially those by actresses, women journalists and activists. The comments questioning personal character amount to censoring women’s opinions.”

**WAGE STRUGGLES ABOUND**

On January 30, 2020, journalists working for Nagarik and Republica dailies, including associate editor Tilak Pathak, submitted a memorandum to publishers urging the payment of salaries. The letter, which was leaked to the social media stated that they hadn’t received their salaries for three months, and some district correspondents hadn’t received salaries for up to 10 months. They threatened to stop working if they were not paid within 10 days.

On January 30 was also the deadline given by the journalists at Kambar daily to the management to meaningfully conclude talks with their union regarding their salaries and benefits. These two cases are not new in Nepal’s media industry. The crisis was averted as the journalists did not go on strike in either of the publications houses, but the incidents show the difficult situation for journalists in Nepal.

The state-owned Radio Nepal sacked three journalists in Doti – Sunita Rawal, Prakash Ram and Chakra Kunwar without any prior notice or administrative process in September 2019. The union leaders who held a demonstration demanding the reinstatement of the journalists’ jobs were arrested and detained for three hours.

Journalists’ rights are determined by the Working Journalists’ Act and its regulations. However, the media industry has always ignored the provisions in such a way that the FNJ has had to raise the issue of the implementation of the Act on every occasion. In 2019, the FNJ decided to ‘force the media houses to submit the list of employed journalists to the state authorities’ by public shaming. In October 2018, the government decided to increase the journalists’ salary by 25 per cent, which many private media houses have not implemented, and have instead refrained from putting on government records the number of journalists in their employment and their respective salaries.

On March 28, 2020, FNJ chair Govinda Acharya issued a statement to mark the federation’s establishment day in which he stated that the FNJ would continue to put pressure on the government for the complete implementation of the Working Journalists’ Act.
The government showed no backtracking as it introduced, one after another, laws that undermined the freedom of the press, freedom of expression as well as internet freedom.

THE LEGAL ENVIRONMENT

The key area of concern in Nepal is the legal environment, especially the one the state is trying to create through new proposed laws. Despite the government’s expressed commitment to press freedom and its “willingness to amend any anti-press freedom provisions” to end FNJ-led protests on two controversial laws in 2018, the government showed no backtracking at it introduced, one after another, laws that undermined the freedom of the press, freedom of expression as well as internet freedom.

The restrictive provisions in proposed laws have drawn flak from not only IFJ-affiliated FNJ and NPU but also from other media rights organisations, civil society organisations and international agencies. The UNESCO urged Nepali policymakers to adopt policies to provide a conducive environment for media freedom. In a statement on World Radio Day on February 13, 2020, the UNESCO Office in Kathmandu said that “it is necessary for people to be able to express themselves without fear.”

The US Department of State, in its annual Country Report on Human Rights Practices 2020, stated that the constitution and existing laws guarantee freedom of speech and press in Nepal, but the government tried to restrict media freedom by threatening journalists and news organisations that criticised the authorities.

Last year, two controversial bills were heavily criticised by the media rights organisations. One of the bills, the Information Technology Management Bill – passed by the Development and Technology Committee of House of Representatives (HoR) on December 29, 2019 – threatens journalists and news organisations that criticised the authorities.

The bill replaces the existing Electronic Transaction Act (ETA) which had been widely misused to arrest and harass citizens over their social media posts. This apart, the bill provides for far tougher punishments for committing the same offense on the internet as compared to committing the crime in person.

Backdoor Censorship

During the Covid-19 lockdown, an unprecedented case of violation of press freedom surfaced, throwing the spotlight on backdoor censorship that becomes possible when the state puts pressure on private technology companies.

On April 1, 2020, kathmandupress – a news portal on social media claimed that news had disappeared from the website without its knowledge. The ‘disappeared’ news alleged that the Prime Minister’s IT consultant Ali Asgar, and sons of his chief adviser and deputy FM were involved in a corruption scandal in the procurement of health equipment. It was later revealed that Shriran Technologies, which developed and hosted the news portal, used backdoor access to delete the news. The company apologised, citing a communication error after FNJ, NPU and a group of editors issued statements denouncing the company and demanding an investigation. The publication also said that it was denied access to the site for a few hours and was given access only after threatening of legal action.

Conditional Freedom

After Prime Minister KP Sharma Oli publicly criticised editors, he invited many of them to his residence for a meeting. During the meeting he expressed commitment to “uphold press freedom and all civil rights,” adding, “the press, which has a habit of criticising everyone, should also learn to face criticism, as it sometimes crosses the limit”.

The government, Oli said, wanted everyone to “practice freedom responsibly” in order to create a “civilised society.” The statement is a testimony of the government’s approach to media. Whereas there is spoken commitment towards media freedom and freedom of expression, between the lines, there is dissatisfaction over critical content and people’s opinions.

The coming year will witness a struggle for press freedom as the government will continue to attempt to control the Nepali media, particularly social media.
Many believe that the recent censorship, intimidation and arm twisting of journalists and media has been worse than the decade under the dictatorial regime of General Zia-ul Haq in 1977.

Pakistan
Down But Not Out

Pakistan’s media in 2019 reeled under an unrelenting clampdown, enduring repression which can be likened to ‘waterboarding’, or a form of slow torture as journalists struggled to survive physical attacks and threats to their livelihoods. Journalists, the basic source of news and information, remain as vulnerable as ever frequently targeted, harassed and even murdered. While the media is a basic source of news and information, remain as vulnerable as ever frequently targeted, harassed and even murdered. While the media is responsible for creating public awareness on national and international issues, there is no effective law governing the security and safety of journalists in Pakistan.

Measures taken by the government appeared to be aimed at gagging the minuscule free media, by perpetual clipping of its wings. Journalists, the basic source of news and information, remain as vulnerable as ever frequently targeted, harassed and even murdered. While the media is responsible for creating public awareness on national and international issues, there is no effective law governing the security and safety of journalists in Pakistan. Journalists also encountered physical assaults and abuse during the year under review with blatant fudging of evidence in which the police were suspected to have a role. Police submitted a forged medical report trying to present the murder of journalist Aziz Memon as a natural death.

In a shocking judgement on April 2, 2020, provincial Sindh High Court overturned the death sentence of British-born Ahmed Omar Saeed Sheikh, who had been convicted by an anti-terrorism court for kidnapping and murdering US journalist Daniel Pearl in 2002. Pearl, the South Asia bureau chief of Wall Street Journal was working on a story on terrorism when he was kidnapped in Karachi and weeks later a video release showed him beheaded in custody of Islamic militants.

Khan was a member of the government-formed Peace Committee in Swat to forge peace in the valley after the Taliban ouster from there following a military operation. It is believed that Khan's murder was pre-planned.

Javedullah Khan, bureau chief of the Urdu daily "Daily Kawish" in a video message from Islamabad, was shot dead outside his home on August 30, 2019. He was covering a local-criminal gang involved in extortion in Sarai Alamgir, a bustling town in eastern Punjab province.

Muhammad Bilal Khan, a 23-year-old blogger and freelance journalist, known for his critical stances on Pakistan’s powerful Inter-Services Intelligence Agency (ISI) and the military establishment, and murdered in Islamabad on June 25, 2019. He received an anonymous phone call and was asked to come to the nearby woods where unknown assailants fatally slew him with a dagger.

Urvo Iqbal, a female journalist was murdered by her husband in Lahore on November 25, 2019, after he demanded that she quit her job.

Impunity for the murders of journalists, arrests and threats continued in the year under review with blatant fudging of evidence in which the police were suspected to have a role. Police submitted a forged medical report trying to present the murder of journalist Aziz Memon as a natural death.

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Omar along with three other accomplices, was arrested and sentenced to death by hanging while the other three were awarded life imprisonment. The convicts filed an appeal in the high court that remained pending for 18 years. Expressing serious concern over the verdict of the High Court, the PFUJ also expressed hope that justice would be done. On April 4, the four accused in the case were re-arrested and detained for a period of three months, pending filing of the appeal against the acquittal.

Brazen Attacks

Journalists also encountered physical assaults and abuse during the year.

Mansoor Ali Sialy, an officer bearer of the ruling Pakistan Tehreek-e-Insaf (PTI) roughed up Imtiaz Khan Faran, the president of the Karachi Press Club during a live broadcast on June 28, 2019. The incident angered the journalist community which then staged a series of protests against the incident.

Murders and Attacks, With Impunity

The rising number of cases of harassment has substituted the tapering off of murders in the recent years. Killings however, still pose a grave challenge for journalists, especially when almost all of the perpetrators have gotten away with impunity. Several journalists paid the ultimate price for their reporting.

A recent murder was that of Azar Memon, a 36-year-old journalist in Naushahro Feroze in Sindh province. Tragically, his frantic appeals on social media for safety could not save his life. Memon’s body was found floating in a canal on February 16, 2020. According to witnesses who saw his body, Memon had been strangled with a wire before being drowned in the canal. However, the official autopsy report confirmed that he was murdered.

Weeks before his murder, Memon who worked with the Sindh language channel KTN News and Sindh-language daily "Kawish" had fled to capital Islamabad, from Mehrabpur, his hometown. In a video message from Islamabad, Memon claimed that police were threatening him at the behest of a local politician of the Pakistan People’s Party (PPP). He alleged that death threats were being hurled at him because of a story he broke on the KTN TV channel that showed the politician in bad light. Days later, his murder irrefutably validated his allegations.

The Pakistan Federal Union of Journalists (PFUJ) strongly protested Memon’s murder and staged a sit-in across the province demanding an impartial and fair investigation into his murder. The protests yielded results and the government constituted a joint investigation team, and even dropped the officer who had shown partiality in the case.

In yet another gory murder, Javedullah Khan, bureau chief of the Urdu daily "Jawami Awaz", was shot dead on May 4, 2019 outside Padidan Press Club, in southern Sindh province. Investigations revealed animosity towards Rajpar, who was a bold and vocal journalist. The perpetrator was arrested.

Mansoor Ali Sialy, an officer bearer of the ruling Pakistan Tehreek-e-Insaf (PTI) roughed up Imtiaz Khan Faran, the president of the Karachi Press Club during a live broadcast on June 28, 2019. The incident angered the journalist community which then staged a series of protests against the incident.

Many believe that the recent censorship, intimidation and arm twisting of journalists and media has been worse than the decade under the dictatorial regime of General Zia-ul Haq in 1977.

Pakistan’s media in 2019 reeled under an unrelenting clampdown, enduring repression which can be likened to ‘waterboarding’, or a form of slow torture as journalists struggled to survive physical attacks and threats to their livelihoods. Journalists, the basic source of news and information, remain as vulnerable as ever frequently targeted, harassed and even murdered. While the media is a basic source of news and information, remain as vulnerable as ever frequently targeted, harassed and even murdered. While the media is responsible for creating public awareness on national and international issues, there is no effective law governing the security and safety of journalists in Pakistan.

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then mysteriously left. In the garrison city of Rawalpindi without authorisation and journalist and his two sons at gun point, searched his home in May. In the raid during the wee hours, the police held the province was also beaten. Associated with 24 TV Channel in Khushab town of the Khabrain reporter working for Urdu daily Jammu Kashmir Peoples National Alliance were scheduled to Pakistan-administered Kashmir, raided, fired tear gas shells of 24 TV Channel who were covering a protest by lawyers. 2019 lawyers kidnapped and savagely beat up two journalists and in January 2020, Fawad Chaudhry, minister of the Khan cabinet slapped Mubashir Luqman, a TV anchor, for his comments on a political issue. However, no legal action was taken against the politician. The lack of accountability reinforced an atmosphere of impunity and in January 2020, Fawad Chaudhry, minister of the Khan cabinet slapped Mubashir Luqman, a TV anchor, for his comments on a political issue. In Faisalabad, the third largest city of Pakistan, on July 23, 2019 lawyers kidnapped and savagely beat up two journalists of 24 TV Channel who were covering a protest by lawyers. Several journalists were injured when the police in Pakistan-administered Kashmir, raided, fired tear gas shells and charged journalists with batons in the Murree area Press Club in October 2019. The raid came when leaders of Jamma Kashmir Peoples National Alliance were scheduled to hold a press conference. In July, two journalists in the eastern Punjab province were assaulted in separate incidents. Shazli Rizwan, a reporter working for Urdu daily Khabrain in Sargodha town was badly beaten up by local land mafia. Bashir Malik, associated with 24 TV Channel in Khushab town of the province was also beaten. The home of Shahid Sultan, reporter with Jang, was raided in May. In the raid during the wee hours, the police held the journalist and his two sons at gun point, searched his home in the garrison city of Rawalpindi without authorisation and then mysteriously left. **TABOO TOPICS**

In continuation of the previous year’s arbitrary measures, censorship was intensified by the regulatory bodies as well as the establishment through formal and informal tactics. In July, 2019 so-called paid platoons of social media “warriors” launched a vicious hashtag campaign “ArrestAntiPakistanJournalists,” after two broadcast journalists Hamad Mir and Aamir Shirazi made critical comments about Prime Minister Khan’s policies. Through the year, all the mainstream media, especially the electronic media, regularly received “advisories” from the Pakistan Electronic Media Regulatory Authority (PEMRA), widely believed to be emanating from military intelligence, the Inter Services Public Relations wing. Besides day to day instructions, certain issues were deemed to be off-limits for the media. There has been a permanent ban on covering rallies and activities of the Pakhtun Tahafuz (protection) Movement (PTM), a group of ethnic Pakhtuns that emerged in recent years to protect basic rights and stop the high-handedness of the security forces in the North Western region of Pakistan. Having complete control on the local media, the military establishment has reportedly been pressurising the foreign media as well to stop coverage of the PTM. In the western province of Balochistan, the ethnic Baloch, struggling for broader autonomy of the province and securing their rights, have also been banned in the media. Most parts of the province have been inaccessible for the foreign as well as local media to do independent stories. Altaf Hussain, the founder leader of Muttahida Quami Movement (MQM), that ruled Pakistan’s Karachi for three decades was also banned in coverage by all media, print, online and electronic. In another form of censorship, Dawn TV transmissions remained off air in vast swathes of the cantonment residential areas, which administration is run by the retired or serving military personnel. Hosts were also barred from distributing Dawn newspaper in many parts of the country. In Karachi, on January 9, 2020, plain-clothed personnel raided a publishing house, Maktaba-e-Danyal, and confiscated all the copies of Urdu translation of the award-winning English novel ‘A Case of Exploding Mangoes.’ Mohsinam Harif, a senior journalist and writer, had authored the satirical book about military dictator Zia-ul Haq, who was killed in an air crash in 1988, which the book attributed to explosives planted in the mango boxes aboard. Those conducting the raid identified themselves as ISI personnel and took away all the copies of the book. The raid left Harif feeling “anxious, angry and above all helpless,” as he was quoted in the media. Enforced disappearance of political and right activists has also been a taboo topic for the local media. Hundreds of Pakistani political and rights activists have been “missing” for years and the court cases continue at snail pace. In another glaring example of censorship, an interview of former Pakistani president Asif Ali Zardari was taken off air on July 5, 2019, at the eleventh hour. Hamid Mir, the veteran journalist who interviewed Zardari for Geo TV was later invited to ‘Zara Hat Ka’, a Dawn TV current affair programme to explain the circumstances led to the interview ban but the hosts of ‘Zara Hat Ka’ were also told not to interview Mir. On July 6, several TV channels were taken off air after they broadcast the live speech of Maryam Nawaz Sharif, the daughter of former prime minister Nawaz Sharif and leader of Pakistan Muslim League, the main opposition party of the country. In the same month Geo TV transmissions were taken off air in many parts of the country and the number of transmissions were reduced during prime minister Imran Khan visit to the US. In November, PEMRA issued notifications to all the TV channels ordering them to ban their current affair programs hosts and anchors from making critical comments or expressing their views. **TIGHTENING THE LEGAL LOOSE**

In what was believed to be an attempt to clamp down on media, Nasrullah Chaudhry, a local journalist, was sentenced to five years’ imprisonment under the Anti-terrorism Act. Chaudhry was arrested in November 2019 following a raid of his house by the security forces. The prosecution charged him with possessing prohibited jihadi literature. The BJ demanded that the government refrain from using court processes to silence independent media. On April 9, 2020, the Sindh High Court acquitted Nasrullah Chaudhry and ordered his immediate release from jail. While the government of Imran Khan has been taking every opportunity to curb the media under the existing legal framework, it has been actively engaged in forging new media laws that could further tighten its grip on the media.

At a press conference by Pakistan’s information minister Firdous Ashiq Awan on September 17, the government made
public its intention to set up speedy media courts and replace the existing regulatory bodies by a single body named the Pakistan Media Regulatory Authority.

The journalist community fiercely opposed the proposal. The PFUJ also rejected the new law, denouncing the proposal as a “threat to freedom of expression” and a “violation of the democratic rights of Pakistanis.” The journalist community fiercely opposed the proposal. The PFUJ also rejected the new law, denouncing the proposal as a “threat to freedom of expression” and a “violation of the democratic rights of Pakistanis.”

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The government would take steps to ensure that existing or impartiality and freedom of journalists and media professionals, Constitution of Pakistan. Appropriate action is to be taken if how seriously it would pursue turning it into a law, is yet to be not be tabled in the parliament and approved. The present had drafted a law for the protection of journalists but it could and they work in extremely precarious conditions. Some media houses have formally set up a mandatory committee to protect women media workers from sexual harassment but many do not know about the very existence of such committees. The government of former prime minister Nawaz Sharif had drafted a law for the protection of journalists but it could not be tabled in the parliament and approved. The present government has also drawn up a draft bill in recent weeks but how seriously it would pursue turning it into a law, is yet to be seen. The proposed “Protection of Journalists and Media Professionals Act, 2020” aims to protect every journalist’s right to life and security which is guaranteed in Article 9, of the Constitution of Pakistan. Appropriate action is to be taken if any journalist is subjected to ill treatment. The draft also suggests that to maintain independence, impartiality and freedom of journalists and media professionals, the government would take steps to ensure that existing or future counter-terrorism or national security laws are not utilised arbitrarily to hinder the work and safety of journalists. The formation of a Commission for the Protection of Journalist and Media Professionals (CPJMP) has also been suggested, comprising a judge of the Supreme Court as chairman; four members nominated by the PFUJ, a representative of the National Press Club Islamabad and an ex officio representative from the Human Rights Ministry. Too often Pakistan’s media houses did not given concern to imparting hostile-environment training to journalists working in difficult areas. They continued to deploy journalists covering the most sensitive stories of Covid-19 in early 2020, with at least three journalists reported as being infected with the coronavirus in March and one death by April. A random telephone survey revealed that media organisations had left staff with minimal protective measures, which rendered journalists vulnerable to the pandemic. In the office of the Centuries Publication, owner of Express TV and newspaper, arrangements were made for screening entrants for any fever, while sanitising liquids and surgical masks were placed in the premises. The masks were not meant to prevent viruses but filter dust and smoke. The screening team was put in place to ensure that if someone had a temperature above normal 97 F, he or she was told to go back home. A cameraman was tested more than 100 degree (F) fever, but was allowed to work on his insistence because he was more concerned about losing the job than being caught by Covid-19. At Ab Tak TV, a producer was fired for not coming to work due to ill health. The management placed sanitizers at different spots but did not cancel the practice of bio-metric recording of attendance which could potentially be a prime source of the virus. No personal protective equipment (PPE) was issued to journalists and staff, though working shifts were reshuffled to loosely comply with the protective measure. ARY TV channels, one of the largest media houses in the country was lax about providing PPE, especially, to the field staff, though they managed to fumigate the office premises. Several reporters registered the management with complaints of inhuman working conditions amid the pandemic but of no use. After a successful dialogue with the PFUJ, Punjab Information Minister Fawad Hassan Chohan on April 10, 2020, announced a relief package for media workers in the wake of the massive industry fallout that followed the Covid-19 pandemic. The provincial information ministry has now agreed to pay a monthly pension of Rs 10,000 (USD 64) and Rs1 million (USD 5,980) in relief to the family of a journalist who dies due to Covid-19. The government will also pay Rs 100,000 (USD 648) to any journalist who contracts Covid-19. Masks and protective gear will also be provided to newspaper hawkers. In response to the pandemic, the Punjab government announced it will give tax exemptions to media houses to clear pending dues so that they don’t have to face financial losses due to the ongoing coronavirus situation. It is hoped that the relief of tax exemption and payment of dues would also reach media workers.

Locked down and censored

The prevailing hostile circumstances pose a very serious question to the future of the free media in the country. The media in Pakistan has remained vibrant since independence in 1947 from the British Raj. The media has bravely faced three military dictatorships and imposition of emergencies by civilian governments. Nevertheless, the present years have been considered the most hostile for the free media in the country. The global coronavirus pandemic has brought fresh challenges to the media in Pakistan. There is built-in censorship amid the mandatory social distancing norms and physical lockdown during which journalists have restricted mobility and most are working from their homes. Reporters are forced to rely on official version alone, without sufficient scope for verification in an opaque system of governance. For instance, there are thousands of members of the missionary group Tabligh Jamaat, who had gathered in mid-March at Raiwind, the main congregation facility and headquarters of the Jamaat in Punjab province. They then dispersed all over the country. The numbers of those involved is said to be around 25,000, but in the initial days of the pandemic, there was no clear picture or official information about the whereabouts of all those who attended the gathering in Raiwind. Rumours and fake news took the place of verified information. Some newspapers reported that a member of the ruling PTI was arrested in Chitral, a remote town in Pakistan’s north, for spreading fake news on social media. Voices questioning the government have frequently been snubbed. Prime Minister Khan in a press conference on March 24, 2020, dismissed a journalist’s question regarding his government’s inefficient response to the emergency in the country. Instead of replying to the question Khan boasted about his government’s ‘media friendly’ policy, claiming that the journalist would have faced a libel case and his organisation would have been shut down, had this question been asked in a Western country. Governments must realise that critical questions, factual accuracy and ethical journalism are powerful tools in battling misinformation and vital to containing the pandemic.

A resolution adopted during the IFJ mission emphasised the right to freedom of expression; ending impunity for killings and attacks on journalists; and the all-important issue of job security and decent wages for working journalists.
SRI LANKA
DEMOCRACY UNDER THREAT

The year 2019 was marred by the Easter Sunday Attacks. On April 21, the jihadist group National Thowheeth Jama’ath set off suicide bombs in three churches as well as hotels in Sri Lanka killing over 240 Christian worshippers. Following these bombings, large-scale retaliatory violence was unleashed against the Muslim communities in Sri Lanka. Organised violent mobs destroyed businesses, vehicles and houses, and took one life. The bombings and the mob violence that followed had lasting implications on human rights. Calls for strengthening national security returned. The new and amplified wave of nationalism established Sinhala-Buddhist supremacy and Islamophobia as decisive political factors.

National security and political stability were the key pledges made by retired Lieutenant Colonel Gotabaya Rajapaksa who contested the presidential election in November 2019. Having secured 52 per cent of the votes, President Rajapaksa was elected as the sixth executive president of the country. His campaign appealed largely to the Sinhala-Buddhist majority, and he secured over 60 per cent of the Sinhalese votes. Only 20 per cent of the Tamil and Muslim electorate voted for President Rajapaksa, pointing to the continued division based on identity and the unresolved conflict along ethnic lines.

During his election campaign, President Rajapaksa spoke of national security, a disciplined society and economic development. Strengthening democracy, human rights and reconciliation did not feature in his electoral mandate. Justice for the serious human rights violations committed during the last phase of the war was displaced from the political agenda. It became uncertain whether even the slow progress achieved in the transitional justice process would continue. In February 2020, Sri Lanka Government (GoSL) withdrew its co-sponsorship from Resolutions 30/1, 34/1, & 40/1 on Human Rights, Reconciliation, and Accountability in Sri Lanka at the 43rd session of the UNHRC.

Democratic spaces in Sri Lanka began to shrink in Sri Lanka after November 2019. Investigations into serious human rights violations – including the killings, abductions, and assaults of journalists – came to a halt. In some cases, officers who had been investigating the crimes were demoted or transferred.

Barring a few exceptions, Sinhala media is dominated by Sinhala-Buddhist supremacist ideology and is openly and aggressively pro-government. With the rise of militarisation of civilian life, the military and Sinhala-Buddhist groups have come to wield enormous power in Sri Lanka. Journalists, local media organisations and human rights organisations anticipate drastic changes following the general election of 2020. The president has called for a two-third support in the parliament in order to abolish the 19th Amendment to the Constitution which placed checks and balances on the powers of the executive president and established independent commissions integral for democratic governance. A paper published by the Centre for Policy Alternatives in March 2020 summed up the situation. The prospects for democracy and reconciliation in the immediate future are bleak but the multiple challenges may also galvanise democratic forces to come together to counter and challenge. Post-independence Sri Lanka has witnessed the resilience of civil society, judiciary, media and others, sometimes under extremely trying circumstances.

A key concern in Sri Lanka is ownership of media, which has always been controlled by the government and by private owners who are politically connected. Political control over state media continues and it operates as a tool to propagate state ideology. At the same time, privately-owned news media remain biased on political lines.

As part of a long-standing demand, the Federation of Media Employees Trade Unions (FMETU) recommended the conversion of the Associated Newspapers of Ceylon (Lakehouse) into a public service journalism institution. This could proceed on the basis of the recommendations of the Sidath Sri Nandalochana Committee appointed by the Chandrika Bandaranaike Kumaratunga government of 1994 or a new committee as per the provisions of the ANCL (Special Provisions) Law No of 1973 which has been bypassed for nearly five decades by successive governments. An allied recommendation was the appointment of a Public Service Broadcasting and Television Independent Commission to take actions necessary to ensure that the Sri Lanka Broadcasting Corporation, the Sri Lanka Rupavahini Corporation and the Independent Television Network promote genuine public service journalism.

Polarisation of the media in Sri Lanka along ethnic and language lines continued. In addition, biased election reporting by media became a highly contentious issue during the presidential election. The Asian Network for Free Elections (ANFREL) observed that while the presidential election was largely peaceful and orderly, media was partisan: “…media in Sri Lanka now has a more conductive atmosphere in relation to press freedom compared with ten years ago. But at the same time, the perception of ANFREL observers is that the media has been blatantly biased in many instances, more particularly with private media…”

During the period covered by this report there were no instances of official media censorship in the country. Media personnel, including foreign journalists officially had access to all parts of the country. However, reports reveal that self-censorship is being practiced by media organisations in Sri Lanka: State media as well as privately owned media go to great lengths to
ensure that their journalists conform to the interests of the owners, including their commercial interests.

In a case that reveals the politicisation of the industry and the resultant pressures on journalists in the country, senior Tamil language journalist KM Rasool working with Capital FM was suspended on October 16, 2019 for ‘alleged insubordination’. He was suspended at the urging of powerful content attacking the leadership of the Tamil National Alliance (TNA), and the United National Party (UNP), and favouring Sri Lanka People’s Front candidate Gotabaya Rajapaksa in the lead up to the presidential election.

The media landscape in the country remains male-dominated. Among the accredited provincial correspondents there are only 33 women journalists (three per cent) compared to 1,022 men. Women journalists face discrimination as well as stenotyping at the workplace. In August 2019, the Chevening Alumni Association of Sri Lanka established Women in Journalism Sri Lanka (WJSL) in an attempt to empower and connect women media workers.

Social media in the country is dominated by Facebook. According to a report prepared by Kantar Media, Facebook holds 76 per cent of the total social media landscape (compared to Pinterest 9 per cent, Twitter 6 per cent, YouTube 5 per cent, and Instagram 4 per cent).

Facebook has been repeatedly accused of inaction over incitement of communal tensions in Sri Lanka, but there have been no significant steps taken to address this concern. Following the Easter Sunday attacks, social media platforms, including Facebook, were blocked for a week in an attempt to curb the spread of fake news and communal tensions.

Notwithstanding the opportunity it provides for informed discussions and challenging the dominant narrative, social media platforms have become a tool for spreading hate speech against religious or political communities.

Numerous incidents of threats and attacks against journalists were reported. Inform Human Rights Documentation Centre documented 38 incidents in January alone. In one incident, seven journalists in Batticaloa received death threats. In another incident, a journalist in Chilaw was assaulted by a group of individuals after he reported on an unauthorised filling of a paddy field.

Following the Easter Sunday attacks, Muslim journalists became victims of discrimination, hate speech, and heightened surveillance. The severity of hate speech on social media has become a cause for serious concern in Sri Lanka. Journalist Azzam Ameen was subjected to online harassment on social media by supporters who blobbed his platforms with hate speech and racist comments. Targeted for his Muslim identity, Ameen faced continued harassment despite his clarification that all his reports were based on facts.

Tamil journalist Thusian Nandakumar, an editorial member of Tamil Guardian website was also subjected to online hate speech following the Easter Sunday attacks, for pointing out in a BBC interview that Tamil Christians in Sri Lanka had been massacred by the Sri Lankan military. Responding to the increased polarisation following the Easter Sunday attacks, on May 3, 2019, the Free Media Movement (FMM) organised a public discussion to focus on hate speech, its repercussions and how it can be avoided.

“The culture of impunity in Sri Lanka has been repeatedly pointed out as one of the main reasons for which religious extremism and hate speech thrive in the country, undermining the rule of law and human rights.”

The months before the presidential election witnessed several incidents of intimidation and violence. In June, the Organised Crime Division attempted to take into custody journalist Sivakumaran Perera under the ICCPR Act over an article in the Daily Mirror titled ‘From Islamic terrorism to marauding Sinhala Buddhist violence’. However, the immediate approach by the police, observed that the ICCPR Act had not been enforced “in a consistent and an even-handed manner”. The letter was accompanied by a legal analysis of Section 3 of the Act in light of relevant international jurisprudence and the recommendations of the HRC Sl.

It is ironic that the ICCPR Act enacted to counter hate speech is being used against minorities and to curb freedom of expression. Significantly, the act has never been used against extreme Sinhala Buddhist groups who have propagated hate speech against minorities. Clément Nyaletsossi Voule, UN Special Rapporteur on the rights to freedom of peaceful assembly and of association in his End of Mission Statement in July raised the concern that Section 3 of the ICCPR Act is being used “to target minority communities, while highly publicised instances of hate speech within the majority community have remained largely unprosecuted”.

INTERROGATION, INTIMIDATION AND ARRESTS

The months before the presidential election witnessed several arrests. A journalist from the Thinaaakar newspaper was arrested on May 9 for being in possession of newspaper cuttings featuring the leader of National Thowheed Jama’ah (NTJ) who was responsible for the Easter Sunday attacks. A few days later, on May 13, Mohammed Rizvi Mahanoo was arrested under the incorrect assumption that he possessed CDs with promotional material of the NTJ.

In August, police verbally abused, threatened, assaulted and then arrested a woman journalist working for the Catholic newspaper Gnanartha Pradeepaya. Police also took video footage of her and her home. She was also assaulted with a chair at the police station. She was released upon complaining to the Officer-in-Charge (OIC). She was not informed of the reasons for arrest. A few days later, a woman media worker was arrested with stones.

On September 5, Jinasena Rathugamage, a senior Sinhala journalist in Varuniya was interrogated by the Terrorism Investigation Division (TID) for around six hours for reporting on the arrest of Kithulchchi’s Judicial Medical Officer.

A clear surge in violations was visible immediately following the presidential election. Incidents of intimidation and violence occurred in several parts of the island. Freelance journalist Lasantha Wijeratne was attacked on November 14 by a group of unidentified armed men who stormed into his house in Habaraduwa in the Southern Province during the wee hours of the morning. A terrorised Wijeratne was shot with a sharp weapon, threatened and beaten. Before the incident, Wijeratne had released the book, Wasteful Development and Corruption, which allegedly criticised Gotabaya Rajapakse, one of the front-runners of the presidential race. The attackers mentioned his book during the attack and told Wijeratne to remove all copies from book shops. It is believed that this book was the cause of his assault. Though the police commenced an investigation into the incident, there has been no progress so far.

Following the presidential election, independent journalists and critical online media came under pressure. Individual journalists were intimidated and a set of leaflets carrying death
threats against seven Tamil journalists in Batticaloa were left at the Batticaloa Press Club and a nearby bus stop. Surveillance of journalists also increased and the digital media was particularly targeted. On November 22, Sri Lankan police visited and interrogated Sakhthivelpillai Prakash, the editor of the Tamil-language newspaper Thamizapuram. The police also demanded details of all reporters and correspondents. Sanjay Dhanshika, a journalist who manages the video channel at TheLeader.lk news, was summoned and questioned by the Criminal Investigation Department (CID) for several hours. News18 reported that their office in Nugegoda was searched by the police on November 26, upon a false complaint that the company had in its possession defamatory material targeting a presidential candidate. Thushara Vithanaka, the editor of the Voice.lk, was summoned for questioning by the CID. She was interrogated for two hours.

The director of Vavuniya-based Tamil language newspaper Thiyagavol, Sakhthivelpillai Prakash, his wife, and another editor were summoned by the TID on March 2, following the paper's editor, Thinappuyya, was summoned for questioning by the CID. She was interrogated for two hours. The police on November 26, upon a false complaint that the company had in its possession defamatory material targeting a presidential candidate. Thushara Vithanaka, the editor of the Voice.lk, was summoned for questioning by the CID. She was interrogated for two hours. The director of Vavuniya-based Tamil language newspaper Thiyagavol, Sakhthivelpillai Prakash, his wife, and another editor were summoned by the TID on March 2, following the paper's editor, Thinappuyya, was summoned for questioning by the CID. She was interrogated for two hours.

EXPANDING ONLINE MEDIA
Sri Lanka has a rapidly expanding vibrant alternative media culture online. There are numerous internet-based radio and video channels as well. Livestreaming via Facebook has become a popular method to reach out to large audiences online. While video channels as well. Livestreaming via Facebook has become a popular method to reach out to large audiences online. While video channels as well. Livestreaming via Facebook has become a popular method to reach out to large audiences online.

However, the access to and quality of internet connections are limited by infrastructure as well as the nature of connections offered. Fibre optic connections are limited to few cities. While most of the social media users access internet through smart phones, network penetration is expensive, and weak, particularly in rural areas.

There are two journalists associations working with web-based media: Professional Web Journalists’ Association (PWJA) and Internet Media Action (IMA). PWJA has its own Guidelines for Web media. In 2019, IMA, together with other civil society organisations drafted a ‘Social Media Declaration’. Signatories pledged their commitment to eradicate discrimination based on race, religion caste, sexual and work to end gender-based violence, violations of rights of the child, content inciting hate or violence, threats and intimidation, misinformation, and data theft among other issues. The FMM and IMA, in collaboration with the International Federation of Journalists (IFJ), each conducted workshops with digital journalists in December 2019. At the workshops, digital journalists discussed various the challenges they encounter and recognised the need to be organised as an immediate step towards addressing these challenges.

CHANGES IN THE LEGAL ENVIRONMENT
Immediately following the Easter Sunday attacks in April 2019, the Sri Lankan government blocked access to social media to prevent incitement of communal violence. The government warned that laws under emergency regulations would be strictly enforced against persons and groups using any media to spread rumourous, false propaganda or misinformation. In late May, the cabinet approved amendments to the penal code and criminal procedure code, criminalising the dissemination of ‘false news’ if it was deemed to affect ‘communal harmony’ or ‘state security’. The amendment used broad and vague terminology and carried a fine of LKR 1,000,000 (USD 5,000) and/or a five-year prison sentence for offenders. In the backdrop of the police misusing the ICCPR Act to restrict freedom of expression, concerns were raised regarding the amendments. In a letter to the minister of justice and prison reforms, FMM expressed its concern that the proposed legal amendments could seriously threaten freedom of expression and media freedom in the country. Meanwhile, the government has reached the final stages of drafting a Cyber Security Act to prevent the publishing of defamatory posts and comments on social media. The draft act establishes a mechanism for immediate removal of posts with ethnic or religious sensitivities that could spread hatred on social media. Under the new mechanism, a Digital Infrastructure Protection Agency (DIPA) will be set up as an apex body for all cyber security related affairs including credit card fraud, online sexual exploitation, hacking, and intellectual property theft, cyber terrorism, and processing of unauthorised information.

RIGHT TO ASSOCIATION
Immediately after his appointment, President Gotabaya Rajapaksa brought the secretariat of non-governmental organisations (NGOs) under the Ministry of Defence, which he heads. Just a few months before, the UN Special Rapporteur on the rights to freedom of peaceful assembly and of association Clément Nyaletsossi Voule had written that it was “… encouraging to note the recent transfer in competency for the NGO Secretariat from the Ministry of Defence to the Ministry of National Integration, Official Languages, Social Progress and Hindu Religious Affairs.”

The impact of the change is already being felt. In March 2020, NGOs in Mullaitivu District were ordered by the District Additional Secretary to minimise empowerment programmes such as trainings on women’s rights, child rights, human rights, and land rights, as well as to minimise the setting up and strengthening of self-help groups. Operations of the Consortium of Non-Governmental Organisations in Ampara district have been disrupted by the frequent inspections and questionings by the TID. In July, the UN Special Rapporteur on the rights to freedom of peaceful assembly and of association expressed concern at the numerous accounts of surveillance, including online surveillance, used to monitor the activities of civil society and intimidate those dissenting peacefully. He also noted the continuing concerns over the Prevention of Terrorism Act which challenges the enjoyment of the freedom of peaceful assembly and association.

Likewise, the UN Special Rapporteur on freedom of religion or belief who visited Sri Lanka in August called upon the state to combat violent extremists while ensuring that any strategies to prevent violent extremism or counter terrorism are in compliance with international human rights law. In an effort to monitor and contain dissent, in February 2020, the government established an ‘Agitation Area’ reserved for protests near Galle Face Green in Colombo.

Hindrances to the right of media workers to organize and form unions continue in private media organisations. Provincial journalists who play a primary role in print and electronic media are still not entitled to labour rights such as the Employees Trust Fund or Employees President Fund. Ensuring a free media culture is not achievable without bringing in a system of providing those provincial full-time journalists with a letter of appointment, a reasonable wage and assurance of their rights. The recommendations of the government-appointed committee set up in 2018, chaired by Director General of Information comprising of the Secretary to the Ministry of Finance and Media and Labour Commissioner have yet to be implemented.

TOWARDS MEDIA REFORM
The year witnessed several joint initiatives. Journalists’ organisations in Sri Lanka including IFJ affiliates came together to commemorate ‘Black January’ on January 28. They called on the new president to end impunity and secure justice for outstanding unsolved cases of assault, murder, and disappearance of journalists and media workers.
Fulfilling a long overdue demand by organisations working on press freedom, the government decided to open the Committee on Public Enterprises (CoPE) to media on August 9. Appreciating this historical step, the FMM recalled that from the inception it had been advocating for transparency. In order to strengthen freedom of expression in Sri Lanka and promote media reform, the FMM set up a website containing primary documents related to media reform in Sri Lanka from 1948.

In a significant move towards strengthening journalists’ rights as well as ethical and professional journalism, the Sri Lanka Working Journalists Association (SLWJA), the Free Media Movement (FMM), the Federation of Media Employees Trade Unions (FMETU), Sri Lanka Tamil Media Alliance (SLTMA), Sri Lanka Muslim Media Forum (SLMMF) and Young Journalists Association (YJA) together drew up and adopted a ‘Rights and Responsibilities Charter’. Adopted on September 8, the charter lays down ten rights including labour rights, the right to association and organisation and the right to know. The ten responsibilities include adherence to journalistic tenets of fairness, accuracy, balance in accordance with ethical codes laid out by the IFJ and the Sri Lanka Press Institute and the Sri Lanka Press Complaints Commission.

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Media organisations also reiterated their recommendation to abolish the Sri Lanka Press Council and strengthening of the Press Complaints Commission. In a significant move towards strengthening journalists’ rights as well as ethical and professional journalism, the Sri Lanka Working Journalists Association (SLWJA), the Free Media Movement (FMM), the Federation of Media Employees Trade Unions (FMETU), Sri Lanka Tamil Media Alliance (SLTMA), Sri Lanka Muslim Media Forum (SLMMF) and Young Journalists Association (YJA) together drew up and adopted a ‘Rights and Responsibilities Charter’. Adopted on September 8, the charter lays down ten rights including labour rights, the right to association and organisation and the right to know. The ten responsibilities include adherence to journalistic tenets of fairness, accuracy, balance in accordance with ethical codes laid out by the IFJ and the Sri Lanka Press Institute and the Sri Lanka Press Complaints Commission.

Still Seeking Justice: Impunity Update

Several cases of assault, disappearance, and murder of journalists and human rights defenders between 2009 to 2015 are ongoing. Families of journalists so victimised have kept the struggles for justice alive, pointing to the significance of supporting and engaging family members of victimised journalists.

Just two weeks before the presidential election on November 7, Cabinet of Ministers approved a proposal to compensate 78 journalists subjected to harassment and persecution during 2005-2015, with amounts ranging from Rs 200,000 to Rs 1.5 million (USD 1,000 – USD 7,700). There was no time to implement this cabinet decision.

Ahimsa Wickrematunge, daughter of slain journalist Lasantha Wickrematunge, filed a lawsuit in the US against the former Defence Secretary Gotabaya Rajapaksa in April 2019. The lawsuit was filed seeking damages from Rajapaksa for instigating and authorising the extrajudicial killing of Lasantha Wickrematunge—former editor of the Sunday Leader, killed in January 2009 while he was on his way to office.

Although her case was dismissed by a district judge, a Federal Appeals Court in San Francisco later allowed her appeal against the decision of the district judge. In a brief order, the three-judge panel granted the daughter’s request to dismiss her case as moot, because Gotabaya Rajapaksa is now president, but dismissed the case ‘without prejudice’, meaning the case can be brought back later.

Carrying on her campaign for justice for her father, Ahimsa Wickrematunge filed a complaint on February 21 against Senior Superintendent of Police, W Thilakaratne, for attempting to aid Udanyage Weerattunga to escape arrest at the Commission to Investigate Allegations of Bribery and Corruption (CIABOC).

‘[T]his plea is consistent with my previous pleading in a civil matter in another jurisdiction that I firmly believe that my father’s murder stems from his efforts to investigate the crimes [with] which Mr Weerattunga is charged. The CID has revealed, since 2015, that at least three additional people were killed in an attempt to cover up my father’s murder’, she stated.

Just as Ahimsa Wickrematunge has become a crucial force in the struggle to obtain justice for her father, Sandya Eknaligoda, the wife of disappeared journalist Prageeth Eknaligoda has been engaged in a long struggle for justice for her husband. She has built a worldwide campaign for justice and accountability.

On November 7, the Attorney General filed indictments in the High Court against seven army intelligence officers in connection with the abduction of journalist Prageeth Eknaligoda. By this time, the AG had already filed indictments in the Homagama High Court against seven army intelligence officers attached to the Gittala Army camp. The charges were filed under section 102, 113 (A), 356 of the Penal Code in respect of conspiracy and abduction of journalist Prageeth Eknaligoda on or around August 27, 2009.

A major breakthrough was made in the probe into the assault on former editor Upali Tennakoon in early July 2019. Fingerprints found on Tennakoon’s vehicle on the day of the assault were linked to an army officer accused of being involved in the attack. Upali Tennakoon was assaulted on January 25, 2009, in an apparent attempt to kill him by assailants on motor bikes. Both Tennakoon and his wife were injured during the attack.

Crucial Crossroad

Sri Lanka itself, as well as the democratic rights of the people, are at a critical crossroad. The Covid-19 pandemic has exacerbated the situation. Media and journalists are faced with new challenges of reporting the epidemic in a balanced way, communicating facts and health advisories without giving in to fear mongering and discrimination.

As expected, the government has responded to the pandemic with increased authoritarianism, and the country has been under an unofficial health emergency since mid-March 2020. The declaration of a State of Emergency needs to be endorsed by the parliament within a month, but parliament is being dissolved and elections postponed. Hence the government has declared a “Police Cutout” to maintain peace, law and order under the Police Ordinance.

Sinhala nationalist media including a majority of social media users launched anti-minority rhetoric by blaming a particular race, or religion of infected persons or of those who die of it, not to publish photographs or show videos of infected persons without their permission and not to report in a manner that causes hatred among peoples.

In order to defend and protect freedom expression in the coming years, Sri Lankan press freedom organisations need to strengthen solidarity locally and internationally. The post-Covid-19 situation will see economic hardships accompanied by increased authoritarianism, and the country has been under an unofficial health emergency since mid-March 2020. The declaration of a State of Emergency needs to be endorsed by the parliament within a month, but parliament is being dissolved and elections postponed. Hence the government has declared a “Police Cutout” to maintain peace, law and order under the Police Ordinance.

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Sinhala nationalist media including a majority of social media users launched anti-minority rhetoric by blaming a particular community for the epidemic. In this context the Ministry of Health and Indigenous Medical Services issued guidelines for reporting Covid-19, requesting the media not to mention race or religion of infected persons or of those who die of it, not to publish photographs or show videos of infected persons without their permission and not to report in a manner that causes hatred among peoples.

From far left: Freelance journalist Lasantha Wickrematne was attacked on November 14 by a group of unidentified armed men who stormed into his house in Habaraduwa in the wee hours of the morning. Wickrematne was slashed with a sharp weapon, threatened and beaten. Before the incident, Wickrematne had released a book on corruption which allegedly critical of Gotabaya Rajapaksa, one of the front-runners of the presidential race. A municipal worker sprays disinfectant solution on AFP photographer Lakruwan Wanniarachchi, in Colombo on March 31, in efforts to prevent the spread of Covid-19. CRIDF AFP
MEDIA RIGHTS MONITORING: BACKBONE OF PRESS FREEDOM ADVOCACY IN SOUTH ASIA

The release of Nepali journalist Jitendra Maharjan from detention on April 9, 2019, was a happy outcome based on years of campaigning for journalists’ rights, built on a solid foundation of media rights monitoring in Nepal. The editor of the weekly Nayairthdaya, published from Kirtipur, Kathmandu had been arrested on April 9, 2019, on allegations of involvement in organised crime and proximity to a banned political outfit. Released after a Supreme Court order on April 21, his freedom was short-lived as he was rearrested the same day on similar charges. It was not the first time that Maharjan had been targeted, having gone through a similar experience in 2017.

Through his ordeal, Maharjan was supported by the Federation of Nepali Journalists (FNJ), which had launched a habeas corpus petition in the Supreme Court on his behalf. The Federation, which represents journalists across Nepal, played an instrumental role in supporting him after being informed of his arrest by Maharjan’s friends and colleagues. After conducting an independent inquiry, the FNJ released a statement on Maharjan’s plight, lobbied for his release and also approached the courts.

“We realised that filing a case in the Supreme Court was the only option,” says Jamuna Devi, the FNs’s central committee member assigned to take the case forward.

The success in Maharjan’s case represents the potential of media rights monitoring and advocacy in Nepal, in particular, and South Asia in general.

With 52 journalists jailed and detained in the past year in South Asia and hundreds more attacked and threatened, a robust monitoring system to defend and protect journalists from being targeted for their work, harassed or intimidated is crucial. Recognising this vital need, the IFJ launched training on media rights monitoring since the mid-2000s. In the years since, journalists and their unions in Nepal, Pakistan, Sri Lanka, Afghanistan and Bangladesh have undertaken training to enhance knowledge of their rights and to better equip them in the fight to defend themselves, both individually and collectively.

The IFJ, working through its affiliates in South Asia, developed modules for media rights training, conducted training and helped establish locally-led media monitoring and response systems for recording violations and encouraged the creation of in-country database.

The FNs, with donor support, has been able to develop one of the strongest media rights monitoring systems in the region with website tracking and data collection as well as decentralised district chapters tasked with rapid response and journalist protection.

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(4) GENDER DIMENSION IN MEDIA RIGHTS MONITORING

IFJ’s gender research in the Asia-Pacific region has found that female journalists and media workers continue to face discrimination, insecurity and violence. Women represent less than a third of the workforce in the newsroom. This disparity is also reflected in media rights monitoring as women’s presence in unions and associations is low, particularly in leadership roles – which has a flow-on impact on gender issues in monitoring. Almost 50 percent of those surveyed felt that women did not have visibility in unions.

Sexual harassment in the workplace, online harassment and intimidation and attacks while working in the field are violations common to most countries in South Asia. Yet, recording of such violations remains low because of stigma, lack of belief and an unsupportive network or workplace, as well as ongoing bias in the law enforcement system. Likewise, cultural factors that impinge on women’s work in traditional societies are sometimes not recorded as barriers to professional lives e.g., domestic violence, murder by family members due to honour do not allow women to pursue careers in journalism, but that these violations sometimes get recorded as “personal” reasons unrelated to work.

Suman Sultana Ahmed, President of the Gender Council, Joint Publishers Organisation of Assam, India says “Despite women’s increasing participation in journalism, a professional working environment is still a big question. I have found many female journalists sexually and emotionally abused.”

Local media monitoring organisations can play a much greater role in addressing these issues. While the IFJ has gender equity strategies and policies, too often these remain a low priority for monitoring and while collecting data, decision-making, in follow-up and advocacy events. Women also are generally not engaged in media rights monitoring, which contributes to the challenges of a systematic and comprehensive recording and documenting of violations and tailored response mechanisms as well as in resource and advocacy efforts.

Current, the focus on gender and gender-based monitoring remains confined to women and women journalists. There is also a need to specifically address issues of journalists from the LGBTQI community and incorporate such vision into MRM training and material.

(5) RESPONSE AND IMPACT OF STATEMENTS

Issuance of statements or media releases can turn the spotlight on violations of media rights, which can draw the attention of civil society and government agencies. However, the degree of the attention by media, civil society and the government sadly depends largely upon the issue and influence of the organisation that is releasing the statement.

For example, press releases issued by the FNJ and NPU are taken seriously by official bodies, although they lack the attention of civil society organisations and officials such as the National Human Rights Commission of Nepal and the Nepal Police. These bodies receive numerous complaints which are investigated but rarely result in legal action or sanctions. However, the IFJ has received numerous reports of violations of media rights and has been able to provide support and assistance to journalists who have been targeted.

In Nepal, the FNJ and NPU have successfully challenged violations of media rights before the courts, and have provided support and assistance to journalists who have been targeted. The IFJ has also been able to provide support and assistance to journalists who have been targeted.

JOINT ADVOCACY INITIATIVES

A good practice noted is where there are joint advocacy initiatives of MRM organisations within countries and more broadly in South Asia. For example, Sri Lankan organisations jointly conduct a campaign against impunity in January each year calling on the Sri Lankan government to end impunity and secure justice for outstanding unsealed cases of media personnel who died, were disappeared or injured between 2005-2015 during the tenure of Mahinda Rajapaksa.

In Nepal, the FNJ, NPU and National Union of Journalists have joined forces to monitor violence against journalists. They have also joined forces to monitor and report on violations of media rights and to provide support and assistance to journalists who have been targeted.

Efforts to strengthen gender perspective

Elsewhere, in South Asia, partnerships have been forged to support and assist journalists who have been targeted. The IFJ has been able to provide support and assistance to journalists who have been targeted.

CHANGING MEDIA LANDSCAPE

Diversification has led to the emergence of new forms of violations and new forms of challenges for MRM as well. News generation by citizens, bloggers and vloggers have also broadened the field dramatically. MRM organisations are finding it hard to keep up with the rapid changes and respond to new forms of violations such as hacking, doxing, identity theft etc.

WAY FORWARD

Reporting on under-reported violations requires the participation of women and men in the media and in unions, especially in decision-making positions, is low.

DOING MORE TO WORK WITH WOMEN JOURNALISTS

In Asia, even where women are running media organisations, they are often not included in advocacy and training initiatives. The IFJ has been working with local media organisations to ensure that women journalists are included in advocacy and training initiatives.

Ongoing challenges

Across the board, lack of resources for sustained MRM training, monitoring and maintenance of databases plagues the process. The turnover in trained monitors and lack of resources to conduct further training hampers the work. “As unions by and large are run voluntarily by leaders and depend largely on membership fees, the first challenge is to manage resources to support regular media rights monitoring, ” says Bedabrata Lahkar.

In South Asia, the legal, institutional and organisational structures and policies create barriers to conduct media monitoring, which are being addressed by IFJ’s gender research in the Asia-Pacific region has found that female journalists and media workers continue to face discrimination, insecurity and violence. Women represent less than a third of the workforce in the newsroom. This disparity is also reflected in media rights monitoring as women’s presence in unions and associations is low, particularly in leadership roles – which has a flow-on impact on gender issues in monitoring. Almost 50 percent of those surveyed felt that women did not have visibility in unions.

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Efforts to strengthen gender perspective

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The IFJ will continue its IFD media rights monitoring project in 2020 in India, Nepal, Maldives and Sri Lanka. National research reports will now go into developing revised training modules with assessment and inputs by experts in the region.
The IFJ documented cases of 50 journalists detained or jailed in South Asia from May 2019 to April 2020. In Afghanistan, ten journalists were arrested or detained for short periods for crimes such as criticism of government or alleged links to the Taliban, but most were released within hours after the intervention of media advocacy groups, unions and the joint committee on government and media. In the period, 30 journalists were detained for 24 hours or less, highlighting issues of threat and intimidation to silence journalists reporting in the region. India again was the region’s leader in detention and incarceration of journalists for longer periods, with ten journalists detained or jailed in the year, compared to about five journalists in previous years, including the ongoing incarceration of Aisit Sultan from 2018. Concerningly, a large number of journalists continued to be charged for sharing content on social media platforms, with an overwhelming majority of journalists for longer periods, with ten journalists detained or still in jail.

In Afghanistan, ten journalists were arrested or detained for crimes such as criticism of government or alleged links to the Taliban. This was largely a result of politicians or political media coverage. The journalist had accused them of doing their duty”. The journalist was arrested for allegedly sharing a video on Twitter that was deemed as “defaming” the chief minister of Uttar Pradesh, Yogi Adityanath. The video contained claims made by a woman against the minister. Status: Released on bail on April 27, 2020.

In Pakistan, journalist Daily Times was declared a criminal outfit by the government in February 2019. He was alleged to have close links with the outlaws. He was arrested for sharing a video on Twitter asking why a family has been cause alarm to the public. Status: Released on August 26, 2019.

In Nepal, journalist Prakash Bahadur was arrested for sharing a video on Twitter that was said to be taken by AFP. The journalist had accused them of doing their duty”. The journalist was arrested for allegedly sharing a video on Twitter asking why a family has been cause alarm to the public. Status: Released on August 26, 2019.

In Srilanka, journalist Arvind K. was arrested for sharing a video on Facebook, that was deemed as ‘antisocial’. The journalist was arrested and charged for allegedly sharing a video on Twitter asking why a family has been cause alarm to the public. Status: Released on August 26, 2019.

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IN SOUTH ASIA

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JOURNALISTS DETAINED IN SOUTHERN ASIA

(MAY 1, 2019 – APRIL 30, 2020)

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MAY 1, 2019 – APRIL 30, 2020

MAY 19, 2019: Tahirak (C)
Irfan Baqar and Shafiqullah Poya journalists of Salam Watan radio and Khorshid TV are threatened by the provincial commander of Tahirak for sharing news without coordination with the commander.

July 6, 2019: Unuzgan (C)
Fazil Ahmad Bashshar and Sardar Wali, radio reporters with Piwazhaw Ghon, are threatened by the Taliban.

July 7, 2019: Ghazine (C)
Ramizullah, manager of Sama radio, is threatened by the Taliban.

November 5, 2019: Baghlan (C)
Adiburrahman Farz, a publisher at a local television station in the Baghlan province, is threatened by unknown armed men.

December 2, 2019: Lagar (C)
Mahmud Salar, manager of Pawaal Mili radio, is threatened by Shapur Hasanazi, a member of parliament from Lagar.

December 7, 2019: Unuzgan (C)
Shafiqullah Shararat, reporter with Azadi radio, is threatened by local scholars for publishing a report about an unregistered madrasa in Unuzgan province.

December 15, 2019: Nangarhar (C)
Hamid Ahmad, a reporter with Enawaks Radio Television, is threatened by the Taliban. Local officials have provided temporary security.

January 18, 2020: Baghlan (C)
Sayed Abdul Rahim, editor-in-chief of Hanzbi Radio, is threatened by unidentified men. A protection plan is in place.

January 18, 2020: Kabul
Najib Payman, the editor-in-chief of radio and television channel Music Afghanistan, receives threats over the telephone.

January 27, 2020: Farah (C)
Mohammad Fahrozai, a reporter for Unj TV, Ahmad Shah Fikrat, editor-in-chief of Dunya Radio, and Hamidullah Hamidi, editor-in-chief of Noor presidential Press, are threatened on the day of election campaigning in Loya Jarga.

August 12, 2019: Kabul
Abdul Qayum Aziz, a reporter in Kabul, is insulted and humiliated by the director of women’s affairs.

August 31, 2019: Kabul
Members of the media are insulted by Rohullah Ahmadzai, a spokesman of the ministry of defence.

September 3, 2019: Samangan (C)
Journalists are verbally abused by guards of the vice governor office, who is also head of the Afghanistan Journalists’ Protection Committee.

September 14, 2019: Kandahar (C)
Fazl Muhammad and Qudratullah Rezwan of Wardak radio, are insulted by unknown people.

September 25, 2019: Farah (C)
Six employees of Taleqan-U.S. radio station are arrested by National Directorate of Security (NDS) forces on charges of alleged links to the Taliban. Twelve computers, nine telephones and three recorders are searched. They are released after 12 hours with no charges laid or evidence found.

September 28, 2019: Panwan (C)
Masoud Noori, presenter of Salam Watan radio, is insulted and humiliated by the brother of the head of the Afghan Journalist Union.

September 29, 2019: Helmand (C)
Journalists Abdul Aziz Safi (Shehnaw Haq news agency), Safetullah Zhailam (Salam Times), Abdul Ghani (Tal) and Ahmad Khan Patshun (Zhawdon TV), and Abdul Wali Tawhid (Melma local TV) are threatened by the chief of police of Helmand Province.

October 2, 2019: Ghazi (A)
Photographer and comedians Nawed Nayel, Qudratullah and Qas, of Mawand and Khorshid TV, are beaten by the locals of Mir Bacha Kot district of Kabul after they were accused of insulting and humiliating a number of elders in a program.

July 4, 2019: Nangarhar (C)
Mikail Farooqi, a reporter for the Fahrih news agency, is assaulted and threatened by police soldiers while filming. While trying to film a protest at the Pakistan embassy, a police soldier grabs the journalist and deletes his images and footage. He is also prevented from interviewing visa clients.

November 11, 2019: Takha (C)
Journalists are prevented from entering a prison in Takhn province during a prison strike. Prison authorities say this is to prevent injuries. At least three journalists are attacked during the fourth round of Afghanistan’s presidential elections held on September 28. Rahmatullah Nikzad, a reporter for the Afghan National Army, is injured when a bullet hit him in his leg in Ghazni province on September 27, a day after the election. Abdul Rahman Hamad, of Kownag Ghaz Radio, is wounded in an attack on September 29 in Baghlan province. On September 29, journalist Masjid Noori, of Salam Watanda is threatened verbally attacked and his phone confiscated.

November 7, 2019: Kabul
Jamshid Yari Amin, the manager of Kharwar news agency, is beaten by a police officer while preparing a report on an election rally.

November 30, 2019: Lishtar Gah, Helmand (C)
A roadside bomb seriously injures Sarfaraz Mohammad Salar, a reporter with Shamsi Radio, who is travelling in a military convoy from Lishtar Gah to Marlaj. Sarwar sustains severe injuries to his head and leg from a Taliban attack on the convoy. Sarwar is one of three civilians injured in the attack. Two security officials are also injured.

December 11, 2019: Faizabad (C)
Afghans media is attacked. At least 12 people were injured in the attack.

January 10, 2020: Takha (C)
Musaam Aranzo, a reporter for Borik Radio, is allegedly raped by Mohammad Ehsan, Authorities are investigating the cases.

January 10, 2020: Nangarhar (C)
A police officer beating and insults five journalists in Nangarhar province.
BANGLADESH

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5. THREATS AGAINST MEDIA INSTITUTIONS – 5
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NON-FATAL ATTACKS ON JOURNALISTS

May 22, 2019: Jamalpur

Shuvo, a journalist of the Awami League political party, files a police complaint alleging harassment and obstruction in election duties.

May 12, 2019: Sylhet

Three journalists – freelance journalist Prashant Kanojia and Nation Live journalists Anuj Shukla and Ishita Singh – are arrested for sharing a video depicting ‘sletching’ Chair of the Prime Minister’s Office, and then, threatening and threatening journalists had accused them of spreading false information.

May 22, 2019: Dhaka

Access to Poriborton.com is blocked for 72 hours.

May 20, 2019: Dhaka

Anoop Khundu is registered by the State Food Commission for spreading false information.

March 20, 2019: Dhaka

A complaint against STV Haryana journalist Aman Arora is filed for spreading false information.

February 1, 2019: Dhaka

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September 20, 2019: Jharkhand

Evidence is revealed of the Jharkhand government's efforts to influence media reports by inviting journalists to write about its welfare schemes and offering them money in return. The Jharkhand Working Journalists Association (WJA) and the Government of Raghuram Das issued advertisement in various online and print newspapers by inviting articles on its public welfare schemes, while 70 journalists were selected to be paid Rs 15,000 (USD 173) each.

November 1, 2019: Delhi (H)

Revelations emerge that several journalists, activists, lawyers and senior government officials have been targeted by Israeli spyware in a hacking spree in May 2019. Those targeted were subject to surveillance for a three-week period until May 2020, when the general election was held.

December 19, 2019: Uttar Pradesh (A) Journalist Omear Rashid, of The Hindu, is taken to Hazratganj police station with activist Robin Verma and accused and threatened as being part of a group of terrorists who vandalised police property and engaged in violence during a protest against the Citizenship Amendment Act. He and Verma are released without charge.

February 8, 2020: Jammu & Kashmir

Police summon media workers, Naeem Ahmad Ganai, from Srinagar, magazine, and Haroon Nabi, from the news agency CNS, for questioning for allegedly publishing a statement from the banned Jammu Kashmir Liberation Front (JKLF) and sharing a post on social media.

February 16, 2020: Jammu & Kashmir (A) (D) Kamran Youaz, a multimedia journalist with Newsline, is detained by Pulwama police and interrogated for several hours. Youaz is taken by police van to the office of the Deputy Superintendent of Police where he is accused of running a Twitter account under the name Kamran Marozi to post a video of Syed Ali Geelani, a pro-Pakistan freedom leader in Kashmir. It is later established to be a case of mistaken identity.

March 23, 2020: Delhi and Hyderabad (H)

Police assault at least four journalists as India begins a nationwide lockdown in efforts to contain the Covid-19. In New Delhi, police stop Naveen Kumar, a reporter with Hindi news channel Aaj Tak. In Hyderabad, three police officers attack Ravishkumar, the Hyderabad bureau chief of India Today. In Jammu, a cop questions a journalist on his way to work at a barracks.

Non-fatal attacks on journalists

May 4, 2020: West Bengal (C)

Journalists from Newsox, ABP Ananda and Zee News are attacked, allegedly by Trinamool Congress (TMC) workers, during voting in the fifth phase of India’s national elections in seven constituencies in West Bengal. Journalists are physically assaulted and media vehicles vandalised.

September 1, 2020: West Bengal (C)

Police assault at least five journalists covering violent clashes between supporters of Bharatiya Janata Party (BJP) and the Trinamool Congress (TMC) in West Bengal. The deputy commissioner of police in Barrackpore, Ajay Thakur, is quoted saying he mistook them as a hit squad. TMC journalists also say they were assaulted during the incident.

February 25, 2020: Delhi

Akash Nape, a journalist with JX 24X7 is shot and at least four other journalists injured during communal unrest in Delhi over the country’s controversial Citizenship Amendment Act (CAA). Journalists came under attack as they covered the communal violence in northeast Delhi over several days from February 23. Attacks are made on journalists Arvind Parmar, Rahul Shukla, Manjul Avati and Sushil Rathi. There are also reports of mob controlling the religious identities of journalists covering the protests.

March 4, 2020: Jammu & Kashmir

Journalists from Newshub are assaulted on an operation in Hajipura village in Pulwama district and confiscate their equipment.

March 3, 2020: Tamil Nadu

M Karthi, a reporter with Kumudam, sustains serious head injuries following an attack in Sakthi. Karthi loses teeth after being set upon by two men brandishing iron rods. He had earlier faced threats from editors and others regarding a story. Two men are arrested in connection with the assault.

April 23, 2020: Anuradhapura (I) Tingsha Rinna, an associate editor of Anuradhapura Times, files a FIR with the crime branch after continued online trolling for an article on the alleged rise in cases of wildlife hunting in the state during the Covid-19 lockdown.

April 23, 2020: Mumbai

Senior reporter for Times of India, Anupom Dey, and his colleague have been robbed of Rs 6 lakh by four men at around 11 pm near Elphinstone Road in Mumbai.

April 24, 2020: Tamil Nadu (A)

Andrew Sam Raja Pandian, frontman and chief executive of Simplicity news portal, is arrested on grounds of violating the Epidemic Diseases Act and two sections of the Indian Penal Code. Police alleges that Pandian circulated information during the Covid-19 pandemic and attempting “to bring a bad name to the state government” and creating unrest among government officials.

Killing of journalists

June 19, 2020: Madhya Pradesh (G)

Chaves Jain, journalist with a Hindi daily, dies after sustaining burns under mysterious circumstances in the state police station in his native village. Jain and Chowdhary had been involved in a legal dispute and the case was in its final stages when the incident took place.

October 14, 2019: Andhra Pradesh

Journalist K Sathyanarayana is stabbed and killed by unidentified assailants, just a month after he was taken to Aberdeen police station for questioning. He was one of two journalists murdered in Andhra Pradesh in separate incidents during the Covid-19 pandemic and attempting “to bring a bad name to the state government” and creating unrest among government officials.

July 8, 2019: Madhya Pradesh (G)

Journalist Pragya Singh is killed in a road accident near his home.

July 8, 2019: Madhya Pradesh (G)

Journalist K Satyanarayana is stabbed and killed by unidentified assailants, just a month after he was taken to Aberdeen police station for questioning. He was one of two journalists murdered in Andhra Pradesh in separate incidents during the Covid-19 pandemic and attempting “to bring a bad name to the state government” and creating unrest among government officials.

July 18, 2020: Madhya Pradesh (G)

India’s citizenship laws introduce two controversial laws, namely the Citizenship Amendment Act (CAA) and the National Register of Citizens (NRC). The laws repeal the Working Journalists and other Employees (Conditions of Service) and the Minimum Wages Act of 1948.

November 18, 2019: Madhya Pradesh

Journalist Suresh Prasad Panthak, a reporter for Nishkriti, is killed by assailants armed with a carbine in a village in Bastar.

July 23, 2019: Delhi (H)

The Government of India introduces two controversial laws, namely the Citizenship Amendment Act (CAA) and the National Register of Citizens (NRC). The laws repeal the Working Journalists and other Employees (Conditions of Service) and the Minimum Wages Act of 1948.

July 23, 2019: Delhi (H)

The Government of India introduces two controversial laws, namely the Citizenship Amendment Act (CAA) and the National Register of Citizens (NRC). The laws repeal the Working Journalists and other Employees (Conditions of Service) and the Minimum Wages Act of 1948.
July 26, 2019: Tanahu
Deputy mayor of the Sukhia Gandaki Municipality in Tanahu verbally abuses journalist Shastri Shrestha for his alleged association with the BJU-led Maoist group. Shastri has also been verbally abused by a group of city employees in the construction of a playground.

August 10, 2019: Kathmandu (A)

October 20, 2019: Achham (I)
Mukti Purja Daily journalist Maneka Dhungana is subjected to online harassment on social media sites after publishing a story on the tender process for the construction of two schools.

November 2, 2019: Kathmandu (I)
Sham Lama, news chief of Yeho Television, is threatened after broadcasting a story on a scandal regarding a patient who died at Blue Cross Hospital in Kathmandu. Larma is threatened on social media by the hospital’s administrative representatives, Raj Pratap Shrestha.

November 27, 2019: Chitwan
Caders of ruling Nepal Communist Party (NCP) abuse journalists, Roju Sapkota, Mahendra Shrestha and Krishna Sunuraw, and delete footage recorded while covering the by-election in Bhadurz.

December 4, 2019: Saptari
Police raid the house of journalist Abashad Kumar Jha from the Kantipur Daily in Tilfla Koshi village, Saptari.

December 4, 2019: Siraha
A customs office official in Janathata threats journalists Sanjibkumar Shrestha, Dinesh, and Sunil Pokharel, differentiates their cameras and verbally abuses them after they filed the officer taking bribes.

February 26, 2020: Kathmandu
Journalist Ajaya Babu Shiwakoti is threatened for reporting on various corruption cases involving cabinet ministers. Shiwakoti, the editor of harmarko.com, is threatened by unknown men following a story about RTI petition in commission sought by the sitting minister for communication and information technology, Gaij Bankota, for the procurement of printing.

March 26, 2020: Rahan
Dilip Khanal and Rajeev Ramkhal, of Ateen Television, is verbally abused by Dwarik Lal Chaudhari, the mayor of Itahari sub-metropolitan city, Chitwan, for asking about the city’s preparations to mitigate the impact of Covid-19. 

April 22, 2020: Kathmandu
Nepal Republic Media, Ateen Television, Rajdhani daily and Annapurna Media Group fail to publish outstanding journalist salaries dating back several months. Kantipur Media Group (KMG) requests journalists to take unpaid leave but later renews the decision.

April, 27 2020: Chitwan
Police detained Binodnath Rijal, the editor of Kayakairan Daily, for publishing an article and accompanying illustration on China’s response to Covid-19. The article and illustration shows Mao Zeong wearing a mask.

July 5, 2019: Nepal (I)
Pakistan Tehreek e Insaf leader Mavour Sirajuddin Khan Faran, president of Karachi Press Club during a live TV broadcast on K21, was shot in the chest on July 4, 2019. Reporters without borders, an international non-governmental organisation (NGO) has condemned the attack on Khan Faran, saying “the attack on journalist Khan Faran will not go unpunished”. Khan Faran has been given police security.

1. Threats Against the Lives of Journalists – 1
2. Threats against the Media Institutions – 1
3. 20 Violations recorded

Other Threats to Journalists

April 24, 2019: Rawalpindi
Journalist Shahid Masood was manhandled by an employee of Pahra Bank Ram, Jung Shahi, and another person Jagadish Talang when returning to his house in Rawalpindi after an interview in Nayapatrika Daily on the distribution of subsidized rice by the Nepal Food Corporation.

May 7, 2019: Dhanusa
Three journalists - Amarkanta Thakur, Subhas Karna and Raja Jha - were attacked by supporters of the mayor of Janakpur Sub-Metropolitan City, Ghanshyam Shrestha – the mayor questions on the encroachment of land belonging to the Janaki Temple.

June 21, 2019: Dhanusa (A)
Police arrested nine journalists published to this District Post Office, Dhanusa, demanding the refund of funds by Dhanusa after it deducted 40 per cent to 100 per cent of the distribution of funds in public service advertisement. Journalists were arrested in F N Bawas (Kantipur TV), Shyam Sundar Yadav (Nepal TV), Nahin Kumar Gupta (ABC TV), Bhusan Kumar Karki (Khabrain TV), Dipak Gupta (Bhuka weels) and Paris Karm (Guneet Mehandi). Later, they were released after an hour of detention.

July 26, 2019: Tanahu
Deputy mayor of the Sukhia Gandaki Municipality in Tanahu verbally abuses journalist Shastri Shrestha for his alleged association with the BJU-led Maoist group. Shastri has also been verbally abused by a group of city employees in the construction of a playground.

August 10, 2019: Kathmandu (A)

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Mukti Purja Daily journalist Maneka Dhungana is subjected to online harassment on social media sites after publishing a story on the tender process for the construction of two schools.

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April, 27 2020: Chitwan
Police detained Binodnath Rijal, the editor of Kayakairan Daily, for publishing an article and accompanying illustration on China’s response to Covid-19. The article and illustration shows Mao Zeong wearing a mask.

July 5, 2019: Pakistan (I)
Pakistan journalists critical of the government and military are targeted by hate-speech campaigns on social media platforms. The social media hashtags #ArrestAntiPakJournalists begins spreading on July 4, following a tweet by an account claiming to be the leader of a group called Imran Khan Warriors (derived from the name of Pakistan’s Prime Minister).
July 8, 2019: Khushab (C) Bashir Malik, a local journalist with 24 News in Khushab, is beaten and threatened with death by local thugs.

July 23, 2019: Faisalabad Muhammad Tayyab and Ali Raza, two reporters of Channel 24 News, are brutally beaten by a group of lawyers and their accomplices in Faisalabad. The journalists are picked up by a group of lawyers and taken to an undisclosed location before being beaten after a broadcast about a police attack on a Kashmiri journalist.

October 22, 2019: Pakistan Administered Kashmir Several journalists are injured after police attack the Muzaffarabad Press Club. Local police raid the press club during a media briefing by the Jammu Kashmir Provincial National Alliance (JKPNA). Police fire tear gas shells, beat batons and destroy journalists’ recording equipment in the raid.

KILLINGS OF JOURNALISTS
September 12, 2019: Punjab Journalist Zafar Abbas, who had been missing since September 7, is found dead. Abbas, who worked for 7 News, was on his way home from work late at night when he was kidnapped. He is found in a dry well at Maoua Kali Shah in Panjnad.

November 25, 2019: Lahore (F) Urooj Iqbal, a female journalist, is shot dead by her husband. The journalist was allegedly killed by her husband for not agreeing to quit her job. According to the police report, the 27-year-old journalist who worked for an Urdu daily, was entering her police report, the 27-year-old journalist who agreed to quit her job. According to the police report, the 27-year-old journalist who worked for an Urdu daily, was entering her police report, the 27-year-old journalist who agreed to quit her job. According to the police report, the 27-year-old journalist who agreed to quit her job.

February 4, 2020: Trincomalee Journalist M N Aminullah from Kandy is threatened with death by three local politicians after reporting a clash between politicians over their business dealings.

February 9, 2020: Pakistan (H) The Pakistan government passes strict controls over digital content creators. The Committee on Regulation of the Web TV & Over the Top (OTT) Content Services seeks to regulate online content creators and imposes license fees up to PKR 10,000,000 (USD 65,000).

January 28, 2020: Pakistan Pakistan’s federal cabinet approved Citizens Protection (Against Online Harm) Rules 2020 which requires social media platforms such as YouTube, Facebook, Twitter and others to establish offices in Pakistan. The bill empowers the national coordinator of the ministry of communications to fine social media companies up to PKR 500,000,000 (USD 3,240,000) if a company refuses to comply.

March 13, 2020: Pakistan PEJMAH orders cable operators to block GEO TV broadcasts or move the channel to last on the list of channels in retaliation to the network’s coverage of the arrest on March 12 of its editor-in-chief Mr Shaukat Rahman.

JOURNALISTS CALL ON SRI LANKA'S GOVERNMENT TO TAKE MEASURES TO INVESTIGATE JOURNALIST KILLINGS AND DISAPPEARENCES IN THE 'BLACK JANUARY' COMMEMORATION ON JANUARY 20, 2020 IN COLombo.

SRI LANKA

IDEAS FOR PRESS FREEDOM REPORT

July 11, 2019: Islamabad (H) An interview with Aitf Ali Qandari, the lawyer of Jamhat (NTJ), a terrorist group accused of several instances of violence in the country. The lawyer's name is included in the list of suspects of the police, which is yet to be confirmed.

August 12, 2019: Gampaha (C) Sisira Karunap, a correspondent with Sinhala language daily Diviyana is threatened with death by three local politicians after reporting a clash between politicians over their business dealings.

December 10, 2019: Colombo Kasi Thalasu Fernando, former editor of the Daily and New Media (Lake) and the newspaper Diwini, which is a leading Sinhala language daily, is beaten and threatened with death by the police of the Sri Lanka Police. The police officer snatched his camera, deleted photographs and physically assaulted the journalist who was covering a dispute at the temple.

January 19, 2020: Jaffna (C) The house of journalist Rajagaran, of Tamil newspaper Valarpam, is ambushed and vandalised by a group of unidentified men in Mannipay.

January 22, 2020: Batticaloa (C) A policeman threats the family members of the Tamil journalist Nihanari after forcibly entering his home. Nihanari is summoned to the police station the next morning. Police refuse to provide reasons for seeking Nihanari’s arrest. On January 8, he appeared in court and was released on bail.

February 23, 2020: Batticaloa (C) Leaflets threatening to kill seven Tamil journalists are left at the Batticaloa Press Club and a nearby shop in Batticaloa, eastern Sri Lanka. The leaflets said: "Beawen! Beawen! These are the reporters who received money from the Tigers and attack against the state. We will soon execute them." The pamphlets also pictures of all lives of Tamil journalists attacking the memorial of murdered journalist Lasantha Wickremaiges.

February 4, 2020: Trincomalee (C) Journalist W G Roshan Kumara is threatened with death by the local politician and bus company owner while covering a bus accident.

March 2, 2020: Vavuniya (C) A journalist of Tamil newspaper is charged for commenting on the development of religious violence after the April 21 Easter Sunday attack. The hooligan attack on the Tamils’ Organised Crime Division requests the Colombo Magistrate Court (C) to issue arrest warrant under the Human Rights Council in Geneva, where Sri Lanka withdrew co-sponsorship of a resolution on accountability.

July 21, 2019: Kandy (C) Journalist M N Anumullah from Lake House is blocked by security personnel from covering a Sri Lankan Air Force Commander’s visit to a Buddhist monastery.

August 4, 2019: Sri Lanka (H) Ranil Karunaharan, the minister of Hills Country New Villages, Infrastructure and Community Development threatens journalist K Prasanna for an article in Tamil Thinnakural on alleged irregularities under the ministry.

January 19, 2020: Jaffna (C) The house of journalist Rajagaran, of Tamil newspaper Valarpam, is ambushed and vandalised by a group of unidentified men in Mannipay.

September 5, 2019: Jaffna (C) Journalist Sinhala language daily Dinawin is threatened with death by three local politicians after reporting a clash between politicians over their business dealings.

November 26, 2019: Colombo Police search the premises of NewsHub.lk after receiving a complaint that the company possessed defamatory material targeting a presidential candidate. A team of around 10 police from the Moratuwa police station raided premises at its premises with a search warrant and checked computer servers, laptops and PCs.

November 28, 2019: Colombo (C) Sri Lanka's Criminal Investigation Department (CID) summons digital journalists Dhanushka Sanjeewa, from the NewsHub.lk and Thushara Vithanage, from Vivicollage, for interrogation. Neither is informed of the reason for the summons, which is required by Sri Lanka law. It is believed to be related to a complaint made by a pro-Sinhalese organisation.

OTHER THREATS TO JOURNALISTS
May 9, 2019: Colombo (A) A journalist from Thinnakural newspaper is detained for carrying newspaper cuttings that feature the leader of the Tamil National Thohtham Jamath (NTJ), the terrorist group accused of several instances of violence in the country. The journalist was carrying out the Easter Sunday attack in which 258 people were killed.

July 20, 2019: Kandy (C) Journalist M N Anumullah from Lake House is blocked by security personnel from covering a Sri Lankan Air Force Commander’s visit to a Buddhist monastery.

Non-Fatal Attacks on Journalists
May 28, 2019: Mullaitivu (C) Police officer in charge of the Kidulki police station in Mullaitivu verbally and physically abuses Kumaran, a Tamil journalist after he took photographs of the repairing and removal of CCT cameras in a temple. The officer snatched his camera, deleted photographs and physically assaulted the journalist who was covering a dispute at the temple.

August 13, 2019: Batticaloa (C) September 19, 2019: Batticaloa (C) Journalist Zarintha Shamshuddin, a Tamil journalist with Viresake, is summoned, in relation to an article published in Batticaloa Press Club on September best sentenced journalist in Colombo. The police dragged Ranaweera out of her home and took her to a police station. No reason was given for the detention and assault.

September 3, 2019: Jaffna (C) Three Tamil journalists are threatened with violence, is summoned, in relation to an article published in Batticaloa Press Club on September 19, 2019. The article quoted a disappeared activist who had been murdered for seeking Nilanthan's arrest. On January 19, 2020, he appeared in court and was released on bail.

September 5, 2019: Jaffna (C) Journalist Zarintha Shamshuddin, a Tamil journalist with Viresake, is summoned, in relation to an article published in Batticaloa Press Club on September 3, 2019. The article quoted a disappeared activist who had been murdered for seeking Nilanthan's arrest. On January 19, 2020, he appeared in court and was released on bail.

November 1, 2019: Batticaloa (C) Journalist Mohamed Saij, of Viresake, is assaulted by an unidentified man in Batticaloa. The journalist was assaulted while covering a dispute in the Batticaloa area.

November 26, 2019: Colombo Police search the premises of NewsHub.lk after receiving a complaint that the company possessed defamatory material targeting a presidential candidate. A team of around 10 police from the Moratuwa police station raided premises at its premises with a search warrant and checked computer servers, laptops and PCs.

November 28, 2019: Colombo (C) Sri Lanka's Criminal Investigation Department (CID) summons digital journalists Dhanushka Sanjeewa, from the NewsHub.lk and Thushara Vithanage, from Vivicollage, for interrogation. Neither is informed of the reason for the summons, which is required by Sri Lanka law. It is believed to be related to a complaint made by a pro-Sinhalese organisation.
## The Three Biggest Shutdowns in South Asia

<table>
<thead>
<tr>
<th>SN</th>
<th>DATE</th>
<th>STATE</th>
<th>AREA</th>
<th>DAYS</th>
<th>SERVICE IMPACTED</th>
<th>JUSTIFICATION</th>
<th>DETAILS</th>
</tr>
</thead>
<tbody>
<tr>
<td>6</td>
<td>12-May</td>
<td>Jammu &amp; Kashmir</td>
<td>Shopian Mobile</td>
<td>Unknown</td>
<td>Kiling of militant</td>
<td>Encounter between security forces and militants</td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>11-May</td>
<td>Assam</td>
<td>Barak Vally Mobile and broadband</td>
<td>Unknown</td>
<td>Curfew imposed because of community clashes</td>
<td></td>
<td></td>
</tr>
<tr>
<td>9</td>
<td>16-May</td>
<td>Jammu &amp; Kashmir</td>
<td>Pulwama Mobile</td>
<td>Unknown</td>
<td>Encounter between security forces and militants</td>
<td></td>
<td></td>
</tr>
<tr>
<td>10</td>
<td>16-May</td>
<td>Jammu &amp; Kashmir</td>
<td>Doda Mobile</td>
<td>Unknown</td>
<td>Search operation for militants and clashes</td>
<td></td>
<td></td>
</tr>
<tr>
<td>12</td>
<td>18-May</td>
<td>Jammu &amp; Kashmir</td>
<td>Pulwama Mobile and broadband</td>
<td>Unknown</td>
<td>Killing of a militant</td>
<td></td>
<td></td>
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<tr>
<td>13</td>
<td>22-May</td>
<td>Jammu &amp; Kashmir</td>
<td>Kulgam Mobile</td>
<td>Unknown</td>
<td>Killing of a militant</td>
<td></td>
<td></td>
</tr>
<tr>
<td>17</td>
<td>31-May</td>
<td>Jammu &amp; Kashmir</td>
<td>Pulwama Mobile and broadband</td>
<td>Unknown</td>
<td>Militants killed</td>
<td></td>
<td></td>
</tr>
<tr>
<td>18</td>
<td>31-May</td>
<td>Jammu &amp; Kashmir</td>
<td>Shopian Mobile</td>
<td>Unknown</td>
<td>Precautionary measure for search operation</td>
<td></td>
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<tr>
<td>22</td>
<td>8-Jun</td>
<td>Jammu &amp; Kashmir</td>
<td>Anantnag Mobile and broadband</td>
<td>Unknown</td>
<td>Gunfight between militants and security forces</td>
<td></td>
<td></td>
</tr>
<tr>
<td>23</td>
<td>9-Jun</td>
<td>West Bengal</td>
<td>Basirhat Mobile and broadband</td>
<td>Unknown</td>
<td>To prevent rumous on social media following communal clashes</td>
<td></td>
<td></td>
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<tr>
<td>24</td>
<td>10-Jun</td>
<td>Uttar Pradesh</td>
<td>Aligarh Mobile and broadband</td>
<td>Unknown</td>
<td>Prevent communal violence</td>
<td></td>
<td></td>
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<tr>
<td>27</td>
<td>12-Jun</td>
<td>Jammu &amp; Kashmir</td>
<td>Anantnag Mobile and broadband</td>
<td>Unknown</td>
<td>Clashes between youth and government forces</td>
<td></td>
<td></td>
</tr>
<tr>
<td>28</td>
<td>14-Jun</td>
<td>Jammu &amp; Kashmir</td>
<td>Pulwama Mobile and broadband</td>
<td>Unknown</td>
<td>Militants killed</td>
<td></td>
<td></td>
</tr>
<tr>
<td>29</td>
<td>17-Jun</td>
<td>Jammu &amp; Kashmir</td>
<td>Shopian Mobile</td>
<td>Unknown</td>
<td>Precautionary measure to prevent spread of rumours on death anniversary of founder of Ummat-e-Islami (UI), Mirwaiz Qazi Nissar Ahmad</td>
<td></td>
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<tr>
<td>30</td>
<td>19-Jun</td>
<td>Jammu &amp; Kashmir</td>
<td>Shopian Mobile</td>
<td>Unknown</td>
<td>Precautionary measure to prevent spread of rumours on death anniversary of founder of Ummat-e-Islami (UI), Mirwaiz Qazi Nissar Ahmad</td>
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<td></td>
</tr>
<tr>
<td>31</td>
<td>20-Jun</td>
<td>West Bengal</td>
<td>North 24 Parganas Mobile and broadband</td>
<td>Unknown</td>
<td>Clashes torn out between real political parties</td>
<td></td>
<td></td>
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<tr>
<td>32</td>
<td>21-Jun</td>
<td>Jammu &amp; Kashmir</td>
<td>Shopian Mobile</td>
<td>Unknown</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>33</td>
<td>28-Jun</td>
<td>Jammu &amp; Kashmir</td>
<td>Budgam Mobile</td>
<td>Unknown</td>
<td>Gunfight between militants and security forces</td>
<td></td>
<td></td>
</tr>
<tr>
<td>34</td>
<td>30-Jun</td>
<td>Jammu &amp; Kashmir</td>
<td>Budgam Mobile</td>
<td>Unknown</td>
<td>Gunfight between militants and security forces</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

## Total Internet Shutdowns or Online Controls Recorded

<table>
<thead>
<tr>
<th>YEAR</th>
<th>TOTAL SHUTDOWN DAYS</th>
</tr>
</thead>
<tbody>
<tr>
<td>2017-18</td>
<td>97</td>
</tr>
<tr>
<td>2018-19</td>
<td>106</td>
</tr>
<tr>
<td>2019-20</td>
<td>82</td>
</tr>
</tbody>
</table>

## Internet Shutdowns by Country

**India**

- May 1, 2019 – April 30, 2020
- **Pakistan**
- **Bangladesh**
- **Sri Lanka**